

TOWN OF DALLAS
MINUTES FOR BOARD OF ALDERMEN MEETING
MARCH 10, 2020
6:00 PM

The following elected officials were present: Mayor Richard Coleman, Mayor Pro-Tem Jerry Cearley, Alderman Allen Huggins, Alderwoman Stacey Walker Thomas, Alderman E. Hoyle Withers Jr., and Alderwoman V. Darlene Morrow.

The following staff members were present: Maria Stroupe, Town Manager; Da'Sha Leach, Town Clerk; Tom Hunn, Town Attorney; Allen Scott, Police Chief; Jonathan Newton, Finance Director; Allen Scott, Police Chief; Doug Huffman, Electric Director; Garrett Lowery, Recreation Director; Bill Trudnak, Public Works Director and Earl Withers III, Fire Chief.

Mayor Coleman called the meeting to order at 6:00 pm. He opened with the Invocation and the Pledge of Allegiance to the Flag followed. He welcomed everyone to the meeting and read the meeting rules for the audience. He asked if there were any additions or deletions to amend the agenda, noting that there would be a need to add a Closed Session to the agenda. Alderwoman Morrow made a motion to approve the agenda with the Closed Session added, seconded by Alderwoman Thomas, and carried unanimously.

Alderwoman Thomas made a motion to approve the minutes from February 11th, 2020 Regular Meeting and February 25th, 2020 Work Session Meeting, seconded by Alderman Cearley, and carried unanimously.

Recognition of Citizens:

Carr School's ***Student of the Month (February)*** per Grade presented by the principal **Dr. Duncan:**

Kindergarten – Anita South	First Grade – Ivey Thomas	Second Grade – Stella Moss
Third Grade – Iyanna Flores	Fourth Grade – Jaysi'on London	Fifth Grade – Valeria Romero Martias

All of the students were presented with a certificate. Everyone applauded to congratulate them on the accomplishment.

Dr. Duncan invited All Board Members, and Town Management on March 25th Leadership Day 9:00 am.

Jim Bailey was not present to discuss Alcohol Sales on Sunday. (Exhibit A)

Trinity Barnes, 641 Summey Farm Dr., She discussed her rescued goat as being an emotional support animal for her. She requested to be allowed to keep her goat (currently considered a farm animal-not allowed per ordinance), read a letter of support from a neighbor, and she stated she has a petition of support from members of the neighborhood. (Exhibit B)

Curtis Wilson, 438 S. Gaston St., He prayed over the Community.

Consent Agenda:

Item 5A Sponsorship for "Casting for a Cause" (Exhibit C)

Alderman Cearley made a motion to approve, seconded by Alderwoman Morrow, and carried unanimously.

Public Hearings:

Item 6A was a Public Hearing on Text Amendments. Alderwoman Thomas made a motion to enter the public hearing, seconded by Alderman Cearley, and carried unanimously. Autumn Parker of CL Parker Gardens and Bob Clayton of An American Woodshop have jointly applied for a petition for text amendment to the Town's Permitted Uses Chart. Autumn Parker is requesting that "garden shop" be added as a permitted use by right "X" to the chart and allowed within the B-3 zone. The Planning Board recommended the revision. Bob Clayton is requesting a revision to the allowable zones for "manufacturing, servicing, processing, assembling and fabricating wood and wood products" to allow the use to be permitted by right "X" within the B-3 zone. The Planning Board voted to recommend a revision to the Permitted Uses Chart that would allow this use as "C" conditional (not permitted by right), and also recommended changing this to a conditional approval within the I-2 zone where it is currently allowable by right. This would require anyone seeking this use in either location to apply for conditional zoning approval, and allow the Town to evaluate each application based on its location and specific plans before making a decision. Staff concurs with the Planning Board's recommendation of the garden shop in B-3 being permitted by right, and their recommendation of conditional approval of wood product manufacturing in B-3, but does not foresee any adverse conditions associated this use being permitted by right within an I-2 General Industrial zone as is currently allowed. After discussion with the Board, the Mayor asked if any audience member had any questions or comments. There were not any questions or comments from the audience. Alderman Cearley made a motion to exit the public hearing, seconded by Alderwoman Morrow, and carried unanimously. Alderman Huggins made a motion to approve both as presented, seconded by Alderman Cearley, and carried unanimously. (Exhibit D) The Garden Shop is approved by right and it is ready to go. The Wood-working Shop needs to apply for Conditions.

Old Business: NONE

New Business:

Item 8A was a Proclamation for the Withers Family. For several generations, numerous members of the Withers Family have been active in the Rescue Squad and community, beginning with Earl H. Withers, Sr. as a co-founding member of the Dallas Rescue Squad. This Proclamation was read to everyone by Mayor Coleman. Alderman Cearley made a motion to approve as presented, seconded by Alderwoman Thomas and carried unanimously. (Exhibit E) The family members present were asked to stand for recognition and the audience applauded.

Item 8B was a Special Events Request-Gaston County Museum Easter Egg Hunt. The Gaston County Museum requested use of the Court Square on Saturday, April 4th for their Annual Easter Egg Hunt. The event will begin at 1:00 pm with games and the egg hunt, and conclude at 3:30 pm. The Museum requested the following assistance from the Town: 1).A \$500 donation toward eggs and candy, and 2). Closure of West Main St. between N. Holland St. and N. Gaston St. Alderwoman Thomas made a motion to approve as presented, seconded by Alderman Withers, and carried unanimously. (Exhibit F)

Item 8C was a Planning Board Member Appointments. The Planning Board has 3 vacancies: Mr. David Jones moved from Dallas, Mr. Eric Clemmer (ETJ) moved from Dallas, and Mr. John Beaty stepped down from the position. At the Planning Board's February Meeting, the members voted to recommend that Mr. Gene Brown and Mr. Reid Simms, who are currently serving as alternates, be appointed to the Planning Board as permanent seated positions. Staff presented 4 additional applications for consideration and appointment. No applications were received from anyone within the Town's ETJ, and that seat cannot be filled by someone inside municipal limits per our current ordinances. **Continued on the next page.....**

Item 8C continued.....:

Appointed members shall take a Oath of Office per 160A-61, to be filed by the Town Clerk, before serving on the Board. Staff recommended a Planning Board Orientation for all new members, and any existing members who would like to attend. The applicants Tiffany Faro, Thomas William Smith, and Carla Howell were present to answer any questions from the Board before the selection of the appointments. After a brief discussion about the applicants and their experiences, the Board decided to vote. Alderman Huggins made a motion to move Mr. Brown and Mr. Simms to permanent seats and appointing Tiffany Faro & Thomas William Smith as Alternates to the Planning Board/Board of Adjustments, seconded by Alderwoman Morrow and carried unanimously. Tiffany Faro and Thomas William Smith took the Oath of Office for the Planning Board/Board of Adjustments. (Exhibit G)

Item 8D was a Code Enforcement Position. This item was discussed October 8th, February 17th, and February 25th. As growth and development opportunities continue to increase for Dallas, it is becoming increasingly difficult for the Development Services Director to devote the time needed to pursue economic development for the Town, review and accomplish ordinance revisions, and address code enforcement complaints and violations in our Town. In order to maximize the Town's ability to provide code enforcement services, staff proposes to add a Part-Time Code Enforcement Position. The position would fall under the supervision of the Police Department, but would also coordinate with the Development Services Department, Fire Department, and other departments as needed to administer a complete enforcement program. The position would work approximately 20 hours per week on average and would receive, investigate, and enforce Town ordinances in relation to code enforcement violations and complaints. The addition of this position would facilitate the timeframe within which violations could be remediated. A listing of complaints & violations were given to the Board in their agenda packets but there are additional items that are not on the list. Many of the complaints are still waiting to be addressed, while more complaints and violations are received each week. Each violation requires a minimum of three (3) site visits: 1) To verify the initial violation, 2) To follow up after the initial deadline, and 3) To follow up after abatement to confirm compliance. There are approximately 15 new calls per month concerning code enforcement issues. A proposed Job Description for the position, an estimate of costs associated with the funding this position for the remainder of this fiscal year, and a budget amendment to fund the position for the remainder of this fiscal year was given to the Board in their agenda packet. Alderwoman Thomas made a motion to approve as presented, seconded by Alderman Cearley, and carried unanimously. (Exhibit H)

Item 8E was Annexation Request-McCall (3565 Dallas High Shoals Highway). Thomas and Colleen McCall, owners of PID#170097 (3565 Dallas High Shoals Highway), petitioned for annexation into the Town of Dallas for the development of a single family residential subdivision. The parcel is considered contiguous. The parcel is currently located outside of Town of Dallas zoning, but is adjacent to R-10 and R-5 single family residential zones. The 2003 Future Land Use Plan highlights this specific parcel for Neighborhood and Community Business, but adjacent parcels are marked for new residential development. The Planning Board recommended the requested zone of R-5 Single Family Residential. The developer, if successful with this annexation, intends to pursue a development plan to extend beyond this parcel- some of which is already located within Town limits. This application has been determined sufficient. In order to move forward with the request, the Board must schedule a public hearing. Todd Acres of 1019 Dagmen Dr. Charlotte, NC addressed the Board as a representative working with the McCall family requested to change the public hearing date for the May meeting and the McCall family reminded him it should be for June instead of May. Alderwoman Thomas made a motion to set the Public Hearing for June 9th, 2020, seconded by Alderwoman Morrow, and carried unanimously. (Exhibit I)

Item 8F was a discussion on the Annexation Agreement with Gastonia. The current annexation agreement with Gastonia is set to expire in May 2020. The agreement has a term of 10 years. It will need to be determined if there are any changes we would like to make to the agreement, before renewing. This discussion was for the Board to review and prepare for the upcoming work session discussions on this item. (Exhibit J)

Item 8G was a discussion on the Sewer Interconnect Project Update. Project specs for both entities are being reviewed and bid documents prepared. The next step is setting a date for the bids. Although each entity will be bidding their portion of the project separately, the bids will be occurring at the same time. There will be a technical meeting on Thursday.

Manager's Report and General Notices:

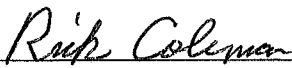
-Manager gave notes on upcoming events.

Closed Session § 143-318.11 (a)

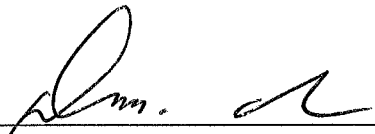
Alderman Cearley made a motion to go into Closed Session to discuss personnel matters and real estate, seconded by Alderman Withers, and carried unanimously. (6:45)

Alderman Withers made a motion to exit the Closed Session, seconded by Alderman Huggins, and carried unanimously. (7:59)
No Action Taken.

Alderwoman Thomas made a motion to adjourn, seconded by Alderman Cearley, and carried unanimously. (8:00)



Rick Coleman, Mayor



Da'Sha Leach, Town Clerk



§ 160A-205.3. Hours of certain alcohol sales.

In accordance with G.S. 18B-1004(c), a city may adopt an ordinance allowing for the sale of malt beverages, unfortified wine, fortified wine, and mixed beverages beginning at 10:00 A.M. on Sunday pursuant to the licensed premises' permit issued under G.S. 18B-1001. (2017-87, s. 4(c).)

Maria Stroupe

From: T Faro <tfaro@dallasnc.net>
Sent: Friday, February 28, 2020 5:44 PM
To: 'Trinity Barnes'
Cc: 'Robbie Walls'; 'Maria Stroupe'
Subject: RE: Animal Ordinance

Good Evening Trinity,

I am copying in Captain Walls, as the police department is responsible for enforcement of our animal ordinances, however, I do not see any exemption currently relating to emotional support animals within the Town's ordinances.

Here is how the ordinances currently read:

§ 90.01 CERTAIN ANIMALS PROHIBITED.

(A) It shall be unlawful for any person, firm or corporation to keep within the corporate limits of the town, any livestock, animals or poultry other than house pets. This prohibition shall be interpreted to include cows, swine, goats, sheep, chickens and turkeys, but this list is not to be deemed all inclusive.

§ 90.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

§ 91.02 NOISES EXPRESSLY PROHIBITED.

(B) Noises expressly prohibited.

(2) The keeping of any animal, including but not limited to dogs, cats and/or birds, which habitually and regularly barks, howls, whines, cries, or mews in an excessive manner (EXCESSIVE to be defined as one or more times per minute, each minute, during any one or more continuous ten-minute period) so as to result in the documented annoyance to neighboring residents and which interferes with the reasonable use and enjoyment of the premises occupied by such residents.

§ 10.99 GENERAL PENALTY.

Any person, firm or corporation violating any of the provisions of any section or division of this code of ordinances for which no other penalty is provided, or failing or neglecting or refusing to comply with same, shall, upon conviction, be guilty of a Class 3 misdemeanor and subject to a fine not to exceed \$50 or imprisonment not to exceed 30 days, and each day that any of the provisions of this code of ordinances are violated shall constitute a separate offense.

