



Settled 1752  
**JAMESTOWN**  
NORTH CAROLINA

**Regular Meeting of the Town Council**  
**November 16, 2021**  
**6:00 pm in the Civic Center**  
**Agenda**

- I. **Call to Order-**
  - A. Roll Call
  - B. Pledge of Allegiance
  - C. Moment of Silence
  - D. Approval of Agenda
- II. **Consent Agenda-**
  - A. Approval of minutes from the October 19<sup>th</sup> Regular Town Council Meeting
  - B. Approval & Sealing of the October 19<sup>th</sup> Closed Session Minutes
  - C. Financial Analysis of the Town of Jamestown
  - D. Financial Analysis of the Jamestown Park & Golf Course
  - E. Notification of Advances
  - F. Budget Amendment #11
- III. **Public Comment**
- IV. Introduction of Captain Brian Hall with the Guilford County Sheriff's Department- Dave Treme, Interim Town Manager
- V. Presentation of Certificate honoring the Town of Jamestown's acceptance into the AARP Network of Age-Friendly States and Communities- Bob Gerken, AARP Representative
- VI. **Old Business-**
  - A. Consideration of approval of new public record request policy- Dave Treme, Interim Town Manager
  - B. Updates on ongoing NCDOT projects in the Town of Jamestown- Paul Blanchard, Public Services Director
  - C. **Public Hearings-**
    1. Public Hearing on Question for Annexation pursuant to G.S. 160A-31 for 2221 Guilford College Road, 5300 Mackay Road, 2207 Guilford College Road, & 5303 Mackay Road- Matthew Johnson, Assistant Town Manager/Director of Planning
    2. Public Hearing regarding several updates to the Land Development Ordinance (LDO)- Anna Hawryluk, Town Planner
      - a. Consideration of approval/denial of updates to the LDO
      - b. Consideration of adoption of Consistency/Inconsistency Statement
- VII. **Manager/Committee Reports**
  - A. Manager Report
  - B. Council Member Committee Reports
  - C. High School Representative Report
- VIII. **Public Comment**
- IX. **Other Business**
- X. **Closed Session Per G. S. 143-318 to discuss matters related to Personnel**
- XI. **Adjournment**

**Working Agenda for the November 16th Regular Town Council Meeting**

Tentative Time Line	Agenda Item	Responsible Party	Action required by the Town Council
6:00 pm	<b>I. Call to Order</b>	Mayor Montgomery	Mayor Montgomery to call the meeting to order.
6:00 pm	A. Roll Call	K. Weiner	Weiner to take roll call.
6:00 pm	B. Pledge of Allegiance	Mayor Montgomery	Mayor Montgomery to lead everyone in the Pledge of Allegiance.
6:00 pm	C. Moment of Silence	Mayor Montgomery	Mayor Montgomery to call for a moment of silence
6:00 pm	D. Approval of Agenda	Mayor Montgomery	Mayor Montgomery to ask Council if there are any items that need to be added or deleted. Council Member makes a motion to approve the agenda. Council Member makes a second to the motion. Then vote.
6:05 pm	<b>II. Consent Agenda</b>		
6:05 pm	<p>A. Approval of minutes from the October 19<sup>th</sup> Regular TC Meeting</p> <p>B. Approval and Sealing of the October 19<sup>th</sup> Closed Session Minutes</p> <p>C. Financial Analysis of the Town of Jamestown</p> <p>D. Financial Analysis of the Jamestown Park and Golf Course</p> <p>E. Notification of Advances</p> <p>F. Budget Amendment #11</p>		Council Member makes a motion to approve the consent agenda. Council Member makes a second to the motion. Then vote.
6:05 pm	<b>III. Public Comment</b>		Please state your name and address and adhere to the 3 minute time limit
6:20 pm	<b>IV.</b> Introduction of Captain Brian Hall with the Guilford County Sheriff's Department	Call on D. Treme	Treme to introduce Captain Brian Hall with the Guilford County Sheriff's Department to Council
6:25 pm	<b>V.</b> Presentation of Certificate honoring the Town of Jamestown's acceptance into the AARP Network of Age-Friendly States and Communities	Call on Bob Gerken AARP Representative	Gerken to present certificate to Council welcoming the Town into the AARP Network of Age-Friendly States and Communities.
6:30 pm	<b>VI. Old Business</b>		
6:30 pm	<b>A.</b> Consideration of approval of new public record request policy	Call on D. Treme	Treme to present new public record request policy. Treme to request that Council approve the new public record request policy as presented. Council Member makes a motion to approve/deny new public record request policy. Council Member makes a second to the motion. Then vote.
6:40 pm	<b>B.</b> Updates on ongoing NCDOT projects in the Town of Jamestown	Call on P. Blanchard	Blanchard to provide updates on ongoing NCDOT projects.
6:50 pm	<p><b>C.</b> Public Hearings</p> <p>1. P.H. on Question for Annexation pursuant to G. S. 160A-31 for 2221 Guilford College Road, 5300 Mackay Road, 2207 Guilford College Road, and 5303 Mackay Road</p>	Call on M. Johnson	Johnson to speak about the annexation request for the properties located at 2221 Guilford College Road, 5300 Mackay Road, 2207 Guilford College Road, and 5303 Mackay Road. Johnson to request that Council open the public hearing and continue it to the December 21 <sup>st</sup> Town Council meeting without further advertisement. Mayor Montgomery to open the public hearing to anyone that would like to speak regarding the annexation request. Please state your name and address and adhere to the 3 minute time limit. Council Member makes a motion to continue the Public Hearing to the December 21, 2021 Council meeting without further advertisement. Council Member makes a second to the motion. Then vote.
7:05 pm	<p>2. P.H. regarding several updates to the Land Development Ordinance (LDO)</p>	Call on A. Hawryluk	Hawryluk to present proposed updates to LDO. Sarah Glanville, Planning Board Chair, to present Planning Board's recommendation to Council. Mayor Montgomery to open the public hearing to anyone that would like to speak regarding the proposed updates to the LDO. Please state your name and address and adhere to the three minute time limit. Mayor Montgomery to close the public hearing and open the floor to Council for discussion. Council Member makes a motion to approve/deny proposed amendments to the LDO including the adoption of a non-residential property building code, a minimum housing code, and changes to the sign regulations. Council Member makes a second to the motion. <b>Roll Call Vote.</b> Council Member makes a motion to adopt the consistency/inconsistency statement. Council Member makes a second to the motion. Then vote.
7:15 pm	<b>VII. Manager/Committee Reports</b>		
7:15 pm	<b>A.</b> Manager Report	Call on D. Treme	Treme to present his monthly Manager's Report to Town Council.
7:20 pm	<b>B.</b> Council Member Committee Reports	Mayor Montgomery	Mayor Montgomery to request that Council Members give reports for any Committees that they serve on.

7:25 pm	<b>C.</b> High School Representative Report	Call on M. Conway	Conway to present High School Representative report
7:30 pm	<b>VIII.</b> Public Comment		Please state your name and address and adhere to the 3 minute time limit
7:45 pm	<b>IX.</b> Other Business		
7:50 pm	<b>X.</b> Closed Session per G.S. 143-318 to discuss matters related to Personnel		Council Member makes a motion to go into Closed Session per G.S. 143-318 to discuss matters related to Personnel. Council Member makes a second to the motion. Then vote. Council Member makes a motion to resume open session. Council Member makes a second to the motion. Then vote.
8:10 pm	<b>XI.</b> Adjournment		Council Member makes a motion to adjourn. Council Member makes a second to the motion. Then vote.

**Mayor**  
Lynn Montgomery

**Interim Town Manager**  
Dave Treme

**Town Attorney**  
Beth Koonce



**Council Members**  
Martha Stafford Wolfe, Mayor Pro Tem  
Rebecca Mann Rayborn  
John Capes  
Lawrence Straughn

## TOWN OF JAMESTOWN AGENDA ITEM

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**ITEM ABSTRACT:** Approval of the minutes from the October 19th Regular TC Meeting

**AGENDA ITEM #:** II-A



CONSENT AGENDA ITEM



ACTION ITEM



INFORMATION ONLY

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**MEETING DATE:** November 16, 2021

**ESTIMATED TIME FOR DISCUSSION:** 0 Minutes

**DEPARTMENT:** Administration

**CONTACT PERSON:** Katie Weiner, Town Clerk

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**SUMMARY:**

Minutes from the October 19, 2021 Regular Town Council Meeting

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**ATTACHMENTS:** Minutes from the October 19, 2021 Regular Town Council Meeting

**RECOMMENDATION/ACTION NEEDED:** Staff recommends that Council approve the Consent Agenda

**BUDGETARY IMPACT:** N/A

**SUGGESTED MOTION:** Council Member makes a motion to approve/amend the consent agenda.

**FOLLOW UP ACTION NEEDED:** N/A

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**Regular Meeting of the Town Council  
October 19, 2021  
6:00 pm in the Civic Center  
Minutes & General Account**

**Council Members Present:** Mayor Montgomery, Council Members Wolfe, Rayborn, Capes, & Straughn

**Staff Members Present:** Dave Treme, Matthew Johnson, Katie Weiner, Paul Blanchard, Anna Hawryluk, Judy Gallman, Ross Sanderlin, Jamey Claybrook, Kenneth Clouser (Audio & Video Technician), & Beth Koonce, Town Attorney

**Visitors Present:** Rick Clapp, Sherrie Richmond, Jane Walker Payne, Pam Burgess, Cory Rayborn, Katherine Rayborn, Phillip Weiner, Ed Stafford, Wid Painter, Derek Carson, Brandon Emory, Krisdena Reeser, Robert Frederick, & Carol Brooks

**Call to Order-** Mayor Montgomery called the meeting to order.

- Roll Call- Weiner took roll call as follows:

Council Member Wolfe- Present  
Council Member Capes- Present  
Mayor Montgomery- Present  
Council Member Straughn- Present  
Council Member Rayborn- Present

Weiner stated that a quorum was present.

- Pledge of Allegiance- Mayor Montgomery led everyone in the Pledge of Allegiance.
- Moment of Silence- Mayor Montgomery called for a moment of silence.
- Approval of Agenda- Mayor Montgomery asked if anyone would like to change, add, or delete any items on the agenda.

Mayor Montgomery requested that Council add the appointment of Marlane Conway as the new High School Representative to the consent agenda.

Council Member Wolfe requested to remove the item for the introduction of Captain Brian Hall because he was not able to be present at the meeting. She also requested to move the items "Status Report on Code Enforcement Violations" and the "Consideration of approval of Budget Amendment #10 and Amendment to the Contract with Alliance Code Enforcement" to be discussed right after the first public comment period. Council Member Wolfe requested to add the "Consideration of approval of addition of Deputy Finance Officer to pay grade #19" to be discussed as the last item under "New Business."

Council Member Wolfe made a motion to approve the agenda for the October 19<sup>th</sup> Town Council meeting with the requested changes. Council Member Straughn made a second to the motion. The motion passed by unanimous vote.

**Consent Agenda-** The consent agenda included the following items:

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- Approval of minutes from the September 21<sup>st</sup> Regular Town Council Meeting
- Proclamation National Breast Cancer Awareness Month 2021
- Proclamation Veterans Day 2021
- Analysis of the financial position of the Town of Jamestown
- Analysis of the financial position of the Jamestown Park and Golf Course
- Notification of Advances
- Budget Amendment #8
- Appointment of Marlane Conway as the new High School Representative

Council Member Capes made a motion to approve the consent agenda. Council Member Rayborn made a second to the motion. The motion passed by unanimous vote.

(Proclamation National Breast Cancer Awareness Month 2021, Proclamation Veterans Day 2021, & Budget Amendment #8)

**Public Comment-**

- Krisdena Reeser, 2621 Glasshouse Road- Reeser said that she felt called out during the previous meeting because of her numerous public record requests. She added that she did not live in the Town of Jamestown, but she did have a Jamestown zip code. She noted that she did not pay taxes to the Town, but she was a Guilford County resident. Reeser stated that she was concerned about the potential annexation of the Johnson property. She said that she had submitted over thirty public record requests to the Town of Jamestown. She listed the various subjects of her requests.

**Status Report on Code Enforcement Violations-** Treme stated that Council had approved a contract with Alliance Code Enforcement (A.C.E.) for a trial period. He added that Council had requested that Emory provide an overview of current code enforcement violations in the Town. He noted that Council had determined that it would be best to revisit the option of extending the contract with A.C.E. after Emory had worked for the Town for a temporary period. Treme said that Emory was in attendance and would present a quarterly status report to Council.

Emory stated that the report that was included in the Council packet provided a summary of the work that had been conducted by A.C.E. in the last three months. He noted that thirty-two of fifty-one cases had been abated. He added that there had been significant progress made on the code violations throughout Town. Emory highlighted that it was of the utmost importance to the A.C.E. team that they provide good customer service to residents and that they respond to complaints in a timely manner. He said that they always attempted to work with property owners to resolve any issues that exist. He also noted that he had been in communication with the owner and property manager of the Oakdale Mill area. Emory had stressed the importance of ensuring that the homes on the property were safe and that the nuisance issues that exist be addressed. He provided an overview of the types of code enforcement violations that had been resolved and were ongoing.

Council Member Capes asked Emory about the living conditions at the Oakdale Cotton Mill. Emory stated that he believed the living conditions were poor. He added that the majority of the homes did not have central air/heat and had a lot of structural damage. Council Members discussed potential next steps to address the ongoing issues on the property with Emory.

**Consideration of approval of Budget Amendment #10 and amendment to the contract with Alliance Code Enforcement-** Treme stated that he had noticed an improvement around Town since A.C.E. had begun

addressing code enforcement violations. He added that one of the goals in the strategic plan was to enforce the Town's ordinances. He also noted that A.C.E. embodied the excellent customer service that Council valued. Treme recommended that Council approve Budget Amendment #10 and the contract amendment which would allow A.C.E. to continue to provide services for the Town through June 30, 2022.

Council Member Wolfe made a motion to approve Budget Amendment #10 and the amendment to the contract with Alliance Code Enforcement. Council Member Capes made a second to the motion. The motion passed by unanimous vote.

(Budget Amendment #10)

**Proclamation for Fire Prevention Month-** Mayor Montgomery presented the proclamation for fire prevention month to Derek Carson, Pineroft Sedgfield Fire Chief, and Sparky the Fire Dog. She thanked them for everything they do to keep the Town safe.

(Proclamation for Fire Prevention Month)

**Old Business-**

- Consideration of adoption of Certificate of Sufficiency- Johnson stated that the Town had received a petition for the property commonly known as the "Johnson Farm." He added that Council had instructed the Town Clerk and Town Attorney to investigate the petition at their September 21<sup>st</sup> meeting as the first step of the annexation process. He stated that the Town Clerk and the Town Attorney had investigated the petition and had found it to be sufficient. He requested that Council adopt the certificate of sufficiency.

Council Member Wolfe made a motion to adopt the certificate of sufficiency as presented. Council Member Capes made a second to the motion. The motion passed by unanimous vote.

(Certificate of Sufficiency)

- Consideration of adoption of Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-31- Johnson said that the next step of the process required that Council set a public hearing date for the consideration of the annexation of the property. He requested that Council adopt the resolution fixing the date of the public hearing for the November 16<sup>th</sup> Town Council meeting at 6:00 pm in the Civic Center. He added that the public hearing could be continued at that time if necessary.

Council Member Straughn asked Koonce if she was comfortable with the timeline of the annexation process. She stated that she was very comfortable with it.

Council Member Capes made a motion to adopt the resolution setting the public hearing date for the consideration of the annexation petition for the November 16<sup>th</sup> Town Council meeting at 6:00 pm in the Civic Center. Council Member Rayborn made a second to the motion. The motion passed by unanimous vote.

(Resolution Fixing Date of Public Hearing on Question of Annexation Pursuant to G.S. 160A-31)

- Public Hearing for the consideration of adoption of the 2021 Comprehensive Plan- Johnson stated that Comprehensive Plans were used to help guide future community planning decisions. He added that local governments use Comp Plans to wisely invest public dollars and guide development decisions. He noted that they also allow for municipalities to qualify for certain grants and government funding. Johnson stated that the Town had begun the process of updating the Comp Plan in 2020. He added that Benchmark Planning had been hired to assist the Town with the update. Johnson said that they had done an excellent job gathering public input even though the Coronavirus pandemic had created some unique challenges. He stated that Vagn Hansen with Benchmark would present an overview of the update process.

Hansen stated that the Comp Plan would serve as a policy guide for the next five to ten years. He added that it would establish a blueprint for the future of the community. He said that the planning area included the corporate limits and the extraterritorial jurisdiction. Hansen provided a timeline of the process used to update the plan. He highlighted that a Steering Committee had been appointed in February 2020 to assist with the update and that a website had been created for the project. He noted that the public engagement strategy included listening sessions, community conversations, downtown walking tours, and growth management workshops. Hansen spoke about the background information that was compiled in order to develop some of the goals and strategies for the plan. Hansen read the vision statement for the record. The vision statement for the plan was as follows:

“Jamestown is a community whose history and character are the foundations of its future. We strive to maintain our small town charm while growing in a manner that respects our traditional development patterns and our valuable cultural and natural resources. As a community of neighbors, we embrace diversity and inclusiveness as we seek to strengthen the social and physical connections that unite our Town. Moving forward, we will continue to seek excellence in all we do as we build a community that everyone is proud to call home.”

Hansen stated that there were thirteen guiding principles included in the plan. He added that they focused on having high-quality growth in Jamestown, maintaining strong neighborhoods, preserving history, increasing walkability, supporting downtown areas, and increasing accessibility of parks and recreation areas. He noted that there were a set of objectives that applied to each principle. He stated that the Comp Plan was a living document that needed to be updated when appropriate.

Ed Stafford, Vice Chair of the Planning Board, came forward to present the Planning Board’s recommendation to the Town Council. Stafford stated that he served on the Steering Committee to update the Comp Plan. He noted that he was impressed with Benchmark Planning and the process that they implemented for the update. He added that it was a large-scale effort and he was very proud of the final Plan. He encouraged the Council to give the Comp Plan thoughtful consideration and recommended that they approve it on behalf of the Planning Board.

Mayor Montgomery opened the public hearing to anyone that would like to speak regarding the adoption of the updated Comp Plan.

- Robert Frederick, 500 Wyndwood Drive- Frederick said that he believed that the Comp Plan was still incomplete. He urged Council and Benchmark Planning to revise the Plan. He did not think that



the update accurately reflected the needs of the Town of Jamestown. He was not satisfied with the peer cities that were included in the Comp Plan.

Mayor Montgomery asked if there was anyone else that would like to speak. Nobody came forward. Mayor Montgomery closed the public hearing and opened the floor to Council for discussion.

Council Member Rayborn stated that the Steering Committee did a fantastic job on the update. She said that she did have one suggested change for "Guiding Principle #10." She noted that it stated that ETJ community members should be encouraged to participate in all matters. She said that ETJ members only serve on the Planning Board and she did not want that section to be misleading. Council Member Wolfe agreed that it should state that ETJ Members should be encouraged to participate in all matters related to the ETJ. Hansen agreed to make that change.

Stafford came forward. He stated that there was no peer or equal to the Town of Jamestown. Therefore, it would be difficult to find a comparable community because there was no comparison.

Council Member Wolfe made a motion to adopt the 2021 Comprehensive Plan with the requested change. Council Member Straughn made a second to the motion.

Weiner took a roll call vote as follows:

Council Member Wolfe- Aye  
Council Member Capes- Aye  
Council Member Straughn- Aye  
Council Member Rayborn- Aye

The motion passed by unanimous vote.

#### **New Business-**

- Jamestown Park and Golf Course Quarterly Report- Sanderlin presented his quarterly report to the Town Council. He noted that the paid rounds were down slightly in the first quarter. However, he added that the revenues for the green fees had remained the same. He stated that the total food and beverage revenue had increased by 14%. Sanderlin highlighted that the Ladies Golf Association would conclude their season on October 22<sup>nd</sup> and the Men's Golf Association had their last tournament on November 6<sup>th</sup>.

Council Member Wolfe spoke with Sanderlin briefly about upcoming tournaments that would be hosted at the Jamestown Park.

Council Members thanked Sanderlin for his report.

- Jamestown Park & Golf Course Maintenance Report- Claybrook presented his golf course maintenance report to Council. He highlighted that his staff had been preparing the greens for the first frost. He added that they had also been working to repair the ongoing irrigation leaks on the course. He stated that staff had also mulched several areas and planned to remove some dead trees which would improve the aesthetics around the course.

Council Member Wolfe and Council Member Straughn briefly spoke with Claybrook about the fence at the golf course which needed to be repaired.

- Overview of Bicycle and Pedestrian Planning Initiative Grant Award- Hawryluk said that staff had submitted an application for grant funding for a Comprehensive Bicycle and Pedestrian Plan in June. She added that she had been notified that the Town had been awarded the \$50,000 grant. She stated that a steering committee would work with staff and an assigned contractor from NCDOT to create a plan to show bicycle and pedestrian network maps, program recommendations, bike rodeos, safety trainings, and facility recommendations. Hawryluk added that the plan would be unique to Jamestown. She said that there was a 10% local match of \$5,000 required.

Council Members congratulated Hawryluk on receiving the grant for the Town. They thanked her for all her hard work.

- Budget Amendment #9- Gallman stated that Budget Amendment #9 would cover the cost of the required match for the Bicycle and Pedestrian Planning Initiative Grant Award. She requested that Council approve the budget amendment as presented.

Council Member Straughn made a motion to approve Budget Amendment #9. Council Member Rayborn made a second to the motion. The motion passed by unanimous vote.

(Budget Amendment #9)

- Update on ongoing NCDOT projects in the Town of Jamestown- Blanchard updated Council on ongoing NCDOT projects in the Town of Jamestown. He stated that NCDOT had not evaluated the Gannaway pedestrian crossing yet. He said that NCDOT had placed some additional signage at the Guilford Road and East Fork Road pedestrian crossing. He added that staff was going to submit information to NCDOT for the East Main Street water line replacement from Dillon Road to Teague Drive. Blanchard highlighted that The East Main Street Sidewalk Project should be substantially completed in November.

Council Members spoke about the details of the ongoing projects with Blanchard.

- Consideration of approval of addition of new job classification to pay grade #19- Treme stated that one of the goals included in the strategic plan pertained to having a business continuity plan in place. He noted that he believed it would be beneficial for the Town to add a new job classification for a Deputy Finance Officer to pay grade #19 in order to responsibly plan for the future. He said that the position would also provide some additional support for the Finance Department. Treme recommended that Council approve the addition of "Deputy Finance Officer" to pay grade #19 in the Town's classification compensation plan.

Council Member Rayborn made a motion to approve the addition of "Deputy Finance Officer" to pay grade #19. Council Member Capes made a second to the motion. The motion passed by unanimous vote.

#### **Manager/Committee Reports-**

- Manager Report- Treme presented his monthly manager's report to Council. He stated that the Town's vintage fire truck would be ready to drive in the Rotary Christmas parade. He noted that the

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Town Manager position had been advertised and that staff should begin to receive applications in November. Treme said that the final changes for the Recreation Maintenance Building had been completed and submitted to Guilford County for building inspection. He stated that staff would meet with the leaders of Pinecroft Sedgfield Fire Department the next day to review the findings of the fire department location study.

- Council Member Committee Reports-
  - Council Member Capes said that there had not been a Parks and Recreation meeting. However, he said that Johnson and Coakley had compiled a list of updates to the Town’s parks and rec projects. Council Member Capes presented an overview of that summary. He stated that staff had been working towards the installation of the bathrooms at Wrenn Miller Park. He also said that Coakley had been working with North State Communications to provide wifi at Wrenn Miller and the shelter area at Jamestown Park and Golf Course.

**Public Comment-** Nobody signed up.

**Other Business-** Johnson addressed the comments made by Charles Hinsley about the Johnson property at the previous Town Council meeting. He clarified that the Guilford County tax department had classified the parcels as residential although this was completely unrelated to the zoning of the property. He noted that the parcels were all currently zoned as agricultural.

Johnson also stated that there would be a surprise reception held for Katie Weiner, the Town Clerk, and her husband, Phil Weiner, after the Council meeting concluded. He said that they were expecting their first child and that everyone was invited to attend.

Council Member Wolfe also recognized Ragsdale High School’s Key Club for organizing a litter sweep the previous weekend.

**Closed Session per G.S. 143-318 to discuss matters related to Personnel-** Council Member Capes made a motion to go into closed session per G.S. 143-318 to discuss matters related to personnel. Council Member Wolfe made a second to the motion. The motion passed by unanimous vote.

-----Closed Session-----

Council Member Capes made a motion to resume open session. Council Member Straughn made a second to the motion. The motion passed by unanimous vote.

**Adjournment-** Council Member Capes made a motion to adjourn. Council Member Wolfe made a second to the motion. The motion passed by unanimous vote.

The meeting ended at 8:45 pm.

\_\_\_\_\_  
Mayor

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

**Mayor**  
Lynn Montgomery

**Interim Town Manager**  
Dave Treme

**Town Attorney**  
Beth Koonce



**Council Members**  
Martha Stafford Wolfe, Mayor Pro Tem  
Rebecca Mann Rayborn  
John Capes  
Lawrence Straughn

## TOWN OF JAMESTOWN AGENDA ITEM

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**ITEM ABSTRACT:** Approval and Sealing of the October 19th Closed Session Minutes

**AGENDA ITEM #:** II-B

**CONSENT AGENDA ITEM**

**ACTION ITEM**

**INFORMATION ONLY**

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**MEETING DATE:** November 16, 2021

**ESTIMATED TIME FOR DISCUSSION:** 0 Minutes

**DEPARTMENT:** Administration

**CONTACT PERSON:** Katie Weiner, Town Clerk

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**SUMMARY:**

Approval and Sealing of the October 19th Closed Session Minutes

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**ATTACHMENTS:** Approval and Sealing of the October 19th Closed Session Minutes

**RECOMMENDATION/ACTION NEEDED:** Staff recommends that Council approve the Consent Agenda

**BUDGETARY IMPACT:** N/A

**SUGGESTED MOTION:** Council Member makes a motion to approve/amend the consent agenda.

**FOLLOW UP ACTION NEEDED:** N/A

**Mayor**  
Lynn Montgomery

**Interim Town Manager**  
Dave Treme

**Town Attorney**  
Beth Koonce



**Council Members**  
Martha Stafford Wolfe, Mayor Pro Tem  
Rebecca Mann Rayborn  
John Capes  
Lawrence Straughn

## TOWN OF JAMESTOWN AGENDA ITEM

**ITEM ABSTRACT:** Financial Analysis for October 2021

**AGENDA ITEM #:** II-C



CONSENT AGENDA ITEM



ACTION ITEM



INFORMATION ONLY

**MEETING DATE:** November 16, 2021

**ESTIMATED TIME FOR DISCUSSION:** 0 Minutes

**DEPARTMENT:** Finance

**CONTACT PERSON:** Judy Gailman

**SUMMARY:**

Summary schedule of cash & deposits, debt balances, and total revenues collected to date and expenditures to date is provided. A detailed budget to actual statement is also included as of 10-31-21.

Expenditures during October include cameras and other equipment for streaming meetings, a barcode/scanning system for capital assets, soccer goals, plotter/printer, sponsored benches. Services during the month include code enforcement, Seth Harry, ADA plan, fire station location study, stormwater inspection, and sanitation study.

