

Town of Dallas
Agenda
July 9, 2019
6:00 PM
BOARD OF ALDERMEN
Rick Coleman, Mayor

Allen Huggins

Darlene Morrow

Stacey Thomas

Jerry Cearley, Mayor Pro-Tem

E. Hoyle Withers

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	A.	
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TOWN OF DALLAS
MINUTES FOR BOARD OF ALDERMEN MEETING
JUNE 11, 2019
6:00 PM

The following elected officials were present: Mayor Coleman, Alderwoman Thomas, Alderman Huggins, Alderman Withers, and Alderwoman Morrow. Alderman Cearley was absent.

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

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.

Mayor Coleman read the meeting rules for the audience. He asked if there were any additions or deletions to amend the agenda. Alderman Huggins made a motion to approve the agenda with changes to moving Item 5A to Recognition of Citizens and the addition of Item 8G Work Session discussion, seconded by Alderman Withers, and carried unanimously.

Alderwoman Thomas made a motion to approve the minutes from May 14th 2019 Regular Meeting, and June 4th 2019 Work Session Meeting, seconded by Alderwoman Morrow, and carried unanimously.

Recognition of Citizens:

Proclamation for Grady Bratton 93RD Birthday. Mr. Bratton was honored by the Board for his accomplishments, and actively being involved in the Dallas Community. He was present to receive his proclamation with his family members. Alderwoman Thomas made a motion to approve, seconded by Alderman Withers, and carried unanimously. (Exhibit A)

Johnny Walters, 510 N. Poplar, He requested for Mayor, Manager, and the Police Chief to schedule an appointment to meet to discuss some concerns.

Mike Fields-1338 Philadelphia Church Rd., He recommended that the Town work towards developing an emergency plan in place in light of the most recent electrical outage. He mentioned the need for people on medical devices that may need a location to access power in the event of power loss like the recent outage.

Robert Kendrick, 408 S. Groves St., He commended the Electrical Department for their service in restoring power during the outage. He recommended a letter to the other agencies that assisted Dallas.

Mr. Curtis Wilson, 438 S. Gaston St., He recognized Mr. Bratton and encouraged him to keep going. He thanked the Town and the Doug's Electrical Department crew for their work. He prayed for the boy lost, the Town, and the leadership.

Consent Agenda:

National Garbage Man Day Proclamation (Exhibit B)

Tobacco & Smoke-Free Board of Health Rule Resolution (Exhibit C)

Resolution Recognizing City of Gastonia for Mutual Aid (Exhibit D)

Resolution Recognizing City of Kings Mountain for Mutual Aid (Exhibit E)

Alderwoman Thomas made a motion to approve the Consent Agenda, seconded by Alderwoman Morrow, and carried unanimously.

Public Hearings:

Item 6A was a Public Hearing for System Development Fees. In July 2017, the North Carolina General Assembly authorized public water and sewer systems to implement system development fees to provide for capital improvements in those systems. These fees must be calculated and prepared by a financial professional or licensed professional engineer. Dallas contracted with Raftelis to complete the analysis required to calculate system development fees for the water and sewer utilities. Implementation of these fees would be assessed for any new development and would be used to improve and expand the water and sewer infrastructure as growth occurs. In the exhibit given, the G.S. 162A Article 8, outlined the development, implementation, and maintenance of system development fees. There Also was a report received from Raftelis containing the calculated system development fees for Dallas. In order to implement these fees, there must be a 45 day public comment period, followed by a public hearing and vote to implement. The public comment section opened on April 25, 2019. No comments have been received. The implementation of these fees are crucial to the future health of the Dallas water/sewer system and treatment plants. Alderman Withers made a motion to go into the Public Hearing, seconded by Alderman Huggins, and carried unanimously. The Town Manager Ms. Stroupe explained the system development fees and the need to prepare for future growth in Dallas. Johnny Denton of Diamond Engineering stated that most Towns have system development fee structures in place. Mayor Coleman asked to audience members if they had any questions, or comments. Some audience member asked where the information was on the website. It was posted by staff Development Services Director Tiffany Faro, verified by staff Ms. Stroupe. Ms. Faro stated it was removed via the expiration date but met the legal requirement. Alderwoman Thomas made a motion to exit the Public Hearing, seconded by Alderman Withers, and carried unanimously. Alderwoman Thomas made a motion to approve the System Development Fee Policy, seconded by Alderman Withers, and carried unanimously. (Exhibit F)