You are welcome to petition for a text amendment, and can do so by completing the form below and submitting it to Town Hall with the application fee of \$500. Once this form is submitted, it will be advertised in the paper, and a public hearing can be held at the next Board of Alderman meeting for a decision regarding this proposed change.

Note: Application must be submitted at least 2 weeks prior to a meeting to be added to the upcoming agenda.

Petition for Text Amendment:

<http://dallasnc.net/page/open/826/0/Application%20for%20PETITION%20FOR%20Text%20Amendment.pdf>

I am happy to walk you through the petition for text amendment process if you decide to pursue this route, just let me know.

*Sheriff
Alan Cloninger
Gaston County*



Main # 704-869-6800
Fax # 704-869-6815
P.O. Box 1578
425 Dr. Martin Luther King
Jr. Way
Gastonia, NC 28053

www.gastongov.com/departments/sheriff



Thank you so much for your contribution to the tournament last year! We raised over \$12,000 and gave away over \$20,000 in money and prizes. The only way that we were able to do this is because of all of you and your generous donations.

Once again, the Gaston County Sheriff's Office has partnered with CS Motorsports to host the "3rd Annual Gaston County Sheriff's Office Foundation Bass Fishing Tournament." The tournament will be held on May 09, 2020 at South Point Boat Landing in Belmont, NC. This year and years to follow, all proceeds from the tournament will go to the Gaston County Sheriff's Office Foundation benefitting non-profit organizations within Gaston County. The foundation will distribute to organizations such as Gaston County Special Olympics, Webb Street School, The ARC, Boys and Girls Clubs, Cancer Services, etc. Even though the name of the tournament has changed, the success will only continue to grow, but only with your help and support.

We would appreciate it if you would take a moment to consider helping again this year in order to make this fundraiser an even bigger success. Any donation you or your business could make, whether monetary or in products, would be greatly appreciated. Attached are our sponsorship levels and what each level includes. If you have any further questions or would like to know what you or your business contributed in 2019 please send an email to mbecton@gcps.org or call Capt. Monica Becton at the number below.

We look forward to hearing from you!

Thank you,

Capt. Monica Becton
Gaston Co. Sheriff's Office
704-869-6832
mbecton@gcps.org

Capt. Robert Porter
Gaston Co. Sheriff's Office
704-869-6825
rporter@gcps.org

Sgt. Michael Carson
Gaston Co. Sheriff's Office
704-869-6810
mcarson@gcps.org

*Sheriff
Alan Cloninger
Gaston County*



Main # 704-869-6800
Fax # 704-869-6815
P.O. Box 1578
425 Dr. Martin Luther King
Jr. Way
Gastonia, NC 28053

www.gastongov.com/departments/sheriff



3rd Annual GCSO Foundation Bass Fishing Tournament

Sponsorship Levels for the May 09, 2020 Tournament are as follows:

Package #1 \$50-\$99- Thank you letter from the Gaston County Sheriff's Office Foundation.

Package #2 \$100-\$499- Certificate and thank you letter from the Gaston County Sheriff's Office Foundation & a 6 inch Logo on the Sponsorship Banner advertising your business.

Package #3 \$500-\$999- Framed Certificate and thank you letter from the Gaston County Sheriff's Office Foundation & 8 inch Logo on the Sponsorship Banner advertising your business.

Package #4 \$1000-\$2499- Sponsorship plaque a thank you letter from the Gaston Co. Sheriff's Office Foundation & 12 inch Logo on the Sponsorship Banner advertising your business.

Package #5 \$2500-\$6999- Sponsorship plaque a thank you letter from the Gaston Co. Sheriff's Office Foundation & 16 inch Logo on the Sponsorship Banner advertising your business.

Package #6 \$7000+ Sponsorship Plaque a thank you letter from the Gaston Co. Sheriff's Office Foundation & Your Own Personal Sponsorship Banner advertising your business.

Name: _____
Address: _____
Phone Number: _____
Package# _____

Please make checks payable to:
The Gaston Co Sheriff's Office Foundation

Please Send Checks/Products To:
425 Dr. Martin Luther King Jr. Way
Gastonia, NC 28052
Attn: Capt. Monica Becton

If you would like to donate product or a service please list the product/service and cost in the Package #.

Town of Dallas
210 N. Holland Street
Dallas, NC 28034
704-922-3176

Case# _____

Petition for Text Amendment

Name of Applicant Autumn Parker
Address of Applicant 132 N. Gaston St. Dallas, NC 28034
Contract Information: Telephone 704-860-5843 Email abaileefaille@gmail.com

Requested Change(s) to Zoning or Subdivision Ordinance Text _____
Old "garden shop" as permitted use within B-3
zone to Appendix C - Permitted Uses Chart

Specific Section(s) # Requested Change _____

We/I certify that all information provided in this application is accurate to the best of our/my knowledge, information, and belief. Furthermore, by signing this request, we/I agree to pay for advertising costs associated with this petition. We/I understand that this petition must be completed in full and the required fee paid for acceptance.

Autumn Parker
Signature of Applicant

2-26-2020
Date

Fee: \$ 250 plus advertising costs. (joint application - split fee)

OFFICE USE ONLY	
Accepted as complete: <u>2/26/2020</u>	Date _____
Action:	
On <u>10/17/19</u> the Planning Board recommended that this petition be:	Approved <input checked="" type="checkbox"/>
	Denied <input type="checkbox"/>
On _____ the Board of Aldermen held a Public Hearing concerning this request. By vote	
of the Board they:	Approved <input type="checkbox"/> Denied <input type="checkbox"/>

TEXT AMENDMENT CONSISTENCY STATEMENT

The proposed text amendment to Appendix C-Permitted Uses Chart is consistent with the 2003 Land Use Plan's goal to maintain and promote a vibrant and healthy downtown for a variety of retail, commercial, residential, social, cultural, and institutional uses, and is therefore deemed reasonable and in the public's best interest.

Curtis Wilson

10/17/19

Curtis Wilson, Planning Board Chairman

Date

Town of Dallas
210 N. Holland Street
Dallas, NC 28034
704-922-3176

Case# _____

Petition for Text Amendment

Name of Applicant Robert Clayton

Address of Applicant 109 E Trade St Dallas NC

Contract Information: Telephone 704-860-8339 Email BClayton@countrysideTech.com

Requested Change(s) to Zoning or Subdivision Ordinance Text I would like to operate a small woodshop specializing in reclaimed local wood making home decor and interior/ext wood accent wall boards with small retail space

Specific Section(s) # Requested Change _____

We/I certify that all information provided in this application is accurate to the best of our/my knowledge, information, and belief. Furthermore, by signing this request, we/I agree to pay for advertising costs associated with this petition. We/I understand that this petition must be completed in full and the required fee paid for acceptance.

RC
Signature of Applicant

1-31-20
Date

Fee: \$ 500 (split -\$250) plus advertising costs.

OFFICE USE ONLY	
Accepted as complete: <u>2/26/20</u>	Date _____
Action:	
On <u>2/13/20</u> the Planning Board recommended that this petition be:	Approved <input type="checkbox"/> EDITED <input checked="" type="checkbox"/>
	Denied <input type="checkbox"/>
On _____ the Board of Aldermen held a Public Hearing concerning this request. By vote of the Board they:	Approved <input type="checkbox"/> Denied <input type="checkbox"/>

TEXT AMENDMENT CONSISTENCY STATEMENT

The proposed text amendment to Appendix C-Permitted Uses Chart is consistent with the 2003 Land Use Plan's goal to maintain and promote a vibrant and healthy downtown for a variety of retail, commercial, residential, social, cultural, and institutional uses, and is therefore deemed reasonable and in the public's best interest.

Curtis Wilson

2/13/2020

Curtis Wilson, Planning Board Chairman

Date

RE: Conditional approval of "manufacturing-wood products" within B-3 zone, and change to conditional in I-2

PLANNING BOARD RECOMMENDED CHANGES
APPENDIX C: PERMITTED USES CHART

	Residential							Office	Business					Industrial
	R-15	R-12	R-10	R-8	R-6	RM F	RMF-H	O&I-1	BC-1	B-1	B-2	B-3	B-3P	I-2

X: Permitted by right (Supplemental regulations may apply-check town ordinances) C: Conditional (Supplemental regulations may apply-check town ordinances)

Permitted Uses (any use not specified below is eligible to apply for conditional zoning approval)

BUSINESS AND RETAIL

Retail

Adult use/sexually explicit retail									X	X	X			
Antique shops									X			X		
Apparel shops									X			X		
Art/music supply and retail									X	X	X	X	X	
Auction house (indoor)									X	X	X	X	X	X
Auction house (outdoor)										C				C
Bookstores									X	X	X	X	X	
Camera shops									X					
Convenience stores									X	X	X		C	
Department stores									X					
Drugstores									X	X	X		X	X
Dry goods stores									X	X	X	X	X	
Florist shop									X	X	X		X	X
Furniture stores									X	X	X	C	X	X
Garden Shop												X		
Hardware stores									X	X	X		X	X
Household appliance stores									X	X	X		X	
Jewelry stores									X	X	X	X	X	X
Newsstands									X	X	X	X	X	X
Pet shops									X					
Retail stores within mixed use						X	X			C	C		C	
Retail stores- other									X	X	X	C	C	X
Second hand precious metal business									X	X	X	X	X	
Shoe stores									X	X	X	X	X	
Sporting goods stores									X	X	X	X	X	
Tobacco/smoke shops									X					
Toy stores									X	X	X	X	X	
Variety stores									X	X	X			
Wholesale Departments									X	X				X

INDUSTRIAL/MANUFACTURING

Wood and wood products, including furniture-manufacturing, servicing, processing, assembling, and fabricating													C	X C
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Proclamation Recognizing the Withers Family for Contributions to the
Citizens of Dallas Through the Rescue Squad

WHEREAS, the Withers Family has exhibited exemplary community service to the Town of Dallas and its citizens through their involvement with the Dallas Rescue Squad; and,

WHEREAS, Mr. Earl Withers, Sr. was a co-founding member of the Dallas Rescue Squad; and,

WHEREAS, through the dedication and service of members of the Withers Family, lives have been changed and saved, not only in Dallas but throughout Gaston County; and,

WHEREAS, the tradition of public service has permeated the generations of the Withers Family.

NOW, THEREFORE, in honor of the Withers Family, the Town of Dallas, by affirmative vote of its Board of Alderman does hereby officially recognize and honor the following members of the Withers Family for their dedicated service to the Town of Dallas.

Earl H. Withers, Sr.
E. Hoyle Withers, Jr.
Earl H. Withers III
Eric Withers
Gary Withers
Marcia Withers Hovis
Carey Hovis

Charles Withers (Sonny)
Charles Jones
Greg Clemmons
Steve Grahl
Mark Grahl
Brad Smith

Adopted this the 10th day of March, 2020.

Rick Coleman
Rick Coleman, Mayor

Attested by:

Da'Sha Leach

Da'Sha Leach, Town Clerk





**Special Events/
Activities Application**

Town of Dallas
210 North Holland Street
Dallas, NC 28034-1626
(704) 922-3176
Fax: (704) 922-4701

The purpose of this application is to provide information about your event or activity in order for the Town of Dallas to best assist you. Depending on the specific event, a permit application and/or fee(s) from other departments may be required. The applicant is responsible for providing complete and accurate information on the application. The applicant is responsible for notifying the Town of Dallas of any changes. A complete application must be submitted by no later than 5:00 p.m. on the Tuesday preceding the date of the Board meeting at which the event is to be approved, for an event which is to occur no sooner than 14 days following its date of approval.

APPLICATION INFORMATION

Name of Event:	Annual Easter Egg Hunt		
Facility Requested:	Historic Dallas Courthouse Square		
Applicant Name:	Jason Luker, Director		
Organization:	Gaston County Museum of Art and History		
Mailing Address:	131 West Main Street		
City / State / Zip:	Dallas, NC 28034		
Daytime Phone:	704-922-7681	Cell:	
		E-Mail:	jason.luker@gastonnc.com
Description of the Event:	The Gaston County Museum will partner with the Town of Dallas to host the annual Easter Egg Hunt on the Dallas Courthouse Square. GCM will hide more than 4000 eggs from kids ages 10 and under to find. This event attracts between 400 to 800 annually.		
Does the event have a Facebook, Twitter, or other social networking page:	Yes, through Gaston Co. Museum		
If yes, please list URL(s):			
Date (s) Requested for Event:	Saturday, April 4, 2020		
Event Start Time:	1:00pm	Event End Time:	3:30pm
Road Closure Time Begins (if applicable):	12:30pm	Road Closure Time Ends:	3:00pm
Set Up Begins:	9:00am	Set Up Ends:	1:00pm
Preferred Date & Time of Inspection (if required):			
Estimated Attendance:	400 to 800 individuals		
The Event is:	<input type="checkbox"/> Private (by invitation only)	or	<input checked="" type="checkbox"/> Open to General Public
Describe the procedures to be used for selecting vendors and exhibitors for this event: N/A			

Applicant's Signature: [Signature] Date: 3-2-20

A pre-event meeting may be required and will be scheduled to include appropriate staff. The event applicant must attend the meeting.