**ATTACHMENTS:** Financial Summary and Detail to Actual Report for October 2021

**RECOMMENDATION/ACTION NEEDED:**

**BUDGETARY IMPACT:**

**SUGGESTED MOTION:**

**FOLLOW UP ACTION NEEDED:**

Town of Jamestown  
 Financial Summary Report  
 Cash Balances  
 as of October 31, 2021

Petty Cash	\$	1,350
Operating Cash		3,063,933
Certificates of Deposit		3,002,503
Money Market Accounts - First Bank		1,227,557
North Carolina Capital Management Trust		<u>9,748,533</u>
	\$	<u>17,043,876</u>

Reservations of cash:

Cash reserved for Randleman Reservoir	\$	662,462
Cash reserved by Powell Bill for street improvements		280,012
General Capital Reserve Fund		1,837
East Fork Sidewalk Capital Project		78
Lydia Multi-use Greenway Capital Project		52,890
Oakdale Sidewalk Phase 3		114,369
Oakdale Sidewalk Phase 2		30,103
Recreational Maintenance Facility Capital Project		551,588
Grants Project Ordinance Fund - ARP		715,178
Water Sewer Capital Reserve Fund		<u>672,062</u>
	\$	<u>3,080,579</u>

Cash by Fund:

General	\$	5,059,647
General Capital Reserve Fund		1,837
East Fork Sidewalk Capital Project		78
Lydia Multi-use Greenway Capital Project		52,890
Oakdale Sidewalk Phase 3		114,369
Oakdale Sidewalk Phase 2		30,103
Recreational Maintenance Facility Capital Project		551,588
Grants Project Ordinance fund - ARP		715,178
Water/Sewer		9,183,662
Randleman Reservoir		662,462
Water/Sewer Capital Reserve Fund		<u>672,062</u>
	\$	<u>17,043,876</u>

Cash by Bank:

NCCMT	\$	9,748,533
Pinnacle Bank		5,063,933
First Bank		2,230,060
		<u>17,042,526</u>
	\$	<u>17,042,526</u>

**Town of Jamestown  
Financial Summary Report  
Debt Balances  
as of October 31, 2021**

<b>Installment Purchase Debt:</b>	<b>Balance at 10/31/2021</b>	<b>Final Payment Date</b>	<b>Final Payment Fiscal Year</b>
<b>GENERAL FUND:</b>			
Sanitation truck, financed in 2017	\$ 68,499	12/1/2023	2023/2024
Leaf truck, financed in 2017	70,025	12/1/2023	2023/2024
Knuckleboom truck, financed in 2020	110,754	5/7/2025	2024/2025
Golf Clubhouse Renovation	<u>416,683</u>	11/3/2027	2027/2028
	<u>\$ 665,961</u>		
<b>WATER &amp; SEWER FUND:</b>			
Water & Sewer Maintenance Facility Construction	<u>\$ 312,478</u>	11/3/2027	2027/2028

Town of Jamestown  
 Financial Summary Report  
 Total Revenues & Expenditures by Fund  
 as of October 31, 2021

	<u>General Fund (#10)</u>	<u>General Capital Reserve Fund (#11)</u>	<u>Water/Sewer Fund (#30)</u>	<u>Randleman Reservoir Fund (#60)</u>	<u>Water/Sewer Capital Reserve Fund (#61)</u>
Current Year Revenues (and transfers)	2,348,098	-	1,199,444	36,519	431,601
% of budget received	35%	0%	22%	30%	100%
% of budget, excluding appropriated fund balance, received	43%	0%	34%	100%	100%
Expenditures (and transfers)	1,603,342	-	1,327,019	-	-
% of budget expended	24%	0%	24%	0%	0%

	<u>Fund (#16)</u>	<u>Fund (#17)</u>	<u>Fund (#18)</u>	<u>Fund (#20)</u>	<u>Fund (#21)</u>	<u>Fund (#22)</u>
	<u>East Fork Capital Project</u>	<u>Lydia (E Main) Capital Project</u>	<u>Oakdale Sidewalk Ph 3 Capital Project</u>	<u>Recreational Maint Facility Capital Project</u>	<u>Oakdale Sidewalk Ph 2 Capital Project</u>	<u>Special Revenue Grants Fund</u>
Life to Date Revenues & Other Financing Sources	1,614,259	1,963,050	218,431	584,180	79,589	715,178
% of budget received	91%	99%	32%	100%	40%	50%
Life to Date Expenditures	1,613,324	1,915,958	103,762	32,411	49,486	-
% of budget expended	91%	96%	15%	6%	25%	0%



TOWN OF JAMESTOWN, NC  
Statement of Revenue Budget vs Actuals  
For the Accounting Period: 10 / 21

10 GENERAL FUND

Account	Received		Estimated Revenue	Revenue	
	Current Month	Received YTD		To Be Received	% Received
3000					
3100 AD VALOREM TAXES	615,563.05	1,613,678.79	2,225,000.00	611,321.21	73 %
3101 Interest on Ad Valorem Taxes	27.85	969.49	2,500.00	1,530.51	39 %
3102 Tax and Tag revenue	22,695.08	44,128.05	219,890.00	175,761.95	20 %
3103 Interest on Tax and Tag Revenues	104.48	238.83	1,000.00	761.17	24 %
3230 SALES AND USE TAX	76,656.80	76,656.80	841,000.00	764,343.20	9 %
3250 Solid Waste Disposal Tax	0.00	809.28	3,250.00	2,440.72	25 %
3256 ELECTRICITY SALES TAX	0.00	0.00	208,000.00	208,000.00	0 %
3257 TELECOMMUNICATIONS SALES TAX	0.00	0.00	35,000.00	35,000.00	0 %
3258 PIPED NATURAL GAS SALES TAX	0.00	0.00	18,500.00	18,500.00	0 %
3261 VIDEO PROGRAMMING TAX	0.00	0.00	42,000.00	42,000.00	0 %
3316 POWELL BILL	0.00	45,456.83	100,000.00	54,543.17	45 %
3322 ALCOHOLIC BEVERAGES TAX	0.00	0.00	19,500.00	19,500.00	0 %
3325 ABC DISTRIBUTION	0.00	12,500.00	50,000.00	37,500.00	25 %
3341 Telecommunications Planning Fees	0.00	3,500.00	7,500.00	4,000.00	47 %
3343 REVIEW FEES	5,150.00	7,921.00	7,500.00	-421.00	106 %
3344 CODE ENFORCEMENT FEES	0.00	0.00	100.00	100.00	0 %
3345 INSPECTION AND PERMIT FEES	0.00	0.00	200.00	200.00	0 %
3346 CELL TOWER RENTAL FEES	4,211.73	15,281.19	85,000.00	69,718.81	18 %
3348 REFUSE COLLECTION FEES	13,788.00	55,006.00	163,200.00	108,194.00	34 %
3600 GREEN FEES	58,831.00	236,129.00	515,000.00	278,871.00	46 %
3610 MECHANICAL CART RENTALS	33,085.00	124,805.00	270,000.00	145,195.00	46 %
3620 PULL CART RENTALS	23.00	123.00	300.00	177.00	41 %
3650 DRIVING RANGE	5,860.00	24,488.00	54,000.00	29,512.00	45 %
3660 GOLF SHOP CONCESSIONS SALES	9,859.24	42,055.89	82,800.00	40,744.11	51 %
3661 Golf Shop Grill Catering Revenues	0.00	0.00	500.00	500.00	0 %
3665 Golf Special Orders - Sales	2,429.41	6,537.39	9,000.00	2,462.61	73 %
3675 Golf Clubhouse Rental Fees	0.00	400.00	11,500.00	11,100.00	3 %
3831 INVESTMENT EARNINGS	2,698.18	2,903.41	2,500.00	-403.41	116 %
3832 Sponsorships	4,552.00	4,552.00	4,075.00	-477.00	112 %
3834 CIVIC CENTER RENTAL FEES	125.00	125.00	0.00	-125.00	** %
3836 SALES - PRO SHOP GOLF INVENTORY	6,700.51	23,676.08	57,800.00	34,123.92	41 %
3837 SHELTER RENTALS	300.00	1,350.00	2,500.00	1,150.00	54 %
3838 Building lease revenue	0.00	0.00	3,611.00	3,611.00	0 %
3839 MISCELLANEOUS REVENUES	44.03	171.78	1,000.00	828.22	17 %
3840 Rental Golf Sets	240.00	1,085.00	1,900.00	815.00	57 %
3841 Ball Field Rentals	0.00	1,550.00	6,000.00	4,450.00	26 %
3920 Issuance of installment purchase financing	0.00	0.00	301,000.00	301,000.00	0 %
3983 TRANSFER FROM GENERAL CAPITAL RESERVE FUND	0.00	0.00	76,600.00	76,600.00	0 %
3991 FUND BALANCE APPROPRIATED	0.00	0.00	1,304,315.00	1,304,315.00	0 %
Account Group Total:	862,944.36	2,346,097.81	6,733,541.00	4,387,443.19	35 %
Fund Total:	862,944.36	2,346,097.81	6,733,541.00	4,387,443.19	35 %

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10 GENERAL FUND

Account	Object	Expended Current Month	Expended YTD	Encumbered YTD	Committed YTD	Current Appropriation	Available Appropriation
0							
4100	GOVERNING BODY EXPENDITURES						
1019	PROFESSIONAL SERVICES	2,184.50	20,983.30	19,016.70	40,000.00	50,000.00	10,000.00
2100	DEPARTMENT SUPPLIES	25.00	617.65	0.00	617.65	2,000.00	1,382.35
2200	FOOD AND PROVISIONS	0.00	731.65	0.00	731.65	2,500.00	1,768.35
2600	OFFICE SUPPLIES	0.00	0.00	0.00	0.00	200.00	200.00
2900	ASSETS NOT CAPITALIZED	6,982.74	6,982.74	0.00	6,982.74	7,000.00	17.26
3100	TRAVEL	0.00	0.00	0.00	0.00	1,000.00	1,000.00
3150	CONFERENCE FEES AND SCHOOLS	0.00	500.00	0.00	500.00	2,500.00	2,000.00
3200	COMMUNICATIONS	0.00	0.00	0.00	0.00	1,500.00	1,500.00
3400	PRINTING	0.00	0.00	0.00	0.00	300.00	300.00
2700	MARKETING / ADVERTISING	0.00	0.00	0.00	0.00	600.00	600.00
3800	DATA PROCESSING SERVICES	53.14	212.10	787.50	1,000.00	1,000.00	0.00
3950	DUES AND SUBSCRIPTIONS	0.00	2,008.00	0.00	2,008.00	2,500.00	492.00
3955	Permit Fees	0.00	0.00	0.00	0.00	800.00	800.00
3970	ELECTIONS	0.00	0.00	0.00	0.00	5,000.00	5,000.00
3980	MISCELLANEOUS EXPENSE	0.00	0.00	0.00	0.00	200.00	200.00
4990	OTHER CONTRACTED SERVICES	600.00	775.00	2,675.00	3,450.00	3,600.00	150.00
3700	CONTINGENCY	0.00	0.00	0.00	0.00	0.00	0.00
	<b>Account Total:</b>	<b>9,845.38</b>	<b>32,810.44</b>	<b>22,479.60</b>	<b>55,290.04</b>	<b>80,700.00</b>	<b>25,409.96</b>
4200	ADMINISTRATION EXPENDITURES						
1000	SALARIES AND WAGES	29,388.00	87,874.00	0.00	87,874.00	345,000.00	257,126.00
1003	LONGEVITY PAY	0.00	0.00	0.00	0.00	4,350.00	4,350.00
1009	FICA EXPENSE	2,235.69	6,613.11	0.00	6,613.11	27,700.00	21,086.89
1010	RETIREMENT EXPENSE	2,262.66	6,754.92	0.00	6,754.92	37,500.00	30,745.08
1011	HEALTH INSURANCE EXPENSE	1,930.06	7,720.24	0.00	7,720.24	42,750.00	35,029.76
1012	FLEX ADMINISTRATION FEES	6.00	24.00	121.00	145.00	300.00	155.00
1013	RETIREE HEALTH INSURANCE EXPENSE	773.59	3,094.36	0.00	3,094.36	3,600.00	505.64
1014	WORKER'S COMPENSATION	0.00	657.40	0.00	657.40	800.00	142.60
1015	Unemployment Compensation	0.00	0.00	0.00	0.00	3,000.00	3,000.00
1016	Wellness Program Expenditures	0.00	0.00	0.00	0.00	500.00	500.00
1017	401K EXPENSE	893.25	2,666.66	0.00	2,666.66	14,575.00	11,908.34
1019	PROFESSIONAL SERVICES	0.00	9,400.00	0.00	9,400.00	18,150.00	8,750.00
2100	DEPARTMENT SUPPLIES	0.00	111.82	0.00	111.82	1,700.00	1,588.18
2200	FOOD AND PROVISIONS	60.93	440.32	0.00	440.32	750.00	309.68
2600	OFFICE SUPPLIES	291.22	482.19	0.00	482.19	2,000.00	1,517.81
2900	ASSETS NOT CAPITALIZED	1,855.00	3,855.00	0.00	3,855.00	6,500.00	2,645.00
3100	TRAVEL	824.32	3,713.88	2,885.12	6,599.00	10,000.00	3,401.00
3150	CONFERENCE FEES AND SCHOOLS	250.00	585.00	0.00	585.00	5,000.00	4,415.00
3200	COMMUNICATIONS	654.33	2,032.60	3,156.40	5,190.00	9,700.00	4,510.00
3400	PRINTING	0.00	0.00	0.00	0.00	500.00	500.00
3500	REPAIRS AND MAINTENANCE	0.00	0.00	0.00	0.00	300.00	300.00
3800	DATA PROCESSING SERVICES	856.40	5,633.81	9,857.19	15,491.00	15,500.00	9.00
3950	DUES AND SUBSCRIPTIONS	0.00	6,462.40	0.00	6,462.40	9,500.00	3,037.60
3960	BANK AND MERCHANT FEES	0.00	0.00	0.00	0.00	200.00	200.00
3980	MISCELLANEOUS EXPENSE	100.00	224.60	0.00	224.60	750.00	525.40
4300	EQUIPMENT RENTAL	258.83	971.15	868.05	1,839.20	3,500.00	1,660.80
4400	SERVICE & MAINTENANCE CONTRACTS	0.00	243.03	486.97	730.00	11,000.00	10,270.00
4500	INSURANCE AND BONDING	0.00	459.59	0.00	459.59	1,000.00	540.41
4990	OTHER CONTRACTED SERVICES	524.72	4,768.81	11,898.03	16,666.84	41,000.00	24,333.16

Camera's etc for streaming meetings

Barcode/scanning system - for assets

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10 GENERAL FUND

Account	Object	Expended Current Month	Expended YTD	Encumbered YTD	Committed YTD	Current Appropriation	Available Appropriation
6820	First Bank Credit Card Encumbrance	0.00	0.00	2,000.00	2,000.00	3,000.00	1,000.00
9700	CONTINGENCY	0.00	0.00	0.00	0.00	0.00	0.00
<b>Account Total:</b>		<b>43,165.01</b>	<b>154,789.89</b>	<b>31,272.76</b>	<b>186,062.65</b>	<b>620,125.00</b>	<b>434,062.35</b>
4900 PLANNING DEPARTMENT EXPENDITURES							
1000	SALARIES AND WAGES	18,450.00	54,945.15	0.00	54,945.15	160,000.00	105,054.85
1003	LONGEVITY PAY	0.00	0.00	0.00	0.00	2,550.00	2,550.00
1009	FICA EXPENSE	1,399.82	4,172.83	0.00	4,172.83	12,500.00	8,327.17
1010	RETIREMENT EXPENSE	2,103.30	6,263.75	0.00	6,263.75	19,000.00	12,736.25
1011	HEALTH INSURANCE EXPENSE	1,930.06	7,720.24	0.00	7,720.24	23,400.00	15,679.76
1012	FLEX ADMINISTRATION FEES	6.00	24.00	106.00	130.00	200.00	70.00
1014	WORKER'S COMPENSATION	0.00	410.87	0.00	410.87	500.00	89.13
1015	Unemployment Compensation	0.00	0.00	0.00	0.00	500.00	500.00
1017	401K EXPENSE	830.16	2,572.22	0.00	2,572.22	7,200.00	4,627.78
2100	DEPARTMENT SUPPLIES	211.51	512.40	0.00	512.40	4,500.00	3,987.60
2200	FOOD AND PROVISIONS	0.00	572.65	0.00	572.65	1,500.00	927.35
2500	VEHICLE SUPPLIES	0.00	0.00	0.00	0.00	500.00	500.00
2520	FUELS - GAS & OIL	106.07	106.07	0.00	106.07	750.00	643.93
2600	OFFICE SUPPLIES	0.00	6.57	0.00	6.57	5,000.00	4,993.43
2900	ASSETS NOT CAPITALIZED	1,499.00	4,332.76	66.24	4,399.00	4,500.00	101.00
3100	TRAVEL	2,625.52	1,125.52	0.00	1,125.52	3,500.00	2,374.48
3150	CONFERENCE FEES AND SCHOOLS	600.00	849.00	0.00	849.00	5,000.00	4,151.00
3200	COMMUNICATIONS	189.45	756.82	1,043.18	1,800.00	4,700.00	2,900.00
3400	PRINTING	69.50	69.50	670.00	739.50	1,000.00	260.50
3500	REPAIRS AND MAINTENANCE	0.00	359.85	0.00	359.85	500.00	140.15
3700	MARKETING / ADVERTISING	279.00	1,904.00	18,665.00	20,569.00	21,150.00	581.00
3800	DATA PROCESSING SERVICES	653.77	2,609.87	7,390.13	10,000.00	12,000.00	2,000.00
3900	DRUG TESTING & BACKGROUND CHECKS	0.00	0.00	250.00	250.00	250.00	0.00
3950	DUES AND SUBSCRIPTIONS	117.97	2,837.50	2,746.32	5,583.82	9,500.00	3,916.18
3980	MISCELLANEOUS EXPENSE	173.80	173.80	0.00	173.80	1,000.00	826.20
4400	SERVICE & MAINTENANCE CONTRACTS	379.00	379.00	0.00	379.00	600.00	221.00
4500	INSURANCE AND BONDING	0.00	137.87	0.00	137.87	300.00	162.13
4990	OTHER CONTRACTED SERVICES	65,133.99	100,602.39	74,921.01	175,523.40	208,200.00	32,676.60
4991	Telecommunications Contracted	1,000.00	1,000.00	0.00	1,000.00	7,500.00	6,500.00
6820	First Bank Credit Card Encumbrance	0.00	0.00	2,000.00	2,000.00	2,000.00	0.00
9700	CONTINGENCY	0.00	0.00	0.00	0.00	1,000.00	1,000.00
<b>Account Total:</b>		<b>97,757.92</b>	<b>194,444.63</b>	<b>107,857.88</b>	<b>302,302.51</b>	<b>520,800.00</b>	<b>218,497.49</b>
5000 BUILDING & GROUNDS EXPENDITURES							
2100	DEPARTMENT SUPPLIES	1,173.17	2,162.20	733.56	2,895.76	8,000.00	5,104.24
2140	SEED and SOD	0.00	600.00	0.00	600.00	600.00	0.00
2141	CHEMICALS	0.00	0.00	0.00	0.00	500.00	500.00
2142	FERTILIZER AND LIME	0.00	161.00	0.00	161.00	600.00	439.00
2144	MULCH & PINE NEEDLES	0.00	0.00	0.00	0.00	2,500.00	2,500.00
2400	CONSTRUCTION & REPAIR SUPPLIES	77.57	77.57	0.00	77.57	2,500.00	2,422.43
2900	ASSETS NOT CAPITALIZED	0.00	9,378.42	0.00	9,378.42	10,000.00	621.58
3200	COMMUNICATIONS	150.07	562.27	1,247.73	1,810.00	2,000.00	190.00
3300	UTILITIES	800.08	4,607.00	3,929.38	8,536.38	28,000.00	19,463.62
3350	Water Utilities	0.00	0.00	0.00	0.00	400.00	400.00
3500	REPAIRS AND MAINTENANCE	0.00	0.00	0.00	0.00	50,000.00	50,000.00
3940	LANDFILL FEES/DUMPSTER P/U	0.00	0.00	0.00	0.00	500.00	500.00

Code enforcement, Seth Harry, Stormwater inspection  
ADA Plan

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10 GENERAL FUND

Account	Object	Expended Current Month	Expended YTD	Encumbered YTD	Committed YTD	Current Appropriation	Available Appropriation
3980	MISCELLANEOUS EXPENSE	0.00	0.00	0.00	0.00	500.00	500.00
4300	EQUIPMENT RENTAL	0.00	0.00	0.00	0.00	200.00	200.00
4400	SERVICE & MAINTENANCE CONTRACTS	2,305.00	14,077.00	18,320.00	32,937.00	38,000.00	5,003.00
4500	INSURANCE AND BONDING	0.00	11,489.44	0.00	11,489.44	25,000.00	13,510.56
4990	OTHER CONTRACTED SERVICES	0.00	716.70	9,800.00	10,516.70	11,000.00	483.30
5800	CAPITAL OUTLAY - BUILDINGS &	0.00	0.00	0.00	0.00	60,000.00	60,000.00
9700	CONTINGENCY	0.00	0.00	0.00	0.00	3,000.00	3,000.00
<b>Account Total:</b>		<b>4,505.89</b>	<b>43,831.60</b>	<b>34,630.67</b>	<b>78,462.27</b>	<b>243,300.00</b>	<b>164,837.73</b>
5100 PUBLIC SAFETY EXPENDITURES							
4910	SHERIFF CONTRACT	71,564.37	71,564.37	0.00	71,564.37	515,000.00	443,435.63
4911	Sheriff Off Duty - Town events	1,249.60	3,349.20	1,628.40	4,977.60	5,000.00	22.40
4912	Sheriff off-duty for non-profit	0.00	0.00	0.00	0.00	3,000.00	3,000.00
4920	ANIMAL CONTROL CONTRACT	3,066.00	3,066.00	0.00	3,066.00	12,500.00	9,434.00
<b>Account Total:</b>		<b>75,879.97</b>	<b>77,979.57</b>	<b>1,628.40</b>	<b>79,607.97</b>	<b>535,500.00</b>	<b>455,892.03</b>
5300 FIRE EXPENSES							
3980	MISCELLANEOUS EXPENSE	0.00	0.00	0.00	0.00	200.00	200.00
4900	PINECROFT SEDGFIELD FIRE CONTRACT	0.00	174,091.48	0.00	174,091.48	696,366.00	522,274.52
4990	OTHER CONTRACTED SERVICES	2,897.50	2,897.50	0.00	2,897.50	2,900.00	2.50
5500	CAPITAL OUTLAY EQUIPMENT	0.00	870.82	0.00	870.82	5,800.00	4,929.18
9700	CONTINGENCY	0.00	0.00	0.00	0.00	1,000.00	1,000.00
<b>Account Total:</b>		<b>2,897.50</b>	<b>177,859.80</b>	<b>0.00</b>	<b>177,859.80</b>	<b>706,266.00</b>	<b>528,406.20</b>
5600 STREET MAINTENANCE EXPENDITURES							
2100	DEPARTMENT SUPPLIES	0.00	0.00	0.00	0.00	6,000.00	6,000.00
2400	CONSTRUCTION & REPAIR SUPPLIES	0.00	0.00	0.00	0.00	6,000.00	6,000.00
2500	VEHICLE SUPPLIES	4,124.87	4,124.87	0.00	4,124.87	5,000.00	875.13
2520	FUELS - GAS & OIL	0.00	0.00	0.00	0.00	3,000.00	3,000.00
2900	ASSETS NOT CAPITALIZED	2,945.72	11,451.27	6,344.10	17,795.37	34,075.00	16,279.63
3300	UTILITIES	13,649.73	41,718.20	0.00	41,718.20	120,000.00	78,281.80
3500	REPAIRS AND MAINTENANCE	0.00	0.00	0.00	0.00	10,000.00	10,000.00
3700	MARKETING / ADVERTISING	0.00	0.00	0.00	0.00	500.00	500.00
3940	LANDFILL FEES/DUMPSTER P/U	0.00	0.00	0.00	0.00	500.00	500.00
3955	Permit Fees	0.00	0.00	0.00	0.00	1,100.00	1,100.00
3980	MISCELLANEOUS EXPENSE	0.00	0.00	0.00	0.00	100.00	100.00
4400	SERVICE & MAINTENANCE CONTRACTS	160.00	640.00	1,280.00	1,920.00	2,000.00	80.00
4500	INSURANCE AND BONDING	0.00	551.49	0.00	551.49	1,200.00	648.51
4980	STORMWATER FEES	0.00	5,605.00	0.00	5,605.00	6,000.00	395.00
4990	OTHER CONTRACTED SERVICES	12,578.00	19,209.50	48,037.50	67,247.00	105,174.00	37,927.00
5400	CAPITAL OUTLAY - MOTOR VEHICLES	0.00	0.00	32,506.00	32,506.00	32,506.00	0.00
5500	CAPITAL OUTLAY EQUIPMENT	0.00	0.00	0.00	0.00	12,000.00	12,000.00
5700	CAPITAL OUTLAY - LAND IMPR -	0.00	1,000.00	0.00	1,000.00	206,000.00	295,000.00
9700	CONTINGENCY	0.00	0.00	0.00	0.00	1,000.00	1,000.00
<b>Account Total:</b>		<b>33,458.32</b>	<b>84,300.33</b>	<b>88,167.60</b>	<b>172,467.93</b>	<b>552,155.00</b>	<b>379,687.07</b>

*fire station location study*

*benches*

*Withus Ravenel - storm water inspection*

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10 GENERAL FUND

Account	Object	Expended Current Month	Expended YTD	Encumbered YTD	Committed YTD	Current Appropriation	Available Appropriation
5900 SANITATION EXPENDITURES							
1000	SALARIES AND WAGES	9,312.68	27,857.44	0.00	27,857.44	112,500.00	84,642.56
1003	LONGEVITY PAY	0.00	0.00	0.00	0.00	1,650.00	1,650.00
1009	FICA EXPENSE	698.15	2,084.57	0.00	2,084.57	9,000.00	6,915.43
1010	RETIREMENT EXPENSE	1,064.51	3,187.17	0.00	3,187.17	12,750.00	9,562.83
1011	HEALTH INSURANCE EXPENSE	1,930.06	7,720.24	0.00	7,720.24	34,100.00	26,379.76
1012	FLEX ADMINISTRATION FEES	13.00	52.00	164.00	216.00	400.00	184.00
1013	RETIREE HEALTH INSURANCE EXPENSE	0.00	1,534.56	0.00	1,534.56	1,800.00	265.44
1014	WORKER'S COMPENSATION	0.00	6,163.10	0.00	6,163.10	7,500.00	1,336.90
1015	Unemployment Compensation	0.00	0.00	0.00	0.00	4,000.00	4,000.00
1017	401K EXPENSE	417.18	1,246.06	0.00	1,246.06	4,900.00	3,653.94
2100	DEPARTMENT SUPPLIES	0.00	490.94	0.00	490.94	2,000.00	1,509.06
2200	FOOD AND PROVISIONS	0.00	0.00	0.00	0.00	100.00	100.00
2500	VEHICLE SUPPLIES	0.00	6,595.01	1,500.00	8,095.01	8,500.00	404.99
2520	FUELS - GAS & OIL	1,562.90	5,024.62	14,975.38	20,000.00	20,000.00	0.00
3200	COMMUNICATIONS	63.01	214.03	345.37	560.00	1,000.00	440.00
3500	REPAIRS AND MAINTENANCE	0.00	0.00	3,000.00	3,000.00	6,000.00	3,000.00
3700	MARKETING / ADVERTISING	0.00	0.00	0.00	0.00	600.00	600.00
3900	DRUG TESTING & BACKGROUND CHECKS	0.00	0.00	1,000.00	1,000.00	1,000.00	0.00
3940	LANDFILL FEES/DUMPSTER P/U	4,658.18	14,534.30	50,465.70	65,000.00	65,000.00	0.00
3945	Recycle Fees	8,209.18	32,836.72	67,003.28	99,840.00	105,000.00	5,160.00
3980	MISCELLANEOUS EXPENSE	0.00	0.00	0.00	0.00	200.00	200.00
4500	INSURANCE AND BONDING	0.00	1,148.94	0.00	1,148.94	2,500.00	1,351.06
4990	OTHER CONTRACTED SERVICES	7,723.05	17,240.08	11,219.69	28,459.77	28,950.00	490.23
5400	CAPITAL OUTLAY - MOTOR VEHICLES	0.00	0.00	197,787.71	197,787.71	220,000.00	22,212.29
9700	CONTINGENCY	0.00	0.00	0.00	0.00	1,000.00	1,000.00
<b>Account Total:</b>		<b>35,651.90</b>	<b>127,929.78</b>	<b>347,461.73</b>	<b>475,391.51</b>	<b>650,450.00</b>	<b>175,058.49</b>
<p><i>Bradley's Sanitation Study</i></p>							
6200 RECREATION EXPENDITURES							
1000	SALARIES AND WAGES	13,028.87	36,251.74	0.00	36,251.74	121,000.00	84,748.26
1003	LONGEVITY PAY	0.00	0.00	0.00	0.00	2,850.00	2,850.00
1009	FICA EXPENSE	982.81	2,741.32	0.00	2,741.32	9,500.00	6,758.68
1010	RETIREMENT EXPENSE	1,485.30	4,100.52	0.00	4,100.52	11,500.00	7,399.48
1011	HEALTH INSURANCE EXPENSE	1,447.55	7,237.73	0.00	7,237.73	23,400.00	16,162.27
1012	FLEX ADMINISTRATION FEES	6.00	24.00	106.00	130.00	200.00	70.00
1014	WORKER'S COMPENSATION	0.00	2,465.24	0.00	2,465.24	3,000.00	534.76
1015	Unemployment Compensation	0.00	0.00	0.00	0.00	200.00	200.00
1017	401K EXPENSE	445.53	1,453.40	0.00	1,453.40	4,450.00	2,996.60
2100	DEPARTMENT SUPPLIES	840.08	2,057.06	0.00	2,057.06	10,000.00	7,942.94
2140	SEED and SOD	0.00	170.00	0.00	170.00	1,000.00	830.00
2141	CHEMICALS	0.00	116.75	0.00	116.75	4,000.00	3,883.25
2142	FERTILIZER AND LIME	0.00	705.00	0.00	705.00	2,000.00	1,295.00
2143	IRRIGATION SUPPLIES	0.00	0.00	0.00	0.00	1,200.00	1,200.00
2144	MULCH & PINE NEEDLES	0.00	14.62	0.00	14.62	4,500.00	4,485.38
2145	TOPSOIL (Sand)	0.00	0.00	0.00	0.00	1,500.00	1,500.00
2200	FOOD AND PROVISIONS	0.00	0.00	0.00	0.00	50.00	50.00
2400	CONSTRUCTION & REPAIR SUPPLIES	0.00	742.96	0.00	742.96	3,000.00	2,257.04
2500	VEHICLE SUPPLIES	386.88	414.36	0.00	414.36	1,000.00	585.64
2520	FUELS - GAS & OIL	1,450.39	1,450.39	0.00	1,450.39	5,500.00	4,049.61
2550	EQUIPMENT SUPPLIES	0.00	237.31	0.00	237.31	3,500.00	3,262.69
2600	OFFICE SUPPLIES	0.00	0.00	0.00	0.00	300.00	300.00