Item 6B was on the Public Hearing for the proposed Budget Ordinance for Fiscal Year 2019-2020, including the proposed fee schedules. An original proposal was submitted to the Board on March 22, 2019 for review at a Budget Work Session held on March 26, 2019. A proposal modified from this work session was submitted to the Board on May 24, 2019 for review at a Budget Work Session held on June 4, 2019. No changes were proposed to the draft budget at the June 4th Work Session. The proposed, the FY 2019-2020 budget for the Town of Dallas would total \$16,933,644, which is composed of the following fund breakdown: (1) General Fund-\$4,235,836, (2) Water & Sewer Fund-\$3,267,024, (3) Electric Fund-\$9,230,405, (4) Stormwater Fund-\$200,379. This budget was based upon an Ad Valorem (property) tax rate of \$0.40 (which reflects no change), no changes to the Water & Sewer rates, no changes to the Electric rates, a pass-through of Coal Ash Remediation Costs to the customer that will be paid to Duke Energy, and a \$1.42 increase in the Stormwater per unit fee. NC General Statute 159-12 requires that the Board hold a public hearing before adopting the budget ordinance so that any persons who wish to be heard on the budget may appear. Alderman Withers made a motion to go into the Public Hearing, seconded by Alderwoman Morrow, and carried unanimously. There were some questions between the Board and Staff to clarify a few items. Mayor Coleman asked to audience members if they had any questions, or comments. Audience member Robert Kendrick had concerns on calls to the county for assistance, and the stormwater increase burdens the senior citizens. He stated he would like to see Dallas look into creating a senior discount and the tax rate to go down to .39 cent. Audience member Mike Fields asked about the calls to the county. The Police Chief Allen Scott responded that there will be several communications to make the transition smooth. Alderman Huggins addressed the stormwater increase, noting improvements made to stormwater projects in Dallas. The increase is to complete more work needed. Mayor Coleman addressed the tax amount, noting that the amount of money Dallas will receive is not much due to a low tax base. The Electrical Director Doug Huffman stated that is was an honor to have the dispatch in Dallas and he appreciated their great service in Dallas. Alderman Withers made a motion to exit the Public Hearing, seconded by Alderwoman Morrow, and carried unanimously. Alderman Withers made a motion to approve the FY2019-20 Budget and Fee Schedule as presented, seconded by Alderwoman Thomas, and carried unanimously. (Exhibit G)

Old Business:

Item 7A was on the Funding Request from Venture Church. At the May 14th Board of Aldermen meeting, the Board discussed a request from Venture Church for funding on behalf of the Boys and Girls Club operating out of the church facility. This item was tabled to the June 11th meeting in an effort to obtain financial and other information concerning the Club. The only financial information available at this time is an accounting of contributions received prior to June 30, 2018. The Boys and Girls Club operates on a July 1 – June 30 fiscal year calendar, therefore more current data will not be available until after August when an audit is performed for the July 1, 2018 – June 30, 2019 fiscal year is conducted. The club submitted information for FY2017-18. Austin Rammell, President of the Board for the Boys and Girls Club of Dallas, NC and Lead Pastor at Venture Church, supplied information that contains some details on the club and plans as they move into the next year. Last year, the Board of Aldermen approved \$5,000 toward the startup of the Boys and Girls Club as the Club would provide care for children attending Carr Elementary School, which is in the Town limits of Dallas. The Boys and Girls Club is now considering offering spots to children from Brookside and Costner Elementary Schools, which is located in Gastonia, in addition to those students from Carr Elementary. Based on NC General Statute §160A-456(a)(2), a municipality is able to expend funds for community development programs *concerned with child care needs of persons of low and moderate income*. Ms. Anna Furr and another staff member of the Boys and Girls Club were present to answer any questions that the Board members may have. She stated that their fiscal year ends on June 30th and they will have an audit completed in August with the results to come approximately in October. After this timeframe, they can release the approved numbers for their fiscal year. The board members had questions to clarify what schools they service, schedule operations, transportation of the children from schools, and other plans. Alderman Withers made a motion to table this item until the audited financials are received, seconded by Alderwoman Morrow, and carried unanimously. (Exhibit H)

New Business:

Item 8A was a presentation on Economic Development Assessment Report. On February 7, 2019, the NC Main Street & Rural Planning Center (MS&RP) conducted an Economic development Assessment for the Town of Dallas. Mr. Jeff Emory presented the report from this assessment that was conducted with the Board members and citizens. The assessment included information on the strengths, weaknesses, opportunities, threats, and recommendations of an action plan for Dallas. Mr. Emory recommended that the Board accept the report. Alderman Withers made a motion to approve, seconded by Alderwoman Thomas, and carried unanimously. (Exhibit I)