TENTS / CANOPIES / MEMBRANE STRUCTURES

Will tents/canopies/membrane structures be used for events? (proceed to next section.)		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No (if no)
# of Canopies	<input type="text"/>	(fabric structure that is open without sidewalls on 75% or more of perimeter)	
# of Tents	<input type="text"/>	(fabric structure that is enclosed with sidewalls on more than 25% of perimeter)	
# of Membrane structures	<input type="text"/>	(air supported or air inflated structure)	
Other type of structure (provide description)			

Notes

VOICE / MUSIC AMPLIFICATION

Are there any musical entertainment features related to your event? (proceed to next section.)		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No (if no)
If yes, state the number of stages, number of bands and type of music:			
Number of stages:	<input type="text"/>	Number of Bands:	<input type="text"/>
Type(s) of music: <input type="text"/>			
Will your event use amplified sound:		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, please indicate times:		Start Time: <input type="text"/>	Finish Time: <input type="text"/>
Will sound checks be conducted prior to the event?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, please indicate times:		Start Time: <input type="text"/>	Finish Time: <input type="text"/>

* Must comply with Town of Dallas general entertainment ordinance.

HAZARDOUS MATERIALS

Will the event have any hazardous materials such as propane, butane, gasoline, diesel tanks, helium cylinders or other upright tanks?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.			
Will there be any portable heaters?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Will there be any deep fat fryers?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Will there be any fireworks, lasers, torches, candles or pyrotechnics?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Will generators or electrical power be used?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, provide electrical load data and location of connection. In the case of extraordinary use or hookups, fees may apply.			

RIDES / ATTRACTIONS

Does the event include mechanical rides, or other similar attractions?		<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If yes, company name? <input type="text"/>			
Company address: <input type="text"/>			
List details, if any: <input type="text"/>			
Applicants contracting with amusement ride companies are required to provide the Town of Dallas with a certificate of insurance, naming applicant and the Town of Dallas (if applicable) as additional insured on general liability.			
ALL rides must be inspected and approved by The Department of Labor.			

SERVICES

The Town of Dallas does not provide amenities such as portable washrooms/toilets, sound systems, tables, chairs, tents, canopies or other equipment. The applicant is responsible for arranging and providing services such as event clean up, traffic control, etc.

TRASH CONTAINERS

In order to determine what types of containers best suit the needs of the event, please answer the following questions:

Will the event be serving/selling/distributing beverages? Yes No

If yes, in what containers will they come packaged in?

aluminum cans glass bottles/jars plastic bottles/jugs/jars

How many trash cans are you requesting for trash?

How many recycle carts are you requesting?

Delivery Location?

Date and Time for rollout carts to be emptied?

Date and Time for rollout carts to be picked up?

Applicants are responsible for cleaning and restoring the site after the event. Please pick up all trash including paper, plastic, bottles, cans and event marketing signs. Clean-up fees may be incurred because of an applicant's failure to clean and/or restore the site following the event. If you reasonably believe that no litter will be generated during your event, please state this in your plan.

PUBLIC PROPERTY CLEAN-UP

Contracted personnel or volunteers may be used if indicated below. What is the clean-up plan for the event?

SAFETY AND SECURITY (CHECK ALL TYPES OF SECURITY USED)

Stage Security Event Area Security Road Closure Security

Other

Overnight Security From To

Dates & Times security will be on site:

Security provided by: Number of Security Personnel:

Applicant may be required to hire sworn off-duty Town of Dallas police officers or Sheriff's Department personnel to provide security to insure public safety. The Town of Dallas will determine the number of security personnel required on site.

SITE PLAN

Provide a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets and the surrounding area. The plan should include the following information:

- Location of the event/activity on the property with approximate distances from roads, fire hydrants, existing buildings, etc.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, etc.
- Identify location of all cooking devices and open flames; generators and fuel storage.
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.

VENDORS

A vendor is anyone who is serving, selling, sampling, or displaying food, beverages, merchandise or services

Does the event include food vendors? Yes No

If the event will have food vendors, please check the following that apply:
 Served Sold Catered Prepared Outdoors

Does the event include food concession and/or cooking areas? Yes No

If yes, please list each vendor and specify cooking method (Gas, Electric, Charcoal, Other)
(Use additional sheet if necessary)

Vendor	Cooking Method	Food Item

Food and beverages shall not be sold at an event unless approved and licensed, if necessary by the Gaston County Health Department. Event organizers are responsible for arranging health inspections for their event.

List all other commercial vendors who will be present during the event (serving, selling, sampling, or displaying).

VENDOR NAME	ADDRESS	PHONE NUMBER (S)

EVENT SCHEDULE

Provide a detailed schedule of the event including dates and times for entertainment, activities, hours of event, start time, finish time, etc. If the event requires an extended time frame for set-up, include details with a timeline listing the times and locations where streets or public property will be impacted and when dismantling will be completed.

(Use additional sheet of paper if necessary)

DATE	TIME	ACTION	ADDITIONAL NOTES
4-4-20	9:00am	GC M staff arrive to set up egg hunt	GC M provides materials
4-4-20	12:30pm	Main Street is closed and barricaded	Done by the Town
4-4-20	1:00pm	Easter Egg Hunt Begins on Square	
4-4-20	1:30pm	Easter relay on Main Street Begins	
4-4-20	3:00pm	Program is Over/Road Opens	Done by the Town
4-4-20	3:30pm	Clean Up is concluded	Done by GC M Staff

ROUTE AND TRAFFIC PLAN

<input type="checkbox"/>	PARADE (Includes floats, vehicles, and persons).	<input type="checkbox"/>	BICYCLES
<input type="checkbox"/>	MARCH OR WALK (persons only)	<input type="checkbox"/>	FOOT RACE
<input type="checkbox"/>	VEHICLES ONLY (Includes motorcycles)		
<input checked="" type="checkbox"/>	OTHER (Description: <u>GCM will do relays on Main Street while closed</u>)		
Number of Persons:	<input type="text" value="400"/>	% Children:	<input type="text" value="80"/>
Number of Vehicles:	<input type="text" value="N/A"/>	Vehicle Types:	<input type="text"/>
Number of Animals:	<input type="text" value="N/A"/>	Kinds:	<input type="text"/>
<p>DESCRIBE BELOW THE EVENT ROUTE. IF THERE IS MORE THAN ONE SEGMENT TO AN EVENT, INCLUDE START AND FINISH TIMES FOR EACH SEGMENT. (Example: The "GENERIC AWARENESS RUN" may include a 5k, a 10k, and a Fun Run).</p>			

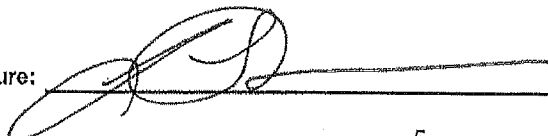
ROAD CLOSURES

If your event involves road closures, a parade, a foot or bike race, any type of procession, or more than one location, attach a Route and Traffic Plan. Include the required information (listed below) and any additional information you believe applies to your event. When planning a moving route, the Dallas Police Dept. is available to assist you.

- NC and US roadways will also require approval from the NCDOT.
- The proposed route to be traveled including the requested starting and termination point. Please also clarify the directions of movement of your event.
- Routing plans for traffic. Illustrate a plan to include roads that you are requesting to be closed to vehicular or other traffic for your event. Include planned arrangements to resolve conflicts with people trying to reach businesses, their own residences, places of worship and public facilities including public transportation.
- Whether the event will occupy all or a portion of the street(s) requested for use.
- Proposed locations for barricades, signs and police/volunteers.
- The provision of twenty foot (20') minimum emergency access lanes throughout the event site.
- White temporary water base paint can be used to mark the route on the street pavement (May be purchased at common hardware stores such as Lowes Home, Home Depot, etc.).

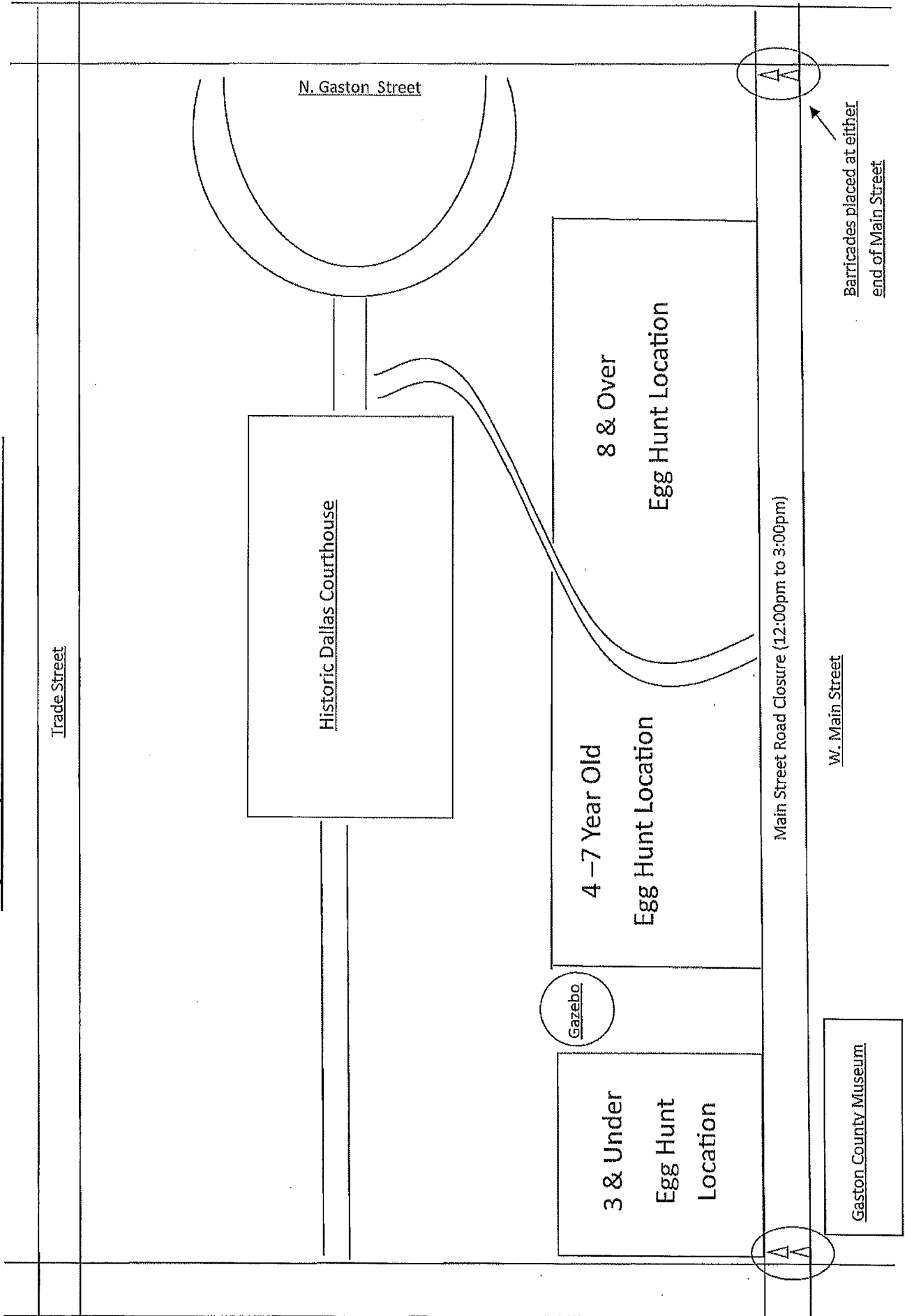
Please Note: All road closure requests will be strictly reviewed by the Town of Dallas. Approval, denial, or modification of all road closure requests are at the sole discretion of the Town of Dallas. The Town has final discretion over your Route and Traffic Plan including, but not limited to the route, placement and number of all barricades, signs, and police/volunteer locations.

DO NOT ASSUME, ADVERTISE, OR PROMOTE YOUR EVENT UNTIL YOU HAVE A SIGNED PERMIT FROM THE TOWN OF DALLAS. CONFLICTS DO ARISE AND CHANGES TO THE REQUEST MAY BE NECESSARY.

Applicant's Signature:  Date: 3-2-20

Easter Egg Hunt

April 4, 2020 Site Plan Sketch





PLANNING BOARD APPLICATION

CONTACT INFORMATION

Mr. Mrs. Ms. Dr. Other: _____

Name Carla M Howell

Address 302 S Oakland St Dallas NC 28034

Email Address carla.howell@cbarverpressley.com

Work phone # 7046160872 home # _____ cell # 7046160872

Live in Municipal Limits Yes ETJ? No number of years 30

Business owner in the city No number of years _____

QUESTIONS

1. Why are you interested in serving on the Planning Board?

Yes 29 years experience in dealing with real estate uses, and have been very experienced in the changes we have seen to our area

2. Do you have special skills, experience or background which would assist you in working on this board? What is your professional and educational background?