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10 GENERAL FUND

Account	Object	Expended Current Month	Expended YTD	Encumbered YTD	Committed YTD	Current Appropriation	Available Appropriation
2900	ASSETS NOT CAPITALIZED	2,566.10	5,094.06	0.00	5,094.06	6,900.00	1,805.94
3100	TRAVEL	0.00	0.00	0.00	0.00	1,000.00	1,000.00
3150	CONFERENCE FEES AND SCHOOLS	0.00	0.00	0.00	0.00	1,500.00	1,500.00
3200	COMMUNICATIONS	280.95	1,149.34	2,385.66	3,535.00	4,000.00	465.00
3300	UTILITIES	504.16	1,879.89	0.00	1,879.89	13,500.00	11,620.11
3350	Water Utilities	25.67	121.74	0.00	121.74	650.00	528.26
3500	REPAIRS AND MAINTENANCE	0.00	0.00	0.00	0.00	2,500.00	2,500.00
3800	DATA PROCESSING SERVICES	21.19	84.18	315.82	400.00	400.00	0.00
3900	DRUG TESTING & BACKGROUND CHECKS	0.00	0.00	500.00	500.00	500.00	0.00
3940	LANDFILL FEES/DUMPSTER P/U	0.00	465.46	0.00	465.46	500.00	34.54
3950	DUES AND SUBSCRIPTIONS	0.00	410.00	0.00	410.00	370.00	-40.00
3980	MISCELLANEOUS EXPENSE	130.35	130.35	0.00	130.35	500.00	369.65
3981	Special Events	265.00	5,460.00	1,305.00	6,765.00	14,000.00	7,235.00
4101	Library Services	0.00	13,500.00	0.00	13,500.00	54,000.00	40,500.00
4102	Recreation Services	0.00	12,750.00	0.00	12,750.00	25,500.00	12,750.00
4103	Culture/Historical Services	0.00	10,500.00	0.00	10,500.00	10,500.00	0.00
4300	EQUIPMENT RENTAL	1,842.52	10,143.33	12,772.89	22,916.22	23,000.00	83.78
4400	SERVICE & MAINTENANCE CONTRACTS	140.00	1,460.00	1,120.00	2,580.00	3,000.00	420.00
4500	INSURANCE AND BONDING	0.00	919.15	0.00	919.15	2,000.00	1,080.85
4990	OTHER CONTRACTED SERVICES	0.00	0.00	0.00	0.00	5,000.00	5,000.00
5800	CAPITAL OUTLAY - BUILDINGS &	0.00	0.00	0.00	0.00	116,000.00	116,000.00
9700	CONTINGENCY	0.00	0.00	0.00	0.00	1,000.00	1,000.00
<b>Account Total:</b>		<b>25,849.35</b>	<b>124,249.90</b>	<b>18,505.37</b>	<b>142,755.27</b>	<b>499,970.00</b>	<b>357,214.73</b>
6300	GOLF COURSE MAINTENANCE						
1000	SALARIES AND WAGES	40,798.60	115,278.80	0.00	115,278.80	400,000.00	284,721.20
1003	LONGEVITY PAY	0.00	0.00	0.00	0.00	3,500.00	3,500.00
1009	FICA EXPENSE	3,030.67	8,466.14	0.00	8,466.14	31,000.00	22,533.86
1010	RETIREMENT EXPENSE	4,670.99	13,010.13	0.00	13,010.13	41,000.00	27,989.87
1011	HEALTH INSURANCE EXPENSE	6,755.20	24,608.23	0.00	24,608.23	82,000.00	57,391.77
1012	FLEX ADMINISTRATION FEES	0.00	0.00	0.00	0.00	500.00	500.00
1013	RETIREE HEALTH INSURANCE EXPENSE	220.32	881.28	0.00	881.28	10,800.00	9,918.72
1014	WORKER'S COMPENSATION	0.00	4,519.61	0.00	4,519.61	5,500.00	980.39
1015	Unemployment Compensation	0.00	0.00	0.00	0.00	6,000.00	6,000.00
1017	401K EXPENSE	1,835.87	5,127.12	0.00	5,127.12	13,750.00	8,622.88
1018	457b EXPENSE	0.00	0.00	0.00	0.00	2,300.00	2,300.00
2100	DEPARTMENT SUPPLIES	1,546.04	3,703.38	780.00	4,483.38	8,500.00	4,016.62
2140	SEED and SOD	0.00	0.00	0.00	0.00	4,000.00	4,000.00
2141	CHEMICALS	9,954.00	18,393.00	0.00	18,393.00	45,000.00	26,607.00
2142	FERTILIZER AND LIME	0.00	1,986.50	0.00	1,986.50	30,000.00	28,013.50
2143	IRRIGATION SUPPLIES	0.00	1,636.54	0.00	1,636.54	7,000.00	5,363.46
2144	MULCH & PINE NEEDLES	0.00	0.00	0.00	0.00	3,000.00	3,000.00
2145	TOPSOIL (Sand)	0.00	1,835.92	0.00	1,835.92	10,000.00	8,164.08
2155	TEE AND GREEN SUPPLIES	75.00	75.00	0.00	75.00	3,000.00	2,925.00
2200	FOOD AND PROVISIONS	0.00	0.00	0.00	0.00	200.00	200.00
2400	CONSTRUCTION & REPAIR SUPPLIES	0.00	742.96	0.00	742.96	5,000.00	4,257.04
2500	VEHICLE SUPPLIES	0.00	0.00	0.00	0.00	500.00	500.00
2520	FUELS - GAS & OIL	4.52	5,240.23	15,203.31	20,443.54	27,000.00	1,556.46
2550	EQUIPMENT SUPPLIES	1,672.51	8,990.37	1,348.29	10,338.66	20,000.00	9,661.34
2600	OFFICE SUPPLIES	82.98	82.98	0.00	82.98	500.00	417.02
2900	ASSETS NOT CAPITALIZED	0.00	171.36	2,200.00	2,371.36	7,200.00	4,828.64

*Soccer Goals*

10 GENERAL FUND

Account	Object	Expended Current Month	Expended YTD	Encumbered YTD	Committed YTD	Current Appropriation	Available Appropriation
3100	TRAVEL	0.00	0.00	0.00	0.00	3,000.00	3,000.00
3150	CONFERENCE FEES AND SCHOOLS	750.00	750.00	0.00	750.00	1,500.00	750.00
3200	COMMUNICATIONS	524.70	1,949.02	4,375.98	6,325.00	5,500.00	-825.00
3300	UTILITIES	1,103.11	3,215.91	1,681.93	4,897.84	19,000.00	14,102.16
3350	Water Utilities	25.67	121.74	0.00	121.74	350.00	228.26
3500	REPAIRS AND MAINTENANCE	0.00	1,350.00	0.00	1,350.00	10,100.00	8,750.00
3700	MARKETING / ADVERTISING	0.00	0.00	0.00	0.00	300.00	300.00
3800	DATA PROCESSING SERVICES	64.60	242.37	457.63	700.00	700.00	0.00
3900	DRUG TESTING & BACKGROUND CHECKS	0.00	109.00	1,391.00	1,500.00	1,500.00	0.00
3940	LANDFILL FEES/DUMPSTER P/U	154.42	1,215.71	1,049.75	2,265.46	3,000.00	734.54
3950	DUES AND SUBSCRIPTIONS	300.00	2,684.99	0.00	2,684.99	4,000.00	1,315.01
3980	MISCELLANEOUS EXPENSE	0.00	103.92	0.00	103.92	500.00	396.08
4300	EQUIPMENT RENTAL	4,756.33	23,032.83	35,453.27	58,486.10	62,000.00	3,513.90
4400	SERVICE & MAINTENANCE CONTRACTS	40.00	160.00	320.00	480.00	4,000.00	3,520.00
4500	INSURANCE AND BONDING	0.00	5,992.29	2,781.13	8,773.42	12,000.00	3,226.58
4950	LAB TESTING	0.00	0.00	0.00	0.00	600.00	600.00
4990	OTHER CONTRACTED SERVICES	0.01	260.01	0.00	260.01	7,000.00	6,739.99
5500	CAPITAL OUTLAY EQUIPMENT	0.00	33,378.25	81,063.60	114,441.85	114,500.00	58.15
5700	CAPITAL OUTLAY - LAND IMPR -	0.00	0.00	0.00	0.00	25,000.00	25,000.00
5800	CAPITAL OUTLAY - BUILDINGS &	0.00	0.00	0.00	0.00	120,000.00	120,000.00
6820	First Bank Credit Card Encumbrance	0.00	0.00	2,000.00	2,000.00	2,000.00	0.00
9700	CONTINGENCY	0.00	0.00	0.00	0.00	3,000.00	3,000.00
<b>Account Total:</b>		<b>78,365.54</b>	<b>289,315.59</b>	<b>150,105.89</b>	<b>439,421.48</b>	<b>1,161,800.00</b>	<b>722,378.52</b>
6301	GOLF SHOP EXPENDITURES						
1000	SALARIES AND WAGES	31,820.68	99,875.97	0.00	99,875.97	293,000.00	193,124.03
1003	LONGEVITY PAY	0.00	0.00	0.00	0.00	3,300.00	3,300.00
1009	FICA EXPENSE	2,445.10	7,672.33	0.00	7,672.33	23,000.00	15,327.67
1010	RETIREMENT EXPENSE	2,427.85	7,316.74	0.00	7,316.74	22,000.00	14,683.26
1011	HEALTH INSURANCE EXPENSE	3,858.23	15,432.92	0.00	15,432.92	46,500.00	31,067.08
1012	FLEX ADMINISTRATION FEES	0.00	0.00	0.00	0.00	100.00	100.00
1013	RETIREE HEALTH INSURANCE EXPENSE	0.00	2,701.20	0.00	2,701.20	10,800.00	8,098.80
1014	WORKER'S COMPENSATION	0.00	1,314.80	0.00	1,314.80	1,600.00	285.20
1015	Unemployment Compensation	0.00	0.00	0.00	0.00	1,000.00	1,000.00
1017	401K EXPENSE	944.01	2,821.35	0.00	2,821.35	8,250.00	5,428.65
2100	DEPARTMENT SUPPLIES	948.92	1,905.34	3,175.04	5,080.38	9,500.00	4,419.62
2101	Grill Supplies	272.07	1,096.39	3,903.61	5,000.00	8,500.00	3,500.00
2156	RANGE SUPPLIES	3,228.37	3,228.37	24.99	3,253.36	6,000.00	2,746.64
2200	FOOD AND PROVISIONS	0.00	0.00	0.00	0.00	350.00	350.00
2400	CONSTRUCTION & REPAIR SUPPLIES	0.00	0.00	0.00	0.00	1,000.00	1,000.00
2600	OFFICE SUPPLIES	182.85	286.44	0.00	286.44	1,000.00	713.56
2700	GOLF INVENTORY FOR RESALE	4,493.82	15,750.11	2,709.93	18,460.04	49,000.00	30,539.96
2705	Golf Special Orders - Purchases	1,919.70	5,185.67	0.00	5,185.67	7,500.00	2,314.33
2710	CONCESSION INVENTORY RESALE	3,607.71	12,281.78	19,718.22	32,000.00	32,000.00	0.00
2715	Food purchased not in inventory	1,480.71	4,637.33	9,406.96	14,044.29	16,000.00	1,955.71
2900	ASSETS NOT CAPITALIZED	0.00	0.00	0.00	0.00	2,500.00	2,500.00
3100	TRAVEL	0.00	0.00	0.00	0.00	500.00	500.00
3150	CONFERENCE FEES AND SCHOOLS	0.00	0.00	0.00	0.00	1,000.00	1,000.00
3200	COMMUNICATIONS	794.98	2,943.56	5,806.44	8,750.00	11,000.00	2,250.00
3300	UTILITIES	1,213.38	3,531.70	2,100.22	5,631.92	17,000.00	11,368.08
3350	Water Utilities	25.66	121.72	0.00	121.72	300.00	178.28

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10 GENERAL FUND

Account	Object	Expended Current Month	Expended YTD	Encumbered YTD	Committed YTD	Current Appropriation	Available Appropriation
3400	PRINTING	0.00	0.00	0.00	0.00	250.00	250.00
3500	REPAIRS AND MAINTENANCE	687.15	687.15	1,555.00	2,242.15	3,000.00	757.85
3700	MARKETING / ADVERTISING	60.40	336.60	563.40	900.00	10,000.00	9,100.00
3800	DATA PROCESSING SERVICES	816.77	3,183.22	5,216.78	8,400.00	8,400.00	0.00
3900	DRUG TESTING & BACKGROUND CHECKS	121.00	342.00	1,658.00	2,000.00	2,000.00	0.00
3910	LANDFILL FEES/DUMPSTER P/U	145.41	732.24	1,067.76	1,800.00	2,500.00	700.00
3950	DUES AND SUBSCRIPTIONS	0.00	0.00	0.00	0.00	900.00	800.00
3955	Permit Fees	0.00	0.00	0.00	0.00	200.00	200.00
3960	BANK AND MERCHANT FEES	3,053.40	9,305.36	12,844.18	22,149.54	22,500.00	350.46
3980	MISCELLANEOUS EXPENSE	0.00	0.00	0.00	0.00	250.00	250.00
4300	EQUIPMENT RENTAL	146.81	587.24	1,458.47	2,045.71	2,500.00	454.29
4310	GOLF CART RENTALS	5,327.28	26,636.40	37,290.96	63,927.36	65,800.00	1,872.64
4311	SALES AND USE TAX PAID	4,193.79	7,863.39	0.00	7,863.39	18,000.00	10,136.61
4400	SERVICE & MAINTENANCE CONTRACTS	935.68	5,250.40	7,741.76	12,992.16	16,000.00	3,007.84
4500	INSURANCE AND BONDING	614.54	7,696.95	0.00	7,696.95	15,000.00	7,303.05
4990	OTHER CONTRACTED SERVICES	2,065.04	2,220.01	0.00	2,220.01	5,000.00	2,779.99
5800	CAPITAL OUTLAY - BUILDINGS &	0.00	0.00	0.00	0.00	25,000.00	25,000.00
9700	CONTINGENCY	0.00	0.00	0.00	0.00	0.00	0.00
<b>Account Total:</b>		<b>77,891.31</b>	<b>252,944.68</b>	<b>116,241.72</b>	<b>369,186.40</b>	<b>769,900.00</b>	<b>400,713.60</b>
8000	Debt Service						
7100	DEBT PRINCIPAL PAYMENTS	0.00	38,642.04	0.00	38,642.04	223,500.00	184,857.96
7200	DEBT INTEREST PAYMENTS	0.00	4,244.23	0.00	4,244.23	24,000.00	19,755.77
<b>Account Total:</b>		<b>0.00</b>	<b>42,886.27</b>	<b>0.00</b>	<b>42,886.27</b>	<b>247,500.00</b>	<b>204,613.73</b>
9600	OTHER FINANCING USES						
9600	TRANSFERS TO OTHER FUNDS	0.00	0.00	0.00	0.00	145,075.00	145,075.00
<b>Account Total:</b>		<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>145,075.00</b>	<b>145,075.00</b>
<b>Account Group Total:</b>		<b>485,268.09</b>	<b>1,603,342.48</b>	<b>918,351.62</b>	<b>2,521,694.10</b>	<b>6,733,541.00</b>	<b>4,211,846.90</b>
<b>Fund Total:</b>		<b>485,268.09</b>	<b>1,603,342.48</b>	<b>918,351.62</b>	<b>2,521,694.10</b>	<b>6,733,541.00</b>	<b>4,211,846.90</b>



11/09/21  
13:25:25

TOWN OF JAMESTOWN, NC  
Statement of Revenue Budget vs Actuals  
For the Accounting Period: 10 / 21

Page: 2 of 5  
Report ID: B110

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11 General Capital Reserve Fund

Account	Received		Estimated Revenue	Revenue	
	Current Month	Received YTD		To Be Received	% Received
3000					
3931 INVESTMENT EARNINGS	0.00	0.02	10.00	9.98	0 %
3991 TRANSFER FROM GENERAL FUND	0.00	0.00	101,000.00	101,000.00	0 %
<b>Account Group Total:</b>	<b>0.00</b>	<b>0.02</b>	<b>101,010.00</b>	<b>101,009.98</b>	<b>0 %</b>
<b>Fund Total:</b>	<b>0.00</b>	<b>0.02</b>	<b>101,010.00</b>	<b>101,009.98</b>	<b>0 %</b>

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11 General Capital Reserve Fund

Account	Object	Expended Current Month	Expended YTD	Encumbered YTD	Committed YTD	Current Appropriation	Available Appropriation
0							
9600	OTHER FINANCING USES						
	9600 TRANSFERS TO OTHER FUNDS	0.00	0.00	0.00	0.00	76,600.00	76,600.00
	9800 RESERVE FOR FUTURE EXPENDITURES	0.00	0.00	0.00	0.00	24,410.00	24,410.00
	<b>Account Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>101,010.00</b>	<b>101,010.00</b>
	<b>Account Group Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>101,010.00</b>	<b>101,010.00</b>
	<b>Fund Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>101,010.00</b>	<b>101,010.00</b>

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30 WATER AND SEWER

Account	Received		Estimated Revenue	Revenue	
	Current Month	Received YTD		To Be Received	% Received
3000					
3345 INSPECTION AND PERMIT FEES	98.58	392.62	3,200.00	2,807.38	12 %
3710 UTILITY CHARGE - WATER	92,909.52	321,777.89	925,000.00	603,222.11	35 %
3720 UTILITY CHARGE - SEWER	514,998.43	853,384.07	2,415,000.00	1,561,615.93	35 %
3741 Meter Fee	0.00	300.00	500.00	200.00	60 %
3742 System Development Fees to be transferred	0.00	3,075.00	0.00	-3,075.00	** %
3743 System Admin / Installation fee	0.00	100.00	100.00	0.00	100 %
3745 Connection Fees - Water and Sewer	1,450.00	3,800.00	10,000.00	6,200.00	38 %
3750 NONPAYMENT / RECONNECTION FEES	1,500.00	7,450.00	12,000.00	4,550.00	62 %
3755 Return Check Fees	0.00	100.00	350.00	250.00	29 %
3760 LATE FEES	2,050.00	7,920.00	18,000.00	10,080.00	44 %
3765 CREDIT CARD ADMINISTRATION FEES	85.33	197.40	200.00	2.60	99 %
3831 INVESTMENT EARNINGS	0.00	283.31	5,000.00	4,716.69	6 %
3939 MISCELLANEOUS REVENUES	0.00	0.00	100.00	100.00	0 %
3910 Insurance Recoveries	0.00	663.46	0.00	-663.46	** %
3987 TRANSFER FROM RANDLEMAN CAPITAL RESERVE FUND	0.00	0.00	123,000.00	123,000.00	0 %
3992 NET POSITION APPROPRIATED	0.00	0.00	1,998,355.00	1,998,355.00	0 %
<b>Account Group Total:</b>	<b>603,091.86</b>	<b>1,199,443.75</b>	<b>5,510,805.00</b>	<b>4,311,361.25</b>	<b>22 %</b>
<b>Fund Total:</b>	<b>603,091.86</b>	<b>1,199,443.75</b>	<b>5,510,805.00</b>	<b>4,311,361.25</b>	<b>22 %</b>

12

30 WATER AND SEWER

Account	Object	Expended Current Month	Expended YTD	Encumbered YTD	Committed YTD	Current Appropriation	Available Appropriation
0							
7100	WATER AND SEWER						
1000	SALARIES AND WAGES	75,483.32	222,565.52	0.00	222,565.52	708,000.00	485,434.48
1003	LONGEVITY PAY	0.00	0.00	0.00	0.00	14,500.00	14,500.00
1009	FICA EXPENSE	5,772.54	16,991.78	0.00	16,991.78	55,500.00	38,508.22
1010	RETIREMENT EXPENSE	8,605.10	25,372.42	0.00	25,372.42	80,000.00	54,627.58
1011	HEALTH INSURANCE EXPENSE	11,580.36	44,391.37	0.00	44,391.37	140,100.00	95,708.63
1012	FLEX ADMINISTRATION FEES	19.00	76.00	303.00	379.00	600.00	221.00
1013	RETIREE HEALTH INSURANCE EXPENSE	773.18	3,092.72	0.00	3,092.72	10,800.00	7,707.28
1014	WORKER'S COMPENSATION	0.00	10,556.22	0.00	10,556.22	11,000.00	443.78
1015	Unemployment Compensation	0.00	0.00	0.00	0.00	2,000.00	2,000.00
1017	401K EXPENSE	3,338.16	9,880.15	0.00	9,880.15	31,500.00	21,619.85
1019	PROFESSIONAL SERVICES	0.00	7,775.00	0.00	7,775.00	11,450.00	3,675.00
2100	DEPARTMENT SUPPLIES	1,789.28	6,793.83	4,200.44	10,994.27	30,000.00	19,005.73
2105	WATER METERS	0.00	0.00	0.00	0.00	30,000.00	30,000.00
2200	FOOD AND PROVISIONS	60.94	79.51	0.00	79.51	1,000.00	920.49
2400	CONSTRUCTION & REPAIR SUPPLIES	260.56	4,971.72	1,400.00	6,371.72	15,000.00	8,628.28
2500	VEHICLE SUPPLIES	69.34	717.10	0.00	717.10	7,500.00	6,782.90
2520	FUELS - GAS & OIL	2,239.31	8,528.14	13,471.86	22,000.00	22,000.00	0.00
2550	EQUIPMENT SUPPLIES	58.81	398.38	0.00	398.38	5,000.00	4,601.62
2600	OFFICE SUPPLIES	372.06	601.43	0.00	601.43	2,000.00	1,398.57
2750	PURCHASE OF WATER	21,153.90	64,871.96	200,128.04	265,000.00	365,000.00	100,000.00
2755	Water Transmission Fees	1,692.30	5,076.90	0.00	5,076.90	26,000.00	20,923.10
2900	ASSETS NOT CAPITALIZED	717.00	4,356.00	1,207.00	5,563.00	25,000.00	19,437.00
3100	TRAVEL	191.00	191.00	0.00	191.00	4,500.00	4,309.00
3150	CONFERENCE FEES AND SCHOOLS	0.00	4,730.00	0.00	4,730.00	7,500.00	2,770.00
3200	COMMUNICATIONS	2,423.48	7,543.40	18,071.60	25,615.00	33,500.00	7,885.00
3300	UTILITIES	721.85	2,622.36	1,827.51	4,449.87	15,000.00	10,550.13
3350	Water Utilities	0.00	0.00	0.00	0.00	500.00	500.00
3400	PRINTING	431.31	1,156.11	3,413.39	4,569.50	7,000.00	2,430.50
3500	REPAIRS AND MAINTENANCE	4,437.92	11,905.73	0.00	11,905.73	30,000.00	18,094.27
3700	MARKETING / ADVERTISING	0.00	0.00	0.00	0.00	1,000.00	1,000.00
3800	DATA PROCESSING SERVICES	1,441.96	5,713.17	15,036.83	20,750.00	20,750.00	0.00
3900	DRUG TESTING & BACKGROUND CHECKS	0.00	341.00	1,659.00	2,000.00	2,000.00	0.00
3940	LANDFILL FEES/DUMPSTER P/U	0.00	0.00	0.00	0.00	4,000.00	4,000.00
3950	DUES AND SUBSCRIPTIONS	0.00	470.00	1,792.50	2,262.50	6,000.00	3,737.50
3955	Permit Fees	962.50	962.50	0.00	962.50	5,000.00	4,037.50
3960	BANK AND MERCHANT FEES	1,063.72	4,543.87	7,664.99	12,208.86	14,500.00	2,291.14
3980	MISCELLANEOUS EXPENSE	0.00	16.40	0.00	16.40	1,500.00	1,483.60
4300	EQUIPMENT RENTAL	258.81	984.11	868.09	1,852.20	14,000.00	12,147.80
4400	SERVICE & MAINTENANCE CONTRACTS	7,675.00	8,421.97	17,418.65	25,840.62	50,000.00	24,159.38
4401	NC811 Fees	159.00	465.00	2,035.00	2,500.00	2,500.00	0.00
4500	INSURANCE AND BONDING	401.03	26,211.20	0.00	26,211.20	50,000.00	23,788.80
4950	LAB TESTING	1,340.00	2,119.00	6,881.00	9,000.00	9,000.00	0.00
4960	SEWER TREATMENT	0.00	47,296.42	0.00	47,296.42	840,000.00	792,703.58
4990	OTHER CONTRACTED SERVICES	-5,215.12	3,056.07	66,482.74	69,538.81	150,000.00	80,461.19
4995	ENGINEERING FEES NOT CAPITALIZED	0.00	0.00	8,300.00	8,300.00	10,000.00	1,700.00
5400	CAPITAL OUTLAY - MOTOR VEHICLES	0.00	44,095.00	44,546.90	88,641.90	90,500.00	1,858.10
5500	CAPITAL OUTLAY EQUIPMENT	7,000.00	129,005.66	0.00	129,005.66	129,025.00	19.34
5800	CAPITAL OUTLAY - BUILDINGS &	0.00	0.00	0.00	0.00	50,000.00	50,000.00
5900	CAPITAL OUTLAY - WATER IMPROVEMENTS	0.00	0.00	0.00	0.00	1,050,000.00	1,050,000.00

*posted to wrong date*

*plotter/printer*

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30 WATER AND SEWER

Account	Object	Expended Current Month	Expended YTD	Encumbered YTD	Committed YTD	Current Appropriation	Available Appropriation
5910	CAPITAL OUTLAY - SEWER IMPROVEMENTS	0.00	0.00	0.00	0.00	597,975.00	597,975.00
6800	OPERATING PAYMENTS TO REGIONAL	0.00	44,388.24	0.00	44,388.24	46,000.00	1,611.76
6801	DEBT PAYMENTS TO PIEDMONT TRIAD	0.00	61,118.73	0.00	61,118.73	123,000.00	61,881.27
6810	Payments for Odor Control Project	0.00	0.00	0.00	0.00	22,000.00	22,000.00
6820	First Bank Credit Card Encumbrance	0.00	0.00	1,000.00	1,000.00	1,000.00	0.00
7100	DEBT PRINCIPAL PAYMENTS	0.00	12,500.83	0.00	12,500.83	50,005.00	37,504.17
7200	DEBT INTEREST PAYMENTS	0.00	1,966.38	0.00	1,966.38	7,500.00	5,533.62
9600	TRANSFERS TO OTHER FUNDS	0.00	468,099.00	0.00	468,099.00	468,100.00	1.00
9700	CONTINGENCY	0.00	0.00	0.00	0.00	3,500.00	3,500.00
<b>Account Total:</b>		<b>157,277.62</b>	<b>1,327,019.30</b>	<b>417,708.54</b>	<b>1,744,727.84</b>	<b>5,510,805.00</b>	<b>3,766,077.16</b>
<b>Account Group Total:</b>		<b>157,277.62</b>	<b>1,327,019.30</b>	<b>417,708.54</b>	<b>1,744,727.84</b>	<b>5,510,805.00</b>	<b>3,766,077.16</b>
<b>Fund Total:</b>		<b>157,277.62</b>	<b>1,327,019.30</b>	<b>417,708.54</b>	<b>1,744,727.84</b>	<b>5,510,805.00</b>	<b>3,766,077.16</b>

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TOWN OF JAMESTOWN, NC  
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60 RANDLEMAN RESERVOIR CAPITAL RESERVE FUND

Account	Received		Estimated Revenue	Revenue %	
	Current Month	Received YTD		To Be Received	Received
3000					
3831 INVESTMENT EARNINGS	4.55	18.83	100.00	81.17	19 %
3986 TRANSFER FROM ENTERPRISE FUNDS	0.00	36,500.00	36,500.00	0.00	100 %
3992 NET POSITION APPROPRIATED	0.00	0.00	86,400.00	86,400.00	0 %
<b>Account Group Total:</b>	<b>4.55</b>	<b>36,518.83</b>	<b>123,000.00</b>	<b>86,481.17</b>	<b>30 %</b>
<b>Fund Total:</b>	<b>4.55</b>	<b>36,518.83</b>	<b>123,000.00</b>	<b>86,481.17</b>	<b>30 %</b>

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60 HANDLEMAN RESERVOIR CAPITAL RESERVE FUND

Account	Object	Expended Current Month	Expended YTD	Encumbered YTD	Committed YTD	Current Appropriation	Available Appropriation
0							
7130	HANDLEMAN RESERVOIR						
	9600 TRANSFERS TO OTHER FUNDS	0.00	0.00	0.00	0.00	123,000.00	123,000.00
	Account Total:	0.00	0.00	0.00	0.00	123,000.00	123,000.00
	Account Group Total:	0.00	0.00	0.00	0.00	123,000.00	123,000.00
	Fund Total:	0.00	0.00	0.00	0.00	123,000.00	123,000.00

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61 WATER AND SEWER CAPITAL RESERVE FUND

Account	Received		Estimated Revenue	Revenue %	
	Current Month	Received YTD		To Be Received	Received
3000					
3831 INVESTMENT EARNINGS	0.00	1.98	10.00	8.02	20 %
3986 TRANSFER FROM ENTERPRISE FUNDS	0.00	431,599.00	431,600.00	1.00	100 %
<b>Account Group Total:</b>	<b>0.00</b>	<b>431,600.98</b>	<b>431,610.00</b>	<b>9.02</b>	<b>100 %</b>
<b>Fund Total:</b>	<b>0.00</b>	<b>431,600.98</b>	<b>431,610.00</b>	<b>9.02</b>	<b>100 %</b>
<b>Grand Total:</b>	<b>1,466,040.77</b>	<b>4,013,661.39</b>	<b>12,899,966.00</b>	<b>8,886,304.61</b>	<b>31 %</b>



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61 WATER AND SEWER CAPITAL RESERVE FUND

Account Object	Expended Current Month	Expended YTD	Encumbered YTD	Committed YTD	Current Appropriation	Available Appropriation
0						
9600 OTHER FINANCING USES						
9200 RESERVE FOR FUTURE EXPENDITURES	0.00	0.00	0.00	0.00	431,610.00	431,610.00
<b>Account Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>431,610.00</b>	<b>431,610.00</b>
<b>Account Group Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>431,610.00</b>	<b>431,610.00</b>
<b>Fund Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>431,610.00</b>	<b>431,610.00</b>
<b>Grand Total:</b>	<b>642,545.71</b>	<b>2,930,361.78</b>	<b>1,336,060.16</b>	<b>4,266,421.94</b>	<b>12,899,966.00</b>	<b>8,633,544.06</b>

**Mayor**  
Lynn Montgomery

**Interim Town Manager**  
Dave Treme

**Town Attorney**  
Beth Koonce



**Council Members**  
Martha Stafford Wolfe, Mayor Pro Tem  
Rebecca Mann Rayborn  
John Capes  
Lawrence Straughn

## TOWN OF JAMESTOWN AGENDA ITEM

**ITEM ABSTRACT:** Golf report for October 2021

**AGENDA ITEM #:** II-D

**CONSENT AGENDA ITEM**

**ACTION ITEM**

**INFORMATION ONLY**

**MEETING DATE:** November 16, 2021

**ESTIMATED TIME FOR DISCUSSION:** 0 Minutes

**DEPARTMENT:** Finance

**CONTACT PERSON:** Judy Gallman

**SUMMARY:**

Attached is the report of golf operations for October 2021.