Item 8B was a Audit Contract Approval for FY2018-19 Fiscal Year. Lowdermilk Church & Co. have conducted the past five years' audits and have completed the work professionally and in a timely manner. It is the recommendation of Staff to contract with Lowdermilk Church & Co. for the FY2018-19 annual audit. The contract outlines that they will conduct the audit for \$18,600, prepare the annual financial statements for \$4000, and assist with year-end bookkeeping for \$2500; for a combined total of \$25,100 for all services. This reflects NO increase from last year's cost. For comparison, the last audit conducted by Collis and Associates for FY2012-13 cost the Town \$26,500 for the same services. The NC Local Government Commission division of the State Treasurer's Office requires that the Town approve this contract first before submitting to their office for final approval. Alderman Huggins made a motion to approve the Audit Contract, seconded by Alderwoman Morrow, and carried unanimously. (Exhibit J)

Item 8C was the Approval of Retirement Records Audit Contract. The Office of State Auditor has randomly selected a number of employers in the Retirement System for an audit of the retirement data for that entity. The Town is one of the entities that has been selected for an audit. This requires the Town to obtain an independent auditor to perform the audit. Staff has selected Lowdermilk Church & Co. to perform the audit. The exhibit is the contract with Lowdermilk Church & Co. to perform this audit at a cost of \$6,000 and the notification letter received by the Town. Alderwoman Morrow made a motion to approve, seconded by Alderman Withers, and carried unanimously. (Exhibit K)

Item 8D was a Re-Appointment of Mr. John O’Daly Jr. to the Planning Board. Planning Board Member John O’Daly Jr.’s term has now expired, and he is interested in continuing in this role for the Town of Dallas. He has requested to be reappointed to the Planning Board and Board of Adjustment for another term. Mr. O’Daly Jr. has been an engaged member of this Board, and the Development Services Director is in favor of his reappointment. Alderman Withers made a motion to re-appoint Mr. John O’Daly Jr., seconded by Alderwoman Thomas, and carried unanimously. (Exhibit L)

Item 8E was to Approve the Enforcement of State Fire Code Interlocal Agreement. For a number of years, the Gaston County Fire Marshal’s Office has provided fire prevention and life safety inspection services for the Town of Dallas. The written agreement outlines the services that are to be conducted by the Fire Marshal’s Office for Dallas. Under this agreement, the Fire Marshal’s Office provides the following: (1) Plan reviews, (2) Issue required permits, (3) Conduct site inspections, (4) Seek enforcement of codes and ordinances. The cost of this service is, and has been, an annually budgeted item. Due to a restructuring of the Emergency Management Department, the costs for this service are increasing significantly for the FY2019-20 budget year. After much discussion between Staff and Board, there were some questions raised about components of the contracts and how that could negatively impact Dallas. The Board advised Staff to get clarification in writing from the County before moving forward. Alderwoman Thomas made a motion to table until confirmation on contract concerns, seconded by Alderwoman Morrow, and carried unanimously. (Exhibit M)

Item 8F was a CMAQ Project Design Contract. Vaughn & Melton has been selected and approved by NCDOT to provide engineering services for the CMAQ sidewalk project connecting Dallas Park to Gaston College, and extending sidewalks on Dallas-High Shoals Hwy to the Post Office. The cost submitted by Vaughn & Melton for preliminary engineering was \$78,892.12, which falls within the budgeted amount for this project. NCDOT is requesting that the Town approve the draft contract for preliminary engineering and submitted costs – contingent on their final approval. NOTE: Staff has requested NCDOT to expedite their approval if at all possible for our meeting to move this project forward. NCDOT has informed the Town that CMAQ funding may be lost if we do not reach Construction Acquisition by September 15th. Alderwoman Morrow made a motion to approve, seconded by Alderman Huggins, and carried unanimously. (Exhibit N)

Item 8G was a discussion Work Session Cancellation. There was a brief discussion on whether there was a need to have this meeting based on items. Alderwoman Thomas made a motion to cancel the Board Work Session for June 25th,2019, seconded Alderwoman Morrow, and carried unanimously.

Manager’s Report and General Notices:

The Manager gave updates on items in Town.

Alderman Withers made a motion to adjourn, seconded by Alderwoman Morrow, and carried unanimously. **(7:45)**

Rick Coleman, Mayor

Da’Sha Leach, Town Clerk

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Text Amendments- Electronic Variable Messaging Signage

AGENDA ITEM NO. 6A

MEETING DATE: 7/9/2019

BACKGROUND INFORMATION:

The Development Services Director and Planning Board are recommending an update of Sections 153.002 “Definitions” and 153.082 “Flashing, Moving, and Electronic Variable Message (EVM) Signs” to reflect the amendment as included in this packet.