Yes 29 years experience in dealing with real estate uses, and have been very experienced in the changes we have seen to our area

3. Does your schedule allow for a monthly evening commitment of 1-2 hours on a consistently scheduled date (currently the 3rd Thursday of each month) for a term of 3 years? Yes

4. Please indicate your preferred availability for Planning Board Orientation:

Weekdays between 8am-5pm Weekday Evenings Saturday

5. How did you hear about this board vacancy? by working with the town of Dallas on other projects in Dallas

Carla M Howell

Digitally signed by Carla M Howell
DN: cn=Carla M Howell, o=CARLA M HOWELL,
ou=CARLA M HOWELL,
#1013carla.howell@cbarverpressley.com, c=US
Date: 2020.02.02 11:42:18 -0500

02/02/2020

Signature

Date

Thank you for your interest in the Town of Dallas and in being considered for the Planning Board. You, along with other applicants, will be considered for any current and future vacancies.



PLANNING BOARD APPLICATION

CONTACT INFORMATION

Mr. Mrs. Ms. Dr. Other: _____

Name Tiffany Faro

Address 237 Summey Barker Drive, Dallas NC 28034

Email Address tiffanylfaro@gmail.com

Work phone # n/a home # n/a cell # 757-755-0282

Live in Municipal Limits Yes ETJ? number of years 3

Business owner in the city No number of years _____

QUESTIONS

1. Why are you interested in serving on the Planning Board?

I am aware of the future growth and development coming our way, and would like to help advocate for preserving our Town's unique character and history, while promoting business growth, increasing accessibility & transportation opportunities, and setting standards for what we want new development to look like in our community.

2. Do you have special skills, experience or background which would assist you in working on this board? What is your professional and educational background?

I formerly served as the Development Services Director for the Town of Dallas, and am still currently employed as a Planner in Gaston County- which allows me to have insight on some of the specific areas of interest to Dallas and its residents as well as a regional perspective on how growth is defining and shaping our County as a whole. I also have an architecture degree and background in community development that could be helpful in setting design standards and advocating for equity in our approach to decision making.

3. Does your schedule allow for a monthly evening commitment of 1-2 hours on a consistently scheduled date (currently the 3rd Thursday of each month) for a term of 3 years? Yes

4. Please indicate your preferred availability for Planning Board Orientation:

Weekdays between 8am-5pm Weekday Evenings Saturday

5. How did you hear about this board vacancy? Former Staff

Digitally signed by Tiffany Faro
DN: cn=Tiffany Faro, o=Town of Dallas,
ou=Development Services Director,
email=tfaro@dallasnc.net, c=US
Date: 2020.02.28 08:55:17 -05'00'

2/28/2020

Signature

Date

Thank you for your interest in the Town of Dallas and in being considered for the Planning Board. You, along with other applicants, will be considered for any current and future vacancies.



PLANNING BOARD APPLICATION

CONTACT INFORMATION

Mr. Mrs. Ms. Dr. Other: _____

Name Donald Arid Kirksey Sr

Address 308 North College Street

Email Address donaldkirksey50@yahoo.com

Work phone # Discontinued home # (302) 977-7076 cell # (704) 854-0631

Resident of the city YES/ NO number of years 57

Business owner in the city YES/ NO number of years _____

QUESTIONS

1. Why are you interested in serving on the Planning Board?
Want to get involved and be of service to my community

2. Do you have special skills, experience or background which would assist you in working on this board? What is your professional and educational background?
11 yrs. on fire dept. High school and some past college courses

3. Does your schedule allow for a monthly evening commitment of 1-2 hours on a consistently scheduled date (currently the 3rd Thursday of each month) for a term of 3 years? YES/NO

4. Are you willing/able to attend a Board Orientation/Training if selected? YES/NO
Preferred availability:
 Weekdays between 8am-5pm Weekday Evenings Saturday

5. How did you hear about this board vacancy? Sign on court house square

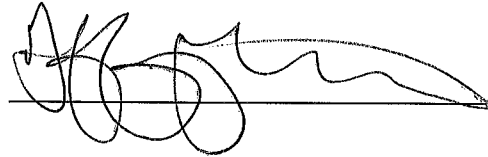
Donald A Kirksey
Signature

6-5-2018
Date

Thank you for your interest in the Town of Dallas and in being considered for the Planning Board. You, along with other applicants, will be considered for any current and future vacancies.

**OATH OF OFFICE
FOR
PLANNING BOARD/BOARD OF ADJUSTMENT**

I, Tiffany FARD, do solemnly swear that I will support and maintain the Constitution and Laws of the United State and the Constitution and Laws of North Carolina not inconsistent therewith, and that I will, in all respect, observe the provisions of the Charter and the Ordinances of the Town of Dallas, and will faithfully discharge the duties of my office as **PLANNING BOARD/BOARD OF ADJUSTMENT MEMBER**, so help me God.



Swore to and subscribed before me,
this 10th day of March, 2020.

Rick Coleman
Rick Coleman, Mayor

Attested: Da'Sha Leach
Da'Sha Leach, Town Clerk



**OATH OF OFFICE
FOR
PLANNING BOARD/BOARD OF ADJUSTMENT**

I, Thomas W. Smith do solemnly swear that I will support and maintain the Constitution and Laws of the United State and the Constitution and Laws of North Carolina not inconsistent therewith, and that I will, in all respect, observe the provisions of the Charter and the Ordinances of the Town of Dallas, and will faithfully discharge the duties of my office as **PLANNING BOARD/BOARD OF ADJUSTMENT MEMBER**, so help me God.

Thomas W. Smith

Swore to and subscribed before me,
this 10th day of March, 2020.

Rick Coleman
Rick Coleman, Mayor

Attested: Da'Sha Leach
Da'Sha Leach, Town Clerk



**TOWN OF DALLAS PLANNING AND ZONING BOARD/BOARD OF ADJUSTMENTS
MEMBER LIST (as amended on 3/11/20)**

**REGULAR MEETING DATE IS THE
THIRD THURSDAY OF EACH MONTH, 6:30 PM, FIRE DEPARTMENT MEETING ROOM**

<u>NAME</u>	<u>APPOINTED</u>	<u>EXPIRES</u>
Curtis Wilson, Chair 438 S. Gaston Street Dallas, NC 28034 (H) 704-922-4343 (W) 704-922-7173 (C) 980-522-0080 curtiskwilson@charter.net	December 2019	December 2022
Glenn Bratton, Co-Chair 405 S. Rhyne Street Dallas, NC 28034 704-524-4058 glenn_bratton@yahoo.com	October 2017	October 2020
John O'Daly 318 Holstein Drive Dallas, NC 28034 704-460-6047 jcodaly@gmail.com	June 2019	June 2022
Tim Farris 810 Park Rd. Dallas, NC 28034 704-922-2933 (H) 704-718-9603 (C) tmfarris@bellsouth.net	July 2018	June 2021
Reid Simms 503 N. Holland Street Dallas, NC 28034 704-922-8514 Deannasimms42@charter.net	October 2017	October 2020
Gene Brown 510 E. Church St. Dallas, NC 28034 704-906-5009 Whitneythree28@gmail.com	July 2018	June 2021
Tiffany Faro (Alternate #1) 237 Summey Barker Dr. Dallas, NC 28034 757-755-0282 tiffanylfaro@gmail.com	March 2020	February 2023
Thomas William Smith (Alternate #2) 507 McSwain Dr. Dallas, NC 28034 828-620-0862 spyder1950@charter.net	March 2020	February 2023

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Code Enforcement Position

AGENDA ITEM NO. 8D

MEETING DATE: 03/10/2020

BACKGROUND INFORMATION:

This item was last discussed at the October 8th Board of Aldermen meeting and was not approved at that time. The item came up again in discussion at the February 17th Strategic Planning meeting and Staff was asked to bring the discussion back to the Board for reconsideration at the February 25th Work Session.

As growth and development opportunities continue to increase for Dallas, it is becoming increasingly difficult for the Development Services Director to devote the time needed to pursue economic development for the Town, review and accomplish ordinance revisions, and address code enforcement complaints and violations in our Town.

In order to maximize the Town's ability to provide code enforcement services, we are proposing to add a Part-Time Code Enforcement Position. This position would fall under the supervision of the Police Department, but would also coordinate with the Development Services Department, Fire Department, and other departments as needed to administer a complete enforcement program. The position would work approximately 20 hours per week on average and would receive, investigate, and enforce Town ordinances in relation to code enforcement violations and complaints. The addition of this position would facilitate the timeframe within which violations could be remediated.

Attached is a current listing of complaints and violations received by the Development Services Director. Many of these are still waiting to be addressed, while more complaints and violations are received each week. Each violation requires a minimum of three (3) site visits: 1) To verify the initial violation, 2) To follow up after the initial deadline, and 3) To follow up after abatement to confirm compliance. There are approximately 15 new calls per month concerning code enforcement issues.

Also attached is a proposed Job Description for the position, an estimate of costs associated with the funding this position for the remainder of this fiscal year, and a budget amendment to fund the position for the remainder of this fiscal year.

MANAGER RECOMMENDATION: Approve a Part-Time Code Enforcement position to work within the Police Department, as presented and to approve the accompanying budget amendment to fund the position for the remainder this fiscal year.

BOARD ACTION TAKEN:

TYPE	Property Address	Description	Violation #	Status	
1	MINIMUM HOUSING	512 E Robinson	150.63 (A) Every abandoned structure within the town shall be deemed in violation when the structure constitutes a hazard to health, safety or welfare due to insects or rodents; fire hazards; dangerous conditions; and/or use by vagrants.	In Progress- BOARDED BUT STILL VACANT	
2	MINIMUM HOUSING	607 W Main St	150.63 (A) Every abandoned structure within the town shall be deemed in violation when the structure constitutes a hazard to health, safety or welfare due to insects or rodents; fire hazards; dangerous conditions; and/or use by vagrants.	In Progress- COORDINATING WITH CHURCH, FD CAN BURN FOR FREE	
3	MINIMUM HOUSING	504 W Main St	Certificate of compliance. No person shall occupy or allow another to occupy, or hold out for intended use for human habitation any building, dwelling unit or rooming unit designed or intended to be used for the purpose of human habitation which does not comply with the standards of this Code and for which a valid certificate of compliance has not been issued.	Investigated- not yet started	
4	MINIMUM HOUSING	308 dallas stanley	150.43 (F) (1) Every foundation wall, exterior wall and exterior roof shall be substantially weather-tight, water-tight and rodent-proof; Every exterior wall shall be protected with paint or other protective covering to prevent the entrance or penetration of moisture or the weather.	Investigated- not yet started	
5	MINIMUM HOUSING	311 N COLLEGE	150.43 (F) (1) Every foundation wall, exterior wall and exterior roof shall be substantially weather-tight, water-tight and rodent-proof; Every exterior wall shall be protected with paint or other protective covering to prevent the entrance or penetration of moisture or the weather.	150.22 (A)- Zoning permit required. No alteration, remodeling, repair, enclosure, or construction of any building or structure (including fences) shall take place until an application and plans are submitted for review and approval in the form of a zoning permit by the town's Development Services Director.	Investigated- not yet started
6	MINIMUM HOUSING	312 S Holland	150.43 (A) Certificate of compliance. No person shall occupy or allow another to occupy, or hold out for intended use for human habitation any building, dwelling unit or rooming unit designed or intended to be used for the purpose of human habitation which does not comply with the standards of this Code and for which a valid certificate of compliance has not been issued.	Investigated- not yet started	
7	MINIMUM HOUSING	511 E PEACHTREE	ABANDONED STRUCTURE- BOARDED	Investigated- not yet started	
8	MINIMUM HOUSING	517 E PEACHTREE	ABANDONED STRUCTURE- BOARDED	Investigated- not yet started	
9	MINIMUM HOUSING	427 S College St	150.43 (C) (3) All fixtures, receptacles, equipment and wiring should be maintained in a state of good repair, safe, capable of being used and installed in accordance with the electric code adopted by the town.	150.43 (D) Minimum standards for heating. Every building, dwelling unit and rooming unit shall have facilities for providing heat so as to heat each dwelling unit with minimum temperature of 70°F measured at a point three feet above the floor during ordinary minimum winter conditions, and shall be installed in accordance with the Building Code adopted by the town and shall be maintained in a safe and good working condition.	Investigated- not yet started
10	NUISANCE- HEALTH MINIMUM HOUSING	308 S HOLLAND ST	150.43 (A) Certificate of compliance. No person shall occupy or allow another to occupy, or hold out for intended use for human habitation any building, dwelling unit or rooming unit designed or intended to be used for the purpose of human habitation which does not comply with the standards of this Code and for which a valid certificate of compliance has not been issued.	Noxious weeds and other rank vegetation; any growth of weeds or grass or other vegetation to a height greater than 12 inches; or any accumulation of dead weeds, grass or brush	Investigated- not yet started
11	NUISANCE- CARS	302 Ingle	93.06 (B) It shall be unlawful to have more than one junked motor vehicle, as defined herein, on the premises of public or private property. Single, permitted junked motor vehicle must strictly comply with the location and concealment requirements by this section.		In Progress- Violation sent
12	NUISANCE- CARS	100 Guernsey Ct	93.06 (B) It shall be unlawful to have more than one junked motor vehicle, as defined herein, on the premises of public or private property. Single, permitted junked motor vehicle must strictly comply with the location and concealment requirements by this section. One junked motor vehicle, in its entirety, can be located in the rear yard if the junked motor vehicle is entirely concealed from public view from a public street and from abutting premises by an acceptable covering.	Unpermitted Use- Possible Automotive Repair business	Investigated- not yet started. Staff spoke with property owner and documented to track vehicles on premises.