Total revenues for the month of October 2021 were \$117,028 and operating expenditures were \$154,092. Thus there was a net operating loss of \$37,064 for the month. In October 2020, there was an operating loss of \$31,606. The difference is due to an increase in number of employees, as well as more inventory purchases (golf merchandise and food) and higher prices - especially on fuel.

For the month of October 2021 there were 3,117 rounds played, and 3,046 rounds played in October 2020.

The grill had a net loss of \$2,373 for October 2021; in October 2020, the net was \$2,911. For the current fiscal year-to-date, however, the grill has a net profit of \$2,598; in 2020 (year-to-date), there was a net loss of \$1,518.

**ATTACHMENTS:** Golf Report for October 2021

**RECOMMENDATION/ACTION NEEDED:**

**BUDGETARY IMPACT:**

**SUGGESTED MOTION:**

**FOLLOW UP ACTION NEEDED:**

Summary  
FYE 6/30/22

	October 2021	October 2020	Variance	% Variance	YTD FYE 6/30/22	YTD FYE 6/30/21	Variance	% Variance
<i>Golf Course Operating Revenues</i>	117,028	97,767	19,261	19.70%	459,299	439,403	19,896	4.53%
<i>Golf Course Maintenance Expenditures (before capital outlay)</i>	80,431	67,793	12,638	15.71%	258,003	237,183	20,820	8.78%
<i>Golf Course Golf Shop Expenditures (before capital outlay)</i>	73,661	61,580	12,081	19.62%	248,714	231,320	17,394	7.52%
<i>Net exp &lt; or &gt; rev before Capital Outlay</i>	(37,064)	(31,606)	(5,458)		(47,418)	(29,100)	(18,318)	
<i>Capital Outlay</i>	-	1,967	(1,967)		33,378	1,967	(31,411)	
<i>Net expenditures &lt; or &gt; revenues</i>	<u>(37,064)</u>	<u>(33,573)</u>	(3,491)	-10.40%	<u>(80,796)</u>	<u>(31,067)</u>	(49,729)	-160.07%
<i>Golf Rounds Played (not including complimentary play)</i>	3,117	3,046			12,395	13,444		
<i>Bad Weather Days (1)</i>	6	6			19	13		
<i>Days closed for aerification, covered greens, COVID</i>	-	-			-	2		
<i>Golf course employees paid during the month:</i>								
<i>Full-time positions</i>	11	8						
<i>Part-time hours</i>	1100	1,596						

(1) - Defined as rain, snow, 49 degrees or below, 95 degrees or above

**Jamestown Park Golf Course Revenues**  
**Revenues**  
**FYE 6/30/22**

	<u>October 2021</u>	<u>October 2020</u>	<u>Variance</u>	<u>% Variance</u>	<u>YTD FYE 6/30/22</u>	<u>YTD FYE 6/30/21</u>	<u>Variance</u>	<u>% Variance</u>
Greens	58,831	49,572	9,259	18.68%	236,129	224,549	11,580	5.16%
Cart Rentals	33,085	29,568	3,517	11.89%	124,805	128,760	(3,955)	-3.07%
Pull Carts	23	31	(8)	-25.81%	123	175	(52)	-29.71%
Driving Range	5,860	5,370	490	9.12%	24,488	22,672	1,816	8.01%
Sales - Golf Shop Inventory	9,130	5,595	3,535	63.18%	30,213	26,950	3,263	12.11%
Sales - Golf Shop Concessions	9,859	7,471	2,388	31.96%	42,056	35,607	6,449	18.11%
Golf Clubhouse Rental Fees	240	160	80	50.00%	1,485	690	795	115.22%
	(golf clubs)	(golf clubs)				(golf clubs)		
Ins Recoveries	-	-			-	-		
	<u>117,028</u>	<u>97,767</u>	19,261	19.70%	<u>459,299</u>	<u>439,403</u>	19,896	4.53%

Jamestown Park Golf Course Operations  
 Golf Maintenance Expenditures  
 FYE 6/30/22

	<u>October 2021</u>	<u>October 2020</u>	<u>Variance</u>	<u>% Variance</u>	<u>YTD FYE 6/30/22</u>	<u>YTD FYE 6/30/21</u>	<u>Variance</u>	<u>% Variance</u>
<i>Salaries &amp; Employee Benefits</i>	57,312	52,641	4,671	8.87%	171,891	156,884	15,007	9.57%
<i>Supplies &amp; Materials</i>	13,335	4,263	9,072	212.81%	42,859	36,074	6,785	18.81%
<i>Contractual Services</i>	6,861	8,561	(1,700)	-19.86%	31,510	38,376	(6,866)	-17.89%
<i>Other Operating Expenditures (utilities, communications, etc)</i>	<u>2,923</u>	<u>2,328</u>	<u>595</u>	25.56%	<u>11,743</u>	<u>5,849</u>	<u>5,894</u>	100.77%
<i>Total Exp before Capital Outlay</i>	<u>80,431</u>	<u>67,793</u>	<u>12,638</u>	18.64%	<u>258,003</u>	<u>237,183</u>	<u>20,820</u>	8.78%
<i>Capital Outlay</i>	<u>-</u>	<u>1,967</u>	<u>(1,967)</u>		<u>33,378</u>	<u>1,967</u>	<u>31,411</u>	
	<u><u>80,431</u></u>	<u><u>69,760</u></u>	<u><u>10,671</u></u>	15.30%	<u><u>291,381</u></u>	<u><u>239,150</u></u>	<u><u>52,231</u></u>	21.84%

Variations:

Salaries and benefits are more due to 2 more positions than prior year during this month.  
 More chemicals, equipment supplies in the current year, plus fuel costs have increased significantly.

Jamestown Park Golf Course Operations  
 Golf Shop Expenditures  
 FYE 6/30/22

	<u>October 2021</u>	<u>October 2020</u>	<u>Variance</u>	<u>% Variance</u>	<u>YTD FYE 6/30/22</u>	<u>YTD FYE 6/30/21</u>	<u>Variance</u>	<u>% Variance</u>
<i>Salaries &amp; Employee Benefits</i>	41,496	38,116	3,380	8.87%	137,135	119,349	17,786	14.90%
<i>Supplies &amp; Materials</i>	16,135	8,270	7,865	95.10%	44,372	40,856	3,516	8.61%
<i>Contractual Services</i>	9,053	9,235	(182)	-1.97%	46,023	49,520	(3,497)	-7.06%
<i>Other Operating Expenditures (utilities, communications, etc)</i>	<u>6,977</u>	<u>5,959</u>	<u>1,018</u>	17.08%	<u>21,184</u>	<u>21,595</u>	<u>(411)</u>	-1.90%
<i>Total Exp before Capital Outlay</i>	<u>73,661</u>	<u>61,580</u>	<u>12,081</u>	19.62%	<u>248,714</u>	<u>231,320</u>	<u>17,394</u>	7.52%
<i>Capital Outlay</i>	<u>-</u>	<u>-</u>	<u>-</u>		<u>-</u>	<u>-</u>	<u>-</u>	
	<u>73,661</u>	<u>61,580</u>	12,081	19.62%	<u>248,714</u>	<u>231,320</u>	17,394	7.52%

Variances:

Salaries & benefits more due to moving PT employee to full-time

More inventory (food and golf shop items) purchased in the current year - especially special golf orders .

## Grill Operations

FYE 6/30/22

	<u>October 2021</u>	<u>YTD FYE 6/30/22</u>	<u>October 2020</u>	<u>YTD FYE 6/30/21</u>
Golf Shop Grill Revenues	9,859	42,056	7,471	35,607
Golf Shop Rental Revenue	-	400	-	-
	<u>9,859</u>	<u>42,456</u>	<u>7,471</u>	<u>35,607</u>
Expenditures:				
Wages	4,783	14,575	4,594	14,242
FICA	366	1,110	351	1,089
Benefits	1,723	6,158	1,581	5,686
Grill supplies	272	1,096	136	751
Food & beverage purchases	5,088	16,919	3,720	15,357
	<u>12,232</u>	<u>39,858</u>	<u>10,382</u>	<u>37,125</u>
	<u>(2,373)</u>	<u>2,598</u>	<u>(2,911)</u>	<u>(1,518)</u>

**Mayor**  
Lynn Montgomery

**Interim Town Manager**  
Dave Treme

**Town Attorney**  
Beth Koonce



**Council Members**  
Martha Stafford Wolfe, Mayor Pro Tem  
Rebecca Mann Rayborn  
John Capes  
Lawrence Straughn

## TOWN OF JAMESTOWN AGENDA ITEM

**ITEM ABSTRACT:** Notification of Advances Outstanding for sidewalk projects

**AGENDA ITEM #:** II-E

**CONSENT AGENDA ITEM**

**ACTION ITEM**

**INFORMATION ONLY**

**MEETING DATE:** November 16, 2021

**ESTIMATED TIME FOR DISCUSSION:** 0 Minutes

**DEPARTMENT:** Finance

**CONTACT PERSON:** Judy Gallman

**SUMMARY:**

At the February 15, 2020 Town Council meeting, approval was done to allow the Town Manager or designee to make cash advances from the General Fund to the sidewalk capital project funds in order to pay the construction invoices. These will be reimbursed by NCDOT for all allowable expenditures.

The Town's budget ordinance states that Council must be notified of any advances that will not be repaid within 60 days.

The current balance of advances to cover invoices paid for which reimbursement has been requested but not yet received are as follows:

East Main Street (Lydia) sidewalk project - \$378,224.20

East Fork Road sidewalk & pedestrian bridge project - \$1,063

Note: We have received reimbursements on all of our requests from NCDOT. There are other amounts that have been paid but reimbursement not yet requested due to other factors that we are waiting on.

**ATTACHMENTS:**

**RECOMMENDATION/ACTION NEEDED:**

**BUDGETARY IMPACT:**

**SUGGESTED MOTION:**

**FOLLOW UP ACTION NEEDED:**



**Mayor**  
Lynn Montgomery

**Interim Town Manager**  
Dave Treme

**Town Attorney**  
Beth Koonce



**Council Members**  
Martha Stafford Wolfe, Mayor Pro Tem  
Rebecca Mann Rayborn  
John Capes  
Lawrence Straughn

## TOWN OF JAMESTOWN AGENDA ITEM

**ITEM ABSTRACT:** Budget Amendment #11

**AGENDA ITEM #:** II-F



CONSENT AGENDA ITEM



ACTION ITEM



INFORMATION ONLY

**MEETING DATE:** November 16, 2021

**ESTIMATED TIME FOR DISCUSSION:** 0 Minutes

**DEPARTMENT:** Finance

**CONTACT PERSON:** Judy Gallman

**SUMMARY:**

This budget amendment will increase the budget for audio/camera services during Council & Planning Board meetings for the remainder of the fiscal year. It will also allow the Town to purchase a new blower for the Recreation department, since the existing blower's engine died. The blower is very old and an engine is not available for replacement.

**ATTACHMENTS:** Budget Amendment #11

**RECOMMENDATION/ACTION NEEDED:** Approve budget amendment #11

**BUDGETARY IMPACT:** \$13,500 increase in expenditures and appropriated fund balance

**SUGGESTED MOTION:** Approve budget amendment #11

**FOLLOW UP ACTION NEEDED:**

**FYE 6/30/22  
BUDGET AMENDMENT #11**

**Fund 10:**

a.	Other Contracted Services	10-4100-4990	1,500.00	
	Other Contracted Services	10-4900-4990	1,500.00	
	Appropriated Fund Balance	10-3991		3,000.00

To increase budget for audio/camera services at Council meetings and Planning Board meetings for remainder of fiscal year.

b.	Capital Outlay - Equipment	10-6200-5500	10,500.00	
	Appropriated Fund Balance	10-3991		10,500.00

Budget for blower - needed after the old blower died.

**Mayor**  
Lynn Montgomery

**Interim Town Manager**  
Dave Treme

**Town Attorney**  
Beth Koonce



**Council Members**  
Martha Stafford Wolfe, Mayor Pro Tem  
Rebecca Mann Rayborn  
John Capes  
Lawrence Straughn

## TOWN OF JAMESTOWN AGENDA ITEM

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**ITEM ABSTRACT:** Introduction - Brian Hall with Guilford County Sheriff's Department

**AGENDA ITEM #:** IV

**CONSENT AGENDA ITEM**

**ACTION ITEM**

**INFORMATION ONLY**

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**MEETING DATE:** November 16, 2021

**ESTIMATED TIME FOR DISCUSSION:** 5 minutes

**DEPARTMENT:** Administration

**CONTACT PERSON:** Dave Treme, Town Manager

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**SUMMARY:**

Introduction of Captain Brian Hall with the Guilford County Sheriff's Department

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**ATTACHMENTS:** N/A

**RECOMMENDATION/ACTION NEEDED:** N/A

**BUDGETARY IMPACT:** N/A

**SUGGESTED MOTION:** N/A

**FOLLOW UP ACTION NEEDED:** N/A

**Mayor**  
Lynn Montgomery

**Interim Town Manager**  
Dave Treme

**Town Attorney**  
Beth Koonce



**Council Members**  
Martha Stafford Wolfe, Mayor Pro Tem  
Rebecca Mann Rayborn  
John Capes  
Lawrence Straughn

## TOWN OF JAMESTOWN AGENDA ITEM

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ITEM ABSTRACT: Presentation of Certificate honoring acceptance into AARP community AGENDA ITEM #: V

CONSENT AGENDA ITEM

ACTION ITEM

INFORMATION ONLY

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MEETING DATE: November 16, 2021

ESTIMATED TIME FOR DISCUSSION: 5 Minutes

DEPARTMENT:

CONTACT PERSON: Bob Gerkin, AARP Representative

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SUMMARY:

Presentation of Certificate honoring the Town of Jamestown's acceptance into the ARP Network of Age-Friendly States and Communities

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ATTACHMENTS: AARP Acceptance Letter

RECOMMENDATION/ACTION NEEDED: N/A

BUDGETARY IMPACT: N/A

SUGGESTED MOTION: N/A

FOLLOW UP ACTION NEEDED: N/A



October 7, 2021

Lynn Montgomery  
Mayor, Town of Jamestown  
301 East Main Street  
Jamestown, North Carolina 27282

Dear Mayor Montgomery,

Congratulations to the Town of Jamestown, North Carolina, for becoming the 585<sup>th</sup> community to enroll in the **AARP Network of Age-Friendly States and Communities**.

The AARP age-friendly network encourages states, counties, cities, towns and rural areas to prepare for the rapid aging of our nation's population. The network encourages elected officials and local leaders to focus on and strengthen the features and services that help to make communities livable for residents of all ages, from the cradle through retirement.

Launched in April 2012, the AARP Network of Age-Friendly States and Communities is an organizational affiliate of the World Health Organization Global Network for Age-Friendly Cities and Communities, a program launched in 2006. Through the age-friendly program, AARP helps participating communities to become more livable and age-friendly by creating safer and more walkable streets, needed housing and transportation options, better access to key services, and opportunities for residents to participate in community activities.

The AARP Network of Age-Friendly States and Communities provides a structured process that guides change and serves as a catalyst to educate, encourage, promote and recognize improvements that benefit residents of all ages and life stages. Enrollment in the network provides member communities with the resources to become more age-friendly by tapping into national and global research, planning models and best practices.

For additional information and support as you move through the age-friendly process, please visit [AARP.org/AgeFriendly](https://www.aarp.org/AgeFriendly) and/or contact Bill Armbruster, AARP Livable Communities Senior Advisor, by email at [warmbruster@aar.org](mailto:warmbruster@aar.org) or by telephone at 585-729-1850.

Thank you for being among the nation's local leaders who have committed to improving their community for people of all ages. We look forward to working with you and welcome the Town of Jamestown to the AARP Network of Age-Friendly States and Communities.

A handwritten signature in black ink, appearing to read 'Nancy A. LeaMond'. The signature is fluid and cursive, with a large initial 'N' and 'L'.

**Nancy A. LeaMond**  
AARP  
Chief Advocacy and Engagement Officer  
Executive Vice President, Community, State and National Affairs  
Washington, D.C.

**AARP Livable Communities** WEBSITE: [AARP.org/Livable](https://www.aarp.org/Livable)

EMAIL: [Livable@AARP.org](mailto:Livable@AARP.org) | FREE E-NEWSLETTER: [AARP.org/LivableSubscribe](https://www.aarp.org/LivableSubscribe)

**Mayor**  
Lynn Montgomery

**Interim Town Manager**  
Dave Treme

**Town Attorney**  
Beth Koonce



**Council Members**  
Martha Stafford Wolfe, Mayor Pro Tem  
Rebecca Mann Rayborn  
John Capes  
Lawrence Straughn

## TOWN OF JAMESTOWN AGENDA ITEM

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**ITEM ABSTRACT:** Consideration of approval of new public record request policy

**AGENDA ITEM #:** VI-A

CONSENT AGENDA ITEM

ACTION ITEM

INFORMATION ONLY

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**MEETING DATE:** Nov. 16, 2021

**ESTIMATED TIME FOR DISCUSSION:** 15 min.

**DEPARTMENT:** Administration

**CONTACT PERSON:** Dave Treme, Interim Town Manager

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**SUMMARY:**

The Town of Jamestown, as a political subdivision of the State of North Carolina, is open and responsive to information requests from the public and the news media. Compiling records that have been requested requires the expenditure of resources. Therefore, in an effort to fairly recover the non-appropriated cost of responding to public records requests, and be consistent with existing law and policy, the Town of Jamestown respectfully requests that the Town Council consider the adoption of the attached policy.

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**ATTACHMENTS:** Current Public Records policy (2012) and updated policy.

**RECOMMENDATION/ACTION NEEDED:** Approve the updated public records policy as requested.

**BUDGETARY IMPACT:** N/A

**SUGGESTED MOTION:** Move to adopt the public records policy as presented.

**FOLLOW UP ACTION NEEDED:**



**TOWN OF JAMESTOWN  
PUBLIC RECORDS REQUEST POLICY**

**I. PURPOSE**

To establish a uniform protocol for responding to requests for Public Records which will ensure that each Requestor receives a full and complete response in a timely manner.

**II. PROCESS**

Requests for Public Records should be made in writing, and should contain the following information:

1. Date of the Request.
2. Name of the Requestor.
3. Full Address of the Requestor.
4. Telephone Number and/or Email address of the Requestor.
5. A complete description of the requested records.
6. Desired method of obtaining the requested records (inspection at Town Hall, photocopies by mail or pick-up, and email -if possible). Requestors shall be charged for any fees incurred for the mailing of materials.

There is no requirement that the Requestor provide his/her/its name and contact information; however, in the event that the Town has a question or needs clarification concerning a request, such contact information is appreciated. A Public Records Request Form is available for the public's use on the Town Website ([www.jamestown-nc.us](http://www.jamestown-nc.us)) and at Town Hall.

Written requests may be sent to the Town via the following methods:

- A) Email to Staff Members
- B) Facsimile: 336-886-3504
- C) In person or via mail at Town Hall, 301 E. Main Street, Jamestown, NC 27282.

Telephone and in-person requests are also accepted at Town Hall and at 336-454-1138 between normal business hours (8:30 AM – 5:00 PM). Such requests shall be transcribed by the staff member receiving the request onto a Request Form to ensure that the request is sufficiently specific for the custodian to know what records are being sought.

Upon receipt of a Public Records Request, the Town shall acknowledge same as soon as practicable. All requests for public records received by the Town shall be forwarded to the Town Manager or their designee to be fulfilled as promptly as possible. The Town will respond to the Requestor by: a) Producing the record; b) denying the request accompanied by an explanation of the basis for denial (in writing); or c) producing the request in part and denying the request in part, accompanied by an explanation (in writing) of the basis of the denial in part.

### III. MEDIUM

If the Requestor specifies a format in which the record should be provided, the Town will provide the records in their requested format, if: a) the Town is capable of providing the records in the format requested, and b) the Requestor pays all required fees/costs.

The Town is not required to create or compile a record that does not exist or to provide a record in electronic medium if that record is not kept in electronic medium.

In the event a Requestor chooses to inspect the records at Town Hall, the records will be made available at a time that is mutually agreeable between the Requestor and the Town. The appointment to inspect such records may need to be broken into intervals, possibly over a period of days, so as not to interfere with the daily operations of the Town.

### IV. COSTS

Prior to the release of any public record, the Town will collect duplication fees and/or costs. This schedule of costs may be updated by the Town as needed without requiring a readopting of the entire policy by the Town Council. All requests for public records shall be subject to the following schedule of duplication costs:

#### SCHEDULE

➤ 8.5" x 11" single-sided hardcopy	\$0.10
➤ 8.5" x 11" double-sided hardcopy	\$0.20
➤ 11" x 17" single –sided hardcopy	\$0.20
➤ 11"x17" double-sided hardcopy	\$0.25
➤ Compact Disc	\$1.00
➤ Site Plans, Drawings, Maps, etc.	(See Planning Fee Schedule)
➤ Email attachments (if possible)	No Cost

*\*Email systems are not reliable methods for transmitting public records, as it may be subject to size limitations, firewall/security issues, and a host of other issues. Therefore, the Town reserves the right to*



alert the Requestor that it is impossible to email the records and may offer alternative methods for providing the records.

- Mailing fees Direct cost
- Requests requiring assistance of 2 or more hours of a contractor Direct Cost

*\*Example - requests requiring the services of an outside contractor may be billed at the contractor's normal hourly rate.*

## V. EXTRAORDINARY PUBLIC RECORDS REQUESTS

In the event that any Public Records Request requires extensive use of information technology resources or extensive clerical or supervisory assistance by Town Staff, then the Town of Jamestown may assess a special service charge pursuant to North Carolina General Statutes Section §132-6.2 (b). The Requestor shall be informed of such an additional charge prior to the fulfillment of the Public Records Request by the Town.

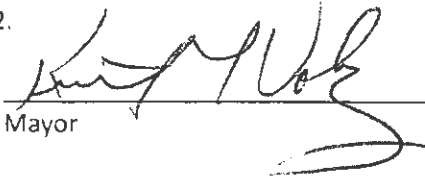
A Public Records Request is deemed extraordinary when, in the Town Manager's opinion, a Request would unreasonably interfere with a Staff member's primary duties or requires the assistance of more than two (2) hours from a contractor engaged by the Town. When the Town Manager deems a Request to be extraordinary, whether on its face, or after the Town's response to the Request has begun, he/she will notify the Requestor of the estimated costs to complete the Request. The estimate shall include: a) estimated costs; b) a conservative estimate of the time necessary to fulfill the request; and c) request for payment of that estimate in advance.

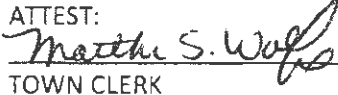
## VI. PAYMENT REQUIRED

In the event it is estimated that the duplication or transmission costs applicable to a Public Records Request exceeds \$25.00, the Town, at its discretion, may require the Requestor to deposit a sum equal to 75% of the estimated fee **prior** to fulfillment of the Request. Should a deposit be required, the Town will notify the Requestor of the amount. In the event actual costs are less than the deposit, the Town will refund the sum in excess of the actual costs.

Payment is required **prior** to the release of any public records. The Town reserves the right to require payment for one public records request **prior** to beginning another public records request by the same individual. In the event that public records are not collected by the Requestor within 30 calendar days of notification, the Town will destroy the duplicated records; however, the Requestor is still responsible for the fees. Those fees shall be paid in full prior to the Town begins processing any future requests from that individual.

Adopted this the 15 day of May, 2012.

  
\_\_\_\_\_  
Mayor

ATTEST:  
  
\_\_\_\_\_  
TOWN CLERK



## CONTENTS

- I. Statement of Purpose
- II. Coverage and Methodology
- III. Copying Fee
- IV. Special Service Charge for Extraordinary Public Records Requests
- V. Accounting for Time Spent Handling Public Record Requests
- VI. Related Policies/Procedures
- VII. Related Forms
- VIII. Contact

### I. STATEMENT OF PURPOSE

The Town of Jamestown, as a political subdivision of the State of North Carolina, is open and responsive to information requests from the public and the news media. Compiling records that have been requested requires the expenditure of resources.

Therefore, in an effort to fairly recover the non-appropriated cost of responding to public records requests, and be consistent with existing law and policy, the Town of Jamestown establishes the following policy. This policy will be implemented in accordance with the NC Public Records Act (N.C.G.S. Chapter 132, specifically N.C.G.S. § 132-6.2) and the NC Human Resources Act (N.C.G.S. Chapter 126, specifically Article 7).

### II. COVERAGE AND METHODOLOGY

This policy applies to all requests for public records made to the Town of Jamestown, regardless of requester. All requests should be provided in writing in order to create appropriate documentation for monitoring time, costs, and billing as needed. There is no requirement that the requestor provide their name and contact information. However, in the event that the Town has a question or needs clarification concerning a request, such contact information is appreciated. A Public Records Request Form is available for the public's use on the Town website or at Town Hall. All requests should be made to the Town Clerk.

Upon receipt of a request, the Town shall acknowledge such as soon as practicable. All requests will be directed to the appropriate staff member by the Town Clerk. The Town will respond to the requestor by: a) producing the record; b) denying the request accompanied by an explanation of the basis for denial; or c) producing the request in part and denying the request in part, accompanied by an explanation of the basis of the denial in part. The Town is not required to create or compile a record that does not exist or to provide a record in a medium if that record is not kept in such.

In the event a requestor chooses to inspect records at Town Hall, the records will be made available at a time that is mutually agreeable between the Town Clerk and the requestor. The appointment to inspect such records may need to be broken into intervals, possibly over a period of days, so as not to interfere with the daily operations of the Town.

### III. COPYING FEE

- A. If the requester asks for hard copies of documents, the Town of Jamestown may charge the actual cost of copying. Generally, the Town of Jamestown will not charge for the copying cost unless the number of pages exceeds twenty-five (25). Thereafter, the charge will be ten (10) cents per page for every page over 25 copied in black and white and capable of being reproduced in-house. If for any reason a request requires special handling (e.g., color copies, out-sourcing of copying function, etc.), the actual cost of

such handling shall be calculated on a case-by-case basis.

- B. If the requester asks for documents in some other medium (e.g., disk or flash drive), the Town of Jamestown may charge the actual charge for the media provided.
- C. If the requester requests transmission of the documents via email or other electronic means, the Town of Jamestown may charge only for the special service charge described in paragraph IV, if applicable.
- D. The person responding on behalf of the Town of Jamestown shall provide an estimate of the copying cost to the requester prior to making or releasing the copies, and allow the requester the option of either agreeing to pay the charge or to revise the request.
- E. Multiple requests within a short period of time (up to 120 days) from the same individual or organization on the same or related topic will be considered a single request for purposes of determining whether to charge under this section.

#### IV. SPECIAL SERVICE CHARGE FOR EXTRAORDINARY PUBLIC RECORDS REQUESTS

- A. If the request is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance, or if producing the records in the medium requested results in an excessive use of information technology resources, then the Town of Jamestown may charge, in addition to any applicable copying fee, a special service charge. The special service charge will be reasonable and no greater than the actual costs incurred. The Town of Jamestown considers more than four (4) hours to constitute extensive use of personnel resources.
- B. If preparation of the response to the request exceeds four (4) hours, the Town of Jamestown will charge a presumed rate of \$31.00 per hour for the additional time. The person responding on behalf of the Town of Jamestown will provide an estimate of the costs for an extraordinary request prior to making the records available for inspection or release. The Town will allow the requester the option to either agree to pay the charge or revise the request to narrow its nature or scope. Multiple requests within a short period of time from the same individual or organization will be considered a single request for purposes of determining whether to charge under this section.
- C. The actual cost of redacting legally privileged and/or confidential information may not be included in calculating this special service charge. However, the time spent reviewing for and redacting privileged and/or confidential information should be estimated and recorded as described in section V.
- D. In the event that costs applicable to a request exceed \$25.00, the Town, at its discretion, may require the requestor to deposit a sum equal to 75% of the estimated fee prior to fulfillment of the request. In the event that actual costs are less than the deposit, the Town will refund the sum in excess of actual costs. Payment is required prior to the release of any records. The Town reserves the right to require payment for one records request before beginning another public records request by the same individual. In the event that records are not collected by the requestor within 30 calendar days of notification, the Town will destroy the duplicated records and the requestor will still be responsible for the fees. Those fees shall be paid in full prior to the Town beginning work on any future requests by the same party.

#### V. ACCOUNTING FOR TIME SPENT HANDLING PUBLIC RECORD REQUESTS

- A. To the extent practicable, all employees involved in fulfilling a public records request shall maintain a reasonable approximation of the time spent on that task to the nearest half hour.



VI. RELATED POLICIES/RESOURCES

- [North Carolina Public Records Act \(N.C.G.S. 132\)](#)

VII. RELATED FORMS

- None

VIII. CONTACT

- [kweiner@jamestown-nc.gov](mailto:kweiner@jamestown-nc.gov)

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Lynn Montgomery, Mayor

Attest: \_\_\_\_\_  
Katie M. Weiner, CMC  
Town Clerk

**Mayor**  
Lynn Montgomery

**Interim Town Manager**  
Dave Treme

**Town Attorney**  
Beth Koonce



**Council Members**  
Martha Stafford Wolfe, Mayor Pro Tem  
Rebecca Mann Rayborn  
John Capes  
Lawrence Straughn

## TOWN OF JAMESTOWN AGENDA ITEM

**ITEM ABSTRACT:** NCDOT Projects

**AGENDA ITEM #:** VI-B

**CONSENT AGENDA ITEM**

**ACTION ITEM**

**INFORMATION ONLY**

**MEETING DATE:** November 16, 2021

**ESTIMATED TIME FOR DISCUSSION:** 10 Minutes

**DEPARTMENT:** Public Services

**CONTACT PERSON:** Paul Blanchard

### SUMMARY:

The Town continues to work with NCDOT on several items.

**Pedestrian signal head from Town Hall to Black Powder Smokehouse:** We have spoken briefly with the owner and are looking for possible solutions to the NCDOT reasons for disapproval.