This proposed change expands the ability for this type of signage within Town- something desired by businesses and churches, while regulating the brightness, size, location, message duration, etc.

It distinguishes between 2 different types of EVM signage- Message Center Signs that contain alphanumeric text (gas prices, athletic boards, etc), and Digital Display signs that have a fully customizable and periodically changing message and/or graphic- and outlines differing regulations for both.

The luminance limits of 5,000 and 250 nits were chosen to help ensure that electronic signs are not significantly brighter than non-electronic signs. A luminance of 5,000 nits will result in surface brightness similar to non-digital signs that are illuminated during daylight hours by the sun.

It also requires EVM sign owners to coordinate with the Town to display emergency information important to the travelling public- whenever appropriate.

MANAGER RECOMMENDATION: Approve the text amendment as presented.

BOARD ACTION TAKEN:

TEXT AMENDMENT CONSISTENCY STATEMENT

The Planning Board voted to recommend of APPROVAL to the attached text amendment changes to the Electronic Variable Messaging signage and related text- including sections 153.002 "Definitions" and 153.082 "Flashing, Moving, and Electronic Variable Messaging (EVM) signs" at our June 20, 2019 meeting.

The proposed updates to the EVM signage ordinance are consistent with the 2003 Future Land Use Plan's goal to plan for aesthetically pleasing and pedestrian friendly commercial corridors outside of the downtown area, while ensuring that land uses abutting residential development are compatible with the scale, intensity and overall character of existing and planned neighborhoods. This text amendment is therefore deemed reasonable and in the public's best interest in order to update our ordinances to match current technological advancements and accommodate the needs of our business community, while protecting the overall character and appearance of the Town.

Curtis Wilson

6/28/19

Curtis Wilson, Planning Board Chairman

Date

§ 153.002 DEFINITIONS (add to the existing list)

Sign, Digital Display: The portion of a sign message made up of internally illuminated components capable of changing the message periodically. Digital Displays may include but are not limited to television screens, holographic displays, programmable ink, LCD, LED, or plasma displays.

Sign, Electronic Variable Messaging (EVM): A sign or portion thereof on which the copy or symbols change automatically through electrical or electronic means, including: message center signs, digital displays, and Tri-Vision Boards.

Sign, Flashing: A sign whose artificial illumination is not kept constant in intensity at all times when in use and which exhibits changes in light, color, direction, or animation. This definition does not include electronic message centers signs or digital displays that meet the requirements set forth herein.

Sign, Interactive: An electronic or animated sign that reacts to the behavior or electronic signals of motor vehicle drivers.

Sign, Message Center: A type of illuminated electronic variable messaging sign that consists of electronically changing alphanumeric text often used for gas price display signs and athletic scoreboards.

Nit: A unit of measurement of luminance, or the intensity of visible light, where one nit is equal to one candela per square meter. Nits are used to describe the brightness of computer displays, such as LCD, and CRT monitors.

§ 153.082 FLASHING, MOVING AND ELECTRONIC VARIABLE MESSAGE (EVM) SIGNS

1. Installation of a new electronic variable messaging sign, or the conversion of a permitted non-digital sign to a digital sign, requires the issuance of a zoning permit. The addition of any digital display to a nonconforming sign is prohibited. Zoning permits may be revoked for any illuminated signage installed without first obtaining all required building and electrical permits and inspections from Gaston County.
2. **Location**
 - a. Electronic Variable Messaging signage must be located a minimum distance of 25 feet from any street or highway intersection and a minimum distance of 150 feet from any residential zoned area.
 - b. EVM signage located within the B-3 zone requires approval by the Board of Alderman in addition to the requirements outlined in this section.
 - c. EVM signage shall not be located within a sight distance triangle as defined by NCDOT on properties abutting a state road, or as defined by 153.012 on properties located along local roads.
3. **Appearance**
 - a. *Height:* Message center signs and digital displays shall have the same height limits as other permitted signs of the same type and location.