13	NUISANCE- CARS	2009 Red Leaf Ct	<p>93.06 (B) It shall be unlawful to have more than one junked motor vehicle, as defined herein, on the premises of public or private property. Single, permitted junked motor vehicle must strictly comply with the location and concealment requirements by this section.</p> <p>One junked motor vehicle, in its entirety, can be located in the rear yard if the junked motor vehicle is entirely concealed from public view from a public street and from abutting premises by an acceptable covering.</p>		Investigated- not yet started
14	NUISANCE- CARS	308 W Main St	<p>93.06 (B) It shall be unlawful to have more than one junked motor vehicle, as defined herein, on the premises of public or private property. Single, permitted junked motor vehicle must strictly comply with the location and concealment requirements by this section.</p>		Investigated- not yet started
15	NUISANCE- CARS	311 S HOLLAND ST	<p>93.06 (B) It shall be unlawful to have more than one junked motor vehicle, as defined herein, on the premises of public or private property. Single, permitted junked motor vehicle must strictly comply with the location and concealment requirements by this section.</p> <p>One junked motor vehicle, in its entirety, can be located in the rear yard if the junked motor vehicle is entirely concealed from public view from a public street and from abutting premises by an acceptable covering.</p>		Investigated- not yet started
16	NUISANCE- CARS	502 N HILL ST	<p>93.06 (B) It shall be unlawful to have more than one junked motor vehicle, as defined herein, on the premises of public or private property. Single, permitted junked motor vehicle must strictly comply with the location and concealment requirements by this section.</p> <p>One junked motor vehicle, in its entirety, can be located in the rear yard if the junked motor vehicle is entirely concealed from public view from a public street and from abutting premises by an acceptable covering.</p>		Investigated- not yet started
17	NUISANCE- CARS	608 NORTH ST	<p>93.06 (B) It shall be unlawful to have more than one junked motor vehicle, as defined herein, on the premises of public or private property. Single, permitted junked motor vehicle must strictly comply with the location and concealment requirements by this section.</p> <p>One junked motor vehicle, in its entirety, can be located in the rear yard if the junked motor vehicle is entirely concealed from public view from a public street and from abutting premises by an acceptable covering.</p>		Investigated- not yet started
18	NUISANCE- GENERAL	502 N Poplar	<p>Accumulation of rubbish, trash or junk causing or threatening to cause a fire hazard, or causing or threatening to cause accumulation of stagnant water or the inhabitation thereof by rats, mice, snakes or noxious insects.</p>		Investigated- not yet started
19	NUISANCE- HEALTH	414 S Maple St	<p>92.01 (A) 1- Noxious weeds and other rank vegetation; any growth of weeds or grass or other vegetation to a height greater than 12 inches; or any accumulation of dead weeds, grass or brush</p>	<p>92.01 (A) 4- Accessory building or structure that has become so dilapidated or deteriorated so as to constitute a public nuisance</p>	Investigated- not yet started
20	NUISANCE- HEALTH	510 N Poplar	<p>92.01 (A) 4- Accessory building or structure that has become so dilapidated or deteriorated so as to constitute a public nuisance .</p>		Investigated- not yet started

21	NUISANCE- HEALTH ZONING	202 W GIBBS ST	153.016 (E) Maintenance required. All fences and walls shall be kept in good repair, with construction, maintenance, replacement and reconstruction occurring as needed. A fence will be considered dilapidated when, by reason of inadequate maintenance, obsolescence or abandonment, it is deteriorated or decayed, or has bent or broken supports and panels and no longer adequately serves the purpose for which it was originally intended. If vegetative screening is included with the fence/wall, vegetation and shrubs must be trimmed and maintained.	92.01 (A) 5-All fences , retaining walls or similar structures that are not firmly anchored to the ground, maintained in good structural condition and free of deterioration. Deteriorated features shall be repaired, replaced or completely removed. Grass, weeds and other vegetation around the fences shall be maintained in compliance with division (A)(1).	Investigated- not yet started
22	NUISANCE-GENERAL	305 N Davis	91.10 (A) The use of carports, open porches, decks, open garages and other outdoor areas that are visible to streets or other public areas as a storage or collection place for boxes, appliances, furniture (but not including typical outdoor or yard furniture), tools, equipment, junk, garbage, old, worn out, broken or discarded machinery and equipment, cans, containers, cardboard containers, household goods or any similar condition that increases the likelihood of a fire; may conceal dangerous conditions, may be a breeding place or habitat for mice, rats or other pests; or create an unattractive condition or visually blighted property		Investigated- not yet started
23	NUISANCE-GENERAL	506 E Poplar	91.10 (A) The use of carports, open porches, decks, open garages and other outdoor areas that are visible to streets or other public areas as a storage or collection place for boxes, appliances, furniture (but not including typical outdoor or yard furniture), tools, equipment, junk, garbage, old, worn out, broken or discarded machinery and equipment, cans, containers, cardboard containers, household goods or any similar condition that increases the likelihood of a fire; may conceal dangerous conditions, may be a breeding place or habitat for mice, rats or other pests; or create an unattractive condition or visually blighted property	92.01 (A) 3- Accumulation of rubbish, trash or junk causing or threatening to cause a fire hazard, or causing or threatening to cause accumulation of stagnant water or the inhabitation thereof by rats, mice, snakes or noxious insects.	Investigated- not yet started
24	NUISANCE-GENERAL NUISANCE- HEALTH	410 N COLLEGE ST	91.10 (A) The use of carports, open porches, decks, open garages and other outdoor areas that are visible to streets or other public areas as a storage or collection place for boxes, appliances, furniture (but not including typical outdoor or yard furniture), tools, equipment, junk, garbage, old, worn out, broken or discarded machinery and equipment, cans, containers, cardboard containers, household goods or any similar condition that increases the likelihood of a fire; may conceal dangerous conditions, may be a breeding place or habitat for mice, rats or other pests; or create an unattractive condition or visually blighted property	92.01 (A) 3- Accumulation of rubbish, trash or junk causing or threatening to cause a fire hazard, or causing or threatening to cause accumulation of stagnant water or the inhabitation thereof by rats, mice, snakes or noxious insects.	In Progress- active Notice of Violation
25	NUISANCE-GENERAL NUISANCE- HEALTH	301 Lay St	91.09 (A) The use of carports, open porches, decks, open garages and other outdoor areas that are visible to streets or other public areas as a storage or collection place for boxes, appliances, furniture (but not including typical outdoor or yard furniture), tools, equipment, junk, garbage, old, worn out, broken or discarded machinery and equipment, cans, containers, cardboard containers, household goods or any similar condition that increases the likelihood of a fire; may conceal dangerous conditions, may be a breeding place or habitat for mice, rats or other pests; or create an unattractive condition or visually blighted property	92.01 (A) 3- Accumulation of rubbish, trash or junk causing or threatening to cause a fire hazard, or causing or threatening to cause accumulation of stagnant water or the inhabitation thereof by rats, mice, snakes or noxious insects.	In Progress- active Notice of Violation
26	NUISANCE-GENERAL NUISANCE- HEALTH	431 S Rhyne St	Accumulation of rubbish, trash or junk causing or threatening to cause a fire hazard, or causing or threatening to cause accumulation of stagnant water or the inhabitation thereof by rats, mice, snakes or noxious insects.	noisy dogs outside	Investigated- not yet started
27	ZONING	109 E Trade St	unpermitted use- wood product manufacturing		In Progress- Business Owner pursuing text amendment
28	ZONING	507 E Poplar	Accessory building or structure that has become so dilapidated or deteriorated so as to constitute a public nuisance		Investigated- not yet started
29	PUBLIC WORKS ZONING	612 E TRADE ST	51.04 (A) Every site upon which one or more dumpsters are to be placed shall be located and constructed so as to facilitate collection and minimize any harmful effect on persons occupying the development site, neighboring properties or public rights-of-way.	51.04 (B) (1) All dumpsters shall be screened where, in the absence of screening, they would be clearly visible at dumpster level to Persons located within any dwelling unit on residential property other than that where the dumpster is located	Investigated- not yet started
30	ZONING	112 N SUMMEY ST	§ 153.003 (A) No building or land shall be used or occupied and no building or part thereof shall be erected, moved or altered except in conformity with the regulations herein for the zone in which it is located. Use: Commercial/vehicle storage lot in an R-8	§ 153.060 The outdoor storage of any motor vehicles or used appliances shall be screened from the public street and from any adjoining lots by a chain link fence at least five feet in height, and by a row of hedge or other natural planting of comparable opacity.	Investigated- not yet started

CODE ENFORCEMENT OFFICER – PART-TIME

General Statement of Duties

Performs responsible work in the enforcement of zoning and other Town ordinances.

Distinguishing Features of the Class

An employee in this class is responsible for carrying out a consistent program of enforcement of various Town codes within the Town limits, and the ETJ where appropriate. The employee responds to and investigates issues concerning zoning or public nuisance-types, as well as following up on potential problems discovered during regular patrolling of the community. Initiative and collaborative conflict resolution is required in ensuring property owners, residents, and business owners comply with regulations. Duties are performed under the supervision of the Police Department and are evaluated through observation, reports, and feedback from the public.

Duties and Responsibilities

Essential Duties and Tasks

Tracks and responds to complaints regarding zoning, nuisance, or minimum housing violations.

Conducts code enforcement operations within the Town to identify and address zoning, nuisance, and minimum housing code violations.

Interprets the Town's ordinances and regulations to individuals.

Conducts the necessary research into various matters and coordinates activities with other departments, as applicable.

Issues violations, notices, warnings, and citations.

Coordinates abatement actions as needed and verifies work is complete.

Creates and processes invoices and/or liens related to code enforcement activities.

Serves as a Town Representative at Town Board meetings and/or court proceedings as needed

Removes illegal signs from rights-of-way.

Works with other Town employees, including those within Development Services and Fire Department, to further identify problem/blighted areas and affect a complete enforcement strategy.

Assists in the development of new policies, procedures, and ordinances as needed.

Additional Job Duties

Performs other duties as required.

Recruitment and Selection Guidelines

Knowledge, Skills, and Abilities

Skills to operate equipment/software/photography devices, typically used within an enforcement environment; including Microsoft Office applications, enforcement/planning software programs, personal computers, tablets, fax machines, and phone systems.

Ability to learn and apply aspects of federal, state, and local laws, regulations, policies, procedures, and standards pertinent to assigned areas of responsibility.

Ability to interpret codes and ordinances and their application to specific situations.

Ability to develop legal citations and warnings.

Ability to prioritize, manage, and organize a variety of enforcement activities.

Ability to work collaboratively to resolve problems and to enforce regulations tactfully and firmly in a consistent manner.

Ability to express ideas effectively in oral and written forms.

Ability to conduct themselves in a professional manner, regardless of the situation.

Ability to establish and maintain effective working relationships with Town and State officials, developers, property owners and the general public.

Ability to perform varied assignments under appropriate degrees of supervision.

Physical Requirements

Must be able to physically perform the basic life operational functions of stooping, kneeling, reaching, standing, walking, climbing stairs, pulling, pushing, lifting, fingering, talking, hearing, and repetitive motions.

Must be able to perform light work exerting up to 20 pounds of force occasionally, and/or up to 10 pounds of force frequently, and/or a negligible amount of force constantly to move objects.

Must possess visual acuity to perform reviews, field inspections; prepare and analyze data and statistics, operate a computer and do extensive reading.

Desirable Education and Experience

Requires graduation from High School and two years of experience in inspections or enforcement; or any equivalent combination of experience and training which provides the required knowledge, skills, and abilities.

Special Requirements

Possession of a valid North Carolina driver's license.