**Gannaway Pedestrian Crossing:** NCDOT has not responded to our signage request.

**Mendenhall Homeplace Crosswalk:** We are awaiting changes from the City of High Point consultant.

**Guilford Road/East Fork Road Pedestrian Crossing:** Work completed.

**Oakdale Road closing:** NCDOT's contractor is building the on-site detour to keep the road open.

**Drainage inlet in front of the Library:** NCDOT to maintain the inlet.

**E. Main Street Water Line Replacement from Dillon Rd to Teague Dr:** Plans and Encroachment Agreements were submitted to NCDOT on 10/22/21 to clarify pavement repair requirements.

**E. Main Street Sidewalk Project:** The project is substantially completed. Work is underway on the tunnel canopies, curbs, and grading. We have been waiting for weeks to schedule the walk-through with NCDOT, which will create a punch list. Fencing and lighting work is being coordinated.

**East Fork Road Pedestrian Bridge Project:** We are awaiting final closeout of the project.

**Oakdale Road Sidewalk:** The Town needs to submit a "Spend Plan" to NCDOT.

**Penny Road Sidewalk:** Future project.

**East Fork Road Soccer Complex Overflow Lot:** The survey has been completed, which will be used to design a CIP request.

**Pedestrian Crossing on Millis Road:** No response to the request to install a crosswalk on Millis Road to the elementary school.

**Pedestrian Crossing at Haynes-Inman School:** No response to a request for signage at the pedestrian crossing on Haynes Road.

**ATTACHMENTS:** none

**RECOMMENDATION/ACTION NEEDED:** none

**BUDGETARY IMPACT:** none

**SUGGESTED MOTION:** n/a

**FOLLOW UP ACTION NEEDED:** n/a

**Mayor**  
Lynn Montgomery

**Interim Town Manager**  
Dave Treme

**Town Attorney**  
Beth Koonce



**Council Members**  
Martha Stafford Wolfe, Mayor Pro Tem  
Rebecca Mann Rayborn  
John Capes  
Lawrence Straughn

## TOWN OF JAMESTOWN AGENDA ITEM

**ITEM ABSTRACT:** Public Hearing on Annexation of D.R. Horton Property

**AGENDA ITEM #:** VI-C (1)

**CONSENT AGENDA ITEM**

**ACTION ITEM**

**INFORMATION ONLY**

**MEETING DATE:** Nov. 16, 2021

**ESTIMATED TIME FOR DISCUSSION:** 2 min.

**DEPARTMENT:** Planning

**CONTACT PERSON:** Matthew Johnson

**SUMMARY:**

Under GS 160A-31, the Town has received a petition for annexation of property commonly known as the "Johnson Farm". As a first step, the Town Council directed the Clerk to investigate the petition by adopting a resolution instructing her to do such. The Clerk and the Town Attorney have investigated the petition and have found it to be sufficient and a public hearing on the matter was scheduled. As discussed at the last meeting, the matter is not ripe for discussion. Therefore, staff respectfully requests that the Town Council continue this public hearing without further advertisement until the Dec. 21, 2021, regular meeting.

**ATTACHMENTS:** N/A

**RECOMMENDATION/ACTION NEEDED:** Open the public hearing and continue it until Dec. 21, 2021, without further advertisement.

**BUDGETARY IMPACT:** N/A

**SUGGESTED MOTION:** Open the public hearing and then immediately move to continue the public hearing until Dec. 21, 2021, without further public advertisement. +

**FOLLOW UP ACTION NEEDED:**

**Mayor**  
Lynn Montgomery

**Interim Town Manager**  
Dave Treme

**Town Attorney**  
Beth Koonce



**Council Members**  
Martha Stafford Wolfe, Mayor Pro Tem  
Rebecca Mann Rayborn  
John Capes  
Lawrence Straughn

## TOWN OF JAMESTOWN AGENDA ITEM

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**ITEM ABSTRACT:** Public Hearing for Land Development Ordinance Updates

**AGENDA ITEM #:** V1-C2

CONSENT AGENDA ITEM

ACTION ITEM

INFORMATION ONLY

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**MEETING DATE:** November 16, 2021

**ESTIMATED TIME FOR DISCUSSION:** 10 Minutes

**DEPARTMENT:** Planning

**CONTACT PERSON:** Anna Hawryluk, Town Planner

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**SUMMARY:**

The Staff have prepared updates to Article 17 - Sign Regulations and Article 24 - Nuisance Abatement and Property Management Code of the Land Development Ordinance (LDO). These changes have been made to provide clarity, correct conflicting size requirements, update formatting, and provide the addition of Minimum Housing Code Regulations as well as a Non-Residential Building Code.

Alliance Code Enforcement (ACE) has provided the suggested additions and updates to Article 24 of the LDO. The addition of Minimum Housing and Non-Residential Building Codes provide the Town the ability to enforce and abate issues without relying on County inspectors. These additions have also been updated to comply with 160D.

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**ATTACHMENTS:** Updated LDO - Article 17 and Article 24

**RECOMMENDATION/ACTION NEEDED:** Approve LDO amendments as presented

**BUDGETARY IMPACT:** N/A

**SUGGESTED MOTION:** Move to adopt the LDO updates as presented and have the new ordinance become effective immediately.

**FOLLOW UP ACTION NEEDED:** N/A

**ARTICLE 24**  
**NUISANCE ABATEMENT, PROPERTY MANAGEMENT CODE & MINIMUM**  
**HOUSING CODE**

**24.1 Title**

This article shall be known as the Town of Jamestown Nuisance Abatement, Property Maintenance Code & Minimum Housing Code.

**24.2 Purpose**

The Town of Jamestown has determined that poorly maintained properties can lead to neighborhood decline by contributing to lower property values and by discouraging potential buyers from purchasing in neighborhoods with poorly maintained properties. Additionally, the Town has determined that poorly maintained properties create public safety impacts, including creating fire and other life safety hazards, serving as places for the infestation of insects and vermin, and creating attractive public nuisances. The Town recognizes that it has an obligation to protect its residential and nonresidential neighborhoods from decline and devaluation and to maintain public health and safety. Consequently, the Town has established the following regulations for nuisance abatement and the maintenance of properties within its corporate jurisdiction and its extraterritorial jurisdiction.

**24.3 Scope**

The provisions of this code shall apply to all structures, premises and properties within the corporate jurisdiction of the Town of Jamestown and its extraterritorial jurisdiction.

**24.4 Minimum Housing Regulations**

*Statutory reference:*

*Repair, closing or demolition of abandoned structures, see G.S. 160D-1201*

**24.4-I General Provisions**

The provisions of this chapter and of the regulatory codes herein adopted shall apply to the following:

- (A) The location, design, materials, equipment, construction, reconstruction, alteration, repair, maintenance, moving, demolition, removal, use and occupancy of every dwelling or any appurtenances connected, attached, or used in connection with any dwelling.
- (B) The installation, erection, alteration, repair, use and maintenance of plumbing systems consisting of building sewers, building drains, waste and vent systems, hot and cold-water supply systems, and all fixtures and appurtenances thereof.



- (C) The installation, erection, alteration, repair, use and maintenance of mechanical systems consisting of heating, ventilating, air conditioning or refrigerating systems, fuel burning equipment, and appurtenances thereof; and

#### **24.4-2 State Building Code Adopted**

The current version of the North Carolina State Building Code is hereby adopted, and any later adopted versions of the State Building Code shall be deemed adopted by the town without further action by the Town Council.

#### **24.4-3 Compliance with State Building Code**

All dwellings, nonresidential buildings and other structures which are hereafter constructed, reconstructed, erected, altered, extended, enlarged, repaired, demolished, or moved shall conform to the requirements of the North Carolina State Building Code.

#### **24.4-4 Finding; Purpose**

- (A) Pursuant to G.S. § 160D-1201, it is hereby found and declared that there exist in the town dwellings which are unfit for human habitation due to dilapidation, defects increasing the hazards of fire, accidents and other calamities, lack of ventilation, light and sanitary facilities, and due to other conditions rendering the dwellings unsafe or unsanitary, and dangerous and detrimental to the health, safety and morals, and otherwise inimical to the welfare of the residents of the town.
- (B) In order to protect the health, safety, and welfare of the residents of the town, as authorized by G.S. § 160D-1201 et seq., it is the purpose of this chapter to establish minimum standards of fitness for the initial and continued occupancy of all buildings used for human habitation, as expressly authorized by G.S. § 160D-1205.

#### **24.4-5 Fitness of Dwellings and Dwelling Units**

- (A) Every dwelling and dwelling unit used as a human habitation, or held out for use as a human habitation, shall comply with the North Carolina State Building Code and all of the minimum standards of fitness for human habitation and other requirements this code.
- (B) No person shall occupy as owner-occupant or let to another for occupancy or use as a human habitation, any dwelling or dwelling unit which does not comply with the North Carolina State Building Code and all the minimum standards of fitness for human habitation and other requirements of this code.

#### **24.4-6 Structural Condition**

- (A) Walls or partitions or supporting members, sills, joists, rafters, or other structural members shall not list, lean or buckle, and shall not be rotted, deteriorated or damaged, and shall not have holes or cracks which might admit rodents.
- (B) Floors or roofs shall have adequate supporting members and strength to be reasonably safe for the purpose used.
- (C) Foundations, foundation walls, piers or other foundation supports shall not be deteriorated or damaged.
- (D) Steps, stairs, landings, porches or other parts or appurtenances shall be maintained in a condition that they will not fail or collapse.
- (E) Adequate facilities for egress in case of fire or panic shall be provided.
- (F) Interior walls and ceilings of all rooms, closets and hallways shall be finished of suitable materials, which will, by use of reasonable household methods, promote sanitation and cleanliness, and shall be maintained in a manner so as to enable the occupants to maintain reasonable privacy between various spaces.
- (G) The roof, flashings, exterior walls, basement walls, floors and all doors and windows exposed to the weather shall be constructed and maintained so as to be weather and watertight.
- (H) There shall be no chimneys or parts thereof which are defective, deteriorated or in danger of falling, or in a condition or location as to constitute a fire hazard.
- (I) There shall be no use of the ground for floors, or wood floors on the ground.

#### **24.4-7 Basic Equipment and Facilities**

##### *(A) Plumbing system.*

- (1) Each dwelling unit shall be connected to a potable water supply and to the public sewer or other approved sewage disposal system.
- (2) (a) Each dwelling unit shall contain not less than a kitchen sink, lavatory, tub or shower, water closet, and adequate supply of both cold water and hot water.
  - (b) All water shall be supplied through an approved pipe distribution system connected to a potable water supply.
- (3) All plumbing fixtures shall meet the standards of the North Carolina State Building Code and shall be maintained in a state of good repair and in good working order.

(4)(a) All required plumbing fixtures shall be located within the dwelling unit and be accessible to the occupants of the same.

(b) The water closet and tub or shower shall be in a room or rooms affording privacy to the user.

(B) *Heating system.* Every dwelling and dwelling unit shall have facilities for providing heat in accordance with either division (B)(1) or (B)(2) below.

(1) *Central and electric heating systems.* Every central or electric heating system shall be of sufficient capacity, and shall be connected, so as to heat all habitable rooms, bathrooms and water closet compartments in every dwelling unit to a minimum temperature of 70°F measured as a point three (3) feet above the floor.

(2) *Other heating facilities.* Where a central or electric heating system is not provided, each dwelling and dwelling unit shall be provided with sufficient fireplaces, chimneys, flues or gas vents whereby heating appliances may be connected so as to heat all habitable rooms to a minimum temperature of 70°F measured three (3) feet above the floor.

(3) *Portable kerosene heaters.* Portable kerosene heaters are not acceptable as a permanent source of heat but may be used as a supplementary source in single family dwellings and duplex units. An owner who has complied shall not be held in violation of this subsection where an occupant of a dwelling unit uses a kerosene heater as a primary source of heat.

(C) *Electrical system.*

(1)(a) Every dwelling and dwelling unit shall be wired for electric lights and convenience receptacles. Every habitable room shall contain at least two (2) floor or wall-type electric convenience receptacles, connected in a manner as determined by the North Carolina State Building Code.

(b) There shall be installed in every bathroom, water closet room, laundry room and furnace room, at least one supplied ceiling, or wall-type electric light fixture.

(c) In the event wall or ceiling light fixtures are not provided in any habitable room, then each habitable room shall contain at least three floor or wall-type electric convenience receptacles.

(2) Every public hall and stairway in every multi-dwelling shall be adequately lighted by electric lights at all times when natural daylight is not sufficient.

(3) All fixtures, receptacles, equipment and wiring shall be maintained in a state of good repair, safe, capable of being used, and installed in accordance with the North Carolina State Building Code.

## 24.4-8 Ventilation

### *(A) General.*

- (1) Every habitable room shall have at least one (1) window or skylight facing directly to the outdoors.
- (2) The minimum total window area, measured between stops, for every habitable room shall be 10% of the floor area of the room.
- (3) Whenever walls or other portions of structures face a window or any room and the light-obstructing structures are located less than five (5) feet from the window and extend to a level above that of the ceiling of the room, the window shall not be deemed to face directly to the outdoors and shall not be included as contributing to the required minimum total window area.
- (4) Whenever the only window in a room is a skylight-type window in the top of the room, the total window area of the skylight shall equal at least 15% of the total floor area of the room.

### *(B) Habitable rooms.*

- (1) Every habitable room shall have at least one (1) window or skylight which can easily be opened, or other device as will adequately ventilate the room.
- (2) The total openable window area in every habitable room shall be equal to at least 45% of the minimum window area size or minimum skylight-type window size as required, or shall have other approved, equivalent ventilation.

*(C) Bathroom and water closet rooms.* Every bathroom and water closet compartment shall comply with the light and ventilation requirements for habitable rooms except that no window or skylight shall be required in adequately ventilated bathrooms and water closet rooms equipped with an approved ventilation system.

## 24.4-9 Space, Use and Location

*(A) Room sizes.* Every dwelling unit shall contain at least the minimum room size in each habitable room as required by the North Carolina State Building Code.

- (1) Every dwelling unit shall contain at least 150 square feet of habitable floor area for the first occupant, at least 100 square feet of additional habitable area for each of the

next three (3) occupants, and at least seventy-five (75) square feet of additional habitable floor area for each additional occupant.

- (2) In every dwelling unit and in every rooming unit, every room occupied for sleeping purposes by one occupant shall contain at least seventy (70) square feet of floor area, and every room occupied for sleeping purposes by more than one (1) occupant shall contain at least fifty (50) square feet of floor area for each occupant twelve (12) years of age and over and at least thirty-five (35) square feet of floor area for each occupant under twelve (12) years of age.

*(B) Ceiling height.* At least one-half (1/2) of the floor area of every habitable room shall have a ceiling height of not less than seven (7) feet and six (6) inches.

*(C) Floor area calculation.*

- (1) Floor area shall be calculated on the basis of habitable room area. However, closet area and wall area within the dwelling unit may count for not more than 10% of the required habitable floor area.
- (2) The floor area of any part of any room where the ceiling height is less than four and one-half (4 1/2) feet shall not be considered as part of the floor area computing the total area of the room to determine maximum permissible occupancy.

*(D) Cellar.* No cellar shall be used for living purposes.

*(E) Basements.* No basement shall be used for living purposes unless:

- (1) The floor and walls are substantially watertight.
- (2) The total window area, total openable window area and ceiling height are equal to those required for habitable rooms; and
- (3) The required minimum window area of every habitable room is entirely above the grade adjoining the window area, except where the window or windows face a stairwell, window well or access way.

#### **24.4-10 Safe and Sanitary Maintenance**

*(A) Exterior foundation, walls, and roofs.*

- (1) Every foundation wall, exterior wall and exterior roof shall be substantially weather tight and rodent proof, shall be kept in sound condition and good repair, shall be capable of affording privacy; shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.
- (2) Every exterior wall shall be protected with paint or other protective covering to prevent the entrance or penetration of moisture or the weather.

- (B) *Interior floors, walls, and ceilings.* Every floor, interior wall and ceiling shall be substantially rodent proof, shall be kept in sound condition and good repair and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.
- (C) *Windows and doors.* Every window, exterior door, basement or cellar door, and hatchway shall be substantially weather tight, watertight, and rodent proof, and shall be kept in sound working condition and good repair.
- (D) *Stairs, porches, and appurtenances.* Every outside and inside stair, porch and any appurtenance thereto shall be safe to use and capable of supporting the load that normal use may cause to be placed thereon; and shall be kept in sound condition and good repair.
- (E) *Bathroom floors.* Every bathroom floor surface and water closet compartment floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit the floor to be easily kept in a clean and sanitary condition.
- (F) *Supplied facilities.* Every supplied facility, piece of equipment or utility which is required under this chapter shall be so constructed or installed that it will function safely and effectively and shall be maintained in satisfactory working condition.
- (G) *Drainage.* Every yard shall be properly graded so as to obtain thorough drainage and so as to prevent the accumulation of stagnant water.
- (H) *Noxious weeds.* Every yard and all exterior property areas shall be kept free of species of weeds or plant growth which are noxious or detrimental to health.
- (I) *Egress.* Every dwelling unit shall be provided with adequate means of egress as required by the North Carolina State Building Code.

#### **24.4-11 Control of Insects, Rodents, and Infestations**

- (A) *Screens.* In every dwelling unit, for protection against mosquitoes, flies and other insects, every door opening directly from a dwelling unit to outdoor space shall have supplied and installed screens and a self-closing device; and every window or other device with openings to outdoor space, used or intended to be used for ventilation, shall likewise be supplied with screens installed.
- (B) *Rodent control.* Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents, shall be supplied with screens installed or other approved device as will effectively prevent their entrance.
- (C) *Infestation.*

- (1) Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents, or other pests therein or on the premises; and every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for the extermination whenever his or her dwelling unit is the only one infested.
- (2) Whenever infestation is caused by failure of the owner to maintain a dwelling in a rodent proof or reasonably insect proof condition, extermination shall be the responsibility of the owner.
- (3) Whenever infestation exists in two or more dwelling units in any dwelling or in the shared or public parts of any dwelling containing two or more dwelling units, extermination shall be the responsibility of the owner.

*(D) Rubbish storage and disposal.* Every dwelling and every dwelling unit shall store rubbish as required by town ordinances, and the owner, operator, or agent in control of the dwelling or dwelling unit shall be responsible for the removal of rubbish.

*(E) Garbage storage and disposal.* Every dwelling and every dwelling unit shall be supplied with an approved garbage disposal facility, which may be an adequate mechanical garbage disposal unit (mechanical sink grinder) in each dwelling unit or an incinerator unit, to be approved by a Town Building Inspector, in the structure for the use of the occupants of each dwelling unit, or an approved outside garbage can as required by town ordinances.

#### **24.4-12 Rooming Houses; Exceptions**

All the provisions of this chapter, and all the minimum standards and requirements of this chapter, shall be applicable to rooming houses, and to every person who operates a rooming house, or who occupies or lets to another for occupancy any rooming unit in any rooming house, except as provided in the following divisions.

*(A) Water closet, hand lavatory and bath facilities.*

- (1) At least one (1) water closet, lavatory basin and bathtub or shower, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each four (4) rooms within a rooming house wherever the facilities are shared.
- (2) All the facilities shall be located within the residence building served and shall be directly accessible from a common hall or passageway and shall be not more than one (1) story removed from any of the persons sharing the facilities. at all times.
- (3) Every lavatory basin and bathtub or shower shall be supplied with hot and cold water
- (4) The required facilities shall not be located in a cellar.

(B) *Minimum floor area for sleeping purposes.* Every room occupied for sleeping purposes by one (1) occupant shall contain at least seventy (70) square feet of floor area, and every room occupied for sleeping purposes by more than one (1) occupant shall contain at least (fifty) 50 square feet of floor area for each occupant (twelve) 12 years of age and over and at least (thirty-five) 35 square feet of floor area for each occupant under (twelve) 12 years of age.

(C) *Sanitary conditions.* The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors and ceilings, and for the sanitary maintenance of every other part of the rooming house; and he or she shall be further responsible for the sanitary maintenance of the entire premises where the entire structure or building within which the rooming house is contained is leased or occupied by the operator.

(D) *Sanitary facilities.* Every water closet, flush urinal, lavatory basin and bathtub or shower required by subsection (A) above shall be located within the rooming house and within a room or rooms which afford privacy and are separate from the habitable rooms, and which are accessible from a common hall and without going outside the rooming house or through any other room therein.

#### **24.4-13 Responsibilities of Owners and Occupants**

(A) *Public areas.* Every owner of a dwelling containing two or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof.

(B) *Cleanliness.* Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit, and premises thereof which he or she occupies and controls.

(C) *Rubbish and garbage.*

(1) Every occupant of a dwelling or dwelling unit shall dispose of all his or her rubbish and garbage in a clean and sanitary manner by placing it in the supplied storage facilities.

(2) In all cases, the owner shall be responsible for the availability of rubbish and garbage storage facilities.

(D) *Supplied plumbing fixtures.* Every occupant of a dwelling unit shall keep all supplied plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation of the same.

(E) *Care of facilities, equipment, and structure.* No occupant shall willfully destroy, deface, or impair any of the facilities or equipment, or any part of the structure of a dwelling or dwelling unit.



#### **24.4-14 Inspector; Powers and Duties**

*(A) Inspector appointed. The Jamestown Town Manager is hereby appointed to serve as the Jamestown Minimum Housing Inspector. The Manager may delegate these duties to any Town employee or contractor.*

*(B) Duties. It shall be the duty of the Inspector:*

- (1) To investigate the dwelling conditions, and to inspect dwellings and dwelling units located in the town, in order to determine which dwellings and dwelling units are unfit for human habitation, and for the purpose of carrying out the objectives of this chapter with respect to the dwellings and dwelling units;
- (2) To take action, together with other appropriate departments and agencies, public and private, as may be necessary to effect rehabilitation of housing which is deteriorated;
- (3) To keep a record of the results of inspections made under this chapter and an inventory of those dwellings that do not meet the minimum standards of fitness herein prescribed; and
- (4) To perform the other duties as may be herein prescribed.

*(C) Powers. The Inspector is authorized to exercise the powers as may be necessary or convenient to carry out and effectuate the purpose and provisions of this chapter including the following powers in addition to others herein granted:*

- (1) To investigate the dwelling conditions in the town in order to determine which dwellings therein are unfit for human habitation.
- (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, the entries shall be made in accordance with law and in the manner as to cause the least possible inconvenience to the persons in possession; and
- (4) To appoint and fix the duties of the officers, agents and employees as he or she deems necessary to carry out the purpose of this chapter.

*(D) Relief from personal liability. Any official, officer, employee, or authorized qualified third-party agency or individual charged with the enforcement of this code, while acting for the Town, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property because of an act required or permitted in the discharge of the official duties described herein.*

#### **24.4-15 Procedure for Enforcement; Service of Complaints and Orders**

*(A) Procedure for enforcement.*

(1) Preliminary investigation; Notice; Hearing.

- (a) Whenever a petition is filed with the Inspector by a public authority or by at least five (5) residents of the town charging that any dwelling or dwelling unit is unfit for human habitation, or whenever it appears to the Inspector, upon inspection, that any dwelling or dwelling unit is unfit for human habitation, he or she shall if his or her preliminary investigation discloses a basis for the charges, issue and cause to be served upon the owner of and parties in interest in the dwelling or dwelling unit a complaint stating the charges and containing a notice that a hearing will be held before the Inspector at a place therein fixed, not less than ten (10) nor more than thirty (30) days after the serving of the complaint.
- (b) The owner or any party in interest shall have the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint.
- (c) Notice of the hearing shall also be given to at least one of the persons signing a petition relating to the dwelling.
- (d) Any person desiring to do so may attend the hearing and give evidence relevant to the matter being heard.
- (e) Hearings before the Inspector shall be quasi-judicial in nature. The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the Inspector.

(2) Procedure after hearing.

- (a) After the notice and hearing, the Inspector shall state in writing his or her determination whether the dwelling or dwelling unit is unfit for human habitation. If the Inspector determines the dwelling or dwelling unit is unfit for human habitation, then he or she shall also determine whether the structure is deteriorated or dilapidated.
- (b) If the Inspector determines that the dwelling or dwelling unit is deteriorated, he or she shall state in writing his or her findings of fact in support of the determination, and shall issue and cause to be served upon the owner thereof an order directing and requiring the owner to repair, alter and improve the dwelling or dwelling unit to comply with the minimum standards of fitness established by this chapter within a specified period of time, not to exceed ninety (90) days.
- (c) If the Inspector determines that the dwelling or dwelling unit is deteriorated, the order may also require that the property be vacated and closed. The Inspector may issue an order to vacate and close only if the Inspector determines in writing that

continued occupancy during the time allowed for repair will present a significant threat of bodily harm, taking into account the nature of the necessary repairs, alterations, or improvements; the current state of the property; and any additional risks due to the presence and capacity of minors under the age of eighteen (18) or occupants with physical or mental disabilities.

(d) If the Inspector determines that the dwelling is dilapidated, he or she shall state in writing his or her findings of fact to support the determination, and shall issue and cause to be served upon the owner thereof an order directing and requiring the owner to either repair, alter and improve the dwelling or dwelling unit to comply with the minimum standards of fitness established by this chapter or else vacate and remove or demolish the same within a specified period of time not to exceed ninety (90) days. However, notwithstanding any other provision of law, if the dwelling is located in a historic district of the town and the town's Historic District Commission determines, after a public hearing as provided by ordinance, that the dwelling is of particular significance or value toward maintaining the character of the district, and the dwelling has not been condemned as unsafe, the order may require that the dwelling be vacated and closed consistent with G.S. § 160D-949.

(e) An order issued shall also state:

(i) That the failure to make timely repairs as directed in the order shall make the dwelling subject to the issuance of an unfit order, and

(ii) That any person aggrieved by the order may appeal the decision to the Board of Adjustment within thirty (30) days from the rendering of the decision or service of the order.

(B) Whenever the Inspector orders a dwelling be vacated and closed or removed or demolished, notice of the order shall be given by first-class mail to any organization involved in providing or restoring dwellings for affordable housing that has filed a written request for such notices. A minimum period of forty-five (45) days from the mailing of such notice shall be given before removal or demolition by action of the Inspector, to allow the opportunity for any organization to negotiate with the owner to make repairs, lease, or purchase the property for the purpose of providing affordable housing. The Inspector or Town Clerk shall certify the mailing of the notices, and the certification shall be conclusive in the absence of fraud. Only an organization that has filed a written request for such notices may raise the issue of failure to mail such notices, and the sole remedy shall be an order requiring the Inspector to wait forty-five (45) days before causing removal or demolition.

*(C) Methods of service of complaints and orders.*

(1) Complaints or orders issued by the Inspector shall be served upon persons either personally or by registered or certified mail. When service is made by registered or certified mail, a copy of the complaint or order may also be sent by regular mail.

Service shall be deemed sufficient if 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 the mailing. If regular mail is used, a notice of the pending proceedings shall be posted in a conspicuous place on the premises affected.

- (2) If the identities of any owners or the whereabouts of persons are unknown and cannot be ascertained by the Inspector in the exercise of reasonable diligence, or, if the owners are known but have refused to accept service by registered or certified mail, and the Inspector makes an affidavit to that effect, then the serving of the complaint or order upon the owners or other persons may be made by publication in a newspaper having general circulation in the town at least once no later than the time at which personal service would be required under this chapter. When service is made by publication, a notice of the pending proceedings shall be posted in a conspicuous place on the premises thereby affected.

#### **24.4-16 Failure to Comply with an Order**

(A) *Failure to comply with an order – in personam remedy.* Pursuant to G.S. § 160D-1208, if the owner of any deteriorated dwelling or dwelling unit shall fail to comply with an order of the Inspector to repair, alter or improve the same within the time specified therein, or if the owner of a dilapidated dwelling shall fail to comply with an order of the Inspector to vacate and close, and remove or demolish the same within the time specified therein, the Inspector may submit to the Town Council a resolution directing the Town Attorney to institute any appropriate action in the Guilford County Superior Court for an order directing the owner and/or occupants to comply with the order of the Inspector; to otherwise prevent the unlawful erection, construction, reconstruction, alteration or use; to restrain, correct or abate the violation; to prevent the occupancy of the dwelling; or to prevent any illegal act, conduct or use in or about the premises of the dwelling.

(B) *Failure to comply with an order – in rem remedy.*

- (1) If the owner of any deteriorated or dilapidated dwelling or dwelling unit shall fail to comply an order of the Inspector issued pursuant to this chapter, the Inspector may petition the Town Council adopt an ordinance authorizing the Inspector to carry the Inspector's order into effect. Upon adoption of said ordinance, the Inspector shall proceed to cause the dwelling or dwelling unit to be repaired, altered or improved to comply with the minimum standards of fitness established by this chapter or to be vacated and closed and removed or demolished, as directed by the ordinance of the Town Council and shall cause to be posted on the main entrance of the dwelling or dwelling unit a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful."
- (2) No ordinance adopted by the Town Council shall direct the Inspector to take an action other than those actions specified in the Inspector's written order, except that the Council may allow additional time to repair a dwelling.

- (3) No ordinance shall be adopted to require demolition of a dwelling until the owner has first been given a reasonable opportunity to bring it into conformity with the town Minimum Housing Code.
  - (4) Occupation of a building so posted shall constitute a Class 1 misdemeanor.
- (C) Each ordinance shall be recorded in the office of the Guilford County Register of Deeds and shall be indexed in the name of the property owner in the grantor index.

#### **24.4-17 Costs a Lien on Premises; Sale of Materials**

- (A) As provided by G.S. § 160D1203(7), 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 Inspector shall be a lien against the real property upon which the cost was incurred, which lien shall be filed, have the same priority, and be collected as the lien for special assessment provided in G.S. Chapter. 160A, Art. 10.
- (B) If the real property upon which the cost was incurred is located within the corporate limits of the town, then the amount of the cost is also a lien on any other real property of the owner located within the town limits or within one (1) mile thereof 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.
- (C) If the dwelling is removed or demolished by the Inspector, he or she shall sell the materials of the dwelling, and any personal property, fixtures or appurtenances found in or attached to the dwelling, and shall credit the proceeds of the sale against the cost of the removal or demolition and any balance remaining shall be deposited in the Guilford County Superior Court by the Inspector, shall be secured in a manner directed by the Court, and shall be disbursed by the Court to the persons found to be entitled thereto by final order or decree of the Court. Nothing in this subsection shall be construed to impair or limit in any way the power of the city to define and declare nuisances and to cause their removal or abatement by summary proceedings, or otherwise.