Proposed Text Revisions

- b. *Size:* Detached Electronic Variable Messaging signage shall not exceed 50 SF in size. Attached EVM signs are restricted to a maximum size of 20% of building facade width x 10', or 60 SF, whichever is less.
 - c. *Brightness:* Message center signs and digital displays are subject to the following brightness limits:
 - i. During daylight hours between sunrise and sunset, luminance shall be no greater than five thousand (5,000) nits.
 - ii. At all other times, luminance shall be no greater than two hundred fifty (250) nits.
 - iii. Each sign must have a light sensing device that will automatically adjust the brightness of the display as the natural ambient light conditions change. To comply with the limits set here within.
4. **Message Duration:** The length of time each message may be displayed on a message center sign, digital display, or Tri-Vision Board sign is based upon the visibility and speed limit unique to individual signs and adjacent road conditions. The following method should be used to calculate message duration for message center signs, digital displays, or Tri-Vision Board signs.
- a. Determine the greatest distance from which the sign becomes visible on the road the sign is primarily intended to serve. If a sign is intended to be seen by more than one roadway, the road with the lower posted speed limit shall be used for determining message duration.
 - b. Multiply the road's posted speed limit (MPH) by 5,280, and then divide by 3,600 to obtain the speed limit in feet/second.
 - c. Divide the visibility distance by the speed limit (feet/second).
 - d. Add an additional ten (10) percent of this number to the total. v. The resulting amount of time is the minimum permitted message duration, except where this value is less than eight (8) seconds in which the minimum message duration shall be no less than eight (8) seconds.
5. **Public Service Announcements:** The owner of every message center sign and digital display shall coordinate with the local authorities to display, when appropriate, emergency information important to the traveling public including, but not limited to Amber Alerts or alerts concerning terrorist attacks or natural disasters. Emergency information messages shall remain in the advertising rotation according to the protocols of the agency that issues the information.
6. **Type-Specific Regulations**
- a. **Digital display signs** are subject to the following regulations in addition to all other requirements established in the Town's sign ordinance.
 - i. *Area:* When used as an on-premises sign, digital displays shall not exceed more than 30% of the total sign area permitted on the site.
 - ii. *Maximum Number per Property:* Where permitted, one (1) digital display sign is permitted per property

iii. *Message Display:*

1. Any Digital Display containing animation, streaming video, or text or images which flash, pulsate, move, or scroll is prohibited. Each complete message must fit on one screen.
2. One message/display may be brighter than another, but each individual message/display must be static in intensity.
3. The content of a digital display must transition by changing instantly, with no transition graphics (e.g., no fade-out or fade-in).
4. Default Design: The sign shall contain a default design which shall freeze the sign message in one position if a malfunction should occur.

b. **Message center signs** are subject to the following regulations, in addition to all other illumination requirements established in the Town's sign ordinance.

- i. *Area:* When used as an on-premises sign, message center signs shall not exceed 50% of the sign area for any one sign, and shall not exceed more than 30% of the total area for all signs permitted on a property.
- ii. *Maximum Number:* Where permitted, one (1) message center sign is permitted per street frontage, up to a maximum of two (2) message center signs per property.
- iii. *Message Display:*
 1. No message center sign may contain text which flashes, pulsates, moves, or scrolls. Each complete message must fit on one screen.
 2. The content of a message center sign must transition by changing instantly (e.g., no fade-out or fade-in).
 3. Default Design: The sign shall contain a default design which shall freeze the sign message in one position if a malfunction should occur.

7. Electrical Standards.

- a. The electrical supply to all exterior signs, whether to the sign itself or to lighting fixtures positioned to illuminate the sign, shall be provided by means of concealed electrical cables. Electrical supply to freestanding signs shall be provided by means of underground cables.
- b. The owner of any illuminated sign shall arrange for a certification showing compliance with the brightness standards set forth herein by an independent contractor and provide the certification documentation to the Town of Dallas as a condition precedent to the issuance of a sign permit.

[Print](#)

Dallas, NC Code of Ordinances

§ 153.082 FLASHING, MOVING AND ELECTRONIC VARIABLE MESSAGE (EVM) SIGNS.

(A) EVM signs shall be permitted only within those zones which are classified as B-2 (Highway Business) and BC-1 (Shopping Center), or, in the case of EVM signs owned by, and located entirely on property of a subdivision of government, within the B-3 (Central Business) Zone, so long as the EVM sign is no closer than 500 feet from any other permitted EVM sign and providing that the government operates such EVM sign in service to the public.

(B) EVM signs shall be located a minimum distance of 25 feet from any street right-of-way within the B-2 (Highway Business) and BC-1 (Shopping Center) zones; and a minimum distance of eight feet from any street right-of-way within the B-3 (Central Business) zone.

(C) EVM signs shall be located a minimum distance of 25 feet from any street or highway intersection and a minimum distance of 150 feet from any residential zoned area.

(D) EVM signs permitted within the B-3 (Central Business) zone as provided herein, may, in addition to providing for public information dissemination and community messaging, allow for "off-premise advertising", but only if the Board of Aldermen have first officially adopted a set of policies, guidelines, and pricing for such advertising which shall be non-discriminatory; reflective of community standards and values; and give defined preference to local and regional goods, products, and services.