Code Enforcement Position Costs

Updated: 2/18/2020

Hourly Rate	\$ 20.00
Hours Per Pay Period	38.0
Pay Periods	<u>8.0</u>
Total Pay	\$ 6,080.00
FICA/Med	\$ 465.12
Computer	\$ 1,500.00
Work Station	<u>\$ 1,200.00</u>
Projected Total	\$ 9,245.12

**Town of Dallas
Budget Amendment**

Date: March 10, 2020

Action: Police Department

Purpose: To Appropriate Funds for Part-Time Code Enforcement Officer

Number: PD-001

Fund	Dept	Line Item	Item Description	Original Amount	Amended Amount	Difference
10	3999	0000	Fund Balance Appropriated	\$229,049	\$238,294	\$9,245
10	5100	0200	Salaries	\$805,671	\$811,751	\$6,080
10	5100	0250	FICA	\$54,072	\$54,449	\$377
10	5100	0251	Medicare	\$12,646	\$12,734	\$88
10	5100	3400	Equipment	\$10,220	\$11,420	\$1,200
10	5100	3500	Furnishings	\$1,500	\$2,700	\$1,200

Approval Signature
(Town Manager)

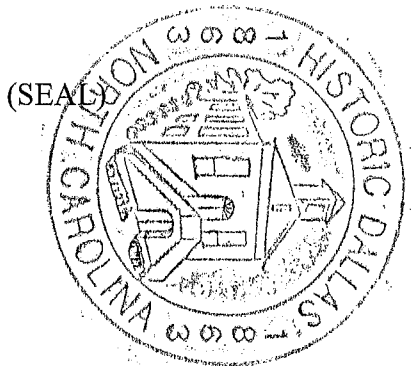
Certificate of Sufficiency

To the Board of Alderman of the Town of Dallas, North Carolina:

I, Da'Sha Leach, Town of Dallas Clerk, do hereby certify that I have investigated the attached petition and hereby make the following findings:

- a. The petition contains an adequate property description of the area proposed for annexation.
- b. The area described in the petition is contiguous to the Town of Dallas' primary corporate limits, as defined by GS 160A-31.
- c. The petition is signed by and includes addresses of all owners of real property lying in the area described therein.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Dallas, this 5th day of March, 2020.



Da'Sha Leach, Town Clerk

TOWN OF DALLAS, NORTH CAROLINA

PETITION FOR ANNEXATION

PETITION NUMBER: _____ Contiguous Non-Contiguous

DATE: 1/30/2020 _____ FEE: \$100.00 *

* Petitioner understands there will be additional costs associated with this petition such as advertising, postage, etc. and agrees to pay these fees upon receipt of invoice(s).

Current Property Use: _____ Residential Single Family Home _____

Planned Property Use: Residential Single Family _____ Requested Zoning: R-5 _____

To the Board of Aldermen of the Town of Dallas:

We, the undersigned owners of real property, respectfully request that the area described as 3565 Dallas High Shoals, DALLAS, NC 28034, further identified as parcel ID # 3548413268 ¹⁷⁰⁰⁹⁷, be annexed to the Town of Dallas.

Name of petitioner/property owner: Colleen T. McCall _____

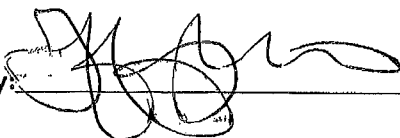
Mailing Address of property owner: P.O. Box 977 Dallas, NC 28034 _____

Email Address: TKMCCALL@GMAIL.COM Phone Number: 704-400-9883 _____

Attachments included with Petition:

1. Legal description (as noted in property deed)
2. Letter outlining reasons for annexation request
3. \$100 Fee

Applicant Signature: Colleen J. McCall Date: 1/31/2020

Received By:  Date: 1/31/2020

\$100 PAID 1/31/2020 JF

January 30, 2020

Town of Dallas

Attn: Tiffany Faro

210 N. Holland Street

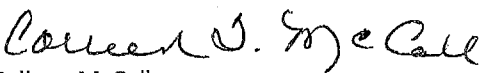
Dallas, NC 28034

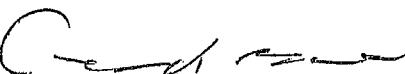
RE: Annexation Petition for Parcel 3548413268

Good afternoon Tiffany,

The adjacent property was recently annexed and rezoning into the Town of Dallas. We would like to potentially include the subject property as part of the overall development and would need to annex and rezone to accomplish this.

Thank you in advance,


Colleen McCall


Thomas McCall

BK 3806 PG 974

EXHIBIT A

BEGINNING at an existing iron pin set on the western margin of the right of way of the High Shoals-Dallas Road (N.C. Highway 155), said iron marking the northeasternmost corner of the property of Yallam; running: thence along a common boundary line with the lands of Yallam, Book 2910, Page 884, South 73 deg. 11 min. 2 sec. West 886.09 feet to an existing iron marking the rear corner of Lot No. 29 and Lot No. 30; running thence along a common boundary with the lands of Finger, Book 1050, page 750, North 35 deg. 59 min. 4 sec. West 200.13 feet to an existing iron pin, a control corner; and running thence along a common boundary with the lands of Summey, 96-E-149, North 73 deg. 17 min. 51 sec. East 885.32 feet to an existing iron pin set on the western margin of the right of way of the High Shoals-Dallas Road; running thence along the western margin of said road right of way South 36 deg. 21 min. 38 sec. East 198.37 feet to the point and place of Beginning, containing 3.82 acres, more or less, according to a plat of survey by Robert T. Kelso, dated August 9, 1999.

Being a portion of Lot 28 and a portion of Lot 29 of the D. D. and L. d. Summey land shown on plat dated July 25, 1940 and recorded in Plat Book 5, page 92, Gaston County Registry.

UNOFFICIAL

92



Found by registration at 11:30 a.m. on the 15 day of May 1940 and recorded and verified in the office of the Register at Charlotte, N.C. by *Richard Johnson* Register

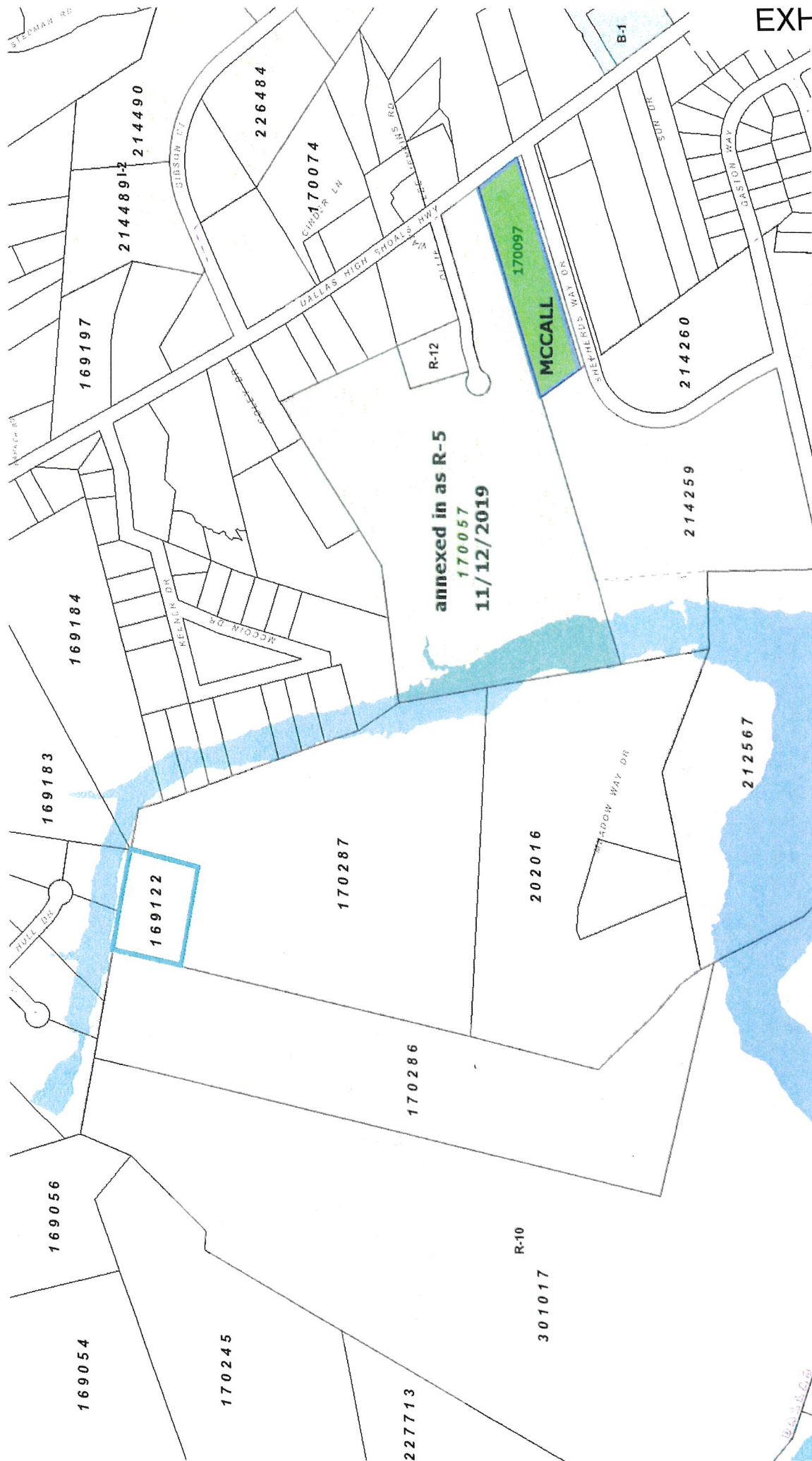
Witnessed by *May Duffham*

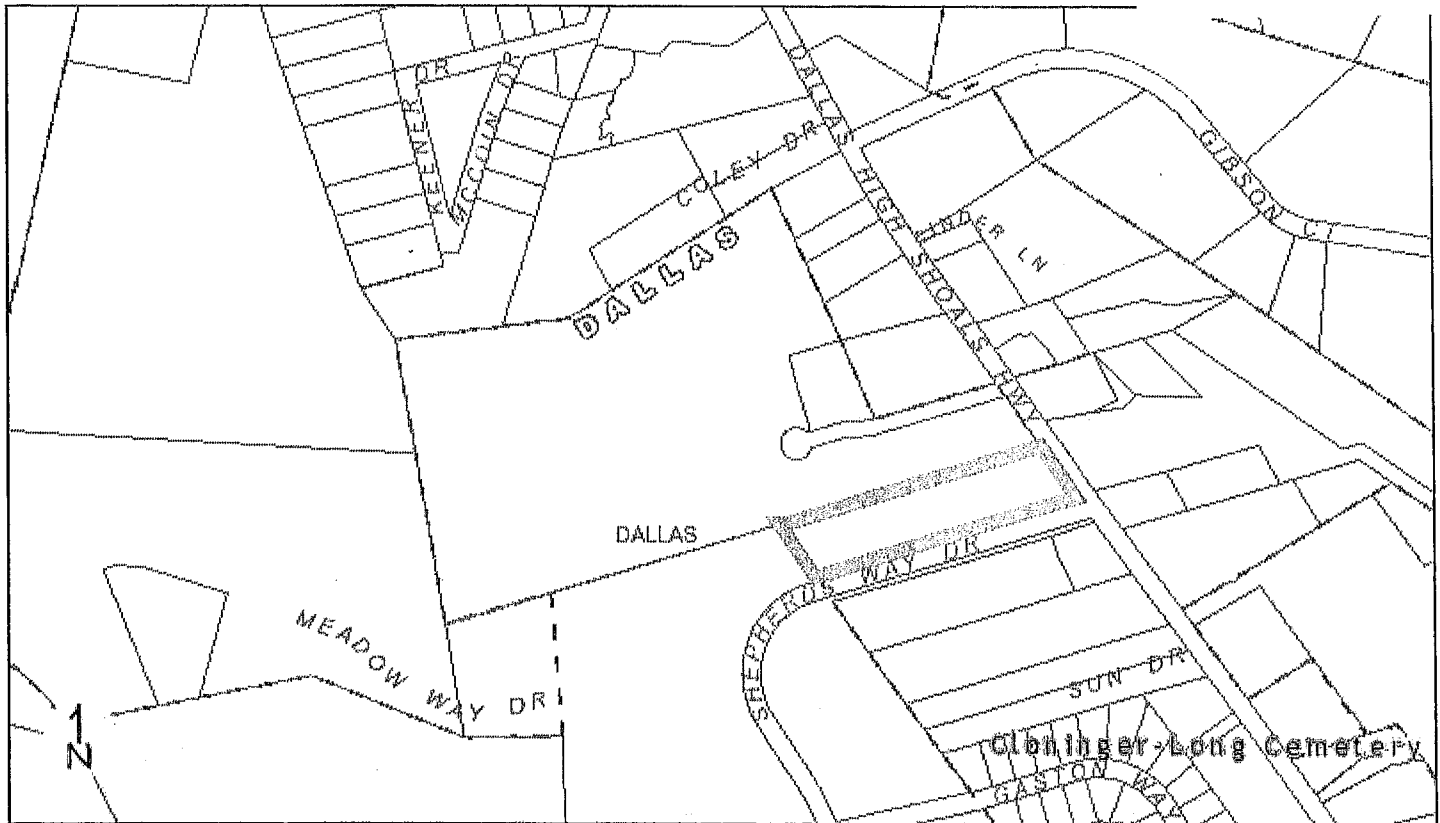
NORTH CAROLINA General County. The signature rectifies of *Richard Johnson* a Notary Public in and for the County of *Mecklenburg* N.C. is authorized to be executed in the instrument with certainties to the effect: Witness my hand this 15th day of May 1940.