#### **24.4-18 Abandonment of Intent to Repair**

- (A) If (i) the Town Council has adopted an ordinance as provided in this chapter or the Inspector has issued an order determining a structure is deteriorated and ordering a dwelling to be repaired or vacated and closed and (ii) the dwelling has been vacated and closed for a period of one (1) year pursuant to the ordinance or order, then the Council may conduct a hearing to determine whether the owner has abandoned the intent and purpose to repair, alter or improve the dwelling in order to render it fit for human habitation. If after a hearing, the Council finds that the owner has abandoned his or her intent to repair the dwelling and that the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, morals and welfare of the town in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable

property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable housing in this State, then in such circumstances, the Council may, after the expiration of such one (1) year period, enact an ordinance and serve such ordinance on the owner, setting forth the following:

(1) If it is determined that the repair of the dwelling to render it fit for human habitation can be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling, the ordinance shall require that the owner either repair or demolish and remove the dwelling within ninety (90) days; or

(2) If it is determined that the repair of the dwelling to render it fit for human habitation cannot be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling, the ordinance shall require the owner to demolish and remove the dwelling within ninety (90) days.

(B) This ordinance shall be recorded in the Guilford County Register of Deeds and shall be indexed in the name of the property owner in the grantor index. If the owner fails to comply with this ordinance, the Inspector shall effectuate the purpose of the ordinance.

#### **24.4-19 Alternative and Supplemental Remedies**

(A) Neither this chapter nor any of its provisions shall be construed to impair or limit in any way the power of the town to define and declare nuisances and to cause their abatement by summary action or otherwise, or to enforce this chapter by criminal process as authorized by G.S. § 14-4.

(B) The enforcement of any remedy provided herein shall not prevent the enforcement of any other remedy or remedies provided herein or in other ordinances or laws.

(C) If any occupant fails to comply with an order to vacate a dwelling, the Inspector, with authorization from the Town Council, may file a civil action in the name of the city to remove such occupant. The action to vacate the dwelling shall be in the nature of summary ejectment and shall be commenced by filing a complaint naming as parties-defendant any person occupying such dwelling. The Guilford County 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 ten (10) days from the issuance of the summons to answer the complaint. The summons and complaint shall be served as provided in G.S. § 42-29. 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 Inspector produces a certified copy of an ordinance adopted by the Town Council pursuant to this chapter authorizing the Inspector to proceed to vacate the occupied dwelling, the magistrate shall enter judgment ordering that the premises be vacated and that all persons be removed. The judgment ordering that the dwelling 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 hereunder by the magistrate may be taken as provided in G.S. § 7A-228, and the execution of such judgment may be stayed as provided in G.S. § 7A-227. An action to remove an occupant of a dwelling who is a tenant of the owner may not be in the nature of a summary ejectment

proceeding pursuant to this paragraph unless such occupant was served with notice at least thirty (30) days before the filing of the summary ejection proceeding that the Town Council has ordered the Inspector to proceed to exercise his or her duties pursuant to this chapter to vacate and close or remove and demolish the dwelling.

#### **24.4-20 Appeals**

- (A) An appeal from any decision or order of the Inspector may be taken to the Zoning Board of Adjustment by any person aggrieved thereby or by any officer, board or Council of the town. Any appeal from the Inspector shall be taken within thirty (30) days from the rendering of the decision or service of the order by filing a notice of appeal with the Inspector, which notice shall specify the grounds upon which the appeal is based.
- (B) Upon the filing of any notice of appeal, the Inspector shall promptly transmit to the Zoning Board of Adjustment all the papers, photographs and other documents constituting the record upon which the decision appealed from was made.
- (C) When an appeal is from a decision of the Inspector refusing to allow the person aggrieved thereby to do any act, his or her decision shall remain in force until modified or reversed. When any appeal is from a decision of the Inspector requiring the person aggrieved to do any act, the appeal shall have the effect of suspending the requirement until the hearing by the Zoning Board of Adjustment, unless the Inspector certifies to the board, after the notice of appeal is filed with him or her, that because of facts stated in the certificate (a copy of which shall be furnished to the appellant), a suspension of his or her requirement would cause imminent peril to life or property. In that 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 Inspector, by the board, or by a court of record upon petition.
- (D) The Zoning Board of Adjustment shall fix a reasonable time for hearing appeals, shall give due notice to 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 any decision and order that in its opinion ought to be made in the matter, and to that end it shall have all the powers of the Inspector, but the concurring vote of a majority of the members of the board shall be necessary to reverse or modify any decision or order of the Inspector. The board shall have power also in passing upon appeals, when practical difficulties or unnecessary hardships would result from carrying out the strict letter of the ordinance, to adapt the application of the ordinance to the necessities of the case to the end that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done.
- (E) Every decision of the Zoning Board of Adjustment shall be subject to review by proceedings in the nature of certiorari instituted in the Guilford County Superior Court within fifteen (15) days of the decision of the board, but not otherwise.

- (F) Any person aggrieved by an order issued by the Inspector, or a decision rendered by the Zoning Board of Adjustment may petition the Guilford County Superior Court for an injunction restraining the Inspector from carrying out the order or decision and the court may, upon such petition, issue a temporary injunction restraining the Inspector pending a final disposition of the cause. The petition shall be filed within thirty (30) days after issuance of the order or rendering of the decision. Hearings shall be had by the court on a petition within twenty (20) days and shall be given preference over other matters on the court's calendar. The court shall hear and determine the issues raised and shall enter such final order or decree as law and justice may require. It shall not be necessary to file bond in any amount before obtaining a temporary injunction under this subsection.

#### **24.4-21 Conflict with other provisions**

In the event any provision, standard or requirement of this chapter is found to be in conflict with any provision of any other ordinance or code of the town, the provision which establishes the higher standard or more stringent requirement for the promotion and protection of the health and safety of the residents of the town shall prevail.

#### **24.4-22 Violations**

- (A) It shall be unlawful for the owner of any dwelling or dwelling unit 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 Inspector duly made and served as herein provided, within the time specified in the order, and each day that any failure, neglect or refusal to comply with the order continues shall constitute a separate and distinct offense.
- (B) It shall be unlawful for the owner of any dwelling or dwelling unit, with respect to which an order has been issued pursuant to this chapter, to occupy or permit the occupancy of the same after the time prescribed in the order for its repair, alteration or improvement or its vacation and closing, and each day that the occupancy continues after the prescribed time shall constitute a separate and distinct offense.

#### **24.4-23 Penalty and Enforcement**

In addition to the other remedies provided here in, any provision of this chapter may be enforced by any remedy, including but not limited to civil penalties as provided in Code Section 10.99 and G.S. §§ 160A-175 and 160D-404.

#### **24.5 Maintenance of Structures**

**24.5-1 General.** The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety, or welfare. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks, and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking, and chipped paint shall be eliminated, and surfaces



repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and watertight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces, except that surface designed for stabilization by oxidation, such as copper roofs and flashing, are exempt from this requirement.

(A) The following standards are established for exterior features of structures:

- (1) Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property.
- (2) Structural members. All structural members shall be maintained free from deterioration and shall be capable of safely supporting the imposed dead and live loads.
- (3) Foundation walls. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition to prevent the entry of insects and vermin.
- (4) Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials and maintained to prevent deterioration.
- (5) Roofs and drainage. The roof and flashing shall be sound, tight, and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters, and downspouts shall be maintained in good repair and free from obstructions. Water from roofs shall not be discharged in a manner that creates a public nuisance.
- (6) Decorative features. All cornices, belt courses, corbels, terra cotta trim, wall facings, and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.
- (7) Overhang extensions. All overhang extensions including, but not limited to canopies, marquees, signs, metal awnings, fire escapes, standpipes, and exhaust ducts shall be maintained in good repair and properly anchored. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather- coating materials, such as paint or other surface treatments.
- (8) Stairways, decks, porches, and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained in a structurally sound condition, with proper anchorage and support capable of handling normally imposed loads.
- (9) Chimneys and towers. All chimneys, cooling towers, smokestacks, and similar appurtenances shall be maintained in a structurally safe and sound condition. All

exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or other surface treatments.

- (10) Handrails and guards. Every handrail and guard shall be firmly fastened in a manner capable of supporting normally imposed loads and shall be maintained in good condition.
- (11) Window, skylight, and door frames. Every window, skylight, door, and frame shall be kept in sound condition, in good repair and weather tight.
- (12) Glazing. All glazing materials shall be maintained free from cracks and holes.
- (13) Operable windows. Every window, other than a fixed window, shall be easily operable and capable of being held in both open and closed positions by window hardware.
- (14) Insect screens. Every door, window, and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged, or stored shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch. Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed. Where required and installed, screens shall be maintained in good condition, free of holes and other openings.
- (15) Doors. All exterior doors, door assemblies, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door.

**24.5-2 Vacant or unoccupied structures.** Vacant or unoccupied structures shall be maintained in accordance with the standards provided in section 24.4-1 above. Such structures shall be further maintained to prohibit unauthorized entry.

**24.5-3 Structures undergoing demolition.** Structures undergoing demolition shall be maintained to protect public safety, health, and welfare. Demolition operations shall:

- Minimize the off-site release of dust and other particulates.
- Be maintained and secured to not create an attractive public nuisance.
- Remove salvage materials, debris, and rubble periodically to maintain safe on-site working conditions.
- Result in full and complete post-demolition cleanup, including the removal of all debris and rubble and maintaining compliance with the property maintenance standards in section 24.5 below. As part of demolition permitting, the Town requires a demolition permit be obtained from the Town of Jamestown and the Town may require the posting of

performance bonds or other financial guarantees as deemed necessary to ensure compliance with these regulations.

**24.5-4 Unsafe structures.** An unsafe structure is one that is found to be dangerous to the life, health, property, or safety of the public or the occupants of the structure because it is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that partial or complete collapse is possible. Unsafe structures shall be subject to the enforcement procedures provided in section 24.6 below.

#### **24.6 Maintenance of Property and Premises.**

**24.6-1 General.** All exterior property and premises shall be maintained in a clean, safe, and sanitary condition.

(A) Specific standards for exterior features and situations are provided as follows:

- (1) Grading and drainage. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon, except for approved retention areas and reservoirs.
- (2) Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces, and similar areas shall be kept in a proper state of repair and maintained free from hazardous conditions. Public sidewalks shall not be blocked by trees and other vegetation located on adjoining private properties and shall be kept clear of weeds, litter, and other potential obstructions by the adjoining private property owner.
- (3) Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of nine inches other than trees, shrubs, and cultivated flowers and gardens.
- (4) Rodent and insect harborage. All structures and exterior property shall be kept free from rodent and insect harborage and infestation. Where rodents or insects are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent and insect harborage and prevent reinfestation.
- (5) Exhaust vents. Pipes, ducts, conductors, fans, or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors, or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.
- (6) Accessory structures. All accessory structures, including detached garages, fences, and walls, shall be maintained structurally sound and in good repair.
- (7) Motor vehicles. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle shall be parked, kept, or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless

conducted inside an approved spray booth. Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

- (8) Defacement of property. No person shall willfully or wantonly damage, mutilate, or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving, or graffiti unless specifically allowed by the Town. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair in a reasonably expeditious fashion, not to exceed 30 days.
- (9) Swimming pools, hot tubs, and spas. Swimming pools, hot tubs, and spas located exterior to a structure shall be maintained in a clean and sanitary condition and in good repair. Private swimming pools, hot tubs, and spas containing water more than 24 inches in depth shall be surrounded by a fence or barrier at least 48 inches in height above the finished ground level measured on the side of the barrier away from the pool, hot tub, or spa. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of six inches from the gatepost. No such enclosure shall be removed, replaced, or changed in a manner that reduces its effectiveness as a safety barrier.
- (10) Accumulation of rubbish or garbage. All exterior property and premises shall be free from any accumulation of rubbish or garbage, including trash, junk, debris, dead vegetation, building materials, accumulations of newspapers, circulars, and flyers, and discarded personal items such as furniture, clothing, and large and small appliances. Every occupant of a structure shall dispose of all rubbish and garbage in a clean and sanitary manner by placing such rubbish and garbage in approved containers supplied by the owner of every occupied premises. The owner of the property or premises shall be responsible for the removal of rubbish and garbage.
- (11) Refrigerators and other large appliances. Refrigerators and other large appliances not in operation shall not be discarded, abandoned, or stored in an exterior location on any premises. Refrigerators shall not be placed in an exterior location for pick-up and disposal by the Town of Jamestown without removal of the doors. Refrigerators and other large appliances shall not be placed in an exterior location for more than five (5) days for pick-up and disposal by the Town of Jamestown.
- (12) Outdoor storage of equipment, appliances, raw materials for manufacturing, items being recycled, vehicles undergoing repair or dismantling, and similar items used or sold in the conduct of a business shall be screened from view from areas off the premises by fencing or landscaping. Goods or other items that are part of approved outdoor displays, such as cars for sale at a new or used car lot, seasonal plants, and

vegetables for sale at a lawn and garden store, etc., shall be exempt from this requirement.

## **24.7 Administration**

**24.7-1 Responsibility for administration.** The Town of Jamestown Planning Director, or his/her designee, shall be responsible for the administration of these regulations. Such duties shall include the review and evaluation of complaints regarding nuisances and unmaintained properties, the inspection of structures, properties, and premises perceived to be in violation of these regulations, the pursuit of remedies for violations of these regulations, and the assignment of penalties as specified in these regulations for the purpose of obtaining regulatory compliance.

**24.7-2 Review and evaluation of complaints.** Citizen complaints regarding nuisances and unmaintained properties shall be presented in writing to the Planning Director. Upon receiving the complaint, the Planning Director shall review and evaluate said complaint. This review and evaluation may include inspection(s) of the subject property, meetings with the property owner(s), and other actions as needed to prepare a thorough evaluation of the complaint. Upon completion of the evaluation, the Planning Director shall prepare a report detailing his/her evaluation for presentation to the Jamestown Town Council. This report shall include a recommendation regarding action to be taken in response to the complaint. This report shall be forwarded to the Town Council for review and action at a regularly scheduled meeting. Upon reviewing the report, the Town Council shall direct staff regarding action to be taken in response to the complaint.

**24.7-3 Inspections.** The Planning Director or designee shall personally make all of the required inspections or shall accept reports of inspection by qualified third-party agencies or individuals. All reports of such inspections shall be in writing and shall be certified by a responsible officer of such qualified agency or individual. The Planning Director or designee is authorized to engage such expert opinion as deemed necessary to satisfactorily administer these regulations. Payment of inspection costs associated with third-party agencies or individuals shall be assigned to the owner of record of the subject structure, property, or premises upon determination that a violation exists and shall be so noted in the notice of violation.

**24.7-4 Right of entry.** In carrying out these duties, the Planning Director or designee is authorized to enter such structures, properties, or premises at reasonable times. If entry is refused or not obtained, recourse shall be pursued as provided by law.

**24.7-5 Relief from personal liability.** Any official, officer, employee, or authorized qualified third-party agency or individual charged with the enforcement of this code, while acting for the Town, shall not thereby be rendered liable personally or professionally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of the official duties described herein.

## **24.8 Enforcement.**

**24.8-1 General enforcement.** Except for unsafe structures, a violation of these regulations shall be enforced as provided below. In no case shall violations of this ordinance be considered criminal offenses except as specifically provided by statute.

**24.8-2 Notice of violation.** The Planning Director shall provide notice of the violation and any required remedies. The notice of violation shall be served by any means authorized under G.S. 1A-1, Rule 4, and shall direct the violator to correct the violation within 30 days after receipt of the notice of violation. The violator may be the property owner, the leasehold tenant, or occupant, or any combination thereof deemed necessary to ensure compliance with these regulations.

**24.8-3 Failure to comply with a notice of violation.** Any person who fails to comply with a notice of violation of any of the provisions of this Article shall be subject to a civil penalty of five hundred dollars (\$500.00). A civil penalty may be assessed from the date of the violation. Each day of a continuing violation shall constitute a separate violation. The decision of the Planning Director to assess a civil penalty may be delivered by personal service, by registered mail or certified mail returned receipt requested, or by any means authorized under G.S. 1A-1, Rule 4.

**24.8-4 Appeal to Superior Court.** Every decision of the Planning Director to assess a civil penalty shall be subject to review by the Guilford County Superior Court by proceedings in the nature of certiorari. Any petition for review by the Superior Court shall be filed with the clerk of Superior Court within 30 days after the decision of the Planning Director to assess a civil penalty.

**24.8-5 Failure to Appeal and/or Pay.** Any civil penalty assessed a person who violates the provisions of these regulations shall be recovered by the Town in a civil action in a debt, to be brought in the Guilford County Superior Court if the violator fails to give notice of timely appeal and fails to pay the penalty within the prescribed period after he or she has been cited for the violation.

**24.8-6 Unsafe structure enforcement.** An unsafe structure is one that is found to be dangerous to the life, health, property, or safety of the public or the occupants of the structure because it is so damaged, decayed, dilapidated, structurally unsafe, or of such faulty construction or unstable foundation that partial or complete collapse is possible. Such structures shall be condemned and removed in accordance with the provisions of G.S. 160D-1119 through 160D-1125 and this article.

**24.8-7 Posting.** Upon determination that an unsafe structure exists, the Planning Director shall post a notice of condemnation in conspicuous place on the exterior wall of the building as required in G.S. 160D-1119. Such notice may order the structure closed to the extent necessary to not constitute an attractive nuisance.

**24.8-8 Removal of notice of condemnation.** Any person removing a notice of condemnation posted by the Planning Director shall be guilty of a civil penalty as specified in G.S. 160D-1120.

**24.8-9 Vacation.** Any occupied structure condemned and posted by the Planning Director shall be vacated as ordered by the Planning Director.

**24.8-10 Notice; failure to take corrective action.** If the owner of a structure that has been condemned as unsafe pursuant to G.S. 160D-1119 fails to take prompt corrective action, the Planning Director shall give him written notice, by certified or registered mail to his last known address or by personal service. The notice shall specify that the building or structure is in a condition that appears to meet one or more of the following conditions:

- Constitutes a fire or safety hazard.
- Is dangerous to life, health, or other property.
- Is likely to cause or contribute to blight, disease, vagrancy, or danger to children.
- Tends to attract persons intent on criminal activities or other activities which would constitute a public nuisance.

The notice shall further specify that a hearing will be held before the Planning Director at a designated place and time, not later than 10 days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and that following the hearing, the Planning Director may issue such order to repair, close, vacate, or demolish the building or structure as appears appropriate.

**24.8-11 Alternative notice.** If the name or whereabouts of the owner cannot after due diligence be discovered, the notice shall be considered properly and adequately served if a copy thereof is posted on the outside of the building or structure in question at least 10 days prior to the hearing and a notice of the hearing is published in a newspaper having general circulation in the Town at least once not later than one week prior to the hearing.

**24.8-12 Order to take corrective action.** If, following the hearing described above, the Planning Director finds that the structure is unsafe, he or she shall issue an order that specifies the corrective action that must be taken by the property owner under a timeframe that complies with G.S. 160D-1122.

**24.8-13 Appeal of order to take corrective action.** The property owner may appeal the order to take corrective action in accordance with the provisions of G.S. 160D-1123.

**24.8-14 Failure to comply with order.** Any person who fails to comply with an order to take corrective action shall be subject to a civil penalty of up to \$500 per day, with each day on which action to comply is not taken considered a separate violation. The Town may enforce the order as provided in G.S. 160D-1124.

## **24.9 NON-RESIDENTIAL BUILDING CODE, MINIMUM STANDARDS FOR NONRESIDENTIAL BUILDINGS AND STRUCTURES**

### **24.9-1 JURISDICTION AND AUTHORITY**

- (A) Authority. Pursuant to G.S. § 160D-1129 the Town Council hereby adopts these standards for nonresidential buildings and structures to ensure that said buildings and structures meet minimum maintenance, sanitation, and safety standards. These standards shall apply in addition to the requirements of the North Carolina State Building Code and any other applicable regulations.
- (B) Jurisdiction. The provisions of this section shall apply within the corporate limits and the Extra Territorial Jurisdiction (ETJ) of the Town of Jamestown.
- (C) Inspector Appointed, Powers and Duties. The Jamestown Planning Director or their designee is hereby authorized to implement and enforce the provisions this ordinance, "Minimum Standards for Nonresidential Buildings and Structures." The Minimum Housing Inspector shall be referred to herein as the "Inspector." Except as provided herein, the Inspector shall have the same powers and duties when enforcing minimum standards for nonresidential buildings and structures as they have when enforcing the Minimum Standards Code.

### **24.9-2 MINIMUM STANDARDS**

- (A) Compliance with the North Carolina State Building Code. Every nonresidential building and structure shall comply with applicable provisions of the North Carolina State Building Code, especially those provisions that pertain to the prevention of conditions that are dangerous and injurious to the public health, safety, and welfare.
- (B) Structural Condition.
  - (1) Walls or partitions or supporting members, sills, joists, rafters or other structural members shall not list, lean or buckle, and shall not be rotted, deteriorated or damaged, and shall not have holes or cracks which might admit rodents.
  - (2) Floors or roofs shall have adequate supporting members and strength to be reasonably safe for the purpose used.
  - (3) Foundations, foundation walls, piers or other foundation supports shall not be deteriorated or damaged.
  - (4) Every outside and inside stair, porch, landing, loading dock and any other appurtenance shall be safe to use and capable of supporting the load that normal use may cause to be placed thereon; and shall be kept in sound condition and good repair.
  - (5) The roof, flashings, exterior walls, basement walls, floors and all doors and windows exposed to the weather shall be constructed and maintained to be weather tight and watertight.
  - (6) There shall be no chimneys or parts thereof which are defective, deteriorated or in danger of falling, or in a condition or location as to constitute a fire hazard.
  - (7) There shall be no use of the ground for floors, or wood floors directly on the ground.<sup>§§</sup>
- (C) Plumbing system.
  - (1) Each nonresidential building or structure shall be connected to a potable water supply and to the public sewer or other approved sewage disposal system, if such connections are required by the North Carolina State Building Code.
  - (2) Each nonresidential building or structure shall contain at least the minimum number of toilets and other sanitary facilities required by the North Carolina State Building Code.



- (3) All water shall be supplied through an approved pipe distribution system connected to a potable water supply.
  - (4) All plumbing fixtures shall meet the standards of the North Carolina State Building Code and shall be maintained in a state of good repair and in good working order.
- (D) Heating and Electrical System.
- (1) The heating and electrical systems of nonresidential buildings and structures shall comply with the North Carolina State Building Code.
  - (2) Every public hall and stairway in every multi dwelling shall be always adequately lighted by electric lights when natural daylight is not sufficient.
- (E) Safe and Sanitary Maintenance.
- (1) Every foundation wall, exterior wall and exterior roof shall be substantially weather tight and rodent proof, shall be kept in sound condition and good repair; shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.
  - (2) Every exterior wall shall be protected with paint or other protective covering to prevent the entrance or penetration of moisture or the weather.
  - (3) Every floor, interior wall and ceiling shall be substantially rodent proof, shall be kept in sound condition and good repair and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.
  - (4) Interior walls and ceilings of all finished interior spaces shall be finished of suitable materials, which will, by use of reasonable commercial methods, promote sanitation and cleanliness.
  - (5) Every window, exterior door, basement or cellar door, and hatchway shall be substantially weather tight, watertight, and rodent proof, and shall be kept in sound working condition and good repair.
  - (6) Every bathroom floor surface and water closet compartment floor surface shall be constructed and maintained to be reasonably impervious to water and to permit the floor to be easily kept in a clean and sanitary condition.
  - (7) Every supplied facility, piece of equipment or utility which is required under this section, or the North Carolina State Building Code shall be so constructed or installed that it will function safely and effectively; and shall be maintained in satisfactory working condition.
  - (8) Every yard shall be properly graded to obtain thorough drainage and to prevent the accumulation of stagnant water.
  - (9) Every yard and all exterior property areas shall be kept free of species of weeds or plant growth which are noxious or detrimental to health.
  - (10) Every dwelling unit shall be provided with adequate means of egress as required by the North Carolina State Building Code.
- (F) Control of Insects, Rodents, and Infestations.
- (1) Screens. Every window or other device with openings to outdoor space, used or intended to be used for ventilation, shall be supplied with screens installed.
  - (2) Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents, shall be supplied with screens installed or other approved device as will effectively prevent their entrance.
  - (3) Infestation.

- (4) Every occupant shall be responsible for the extermination of any insects, rodents or other pests therein or on the premises; and every occupant of a nonresidential building or structure containing more than one unit shall be responsible for the extermination whenever his or her unit is the only one infested.
- (5) Whenever infestation is caused by failure of the owner to maintain a nonresidential building or structure in a rodent proof or reasonably insect proof condition, extermination shall be the responsibility of the owner.
- (6) Whenever infestation exists in two or more nonresidential units or in the shared or public parts of any nonresidential building or structure containing two or more units, extermination shall be the responsibility of the owner.
- (G) Rubbish and garbage storage and disposal. Every nonresidential building or structure shall store rubbish and garbage as required by town ordinances, and the owner or occupant of the building or structure shall be responsible for the removal of rubbish and garbage.
- (H) Responsibilities of Owners and Occupants.
  - (1) Public areas. Every owner of a nonresidential building or structure with two or more units shall be responsible for maintaining in a clean and sanitary condition the shared or public areas of the building or structure and premises thereof.
  - (2) Cleanliness. Every occupant of a nonresidential building or structure shall keep in a clean and sanitary condition that part of the building or structure and premises thereof which he or she occupies and controls.

#### **24.9-3 INVESTIGATION, HEARING AND ORDER**

- (A) Investigation. Whenever it appears to the Inspector 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 code, the Inspector shall undertake a preliminary investigation. If entry upon the premises for purposes of investigation is necessary, such entry shall be made with the permission of the owner, owner's agent, a tenant, or other person legally in possession of the premises or pursuant to a duly issued administrative search warrant issued in accordance with G.S. § 15-27.2.
- (B) Complaint and Hearing. If the preliminary investigation discloses evidence of a violation of the minimum standards, the Inspector 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 contain the following:
  - (1) The charges.
  - (2) A notice that a hearing will be held before the Inspector (or his or her designated agent) at a place within Guilford County scheduled not less than ten (10) days nor more than thirty (30) days after the serving of the complaint.
  - (3) 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
  - (4) That the rules of evidence prevailing in courts of law or equity shall not be controlling in hearing before the Inspector.
- (C) Hearing and Order.
  - (1) Hearings shall be quasi-judicial in nature and shall be conducted in the same manner as hearings provided for in Chapter 80.

- (2) If, after notice and hearing, the Inspector determines that the nonresidential building or structure has not been properly maintained so that the safety or health of its occupants or members of the public is jeopardized for failure of the property to meet the minimum standards established by this code, the Inspector shall issue an order that states the following:
- (3) The order shall provide writing findings of fact in support of the Inspector's determination. <sup>(1)</sup> <sub>(SEB)</sub>
- (4) The order may require the owner to take remedial action, within a reasonable time specified, subject to the procedures and limitations of this subsection. <sup>(1)</sup> <sub>(SEB)</sub>
- (5) The order shall state that any person aggrieved by the order may appeal the decision to the Zoning Board of Adjustment within thirty (30) days from the rendering of the decision or service of the order.

(D) Limitations on Orders.

- (1) An order may require the owner to repair, alter, or improve the nonresidential building or structure in order to bring it into compliance with the minimum standards established by this code or to vacate and close the nonresidential building or structure for any use.
- (2) An order may require the owner to remove or demolish the nonresidential building or structure if the cost of repair, alteration, or improvement of the building or structure would exceed fifty percent (50%) of its then current value. Notwithstanding any other provision of law, 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 Town Council determines, after a public hearing as provided by ordinance, 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, the order may require that the nonresidential building or structure be vacated and closed until it is brought into compliance with the minimum standards established by this code.
- (3) An order may not require repairs, alterations, or improvements to be made to vacant manufacturing facilities or vacant industrial warehouse facilities to preserve the original use. The order 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.

(E) Relief from personal liability. Any official, officer, employee, or authorized qualified third-party agency or individual charged with the enforcement of this code, while acting for the Town, shall not thereby be rendered liable personally, and is hereby relieved from all personal and professional liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of the official duties described herein.

**24.9-4 ACTION BY THE TOWN COUNCIL UPON FAILURE TO COMPLY WITH THE ORDER**

(A) Failure to Comply with an Order to Repair, Alter, Improve or To Vacate and Close.

- (1) If the owner fails to comply with an order to repair, alter, or improve or to vacate and close the nonresidential building or structure, the Town Council may adopt an ordinance ordering the Inspector to proceed to effectuate the purpose of these sections with respect to the particular property or properties that the Inspector found to be jeopardizing the health or safety of its occupants or members of the public. The property or properties shall be described in the ordinance. The ordinance shall be recorded in the office of the Guilford County Register of Deeds and shall be indexed in the name of the property owner or owners in the grantor index.
- (2) Following the adoption of an ordinance, the Inspector may cause the building or structure to be repaired, altered, or improved or to be vacated and closed, as provided in the ordinance. The

Inspector may cause to be posted on the main entrance of any nonresidential building or structure so 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.

(B) Failure to Comply with an Order to Remove or Demolish.

- (1) If the owner fails to comply with an order to remove or demolish the nonresidential building or structure, the Town Council may adopt an ordinance ordering the Inspector to proceed to effectuate the purpose of these sections with respect to the particular property or properties that the Inspector found to be jeopardizing the health or safety of its occupants or members of the general public. No ordinance shall be adopted to require 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 this code. The property or properties shall be described in the ordinance. The ordinance shall be recorded in the office of the Guilford County Register of Deeds and shall be indexed in the name of the property owner or owners in the grantor index.
- (2) Following adoption of an ordinance, the Inspector may cause the building or structure to be removed or demolished.