(Ord. passed 11-3-1970; Am. Ord. passed 7-3- 1972; Am. Ord. passed 6-12-2012)

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Text Amendments- Housing Code Enforcement

AGENDA ITEM NO. 6B

MEETING DATE: 7/9/2019

BACKGROUND INFORMATION:

The Town of Dallas' current Minimum Housing Code Regulations are defined within Chapter 150 of our Code of Ordinances.

Within that Chapter, section 150.20 currently designates Gaston County Building Inspections as the enforcement agency for these standards.

After speaking with the Gaston County Building Inspections Department, it has been determined that they are only truly authorized to enforce NC Building Code regulations within our limits- not our minimum housing standards. That being said, they are still willing and able to assist as needed with inspections, hearings, court appearances, etc.

The Development Services Director is requesting that the ordinance be updated to authorize the Development Services Department to act as the Town's Housing Inspector. The proposed amendment still lists Gaston County to empower them to assist within their capabilities, but would enable us to be able to pursue enforcement on our own as well in cases where their assistance may not be required or available.

Per 160A-426, municipalities have the authority to make declarations that a structure is unsafe if conditions exist that are especially dangerous to life because of its liability to fire or because of bad condition of walls, overloaded floors, defective construction, decay, unsafe wiring or heating system, inadequate means of egress, or other causes- a copy is included for your review.

MANAGER RECOMMENDATION: Approve the text amendment as presented.

BOARD ACTION TAKEN:

§ 150.20 COUNTY BUILDING INSPECTION DEPARTMENT.

The **Development Services Department** and County Building Inspection Department **are** hereby designated as the enforcement agencies of the town.

(Prior Code, § HA-II-1)

§ 150.36 EXERCISE OF POLICE POWER; FINDING; PURPOSE.

(A) Pursuant to G.S. § 160A-441, it is hereby found and declared by the Board of Aldermen of the Town that there exists in the Town dwellings which are unfit for human habitation due to dilapidation, defects increasing the hazards of fire, accidents and other calamities, lack of ventilation, light and sanitary facilities, and due to other conditions rendering the dwellings unsafe or unsanitary, and dangerous and detrimental to the health, safety and morals, and otherwise inimical to the welfare of the residents of the town.

(B) In order to protect the health, safety and welfare of the residents of the Town as authorized by G.S. § 160A-19-6, it is the purpose of this subchapter to establish minimum standards of occupancy of all buildings used for human habitation as expressly authorized by G.S. § 160A-444, and to provide procedures for the repair, closing and demolition of buildings not conforming to the minimum standards of fitness, as expressly authorized by G.S. § 160A 441.

(C) The Development Services Department and County Building Inspection Department are hereby designated as Housing Inspectors, and are responsible for enforcing the provisions of this ordinance.

a. Any building or structure or part thereof, partially destroyed or otherwise, which is found by the Building Inspector to be in such dilapidated state of disrepair or other substandard conditions as to be dangerous to life, health or other property, or to constitute a fire or safety hazard or public nuisance shall be declared by the Housing Inspector to be unsafe.

b. Such unsafe condition may be caused by defective construction, overloaded structural parts, decay, susceptibility to fire, exits or any other hazardous conditions or circumstances.

c. The Housing Inspector shall have authority, and it shall be his/her duty to declare all such buildings or structures unsafe and to take appropriate action to have such conditions corrected or removed.

d. Such declaration by the Housing Inspector shall constitute an order of condemnation for the purposes of this ordinance.

§ 160A-426. Unsafe buildings condemned in localities.

(a) Residential Building and Nonresidential Building or Structure. - Every building that shall appear to the inspector to be especially dangerous to life because of its liability to fire or because of bad condition of walls, overloaded floors, defective construction, decay, unsafe wiring or heating system, inadequate means of egress, or other causes, shall be held to be unsafe, and the inspector shall affix a notice of the dangerous character of the structure to a conspicuous place on the exterior wall of the building.

(b) Nonresidential Building or Structure. - In addition to the authority granted in subsection (a) of this section, an inspector may declare a nonresidential building or structure within a community development target area to be unsafe if it meets both of the following conditions:

- (1) It appears to the inspector to be vacant or abandoned.
- (2) It appears to the inspector to be in such dilapidated condition as to cause or contribute to blight, disease, vagrancy, fire or safety hazard, to be a danger to children, or to tend to attract persons intent on criminal activities or other activities that would constitute a public nuisance.