D.D. & L.D. SUMMEY Land

North Carolina Eastern County
 D. W. J. R. Steyers, Surveyor, do hereby certify that this survey plot is a true and correct survey of the lands of D.D. & L.D. Summey in Dallas Township, Eastern County, N.C. Surveyed by May Duffham

Witnessed by *Richard Johnson*, Notary Public in and for the County of *Mecklenburg*, N.C. this 15th day of May 1940.





170097 06/17/2014

Primary Property Address

3565 DALLAS HIGH SHOALS HWY

Tax Information

PARCEL #: 170097
 PIN #: 3548413268
 CURRENT OWNERS: MCCALL COLLEEN T
 MAILING ADDRESS: P O BOX 977 , DALLAS, NC 28034-0000
 NBHD #: 2D012
 NBHD NAME: SOUTH CENTRAL DALLAS 2D
 TOWNSHIP: DALLAS TOWNSHIP
 LEGAL DESC: HILLCREST DEVELOPMENT L
 28-29 13 080 029 00 000

Tax Information

DEED BOOK: 3806 PAGE: 0973
 DEED RECORDING DATE: 8/25/2003
 SALES AMOUNT: \$0
 PLAT BOOK: PAGE:
 STRUCTURE TYPE: CONVENTIONAL
 YEAR BUILT: 1930
 SQUARE FOOTAGE: 1632
 BASEMENT: NO
 BED: 3 BATH: 1 HALF-BATH: 0
 MULTI-STRUCTURES: NO
 ACREAGE: 3.82
 TAX DISTRICT: AG. CENTER FD
 VOLUNTARY AG DISTRICT: NO
 PROPERTY USE: RESIDENTIAL

Tax Values

MARKET LAND VALUE: \$33,690
 MARKET IMPR. VALUE: \$107,850
 MARKET VALUE: \$141,540
 FARM DISCOUNT: NO
 EXEMPTION: NO
 TAXABLE VALUE: \$141,540

Election Information

PRECINCT NAME: DALLAS I
 POLLING PLACE: TOWN OF DALLAS FIRE DEPARTMENT
 POLLING ADDRESS: 209 W. MAIN STREET
 WARD #:
 CONGRESS REPRESENTATIVE: MEMBER PATRICK MCHENRY
 CONGRESSIONAL DISTRICT: 10
 HOUSE REPRESENTATIVE:
 HOUSE DISTRICT: 108
 SENATOR: SENATOR KATHY HARRINGTON (REP)
 SENATE DISTRICT: 43

Parcel Information

POLICE DISTRICT: GASTON COUNTY
 FIRE DISTRICT: AG CENTER
 FLOOD:
 LOCAL WATERSHED: LONG CREEK
 CENSUS TRACT: 304.02

Disclaimer: The information provided is not to be considered as a legal document or description. The map & parcel data is believed to be accurate, but Gaston County does not guarantee its accuracy. Values shown are as of January 1, 2019. - Document created for printing on 10/8/2018

CONSISTENCY STATEMENT

The proposed annexation of Parcel ID# 170097 into Town limits as R-5 Single Family Residential is technically inconsistent with the 2003 Future Land Use Plan's map designation as neighborhood and community business, however, this petition is deemed reasonable and in the public's best interest as this lot abuts land designated for new residential development, supports an increased demand for housing in light of Dallas' current and anticipated growth, and aligns with the 2003 Land Use Plan's recommendation for new residential to be clustered so as to preserve open space and heighten pedestrian accessibility.

Curtis Wilson

2/13/2020

Curtis Wilson, Planning Board Chairman

Date

NORTH CAROLINA

ANNEXATION SPHERE OF INFLUENCE AGREEMENT

GASTON COUNTY

This agreement, made and entered into this ____ day of _____, 2010, by and between the Town of Dallas, a North Carolina municipal corporation, hereinafter referred to as "Dallas" and the City of Gastonia, a North Carolina municipal corporation, hereinafter referred to as "Gastonia";

WITNESSETH:

WHEREAS, Dallas and Gastonia desire to enter into an agreement concerning the annexation of areas adjacent to both municipalities in order to facilitate efficient growth and land use planning; and

WHEREAS, Chapter 204 of the 1987 Session Laws of the North Carolina General Assembly, a copy of which is attached hereto as Exhibit A and incorporated herein by reference, authorizes municipalities in Gaston County to enter into such agreements;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

1. **Spheres of Influence.**

- (a) A sphere of influence boundary is hereby established between Gastonia and Dallas, as shown on the map attached hereto as Exhibit B and incorporated herein by reference.
- (b) Any area generally South of the sphere of influence boundary shown on Exhibit B shall be within Gastonia's sphere of influence for purposes of future annexations. Any area generally North of the sphere of influence boundary shown on Exhibit B shall be within Dallas' sphere of influence for purposes of future annexations.
- (c) Dallas shall commence no annexation procedure nor adopt any annexation ordinance the purpose of which is to annex any portion of nor all of that area within the sphere of influence of Gastonia.
- (d) Gastonia shall commence no annexation procedure nor adopt any annexation ordinance the purpose of which is to annex any portion or nor all of that area within the sphere of influence of Dallas.

2. **Term.** The term of this Agreement shall be ten (10) years from the date of execution hereof, which shall be deemed the effective date of this Agreement. It is the intent of both parties that lines of communication shall remain open between the municipalities for discussion of extending this Agreement as it nears expiration.

3. **Existing Utility Customers.** Each respective party shall retain its existing water and sewer customers as of the effective date of this Agreement without regard to which side of the sphere of influence boundary such customers may be located on, and this Agreement shall not effect nor enable the transfer of any water or sewer customer from Dallas to Gastonia or from Gastonia to Dallas.

4. **Notice.** Each party shall give written notice to the other party of any proposed annexation, which is within that party's sphere of influence, at least sixty (60) days prior to the adoption of an annexation ordinance. The notice shall contain a legible map clearly and accurately showing the boundaries of the area to be annexed. Any notice required by this section shall remain in effect for

no more than one hundred eighty (180) days. Notices required under this section shall be sent to the following addresses:

Dallas: Town Clerk
Town of Dallas
210 North Holland Street
Dallas, NC 28034-1625

Gastonia: City Manager
City of Gastonia
P.O. Box 1748
Gastonia, NC 28053-1748

5. **Waiver of Notice.** The party to receive such notice may waive any notice or notice period required by this Agreement. Such waiver must be in writing and must be approved by the governing board of the party waiving the notice.
6. **Amendment.** This Agreement shall be amended only by a written document executed in the same manner as this Agreement.
7. **Integration.** This instrument contains the entire agreement between the parties and no statement, either oral or written, made by either party or the agent of either party that is not contained herein shall be valid or binding.

IN WITNESS WHEREOF, the parties hereto cause this Agreement to be signed by their duly authorized representatives the day and year first above written.

TOWN OF DALLAS

CITY OF GASTONIA

By: _____
Rick Coleman, Mayor

By: _____
Jennifer T. Stultz, Mayor

ATTEST:

ATTEST:

Town Clerk

City Clerk

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Town Attorney

City Attorney

STATE OF NORTH CAROLINA
COUNTY OF GASTON

STATE OF NORTH CAROLINA
COUNTY OF GASTON

I, _____, a Notary Public of the aforesaid County and State, do hereby certify that **Maria Stroupe** personally appeared before me this day and acknowledged that he/she is the Town Clerk of the Town of Dallas and that by authority duly given and as the act of the municipal corporation, the foregoing instrument was signed in its name by its Mayor, sealed with its corporate seal and attested by him/her as its Town Clerk.

I, _____, a Notary Public of the aforesaid County and State, do hereby certify that **Virginia L. Creighton** personally appeared before me this day and acknowledged that she is the City Clerk of the City of Gastonia and that by authority duly given and as the act of the municipal corporation, the foregoing instrument was signed in its name by its Mayor, sealed with its corporate seal and attested by her as its City Clerk.

WITNESS my hand and Notarial Seal, this the _____ day of _____, 20____.

WITNESS my hand and Notarial Seal, this the _____ day of _____, 20____.

Notary Public

Notary Public

My Commission Expires: _____

My Commission Expires: _____



Office of the City Attorney

February 11, 2014

Jim Palenick, Town Manager
Town of Dallas
210 N. Holland St.
Dallas, NC 28034

RE: Amended Annexation Agreement
City of Gastonia / Town of Dallas

Dear Mr. Palenick:

Enclosed please find an executed original Amended Annexation Agreement dated January 30, 2014, between the City of Gastonia and the Town of Dallas.

Please feel free to contact me if you need additional information.

Very truly yours,

A handwritten signature in cursive script that reads "Melissa A. Magee / sg".

Melissa A. Magee
Asst. City Attorney

Encl.

Let4968

NORTH CAROLINA,

AMENDED ANNEXATION AGREEMENT

GASTON COUNTY.

THIS AMENDED AGREEMENT, to be effective as of the 30 day of January, 2014, by and between the CITY OF GASTONIA, a North Carolina municipal corporation, hereinafter referred to as "Gastonia," and the TOWN OF DALLAS, a North Carolina municipal corporation, hereinafter referred to as "Dallas."

WITNESSETH:

WHEREAS, Gastonia and Dallas previously entered into an agreement dated May 11, 2010, concerning the annexation of areas adjacent to both municipalities, in order to facilitate efficient growth and land use planning (the "Agreement"); and

WHEREAS, Chapter 204 of the 1987 Session Laws of the North Carolina General Assembly, a copy of which is attached hereto marked "Exhibit A" and incorporated herein by reference, authorizes municipalities in Gaston County to enter into such agreements; and

WHEREAS, the parties wish to amend the Agreement by changing annexation boundary line as shown on Exhibit B to the Agreement.

NOW, THEREFORE, for and in consideration of the mutual covenants contained herein, Gastonia and Dallas agree as follows:

1. The annexation boundary line as shown on Exhibit B to the Agreement shall be amended as shown in the map attached hereto as "Exhibit B". From and after the date of this amendment, the new annexation boundary line shown on Exhibit B shall determine the spheres of influence of the parties hereto.
2. All other terms and conditions of the Agreement not otherwise amended herein shall remain binding on the parties.

IN WITNESS WHEREOF, Gastonia and Dallas cause this Agreement to be signed by their duly authorized representatives the day and year first above written.



CITY OF GASTONIA

By: 

John D. Bridgeman, Mayor

ATTEST:

Virginia L. Creighton
(Deputy) City Clerk

APPROVED AS TO FORM:

Melissa A. Magee
Attorney

TOWN OF DALLAS

By: Rich Coleman
Mayor

ATTEST:

Maria Stoupe
Town Clerk

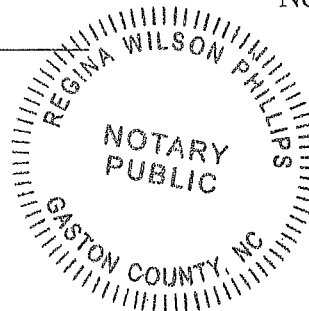
STATE OF NORTH CAROLINA
COUNTY OF GASTON

I, Regina Wilson Phillips, a Notary Public of the aforesaid County and State, do hereby certify that Virginia L. Creighton personally appeared before me this day and acknowledged that she is the ~~(Deputy)~~ City Clerk of the City of Gastonia and that by authority duly given and as the act of the municipal corporation, the foregoing instrument was signed in its name by its Mayor, sealed with its corporate seal and attested by her as its ~~(Deputy)~~ City Clerk.

WITNESS my hand and Notarial Seal, this the 22nd day of January, 2014.

Regina Wilson Phillips
Notary Public

My Commission Expires: 3-11-2018



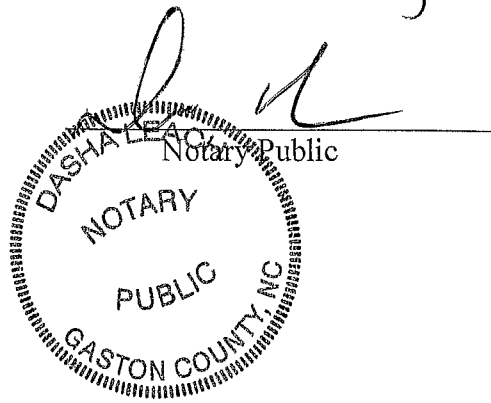
STATE OF NORTH CAROLINA
COUNTY OF GASTON

I, Dasha Leach, a Notary Public of the aforesaid County and State, do hereby certify that Mana Stoupe personally appeared before me this day and acknowledged that he/she is the Town Clerk of the Town of Dallas and that by authority duly given and as the act of the municipal corporation, the foregoing instrument was signed in its name by its Mayor, sealed with its corporate seal and attested by him/her as its Town Clerk.

WITNESS my hand and Notarial Seal, this the 30th day of January, 2014.

My Commission Expires: 12/06/15

Agree1358



CHAPTER 204
SENATE BILL 492

AN ACT TO AUTHORIZE MUNICIPALITIES WITHIN GASTON COUNTY TO
ENTER INTO AGREEMENTS CONCERNING ANNEXATIONS.