(C) Action by the Town Council upon Abandonment of Intent to Repair. If the Town Council has adopted an ordinance or the Inspector has issued an order requiring the building or structure to be repaired or vacated and closed, and the building or structure has been vacated and closed for a period of two (2) years pursuant to the ordinance or order, the Town Council may make findings 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 municipality 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. Upon such findings, the Town Council may, after the expiration of the two-year period, enact an ordinance and serve such ordinance on the owner, setting forth the following:

- (1) If the cost to repair the nonresidential building or structure to bring it into compliance with the minimum standards is less than or equal to fifty percent (50%) of its then current value, the ordinance shall require that the owner either repair or demolish and remove the building or structure within ninety (90) days; or
- (2) If the cost to repair the nonresidential building or structure to bring it into compliance with the minimum standards exceeds fifty percent (50%) of its then current value, the ordinance shall require the owner to demolish and remove the building or structure within ninety (90) days.
- (3) In the case of vacant manufacturing facilities or vacant industrial warehouse facilities, the building or structure must have been vacated and closed pursuant to an order or ordinance for a period of five (5) years before the Town Council may act under this subsection. The ordinance shall be recorded in the office of the Guilford County Register of Deeds and shall be indexed in the name of the property owner in the grantor index. If the owner fails to comply with the ordinance, the Inspector shall effectuate the purpose of the ordinance.

#### **24.9-5 SERVICE OF COMPLAINTS AND ORDERS**

- (A) Complaints or orders issued by the Inspector pursuant to these sections shall be served upon persons either personally or by registered or certified mail so long as the means used are reasonably designed to achieve actual notice. When service is made by registered or certified mail, a copy of the complaint or order may also be sent by regular mail. Service shall be deemed sufficient if the registered or certified mail is unable to be served, but the regular mail is not returned by the post office within ten (10) days

after the mailing. If regular mail is used, a notice of the pending proceedings shall be posted in a conspicuous place on the premises affected.

- (B) If the identities of any owners or the whereabouts of persons are unknown and cannot be ascertained by the Inspector in the exercise of reasonable diligence, and the Inspector makes documentation to that effect, the serving of the complaint or order upon the owners or other persons may be made by publication in a newspaper having general circulation in the town at least once no later than the time that personal service would be required under these sections. When service is made by publication, a notice of the pending proceedings shall be posted in a conspicuous place on the premises affected.

#### **24.9-6 LIENS**

- (A) The amount of the cost of repairs, alterations, or improvements, or vacating and closing, or removal or demolition by the Inspector shall be a lien against the real property upon which the cost was incurred, which lien shall be filed, have the same priority, and be collected as the lien for special assessment provided in Article 10 of Chapter 160A of the General Statutes.
- (B) The amount of the costs of repairs, alterations, or improvements, or vacating or closing, or removal or demolition by the Inspector shall also be a lien on any other real property of the owner located within the town 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.
- (C) If the nonresidential building or structure is removed or demolished by the Inspector, he or she 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 cost of the removal or demolition, and any balance remaining shall be deposited in the Guilford County Superior Court by the public officer, shall be secured in a manner directed by the Court, and shall be disbursed by the Court to the persons found to be entitled thereto by final order or decree of the Court.

#### **24.9-7 EJECTMENT**

If any occupant fails to comply with an order to vacate a nonresidential building or structure, the Inspector may file a civil action in the name of the town 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 Guilford County 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 ten (10) days from the issuance of the summons to answer the complaint. The summons and complaint shall be served as provided in G.S. § 42-29. 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 Inspector produces a certified copy of an ordinance adopted by the Town Council pursuant to these sections 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 Town Council has ordered the Inspector to proceed to exercise his or her duties pursuant to these sections to vacate and close or remove and demolish the nonresidential building or structure.

#### **24.9-8 CIVIL PENALTIES**

Civil penalties levied shall be in accordance with Section 10.99 and any other applicable provisions of this Code.

#### **24.9-10 APPEALS**

An appeal from any decision or order of the Inspector may be taken to the Town Council by any person aggrieved thereby or by any officer, Town Council. The procedure for an appeal shall be in accordance with the code of ordinance, and any person aggrieved by a decision or order of the Inspector shall have the remedies provided in G.S. § 160D-305.

#### **24.9-11 ABANDONED STRUCTURES**

- (A) As authorized by G.S. § 160D-1201(b), the Town Council may determine that any abandoned structure within the corporate limits of the town or its extraterritorial jurisdiction is a health or safety hazard because of the attraction of insects or rodents, conditions creating a fire hazard, dangerous conditions constituting a threat to children or frequent use by vagrants as living quarters in the absence of sanitary facilities.
- (B) If the Town Council determines that an abandoned structure is a health or safety hazard, the Council may require the property owner to repair, close or demolish the structure pursuant to the same provisions and procedures as are prescribed under the Jamestown Minimum Housing Code for the repair, closing or demolition of dwellings found to be unfit for human habitation.
- (C) The Town Council may determine that an abandoned structure is a health or safety hazard only after a quasi-judicial hearing on the matter. Using the procedure set forth in the code of ordinance, the town shall provide notice to the property owner and any mortgage holder of record not less than ten (10) nor more than thirty (30) days prior to the hearing. The owner or any party in interest shall have the right to submit written evidence prior to the hearing and to give testimony in person, or otherwise, during the hearing.
- (D) This authority provided by this section shall be supplemental to and may be used in lieu of or in conjunction with any other authority provided in this code.

#### **24.10 NON-RESIDENTIAL MAINTENANCE CODE**

##### **24.10-1 PURPOSE.**

It is the purpose of the provisions of this chapter to provide a just, equitable and practicable method, whereby non-residential buildings, or structures which from any cause, endanger the life, limb, health, morals, property, safety or welfare of the public or their occupants, diminish property values, exhibit characteristics of abandonment or neglect, or detract excessively from the appropriate appearance of the non-residential area, may be required to be repaired, vacated or demolished. The provisions of this code are cumulative with and in addition to any other remedy provided by law, including the current editions of standard codes adopted by the town.

##### **24.10-2 SCOPE.**

The provisions of this code shall apply to all non-residential buildings and structures which are now in existence, or which may be built within the town limits or annexed therein, and to all non-residential lands within the corporate jurisdiction of the Town of Jamestown and its extraterritorial jurisdiction.

##### **24.10-3 APPLICABILITY.**

- (A) Every non-residential building or structure and the premises on which it is situated, used or intended to be used for non-residential occupancy shall comply with the provisions of this chapter, whether or not the building shall have been constructed, altered or repaired before or after the enactment of this chapter, and irrespective of any permits or licenses which shall have been issued for the use or occupancy of the building, or for the installment or repair of equipment or facilities prior to the effective date of this chapter.
- (B) This chapter establishes minimum standards for the initial and continual occupancy and use of all non-residential buildings and does not replace or modify standards otherwise established for the

construction, repair, alteration or use of the building equipment or facilities contained therein except as provided.

- (C) Where there is mixed occupancy, any commercial business use therein shall be nevertheless regulated by and subject to the provisions of this chapter.

#### **24.10-4 CONFLICTING PROVISIONS.**

In any case where the provisions of this chapter impose a higher or lower standard than that set forth in any other ordinance of the town or under the laws of the state, the higher standard shall prevail. Interpretation shall be the authority of the Planning Director or their designee.

#### **24.10-5 COMPLIANCE.**

- (A) It shall be the duty of each owner and each operator of a non-residential building or premises within the town to comply with the regulations and requirements set forth in this chapter. No license, permit or certification of occupancy shall be issued unless and until all applicable sections of this chapter have been complied with.
- (B) No land or building or combination thereof shall be used in a manner inconsistent with or in conflict with the requirements of this chapter.

#### **24.10-6 DEMOLITION OF NON-RESIDENTIAL BUILDINGS.**

Where a building is under the jurisdiction of the code, the building may be demolished by the owner provided that the following requirements are met:

- (A) The owner obtains a demolition permit from the Town of Jamestown.
- (B) All sewer, gas, water and similar taps or connections are properly closed and disconnected.
- (C) All debris from the building is removed from the site. This requirement is for the removal of all debris that is above the street level of the building.
- (D) The lot is graded to a smooth, even, finished grade, and free from building material, debris, holes and/or depressions. Where building debris remains on the site below street level, the owner must back fill the lot with 12 inches of clean fill which shall be graded to a smooth, even finished grade.
- (E) Where walls of adjacent buildings become exposed as a result of the demolition, the walls must have all doors, windows, vents or other similar openings closed with material of the type comprising the wall. No protrusions or loose material shall be in the wall. The exposed wall shall be painted, stuccoed, or bricked so as not to detract from the aesthetics and value of the adjacent property and weather proofed to prevent deterioration of the wall.

#### **24.10-7 BUILDINGS AND PREMISES DAMAGED.**

- (A) Any building or premises damaged by fire, storm, collapse or an act of nature to such an extent that the cost of repair and reconstruction does not exceed 50% of the physical valuation of the entire structure at the time the damage occurred, the damaged portions of the building or premises may be razed or shall be secured to prevent unauthorized entry and repaired in a manner that complies in all respects with all ordinances of the town related to new buildings.
- (B) The razing or repair work shall begin within 120 days of the damage. Extensions of this time requirement may be issued by the Board of Adjustments and appeals upon showing of cause by the property owner.

#### **24.10-8 DUTIES AND RESPONSIBILITIES OF OWNER**

- (A) Relationship of Duties and Responsibilities to Occupancy.
  - (1) The provisions of this chapter that apply to the exterior or exterior components of a structure or building shall be complied with whether the structure or building is occupied or vacant. All

unoccupied or vacant structures or buildings shall be secured by the owners to prevent the entry of unauthorized persons or the formation of nuisance conditions such as infestation, including roosting birds.

(B) Nuisances and Hazards.

It shall be the duty and responsibility of the owner of non-residential premises to see that the premises under the control of the owner are maintained to ensure that there is compliance with the following provisions of this section:

- (1) The premises are free of all nuisances and any hazards to the safety of the occupants, customers or other persons utilizing the premises or to pedestrians passing thereby.
- (2) The premises are free of loose and overhanging objects which, by reason of location above ground level, constitute a danger of falling on persons in the vicinity thereof. (State Building Code Reference, § 105.12, Unsafe buildings)
- (3) The premises are free of holes, excavations, breaks, projections, or obstructions on walks, driveways, parking lots and parking areas, and other parts of the premises which are accessible to and used by persons on the premises. All the holes and excavations shall be filled and repaired, walks and steps replaced, and other conditions removed where necessary to eliminate hazards or unsafe conditions with reasonable dispatch by the owner upon their discovery.

(C) Condition of Exterior of Premises and Structures.

- (1) The exterior of the premises and structure shall be maintained in good repair and free from deterioration so as not to constitute a nuisance.
- (2) All surfaces shall be maintained free of cracked or broken glass, loose shingles, loose wood, crumbling stone or brick, loose, or broken plastic or other similar hazardous conditions. (State Building Code reference, § 105.12, Unsafe buildings)
- (3) All structures and decorative elements of building exteriors shall be repaired or replaced in a workmanlike manner to match as closely as possible the original materials and construction techniques.

(D) Soundness of Floors, Interior Walls and Ceilings.

All floors, interior walls and ceilings of every structure shall be structurally sound and shall be maintained in a good condition compatible with its business use, and where open to the public shall be maintained in a condition so as not to constitute a hazard to the public.

(E) Structurally Deficient Building in Rear.

Structures at the rear of buildings attached or unattached to the principal structure, which are found by the Planning Director or their designee to be structurally deficient, shall be properly repaired or demolished.

(F) Removal of Miscellaneous Elements on Building Walls, Roofs and Surrounding Premises.

All existing miscellaneous elements on building walls and roofs and surrounding premises, such as empty electrical or other conduits, unused sign brackets and the like shall be removed.

(G) Walls.

- (1) All foundation walls shall be kept structurally sound, and capable of bearing imposed loads safely. (State Building Code reference, § 1302.3, Concrete footings and § 1302.5, Foundation walls)
- (2) All material used to maintain or reconstruct a wall or part thereof, including the application of sidings or other surfacing material, shall be of standard quality.



- (3) Where a wall of a building has become exposed as a result of demolition of adjacent buildings the wall must have all doors, windows, vents or other similar openings closed with material of the type comprising the wall. No protrusions or loose material shall be in the wall. The exposed wall shall be painted, stuccoed, or bricked so as not to detract from the aesthetics and value of adjacent property and weather proofed, if necessary, with construction material to prevent deterioration of the wall.

(H) Windows.

- (1) All windows must be tight fitting and have sashes of proper size and design. Sashes with rotten wood, broken joints, or broken or loose mullions or muntins shall be replaced. All broken and missing windows shall be replaced with glass or plexiglass. All exposed wood shall be repaired and painted.
- (2) All windows shall be maintained free of broken glass. Where a window glass larger than four square feet becomes cracked to an extent that the largest single portion of the window free of a crack is less than 80% of the total surface area of the window glass, the window glass shall be replaced by a pane free of cracks.
- (3) All openings originally designed as windows shall be maintained as windows, complete with sills, lintels, frame, and glass, unless specifically approved by the Fire Chief for enclosure. Where the Fire Chief approves the enclosure of a window, it must be so enclosed by either bricking the opening, blocking the opening with concrete blocks, and stuccoing the exterior, or by boarding up the opening. When boarding is used, it shall be of trim fit, sealed to prevent water intrusion and painted or stained to properly conform with the other exterior portions of the building.

(I) Painting.

- (1) All exterior surfaces which require paint or sealing in order to protect the underlying surface from deterioration shall be so painted or sealed.
- (2) All exterior surfaces which have been painted shall be maintained free of peeling and flaking. Where 15% or more of the aggregate of any painted wall shall have peeling or flaking or previous paint worn away, the entire wall shall be repainted.

(J) Signs.

All advertising structures and awnings and their accompanying supporting members shall be maintained in good repair and shall not constitute a nuisance or safety hazard. All non-operative signs shall be repaired or shall, with their supporting members, be removed forthwith. In the event the signs, billboard, marquees, or awnings are not properly maintained in accordance with the foregoing, they shall, together with their supporting members, be removed forthwith. In the event the awnings or marquees are made of cloth, plastic or of a similar material, the awnings or marquees shall be maintained so as not to show evidence of excessive tearing, ripping, or other holes which diminish their function and cause unsightly conditions. Nothing herein shall be construed to authorize any encroachments on streets, sidewalks, or other parts of the public domain.

(K) Washrooms.

- (1) All washrooms and water closet compartment floors shall be surfaced with water-resistant material and shall be always kept in a dry and sanitary condition.
- (2) All washrooms shall be provided with permanently installed artificial lighting fixtures with a switch and wall plate so located and maintained that there is no danger of short circuiting from water, from other bathroom facilities or from splashing water. (National Electrical Code reference, Protection against corrosion, § 300-6, and Switches, § 380-4)

(L) Garbage.

- (1) There shall not be stored or allowed to accumulate flammable or combustible liquids or other materials on the premises unless they are of a type approved for storage by the regulations of the National Fire Protection Association, and then only in quantities as may be prescribed by the regulations. (Fire Protection Code reference, Order to eliminate injurious or hazardous conditions, and State Building Code.
- (2) No garbage or solid waste shall be stored or allowed to accumulate on the premises unless contained in trash receptacles.

(M) Appurtenances.

- (1) All chimneys, flues and vent attachments thereto shall be maintained 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 (State Building Code reference, Chimneys, fireplace stoves, fireplaces and venting systems)
- (2) 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 structurally sound, in good repair, and free of defects. (State Building Code reference, Outside stairs, and exterior balconies, § 1108, and Fire escapes, § 1007.4)
- (3) All cornices shall be made structurally sound, and rotten or weakened portions shall be removed and/or replaced to match as closely as possible the original patterns. All exposed wood shall be painted. (State Building Code reference, § 710)
- (4) Gutters and downspouts shall be replaced or repaired as necessary and shall be neatly located and securely installed.
- (5) Where a parking lot is constructed as part of a non-residential building or as a business itself, the parking lot, and all curbing, surfacing, sidewalks, and other parts thereof shall be maintained free of broken surfaces, holes, or other similar conditions. All non-residential parking lots so described herein shall be repaired or replaced with like material.
- (6) Where landscaping has been incorporated in the development plan of a non-residential building or where landscaping has been required by the town as part of a development plan, including parking plan, the landscaped areas shall be maintained in a manner to equal and reflect the original landscaping approved for the development plan.
- (7) Where curb cuts are abandoned due to new construction, change of access or general discontinuous use, the curb cut shall be closed and replaced with a standard sidewalk and curb and gutter arrangement.
- (8) Damage to public sidewalks or curbs and gutters located in the public right-of-way shall be repaired or replaced at no expense to the town when the damage is caused by vehicles making deliveries to the commercial premises under the control of the owner.

**24.10-9 DUTIES AND RESPONSIBILITIES OF OPERATOR**

(A) Ensuring Compliance.

It shall be the duty and responsibility of the operator to ensure compliance with this subchapter.

(B) Safe and Sanitary Condition of Premises.

All parts of the premises under the control of the operator shall be kept in a safe and sanitary condition consistent with the business use, and the occupant shall refrain from performing any acts which would render other parts of the premises unsafe or unsanitary, or which would obstruct any adjacent owner or operator from performing any duty required, or from maintaining the premises in a safe and sanitary condition.

(C) Elimination of Infestation.

Every operator shall be responsible for the elimination of infestation in and on the premises, subject to the operator's control.

(D) Maintenance of Plumbing Fixtures.

Every operator shall maintain all plumbing fixtures in a safe and sanitary condition.

(E) Garbage Containers.

No garbage or other solid waste shall be stored or allowed to accumulate on the premises unless contained in receptacles which are in accordance with § 50.05.

(F) Repair of Damage to Public Right-of-Way.

Damage to public sidewalks or curb and gutter located in the public right-of-way shall be repaired or replaced at no expense to the town when the damage is caused by vehicles making deliveries to the business under the control of the operator.

(G) Notifying Owner of Defects.

Where the owner would not otherwise know of a defect of any facility, utility or equipment required to be furnished hereunder and the same is found to be defective or inoperable, the operator affected thereby shall, upon learning of the defect, provide notice to the owner.

**24.10-10 ADMINISTRATION AND ENFORCEMENT**

(A) Maintenance Code Administrator.

- (1) The Maintenance Code Administrator is hereby established and shall be the person delegated as the same by the Town Manager. It shall be his or her duty and responsibility to enforce this chapter and to legally proceed against each person found in violation of the requirements of this chapter.
- (2) All inspections, regulations, and enforcement of violations of the provisions of this chapter, unless expressly stated to the contrary, shall be under the direction and supervision of the Administrator.
- (3) (All buildings and premises as set forth in this chapter are subject to inspections by the Administrator or the Administrator's designated representatives. Upon presentation of proper identification and credentials to the owner, agent, or occupant in charge of the property and/or premises, and securing the person's oral or written permission, the Administrator and/or representative may enter and make any inspections as necessary during all reasonable hours.
- (4) If permission for entry for the purpose of inspections is denied, and no emergency exists, the Administrator shall, after presentation of probable cause, procure a court order from the district court judge.
- (5) In cases of emergency where extreme hazards are known to exist which may involve potential loss of life or severe property damage, the above limitations will not apply.
- (6) Relief from personal liability. Any official, officer, employee, or authorized qualified third-party agency or individual charged with the enforcement of this code, while acting for the Town, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property because of an act required or permitted in the discharge of the official duties described herein.

(B) Board of Adjustments and Appeals.

- (1) There is hereby established a Board to be called the Board of Adjustments and Appeals.

- (2) The Board of Adjustments and Appeals shall be that authorized, established, and appointed body responsible for hearing appeals and requests for variance, created and authorized by this chapter.
- (3) The procedures, rules and processes established for the Board of Adjustment shall apply.
- (4) The duties of the Board of Adjustments and Appeals shall be to:
- (5) Consider and determine appeals whenever it is claimed that the true intent and meaning of this chapter or any of the regulations hereunder have been misconstrued or wrongly interpreted or applied by the Maintenance Code Administrator or the Administrator's representative.
- (6) Grant, in cases where the application of the requirement of this code in the allowance of the stated time for the performance of any action required hereunder would appear to cause undue hardship on an owner, reasonable extensions of time not to exceed six months from date of the notice. No subsequent appeal shall be considered where an appeal has been previously decided involving the same building or premises and the same citation unless the appellant can demonstrate to the satisfaction of the Board a change in circumstances sufficient to justify reopening the appeal.
- (7) All decisions of the Board of Adjustments and Appeals which vary the application of any provision of this chapter or modify an order of the Administrator shall specify in what manner the variance or modification is to be made, the conditions under which it may be made and the reasons therefor. Every decision shall be in writing, and a copy of all decisions shall be promptly filed in Town Hall, and it shall be open to public inspection.

(C) Appeals.

- (1) Within 10 days following receipt of a notice of violation, any person receiving the notice, believing that the literal application of this chapter will cause undue hardship or has been misconstrued, wrongly interpreted, or applied, may appeal in writing to the Board of Adjustments and Appeals for the relief as may be granted, after investigation of the grounds thereof, by way of a reasonable extension of time or a variation from strict compliance with the provisions of this chapter. The circumstances justifying the findings related to hardship are:
  - (2) Inability to immediately comply due to severe financial distress.
  - (3) The unavailability of services or equipment with which to comply, without fault of the applicant and/or
  - (4) Other extenuating circumstances showing a good faith intention on the part of the applicant or another to comply when able to do so.
- (5) The appeal shall be on a form provided by and shall be addressed to the Planning Director or their designee, where proper forms will be prepared and forwarded to the Chairman of the Board of Adjustments and Appeals, who will set the date and time of hearing and so notify the applicant. This section shall not be construed to apply to any situation regarded by the enforcement authority as a real and immediate threat to public safety and health. Any person aggrieved by the decision of the Board may petition any court of competent jurisdiction within the county. Any appeal of this sort must be filed with the court within 15 days from the date of the Board's decision or it shall be considered abandoned.
- (6) To defray the cost of processing an appeal fee is to be set by the Board in the annual budget ordinance shall be required. All fees are payable to the town and must be paid prior to processing the appeal.

(D) Amendments.

The Town Council may from time to time amend, supplement, or change the provisions and requirements of this code. Any amendment shall be by ordinance of the Board. Initiation of any amendment may be by the Town Council, Planning Board, or by a private citizen.

(E) Violations.

- (1) Whenever the Maintenance Code Administrator or any other authorized official determines that there exists a violation of any provision of this chapter, the Administrator shall give notice of the violation to the person responsible therefor or to the person's agent or representative, and order compliance.
- (2) The notice and order shall be in writing; specify in detail the violations, together with the respective sections of this chapter being violated; setting forth 30 days within which to correct the violations; contain an outline of remedial action which, if taken, will effect compliance.
- (3) Service of the notice shall be by delivery personally to the owner or operator of the property or the person responsible; by leaving the notice at the usual place of abode or business of the owner, operator or the person's agent, or by depositing the notice in the United States post office addressed to the owner or operator or the person's agent or person responsible at the last known address with postage prepaid thereon, and certified or registered; or in the event service of the notice cannot be obtained in one of the above methods by posting and keeping posted for 24 hours a copy of the notice in a conspicuous place on the premises where the violation has occurred and published once a week for three weeks in a newspaper of general circulation in the town any information as is necessary to inform an owner, operator or person responsible of the location of the premises and the type of offense. No person shall deface or remove the notice without the consent of the Administrator.

(F) Penalty.

- (1) Any person, or any person's agent who shall violate a provision of this chapter, or after due notice shall fail to comply with orders issued by the Maintenance Code Administrator under the terms and provisions of this chapter shall be subjected to a civil penalty in the following amounts:
  1. For the first notice, a fine of \$150; and
  2. For the second notice, a fine of \$300.
- (2) The first notice citation shall be issued 1 day after the 120-day notice and order to correct the violation has expired, if not corrected. The second notice citation shall be issued 14 days after the first notice citation if the first notice citation has not been paid and the violation has not been corrected.
- (3) The Maintenance Code Administrator shall bring suit in small claims court for recovery. The Administrator shall represent the town in this matter.
- (4) Beginning on the fifth day after the issuance of the second notice, each day of any violation of this chapter shall constitute a separate violation punishable as separate violations of this chapter. Each day of violation will carry a civil penalty in the amount of \$75 per day.

**ARTICLE 17**  
**SIGN REGULATIONS**

**17.1 Title**

This Article shall be known and may be cited as the "Town of Jamestown Sign Regulations."

**17.2 Applicability and Purpose**

This Article applies to all signage erected in the Town of Jamestown and its extraterritorial jurisdiction. The purpose of this ordinance is to ensure the installation of safe and effective signage that promotes both business activity and the aesthetic character of the Town and its extraterritorial jurisdiction, as well as communicating essential information to the public. The following statements elaborate on this purpose:

- To provide opportunities for neighborhoods and commercial endeavors to be identified in an effective and equitable fashion.
- To promote public safety by reducing hazards associated with distracting or excessive signage.
- To establish and promote enhanced community character through signage that is reflective of the historic nature of the Town and its scale of development.
- To promote the integration of signage with the architectural characteristics and aesthetic quality of the Town's development.
- To provide for flexibility in amount, type and scale of signage depending on the context of the development and the surrounding area.
- To facilitate efficient, thorough, consistent and effective enforcement of the sign regulations.

**17.3 Definitions**

Please see definitions in Article 3 of this Ordinance.

**17.4 Applicability**

Except as specifically exempted in this ordinance, no sign shall be erected, altered or displayed without a sign permit issued by the Town of Jamestown confirming compliance with the provisions of this ordinance. Signs made nonconforming by this ordinance shall be grandfathered until altered, abandoned, relocated, or removed.

17.4.1 Substitution of Messages

\_\_\_\_\_ The sign regulations of this article are not intended to favor commercial speech constitutionally protected political or noncommercial speech. A sign containing a noncommercial message may \_\_\_\_\_ be substituted for any sign containing a commercial message that is allowed by the regulations \_\_\_\_\_ of this article.

**17.5 Prohibited Signs and Sign Characteristics**

The following signs are specifically prohibited by this ordinance in all zoning districts.

- Snipe/yard signs.

- Signs attached to light fixtures, curbs, sidewalks, gutters, streets, utility poles, public buildings, fences, railings, public telephone poles, or trees.
- Windblown signs not specifically permitted in this Article such as pennants, streamers, spinners, balloons, inflatable figures, and similar signs.
- Signs which prevent free ingress to or egress from any door, window, or fire escape.
- Signs erected or displayed in such a manner as to obstruct free and clear vision at any location, street, intersection, or driveway.
- Signs attached to or painted on a vehicle or trailer that is located in view of the right-of-way when in a location or for a period of time that indicates that the primary intended use of the vehicle is for displaying the sign to passing motorists or pedestrians.
- Signs in a series of 2 or more signs placed in a line parallel to a public or private street, or in a similar fashion, all carrying a single commercial message, part of which is contained on each sign.
- Any sign which interferes with vehicular or pedestrian traffic as a result of its position, size, shape, movement, color, fashion, manner, or intensity of illumination, including signs with the potential to be confused with any authorized traffic sign, signal, or device.
- Signs erected or displayed on or over public rights-of-way or other public property, other than those erected by governmental agencies or for which appropriate encroachment agreements have been executed pursuant to this ordinance.
- Portable signs, except as specifically permitted herein.
- Flags displaying commercial messages in residentially zoned districts.
- Signs that move or flash or have moving or flashing components, except as permitted under Section 6 below; signs that are intermittently lighted or have changing colors; signs that revolve; or any other similarly constructed signs.
- Signs attached to the roofs of buildings or are otherwise located above the roofs of buildings.
- Outdoor advertising sign (billboards). The exception being that existing outdoor advertising signs that are non-conforming may be disassembled and replaced with a newer structure upon approval by the Planning Director or their designee. The new signage shall be designed to result in no expansion of or increase in the non-conformity; shall not allow replacement with a digital sign; shall not exceed 30' in height; shall be designed to limit lighting to the sign face; and shall be designed to enhance the architectural features of adjacent buildings. Color renderings or photographic simulations shall be submitted to the Planning Director or their designee, who shall have the authority to deny permits for signs that do not meet the intent of this Ordinance.

#### 17.6 Exempt Signs

The following signs are exempt from the requirements of this ordinance although, in some instances, building permits may be required, such as an electrical permit for a machine sign or a time and temperature sign.

- Warning and security signs required by statute or regulation, including signs placed by a public utility for the safety, welfare, or convenience of the public, including, but not limited to signs identifying fire department connections or high voltage, public telephone, or underground cables.

- Signs erected by a unit of local, state, or federal government on property or within a right-of-way over which said government has authority or a right to operate within.
- Signs placed inside ball fields and outdoor amphitheaters that face toward the interior of the field or amphitheater and are primarily intended for viewing by persons attending events of performances.
- Accent lighting, as defined herein, provided that not more than two architectural elements are accented per occupancy (e.g., two windows or a window and a roofline, etc.).
- Temporary signs that are displayed for three days or less.
- Incidental signs containing no more than two square feet in area provided that not more than a total of six square feet of incidental signage is displayed per occupancy. Incidental signs may flash provided they are located inside a building and no more than one such sign is displayed per occupancy.



Example of Incidental Signs



Example of Machine Signs

- Machine signs containing no more than six square feet in area, except drive-through menu kiosk machine signs may contain up to 12 square feet in area provided the portion of the signs devoted to a logo or business name contains no more than 25% of the total sign area.
- Model home signs provided not more than one such sign is displayed in a subdivision and such sign contain no more than six square feet in area.
- Signs attached to donation bins.
- Any traffic sign, public notice or warning required by a valid and applicable federal, state, or local law, regulation, approved development plan, or ordinance, including traffic control signs on private property.
- Address signs no greater than five square feet in area that are erected or placed to meet fire code requirements (NCFPC Section 505.1). Address signs in excess of five square feet in area shall be counted toward the area of signage permitted for attached or freestanding signs depending on placement.
- Retail store window displays of merchandise.
- Signs attached to vehicles provided the vehicles are not parked in such a manner as to create the effect of additional signage, whether on-premises or off-premises.
- In nonresidential or mixed use districts during "election season", Snipe or Yard signs, without limit on the number, containing no more than six square feet in area in residential districts and up to three signs, no more than 24 square feet in area will be permitted in the right-of-way, provided that such signs are erected no more than 30 days prior to the beginning of "one-stop" early voting under G.S. 163-227.2 and removed no later than 7 days following the applicable primary or election.
- Signs attached to umbrellas provided no more than 25% of the total area of the umbrella is devoted to signage.
- One temporary yard sign per property street frontage containing no more than six square feet in area in residential districts.