(c) If an inspector declares a nonresidential building or structure to be unsafe under subsection (b) of this section, the inspector must affix a notice of the unsafe character of the structure to a conspicuous place on the exterior wall of the building. For the purposes of this section, the term "community development target area" means an area that has characteristics of an urban progress zone under G.S. 143B-437.09, a "nonresidential redevelopment area" under G.S. 160A-503(10), or an area with similar characteristics designated by the city council as being in special need of revitalization for the benefit and welfare of its citizens.

(d) A municipality may expand subsections (b) and (c) of this section to apply to residential buildings by adopting an ordinance. Before adopting such an ordinance, a municipality shall hold a public hearing and shall provide notice of the hearing at least 10 days in advance of the hearing. (1905, c. 50-6, s. 15; Rev., s. 3010; 1915, c. 192, s. 15; C.S., s. 2773; 1929, c. 199, s. 1; 1969, c. 1065, s. 1; 1971, c. 698, s. 1; 2000-164, s. 1; 2001-386, s. 1; 2006-252, s. 2.19; 2009-263, s. 2.)

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Diamond Engineering Invoice

AGENDA ITEM NO. 7A

MEETING DATE: 7/9/2019

BACKGROUND INFORMATION:

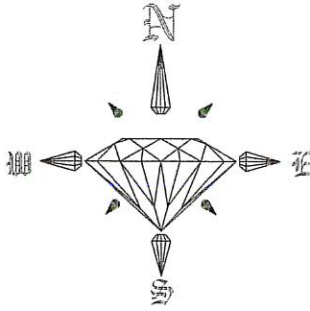
This item was referred from the June 4th Work Session, where it was requested that an itemized invoice and scope of work be presented outlining the work done on this project. Attached is the invoice received from Diamond Engineering. The full work package is available for viewing in the Town Manager's Office.

In February of 2014 there was a meeting at Camp Sertoma Road in regards to the NC DOT road widening project for Dallas Cherryville Highway. In the discussions, it was indicated that the widening would take place on the north side of the highway. Town Staff advised DOT that there was a water line on that side of the highway that would need to be moved. At that time Diamond Engineering was asked begin the design work associated with that move. It was the understanding of Town Staff that the costs incurred would be paid by DOT. In the Fall of 2016, DOT held a project construction meeting where it was discovered that the plans had changed and the widening was now planned for the south side of the highway. At that meeting, Diamond Engineering questioned Mr. Chad Drewery about the engineering that had been performed when the plan was to widen the north side of the highway. Mr. Drewery requested the plans and an invoice be sent to him and he would see about getting it paid. Mr. Trudnak subsequently received a phone call from Mr. Drewery informing him that he could not find anyone that admitted giving the Town permission to start the engineering process and therefore DOT would not be paying the invoice. Further inquiries and discussions have been held to no avail. Diamond Engineering has requested that the Town pay the outstanding invoice for the work that was performed at the Town's request.

Attached is a budget amendment to provide funds to pay Diamond Engineering for the work performed.

MANAGER'S RECOMMENDATION: Although the Town made the engineering request in good faith based upon information from NC DOT and under the assumption that DOT would be covering the costs of the work, the Town bears responsibility for payment, therefore approval for the payment of the invoice and the supporting budget amendment is recommended.

BOARD ACTION TAKEN:



Diamond Engineering, PLLC

Civil Engineering & Land Surveying
 440 Old NC 277 Loop Road
 Dallas, N.C. 28034
 Phone: (704) 922-0024

Date: 7/31/2018

Invoice No. 07312018

To:
 BILL TRUDNAK
 TOWN OF DALLAS
 210 NORTH HOLLAND STREET
 DALLAS, NC 28034

Date	Description of Service	Unit Price	Total
7/31/18	Design of the NC Hwy 279 water line relocation for the NCDOT road widening project. Preparation of plans, specification, and bid documents at the direction of NCDOT. Fee includes all work except for bidding, inspection, and contract administration.	15% of estimated construction cost	\$115,787.50
		Deduct 5% for bidding, inspection, and contract administration	(\$39,262.50)
		Balance Due:	\$76,525.00

A finance charge of 1.5 % per month will be added to all balances 30 days past due.