The General Assembly of North Carolina enacts:

Section 1. It is the purpose of this act to authorize municipalities to enter into agreements concerning annexation in order to enhance planning by such municipalities as well as residents and property owners in areas adjacent to such municipalities.

Sec. 2. The words defined in this section shall have the meanings indicated when used in this act:

- (1) "Annexation" means any extension of a municipality's corporate limits as authorized by Article 4A of Chapter 160A of the General Statutes, the charter of the municipality, or any local act applicable to the municipality, as such statutory authority exists now or is hereafter amended.
- (2) "Agreement" means any written agreement authorized by this act.
- (3) "Municipality" means any city as defined by G.S. 160A-1.

Sec. 3. Two or more municipalities may enter into agreements with each other in order to designate one or more areas which are not subject to annexation by one or more of the participating municipalities. The agreements shall be of reasonable duration, but not to exceed 30 years, and shall be approved by resolution of the governing board and executed by the mayor of each municipality and spread upon its minutes.

Sec. 4. (a) The agreement shall:

- (1) State the duration of the agreement.
- (2) Describe clearly the area or areas subject to the agreement. The boundaries of such area or areas may be established at such locations as the participating municipalities shall agree. Thereafter, any participating municipality may follow such boundaries in annexing any property, whether or not such boundaries follow roads or natural topographical features.
- (3) Specify one or more participating municipalities which may not annex the area or areas described in the agreement.
- (4) State the effective date of the agreement.
- (5) Require each participating municipality which proposes any annexation to give written notice to the other participating municipality or municipalities of the annexation at least 60 days before

the adoption of any annexation ordinance, provided, however, that the agreement may provide for a waiver of this time period by the notified municipality.

(6) Include any other necessary or proper matter.

(b) The written notice required by subdivision (a)(5) of this section shall describe the area to be annexed by a legible map, clearly and accurately showing the boundaries of the area to be annexed in relation to: the area or areas described pursuant to subdivision (a)(2) of this section, roads, streams and any other prominent geographical features. Such notice shall not be effective for more than 180 days.

Sec. 5. From and after the effective date of the agreement, no participating municipality may consider in any manner the annexation of any area in violation of this act or the agreement. From and after the effective date of the agreement, no participating municipality may annex all or any portion of any area in violation of this act or the agreement.

Sec. 6. Nothing in this act shall be construed to authorize the annexation of any area which is not otherwise subject to annexation under applicable law.

Sec. 7. (a) Each provision of the agreement shall be binding upon the parties thereto. A participating municipality which believes that another participating municipality is violating this act or the agreement may file a petition in the superior court of the county where any of the territory proposed to be annexed is located, seeking review of the action of the municipality alleged to have violated this act or the agreement.

(b) Within five days after the petition is filed with the court, the petitioning municipality shall serve copies of the petition by certified mail, return receipt requested, upon the respondent municipality.

(c) Within 15 days after receipt of the copy of the petition for review, or within such additional time as the court may allow, the respondent municipality shall transmit to the reviewing court:

(1) a transcript of the portions of the municipal journal or minute book in which the procedure for annexation has been set forth;

(2) a copy of any other document received or approved by the respondent municipality's governing board as part of the annexation.

(d) The court shall fix the date for review of the petition so that review shall be expeditious and without unnecessary delays. The review shall be conducted by the court without a jury. The court may hear oral arguments and receive written briefs, and may take evidence intended to show either:

(1) that the provisions of this act were not met; or

(2) that the provisions of the agreement were not met.

(e) Upon a finding that the respondent municipality has not violated this act or the agreement, the court may affirm the action of the respondent municipality without change. Upon a finding that the respondent municipality has violated this act or the agreement, the court may:

(1) Remand to the respondent municipality's governing board any ordinance adopted pursuant to Parts 2 or 3, Article 4A of Chapter

160A of the General Statutes, as the same exists now or is hereafter amended, for amendment of the boundaries, or for such other action as is necessary, to conform to the provisions of this act and the agreement.

- (2) Declare any annexation begun pursuant to any other applicable law to be null and void. If the respondent municipality shall fail to take action in accordance with the court's instructions upon remand under subdivision (e)(1) of this section within three months from receipt of such instructions, the annexation proceeding shall be deemed null and void.

(f) Any participating municipality which is a party to the review proceedings may appeal from the final judgment of the Superior Court under rules of procedure applicable in other civil cases. The appealing party may apply to Superior Court for a stay in its final determination, or a stay of the annexation ordinance, whichever shall be appropriate, pending the outcome of the appeal to the appellate division; provided, that the Superior Court may, with the agreement of the parties, permit annexation to be effective with respect to any part of the area concerning which no appeal is being made and which can be incorporated into the respondent municipality without regard to any part of the area concerning which an appeal is being made.

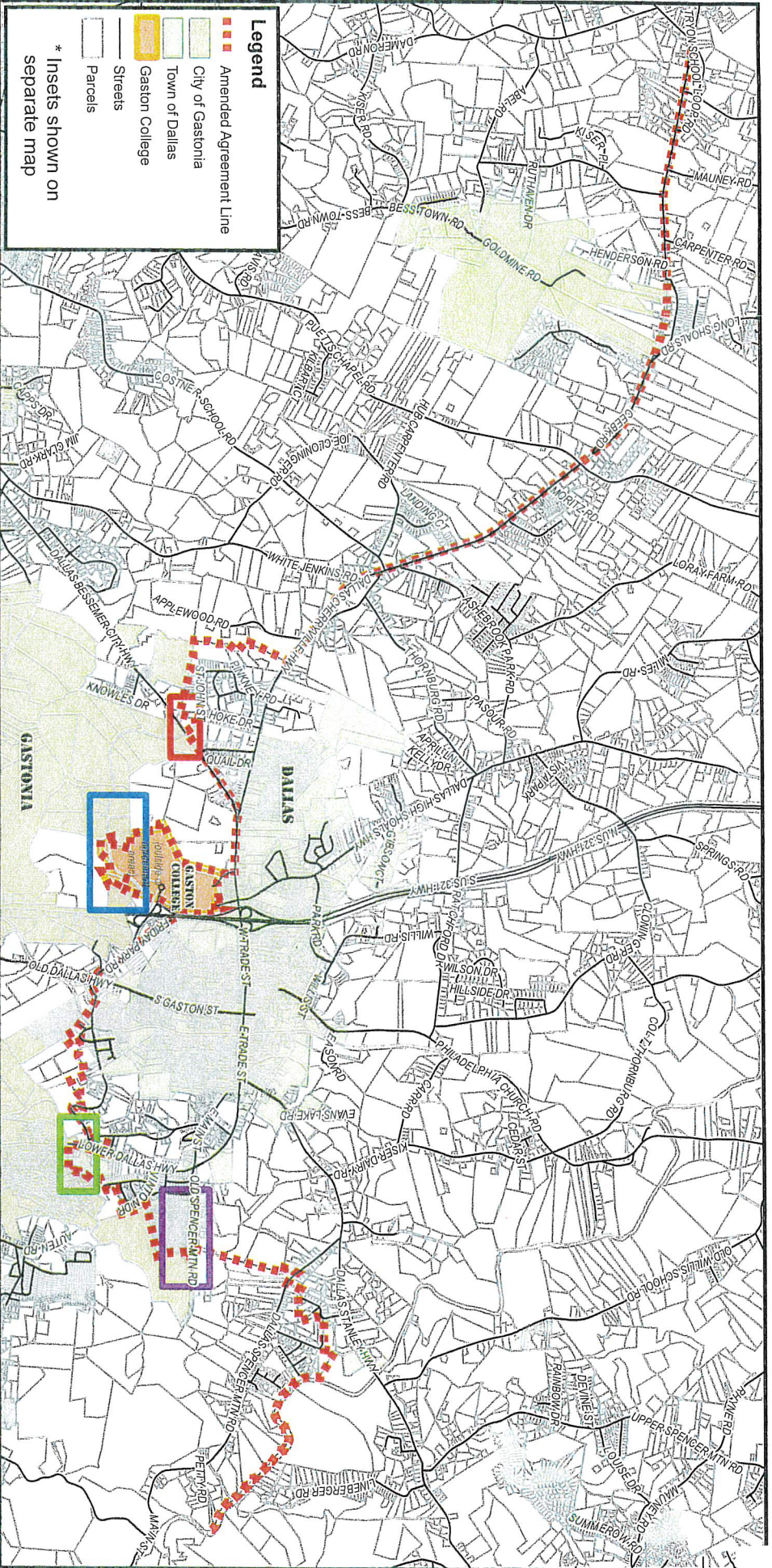
(g) If part or all of the area annexed under the terms of a challenged annexation ordinance is the subject of an appeal to the Superior Court or appellate division on the effective date of the ordinance, then the ordinance shall be deemed amended to make the effective date with respect to such area the date of the final judgment of the Superior Court or appellate division, whichever is appropriate, or the date the respondent municipality's governing board completes action to make the ordinance conform to the court's instructions in the event of remand.

(h) This act does not authorize any court to stay any annexation proceeding, except as specifically set forth in subsections (f) and (g) of this section.

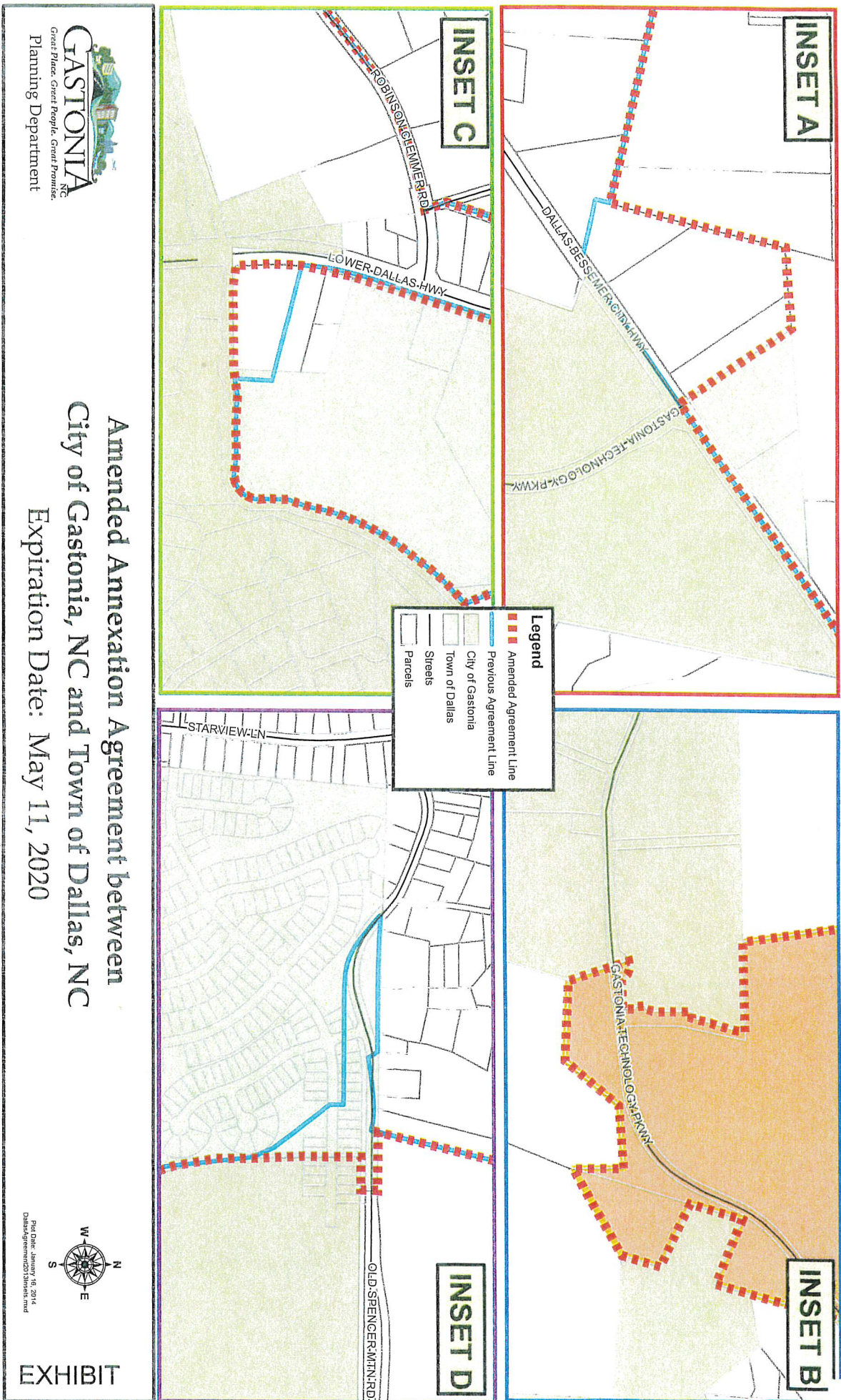
Sec. 8. This act shall apply only to municipalities located wholly or partly in Gaston County.

Sec. 9. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 18th day of May, 1987.



**Amended Annexation Agreement between
City of Gastonia, NC and Town of Dallas, NC
Expiration Date: May 11, 2020**



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