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- Development projects under active building permits containing no more than six square feet in area in residential districts and no more than 24 square feet in area in nonresidential or mixed-use districts are permitted one sign per property street frontage, provided they are removed after the applicable permit is no longer active due to completion of permitted work or permit expiration. If combined with a temporary yard sign, the total exempt sign area may be increased to 32 square feet.



*Example of a Combined Construction/ Financing and Real Estate*

- Flags that do not exceed 40 square feet in area, that they are displayed on flagpoles not exceeding 30 feet in height, that no more than one flag is displayed on a zone lot of less than one acre in size and not more than two flags are displayed on zone lots of one acre or more in size, and that all flagpoles are setback at least the height of the flagpole from all property lines. Flagpoles may be roof or wall-mounted provided size, height and setback requirements as established in this exemption are met.
- One sign per approved home occupation, not to exceed four square feet in area, and which must be attached to the building.
- Holiday lights and decorations, provided that such lights and decorations are not displayed for longer than a total of 60 days per calendar year in any nonresidential or mixed-use zoning district.
- Signs for "temporary businesses" such as, but not limited to, produce stands, street vendors, and vendors at special events that shall operate for a specified time period, not to exceed 7 consecutive days, are exempted. If the business is a recurring operation, such as produce stands that operate on weekends or on select days during the week, then said "temporary business" shall comply with the regulations set forth in this Ordinance; the exception being that the Planning Director or their designee may permit "temporary businesses" to use banners and temporary signage that comply with the standards and intent of this Ordinance to be used as signage, provided that the business puts the sign up at the start of the business day and takes it down at the close of each business day.

#### 17.6-1 Sign Standards for Signs Allowed without a Permit

(A) Allowed Signs. The following signs are permitted in all zoning districts and may be installed without obtaining a permit provided they comply with the standards listed in this section.

- directional, instructional or warning signs provided they contain no commercial message except a business logo or name;
- flags, except that commercial flags displayed in single-family residential zoning districts are prohibited;
- temporary signs, including:
  - temporary real estate, construction, campaign, philosophical or yard sale signs;
  - Signs announcing temporary events or special promotions that do not involve the closing of a public street.
- historical or memorial plaques, tablets, or markers;
- philosophical, personal, religious, educational, or other noncommercial signs.

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- identification signs including:
  - name and address plates;
  - directory signs in developments with multiple occupants so long as the signs are not legible from a public street;
  - building markers (cornerstones or plaques); and
  - signs identifying home occupations and tourist homes (bed & breakfast) in residential districts

**(B) Standards for Signs Allowed without a Permit**

- All signs must be located on private property, outside the public street right-of-way, and outside any required sight triangle except for temporary off-site directional signs, which are subject to the standards below.
- An electrical permit is required if a sign will be illuminated.

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**Directional**

A sign with no commercial message and located off-site that aids the public in direction to religious assembly uses, hospitals, colleges and universities, and other similar institutional uses. Directional signs located adjacent to an existing or planned greenway (as shown on the adopted Pedestrian Plan) may contain the name, address, logo or other identifying symbol for adjacent use(s) to the greenway.



Example of a Directional Sign

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**Standards**

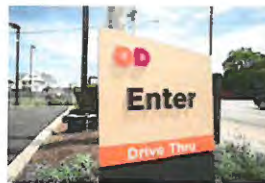
1. Directional signs may not exceed 6 square feet in area or 8 feet in height.
2. Only external illumination is allowed.

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**Instructional**

A sign with no commercial message that provides assistance, with respect to the premises on which it is maintained, for the direction, safety, or convenience of the public such as "entrance", "exit", "one way", "telephone", "parking", "no parking", and similar instructions. Instructional signs may include a name, address, logo, or other identifying symbol (not to exceed 30% of sign area) to aid in directing the public.



Example of an Instructional Sign

**Standards**

1. Instructional signs may not exceed 6 square feet in area or 8 feet in height.
2. Colleges, universities, hospitals, coliseums, and convention centers may have instructional signs that exceed the allowable area limit if approved as a part of a Master Sign Plan (see 17.10).
3. Instructional signs may be internally or externally illuminated.

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### Warning

A sign that displays information pertinent to the safety or legal responsibilities of the public such as signs warning of high voltage, "no trespassing", and similar directives. Warning signs shall contain no commercial messages other than identification of the entity that controls the property or other focus of the danger that is the subject of the warning.



Example of a Warning Sign

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#### Standards

1. Warning signs may not exceed 6 square feet in area or 8 feet in height,
2. Warning signs may be internally or externally illuminated.

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### Historical or Memorial Sign

A sign that commemorates a historical person, structure, place, or event; or that denotes, honors, celebrates, or acknowledges a historical person, structure, place or event.



Example of a Historical Sign

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#### Standards

1. Only 1 historical or memorial sign is permitted per lot.
2. Historical or memorial signs may not exceed 6 square feet in area or 8 feet in height.
3. Only external illumination allowed.
4. Such signs are allowed on any site or building certified or designated as having historic significance by a federal, state or local agency, or, if tied to a specific historical event, in close proximity to where the event occurred.

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### Flags

A piece of fabric or other flexible material attached to a permanent pole that is not readily movable containing colors, patterns, standards, words, or emblems.



Examples of Flags

#### Standards

1. Flags shall not exceed 60 square feet in area (calculated as a cumulative total).
2. Shall not be displayed on flagpoles not exceeding 30 feet in height.
3. No more than one flag shall be displayed on a zone lot of less than one acre in size and not more than three flags are displayed on zone lots of one acre or more in size
4. All flagpoles are setback at least the height of the flagpole from all property lines.
5. Flagpoles may be roof or wall-mounted provided size, height and setback requirements as established in this article are met.
6. Only external illumination is allowed.
7. Pennant-style flags used on a temporary basis are not permitted in any zoning district.

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**Temporary Real Estate, Construction, Campaign Philosophical or Yard Sale**

**Real Estate Sign.** A sign displayed for the purpose of offering for sale, lease, or rent the property on which such sign is erected, affixed, or otherwise established.



Example of Real Estate Sign

**Construction Sign.** A sign which identifies the architects, engineers, contractors, and other individuals or firms involved with construction on the property, the name of the building or development, the intended purpose of the building or development, and/or the expected completion date.

Standards

1. Temporary real estate, construction, campaign, philosophical or yard sale signs in nonresidential zoning districts may not exceed 36 square feet in area or 8 feet in height.
2. Temporary real estate, construction, campaign, philosophical or yard sale signs in all other zoning districts may not exceed 6 square feet in area or 6 feet in height.
3. Such signs may not be illuminated.
4. Temporary real estate, construction, campaign, philosophical or yard sale signs may only be located on private property with the property owner's permission.
5. Temporary real estate, construction, campaign, or philosophical signs may be erected 30 days prior to the election, event, construction, issue, sale or lease of the property and must be removed within 7 days of the completion of the election, event, construction, issue, or sale or lease of property.

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**Temporary Off-Site Directional Signs**

A temporary sign displayed for the purpose of aiding the public to a property or development being offered for sale, lease or rent, or associated with a weekend event, that is not erected, affixed or otherwise established on the lot being offered for sale, lease or rent or containing the weekend event. Temporary Off-Site Directional Signs are intended to aid the traveling public in locating activities that do not take place during the normal work week or on a recurring basis.



Example of Temporary Off-Site Directional Signs

Standards

1. No more than one off-site directional sign per direction and per property, development, company or event may be placed at a street intersection where a prospective client must make a turn to travel to the subject property.
2. Signs for the same developer/builder/company/event must be spaced at least 600 feet from all other signs unless they are placed at a street intersection where a prospective client must make a turn to travel to the subject property.
3. Signs shall not be placed on lands within the public rights-of-way that are entirely surrounded by public streets, such as roadway medians and traffic islands.
4. Signs shall be placed so as not to interfere with or obstruct pedestrian or vehicular traffic or obstruct sight distances at intersections.

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5. Except with the permission of the property owner or occupant, signs shall not be located in front of or abutting a lot containing a single-family detached dwelling.
6. Signs shall only be displayed from 12:00 P.M. (noon) on Friday to 12:00 P.M. (noon) the following Monday.
7. Signs shall be freestanding and may not be anchored to a sidewalk or attached to utility poles or other structures or appurtenances.
8. Such signs may not exceed 6 square feet in area or 3 feet in height.
9. Signs shall not be placed on property owned or maintained by the Town (ex. – signs are not permitted on the Town’s entry sign parks, library grounds, or Town Hall property)

**Temporary Sandwich Board**

Standards

1. One temporary sandwich board sign is allowed per storefront/establishment and only on paved surfaces.
2. Such signs may not exceed 8 square feet per side of sign, 2 feet in width (when opened) and 4 feet in height.
3. Such signs must be placed so as not to interfere with or obstruct pedestrian and vehicular access. A minimum of 5 feet of clear passage must be maintained on the sidewalk between the physical street edge and the sign.
4. Such signs may not be anchored to the sidewalk, or attached or chained to poles, newspaper vending boxes, or other structures or appurtenances.
5. Temporary sandwich board signs may bear a commercial message related to an associated establishment or any noncommercial message.
6. Such signs must be brought in at the close of business day. Such signs may not be left up overnight.



*Example of a Temporary Sandwich Board Sign*

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**Temporary Event**

Standards

1. Temporary event signs in nonresidential zoning districts may not exceed 60 square feet in area or 6 feet in height.
2. Temporary event signs in all other districts may not exceed 36 square feet in area or 6 feet in height.
3. Such signs may not be illuminated.
4. Temporary event signs may only be displayed for three (3) days or less. Signs left up for longer than three (3) days require a Temporary Sign Permit (Section 17.8).



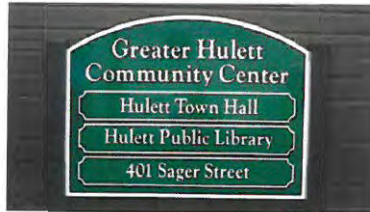
*Example of a Temporary Event Sign*

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## Identification

A sign affixed to a wall used to display: the name, address, logo, or other identifying symbol of the individual, family, business, institution, service, or organization occupying the premises; the profession of the occupant; the name of the building on which the sign is attached; or directory information in group developments or buildings with multiple tenants.



Example of an Identification Sign

### Standards

1. Only one identification sign is allowed per building.
2. Identification signs may not exceed 4 square feet per tenant or 24 square feet whichever is less.
3. Identification signs may not exceed 6 feet in height.

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## 17.7 Design and Dimensional Requirements for Permanent Signs Requiring a Permit

### 17.7-1 Requirements for signs extending over pedestrian and vehicular travel areas.

Signs extending over pedestrian and vehicular travel areas shall maintain a minimum clear distance between the ground and any portion of the sign and its associated support structure of nine and 14 feet respectively.

### 17.7-2 Permanent sign requirements.

The following tables and text provide the design and dimensional requirements for permanent signs that require a permit. Requirements include area, number, type of illumination, and letter height for both attached and freestanding signs. Setback and height requirements are established for freestanding signs and detailed design requirements are provided for monument and pole signs. Additionally:

- Only one general attached sign (blade, V-type, or flat) is allowed per street or parking frontage.
- Only one monument or pole freestanding sign is allowed per street frontage.
- Height of freestanding signs shall be measured from the elevation of the ground at the point of contact with the sign provided that the grade of the site is not artificially altered to increase the allowable height of the sign. For sloping sites, the applicable point of contact shall be the point having the highest elevation.
- The following permanent special purpose signs are allowed in addition to general attached and freestanding signs under the limitations provided in the following tables and elsewhere in this Article.
  - Window.
  - Directional.
  - Directory.
  - Awning.
  - Canopy.

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- Community identification.
- Time and temperature signs are allowed as either attached or freestanding signs provided they are incorporated into the general or attached signage allowed for a nonresidential property, no more than one such sign is allowed per property, the message is limited to time and temperature information and changes no more frequently than once every five seconds, and the area of the time and temperature sign does not exceed 16 square feet. The square footage allowance constitutes an area bonus in addition to the maximum allowable area for the applicable sign type.
- Changeable copy signs are allowed as either attached or freestanding signs provided they are incorporated into the general or attached signage allowed. For example, the changeable copy area shall be calculated as a part of the overall cumulative sign area and shall be a part of the overall sign and may not exceed 50% of the overall signage square footage. Freestanding changeable copy signs are not permitted as a single cabinet but must be incorporated into the sign as a whole. In addition, the following standards shall apply:
  - Changeable copy signs shall only be permitted in nonresidential zoned districts.
  - Signs shall not change more frequently than once every 4 hours for manually changing signs and once every 5 seconds for digitally changing signs.
  - Digital signs must be off between 10pm and 7am daily (automatic timers are required) and must not exceed a 33% maximum white/bright factor (ex – no more than 1/3 of the sign copy shall use bright or white colors). If the digital sign is located within 200 ft. of a residentially zoned property, then the sign must not exceed a 10% maximum white/bright factor.
  - Digital signs may not exceed a maximum illumination of 1 foot-candle above ambient lighting conditions, as measured from the nearest property line or street right-of-way to the sign's face at maximum brightness. Each sign must be equipped with automatic dimming technology that adjusts the display's brightness based on ambient light conditions and automatic shutoff equipment when the sign is malfunctioning.
  - Transitions must be made from one image to the next in one second or less. Fading, flashing, scrolling, spinning or other animated effects may not be used as part of the transition.
  - No sequential messages are allowed. Each message displayed must be complete in themselves, without continuation in content to the next message or to any other sign.



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Sign Type	Example	Sign Area Allowance (sq ft)	Max. Sign Height	Sign Illumination	Min. Letter Size	Max. Number	Minimum Setback from Property	Other Requirements
Blade (or Projecting)		32	-	Ambient, External, Internal	6"	One per street or parking frontage per occupancy	-	Only one sign (blade, V-type, or flat sign) allowed per occupancy per street or parking frontage
V-Type		32	-	Ambient, External, Internal	6"	One per street or parking frontage per occupancy	-	One sq. ft. of signage for each sq. ft. of occupancy frontage up to the maximum allowed  Internally-illuminated signs – not more than 50% of sign face can be illuminated
Flat (or wall)		32	-	Ambient, External, Internal	6"	One per street or parking frontage per occupancy	-	No attached signage above second story.  Wall signs may exceed the 32sf requirements up to a maximum of 5% of the wall façade size (sq. footage)
Window		8	8	Ambient	-	One per each 100 sq ft of display or window area or fraction thereof	-	A maximum allowance of three signs per street or parking frontage per occupancy
Awning		6	6	Ambient	4"	One per street or parking frontage per awning	-	Not more than two awning signs per occupancy per street or parking frontage
Canopy		16	16	Ambient, Internal	6"	One per Canopy*	-	Properties fronting on more than one street may have one canopy sign per street entrance
Monument		48	8	Ambient, External, Internal	6"	One per street frontage having access to the site	5'	Monument signs shall comply with the design requirements of Section <a href="#">17.7-3</a> .

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Sign Type	Example	Sign Area Allowance (sq ft)	Max. Sign Height	Sign Illumination	Min. Letter Size	Max. Number	Minimum Setback from Property	Other Requirements
Pole		32	10	Ambient, External, Internal	6"	One per street frontage having access to the site	10'	Pole signs shall comply with the design requirements of Section <a href="#">17.7-4</a> .
Directory		16	6	Ambient, External, Internal	4"	One per street frontage having access to the site	25'	Only allowed for sites with multiple buildings  Shall not be displayed so as to be prominently visible from off-site locations

\*May encroach into adjoining street right-of-way pursuant to an encroachment agreement.

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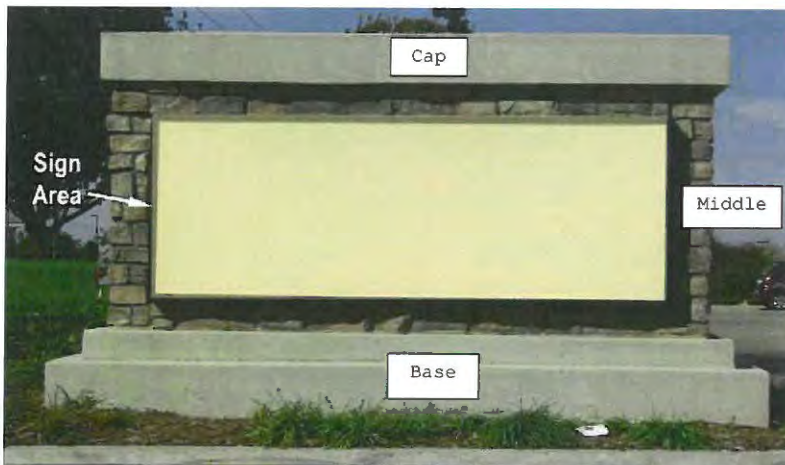
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17.7-3 Monument sign design requirements.

Monument signs are intended to serve a wider range of aesthetic and architectural purposes than pole signs. Consequently, the following design requirements are established for monument signs.

(A) General design requirements and sign area measurement for monument signs. As in traditional building design, monument signs shall be designed to include a base, middle, and cap. The following illustration shows a monument sign having these architectural characteristics, as well as how sign area is to be measured on a monument sign.

**Monument Sign Design Elements**



(B) Sign structure materials. In general, monument sign structures should be constructed of \_\_\_ materials that are similar to or complementary to the principal building(s) on the \_\_\_ premises where they are located. Only the following materials or combination of materials shall be used in monument sign structure construction;

- Brick, painted or unfinished
- Wood, or wood synthetic
- Concrete or stucco
- Natural stone or manufactured stone having a natural appearance
- Metal
- Glass

\_\_\_ Sign copy materials. Sign copy materials for monument signs shall include the sign \_\_\_ structure materials listed above. For internally illuminated monument sign copy, acrylic \_\_\_ may be utilized, provided not more than 50% of the sign face is illuminated.

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17.7-4 Pole sign design requirements.

The following design requirements are established for pole signs.

(A) General design requirements. Pole signs in Jamestown have traditionally been supported by two posts or suspended from a single post as shown in the following illustrations. Pole signs shall use one of these two forms of design.

**Examples of Allowable Types of Pole Signs**



(B) Materials. In general, pole signs should use materials that complement the principal building(s) on the premises where they are located. Only the following materials or combination of materials shall be used in monument sign structure construction;

- Wood, or wood synthetic
- Metal
- Brick, painted or unfinished
- Concrete or stucco
- Natural stone or manufactured stone having a natural appearance

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**17.8 Temporary Signs**

The following tables provide the design, dimensional, and time of display requirements for temporary signs. Additionally: Nonconforming temporary signs shall not be grandfathered (see section 17.12 of this Article).

17.8-1 Requirements for temporary signs that require a permit.

The temporary signs listed in the following table require a permit and shall comply with the indicated zoning location and other requirements. All such signs, with the exception of searchlights, shall be illuminated solely by ambient light sources.

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Temporary Sign Type	Allowable Zoning Districts	Requirements
Banners	All Commercial and Mixed-Use Districts	Up to 60 square feet of banner materials may be attached to an occupancy space. Pennant-style temporary flags or banners are not permitted in any zoning district. Display time limit: 21 days, four times per calendar year with a 60-day separation between permits. Properties on which a religious institution, educational institution, or other civic organization are situated may display banners up to six times per year, provided that a minimum separation of one week is provided between displays.
Grand Opening		Up to 60 square feet of banner materials may be attached to an occupancy space. Display time limit: 21 days; Such signage may be placed beginning within 30 days from the receipt of an occupancy permit or start of Town utility services.
Special Event Signs		One tethered balloon or searchlight to be located on-premises and displayed for not more than three consecutive days once per calendar year. Tethered balloons and searchlights shall conform to all applicable FAA regulations.  Joint special event signage for three or more <u>businesses</u> may be approved by the Planning Director <u>or their designee</u> for special events. Such events shall not exceed seven days in duration or a cumulative total of 60 days per calendar year per occupancy with a 14-day minimum separation between permits. Event participants shall submit an application which outlines the types of signage desired and where such signage is proposed to be located. The Planning Director <u>or their designee</u> may meet with applicants on-site to determine acceptable locations for signage placement. Signage shall not exceed 60 sq. ft. per occupancy; however, accent balloons may also be displayed, with a maximum number of 12 balloons per occupancy.

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**17.9 Signs Located in Local Historic Districts**

Regardless of the other dimensional provisions of this Article, signs that are located in local historic districts shall be governed by the applicable design guidelines and review processes established for the local historic district.

**17.10 Master Sign Plan**

Regardless of the other provisions of this Article, the Town Council may, at its sole discretion, approve a master sign plan for specified areas of Town or for certain development projects listed in this section. The approved master sign plan may include signs of different sizes, types, locations, placement and height from those otherwise enumerated in this Article.

17.10-1 Purpose.

The purpose behind this section is to permit creativity in sign design and placement to address site issues and constraints associated with topography, pedestrian-orientation, way-finding and other conditions unique to the subject development or area of Town.

17.10-2 Application.

Master sign plans may be submitted for the following types of developments;

- (A) Traditional Neighborhood Development projects,
- (B) Commercial, institutional, industrial, or mixed-use developments containing three or more acres in area.
- (C) Areas of Town that are governed by a corridor plan or area plan that includes sign guidelines.

17.10-3 Submittal process.

Master sign plan applications may be submitted for consideration at the time of original submittal of the proposed development or separately from the original development proposal. The following information or material shall be required for a signage plan application and shall be indicated on an application form provided by the planning director or their designee.

- (A) Owner and contact name, address, telephone number and signature(s), as applicable.
- (B) A master sign plan proposal illustrating the proposed signs, their proposed location, and their proposed purpose, along with a statement as to why the existing sign code cannot or should not be followed in the subject case.
- (C) An analysis showing how the proposed signage plan differs from what could be provided under the existing sign regulations set forth in this Article.
- (D) Other similar information determined by the planning director or their designee to be necessary for understanding the purpose and intent of the proposed master sign plan application.

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17.10-4 Review procedure.

The planning director or their designee shall schedule the master sign plan for Planning Board and Town Council consideration in accordance with the notice and hearing procedures set forth in Article 5 for zoning map amendments. In reviewing the proposed master sign plan, the Planning Board and Town Council shall take the following matters into consideration.

- (A) The extent to which the proposed master sign plan deviates from the sign allowances otherwise applicable in this Article.
- (B) The rationale provided by the applicant for the deviations.
- (C) The extent to which the master sign plan promotes Town goals associated with community character, way-finding, pedestrian-orientation, and business identification.
- (D) The degree to which the master sign plan creatively and effectively addresses the issues and constraints unique to the site with regard to signage.

The Planning Board shall provide a recommendation to the Town Council whether to deny or approve the proposed master sign plan in part or in total and shall further recommend conditions regarding approval where deemed warranted.

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The Town Council may deny or approve the proposed master sign plan in part or in total and may establish conditions regarding approval. In the event that the master sign plan is denied, the applicant must wait at least 365 days before reapplying for a new master sign plan substantially similar (as defined in Article 3) to the proposed master sign plan.

**17.11 Permitting**

Applications for sign permits and the associated fee schedule may be obtained from the Planning Department. Completed applications, including payment of fees, shall be reviewed for compliance with the requirements of this ordinance and may be approved, approved with conditions, or denied by the Planning Director or their designee.

Signs requiring sign permits under the provisions of this ordinance may also require additional permits, including building permits and electrical permits. It shall be the responsibility of the applicant to obtain all applicable permits.

**17.12 Nonconforming Signs**

Any existing permanent sign which does not comply with one or more of the requirements of this Article shall be grandfathered until such sign is removed, physically altered beyond maintenance (as defined), relocated, damaged or destroyed, after which it shall be brought into compliance with all requirements of this Article. An exception shall be made for signs which must be relocated as the direct result of a governmental action (such as, but not limited to, the acquisition of street right-of-way, eminent domain action, or installation of infrastructure). Such an exception will be subject to review by the Planning Director or their designee, who will work to help property owners bring their signs into compliance. If no reasonable alternative exists, the Planning Director or their designee may allow a sign to be relocated to an acceptable location on the same property. Signs which are permitted to be relocated shall not be altered in such a manner to constitute a change in the sign. Changes in the sign beyond maintenance as

defined shall result in the sign being brought into compliance. Appeals may be made to the Board of Adjustment per the procedure in this Land Development Ordinance.

Nonconforming temporary signs shall not be grandfathered and shall be brought into compliance with all requirements of this Article within 60 days from adoption date.

### 17.13 Abandoned Signs

Signs located on the premises of a building that does not contain an active use or occupancy shall be considered abandoned signs and shall be removed by the owner of the property on which they are located. Failure to remove an abandoned sign shall be considered a violation of this ordinance. In addition, correction of an abandoned sign violation may include removal of the abandoned sign or signs by the Town at the owner's expense after proper notice of the violation and failure to act by the owner within the timeframe established in the notice of violation.

### 17.14 Maintenance

All signs, including exempt signs, shall be maintained in a satisfactory state of repair. This shall include, without limitation, correction of peeling or faded paint, repair or replacement of damaged panels, trimming of vegetation that obscures the sign(s), replacement of defective lighting of illuminated signs, secure attachment to the building for attached signs, and stable vertical alignment of freestanding signs.

### 17.15 Design Guidelines

In addition to the mandatory standards provided above, the following design guidelines for signs are provided in order to promote more attractive and functional design and placement of signs.

- Freestanding signs. Placement of freestanding signs should take into account existing trees and other site landscaping so as to maintain sign visibility. Landscaping around the base of freestanding signs is strongly encouraged to improve the overall appearance and visibility of these sign types as evidenced in the following example.
- Display windows are intended to offer opportunities to display merchandise or services available on the premises. Careful placement of signs in display windows will not obscure the visibility of merchandise or services. Additionally, display windows should not be "papered-over," especially in pedestrian areas.
- General design guidelines. The following general guidelines are provided to guide overall sign design in the Town:
  - Use high quality, durable materials.
  - Minimize the need for sign lighting by placing signs where ambient light sources illuminate the sign. Where separate lighting is necessary, external illumination sources are preferred over internal illumination. All electrical conduit and junction boxes should be concealed.



Example of Landscaping Around the Base of a Monument Sign



Example of Externally Illuminated



Example of Backlit Individual Letters



Example of Confusing Style of Text

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- Backlit, individual letter signs (aka, halo lighting) are encouraged where illumination is needed as illustrated below.
- Avoid elaborate or confusing styles of text as illustrated in the example.
- Attempt to use symbols rather than text; for example, this Norwegian pharmacy sign incorporates a symbol as well as text.
- Use sign styles and designs that complement the architecture of the site where the signs are located. Jamestown is a historic town so using "period" signage is strongly encouraged.



Example of Use of Symbols



Example of "Period" Pole Sign

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Example of a "Period" Pole Sign

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**Mayor**  
Lynn Montgomery

**Interim Town Manager**  
Dave Treme

**Town Attorney**  
Beth Koonce



**Council Members**  
Martha Stafford Wolfe, Mayor Pro Tem  
Rebecca Mann Rayborn  
John Capes  
Lawrence Straughn

## TOWN OF JAMESTOWN AGENDA ITEM

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**ITEM ABSTRACT:** Town Manager's report for October 2021

**AGENDA ITEM #:** VII-A

**CONSENT AGENDA ITEM**

**ACTION ITEM**

**INFORMATION ONLY**

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**MEETING DATE:** November 16, 2021

**ESTIMATED TIME FOR DISCUSSION:** 10 minutes

**DEPARTMENT:** Administration

**CONTACT PERSON:** Dave Treme, Town Manager

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**SUMMARY:**

Attached is the Town Manager's report for October 2021.

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**ATTACHMENTS:** October 2021 Town Manager report

**RECOMMENDATION/ACTION NEEDED:** N/A

**BUDGETARY IMPACT:** N/A

**SUGGESTED MOTION:** N/A

**FOLLOW UP ACTION NEEDED:** NA

Memorandum:

To: Mayor and Council

From: David W. Treme, Interim Town Manager



Subject: monthly Report

Date: November 9, 2021

- The completed plans for the Town of Jamestown's Recreation Maintenance Building are currently under review by the Guilford County Building Inspections Department. The plans were submitted on October 15, 2021.
- I am pleased to report that Jamie Johnson and Johnathan Knight received a "B" Water Certification and Philip Cooper and Tyler Humble were awarded a "C" Water Certification. Congratulations to our outstanding Town employees for improving their value in maintaining the Town's water distribution system.
- Fire Chief Derek Carson will present the results of the Fire Department location impact study to Mayor and Town Council at our November 16, 2021 Town Council meeting. This evaluation was jointly funded by the Pinecroft Sedgefield Fire Department and the Town of Jamestown. This study is a part of the Town of Jamestown's overall strategic growth plan currently underway.
- The Town of Jamestown Planning Board unanimously approved D. R. Horton's zoning application for a Planned Unit Development zoning designation for the former Johnson Farm property on Monday, November 8, 2021. This approval is subject to a completed Development Agreement between D. R. Horton and The Town of Jamestown.
- Just a note that I will be introducing the Town's Interim Town Clerk, a Recreation Grounds Keeper I, a Golf Maintenance Grounds Keeper I, a Golf Maintenance Grounds Keeper II who are already on the job and the Town's new Accounting Specialist who will be joining the Town on November 29, 2021. During 2021, the Town has filled 12 full time and Interim positions. Congratulation to Phil Mikles, on his announced retirement on January 1, 2022 after 20 years of service to the Town. I know that all of you will want to honor Phil at a retirement party planned for December. We will keep you posted on the date, time and location once plans have been completed.