Town of Dallas
Budget Amendment

Date: July 9, 2019

Action: Water/Sewer Fund Amendment

Purpose: To Appropriate Funds for Engineering Services on Dallas Cherryville Highway

Number: WS-001

Fund	Dept	Line Item	Item Description	Original Amount	Amended Amount	Difference
20	3999	0000	Fund Balance Appropriated	\$77,496	\$154,021	\$76,525
20	8100	0400	Professional Service	\$32,285	\$108,810	\$76,525

Approval Signature
(Town Manager)

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Enforcement of State Fire Codes Agreement

AGENDA ITEM NO. 7B

MEETING DATE: 7/9/2019

BACKGROUND INFORMATION:

This item was tabled from the June 11th meeting. At the June 11th meeting, the Town's Development Services Director and Contracted Town Engineer raised questions concerning the enforcement of Item #4 that could change the current method of approving development plans. The Board tabled the item and asked the Manager to obtain clarification on this item. On Monday, June 24th, the Town Manager and the Fire Chief met with the Gaston County Emergency Management Director, the Gaston County Fire Marshal, and the Gaston County Senior Planner. As a result of this meeting, nothing will change in the Town's current method of approving development plans and nothing with change in the Fire Marshal's historic execution of fire inspections. The language in the agreement is the same as it has been for several years and was not intended to bring about any changes or concerns.

For a number of years, the Gaston County Fire Marshal's Office has provided fire prevention and life safety inspection services for the Town of Dallas. The written agreement outlines the services that are to be conducted by the Fire Marshal's Office for Dallas. The cost of this service is, and has been, an annually budgeted item. Under this agreement, the Fire Marshal's Office provides the following:

- 1 – Plan reviews
- 2 – Issue required permits
- 3 – Conduct site inspections
- 4 – Seek enforcement of codes and ordinances

Until this agreement is approved, Dallas does not have an alternative method to conduct fire inspections.

MANAGER RECOMMENDATION: Approve the Interlocal Agreement for Enforcement of State Fire Code as presented.

BOARD ACTION TAKEN:



Gaston County Emergency Management & Fire Marshal's Office
P.O. Box 1578 / Gastonia, NC 28053
615 North Highland Street / Gastonia, NC 28052
Phone (704) 862-6240 / Fax (704) 868-4150

April 24, 2019

Town of Dallas
ATTN: Maria Stroupe
210 N. Holland Street
Dallas, NC 28034

Dear Maria:

Each year the Gaston County Fire Marshal's Office provides fire prevention and life safety inspection services (inspections, plans review, permitting, etc.) for over half of the County's 15 incorporated cities and towns. We enforce the NC State Fire Code and its technical provisions daily to promote public safety from fires and other dangerous conditions. We continually strive to offer the best in customer service and professional competence to all the municipalities we serve.

In November of 2018 the Gaston County Fire Marshal's Office was consolidated with Gaston County Emergency Management in an effort to streamline county government services. During this consolidation a review was conducted of existing programs. During the review of the Fire Inspection Program it was determined that our average price per inspection was \$31.69 while our average cost was \$73.85. In order to continue to provide the level of service required our program must be self-sustaining; therefore, beginning in July 2019 the fee for Gaston County Fire Inspections will increase to a flat fee of \$75.00 per inspection, as compared to \$165.00 per inspection in the Charlotte Metro Area. Please find the updated Inter-local Agreement specifying that the current contract price for the Town of Dallas will adjust from \$6,250 to \$16,875 effective July 1, 2019. Please return the **2 original agreements (enclosed)** to Keith Rapp; Gaston Co. Emergency Management, P. O. Box 1578; Gastonia, NC 28053 **before Friday, May 31, 2019**. We will return a fully executed copy to you after the County has signed the agreement.

Invoices in the FY 2019-2020 cycle will continue to be invoiced during the month of July with payment expectation by the end of September. This will allow us to forecast any shortcomings and eliminate the need to carry-forward funds across fiscal years. Finally, it is our sincere hope that you understand our need for this program to sustain itself during this era of shrinking budgets, and we look forward to continuing to serve your community. Please address any questions or concerns to the undersigned @ 704-862-6240 or via e-mail at Keith.Rapp@gastongov.com.

Sincerely,

A handwritten signature in black ink that reads "Keith A. Rapp".

Keith A. Rapp
Director Gaston County Emergency Management

Municipality	Original \$	2018 Change	2019 Change	# of Inspections	Previous Inspection Cost
Bessemer City	\$6,060	\$6,060	\$10,425	139	\$43.60
Cramerton	\$2,866	\$4,150	\$11,550	154	\$26.95
Dallas	\$5,801	\$6,250	\$16,875	225	\$27.78
High Shoals	\$500	\$425	\$1,050	14	\$30.36
Lowell	\$5,244	\$7,450	\$19,425	259	\$28.76
McAdenville	\$2,500	\$2,500	\$3,600	48	\$52.08
Ranlo	\$2,070	\$2,700	\$6,975	93	\$29.03
Totals	\$25,041	\$29,535	\$69,900	932	

Average Inspection Price \$31.69

Part Time Fire Inspector Salary \$21,660.00
 Vehicle Expense \$6,000.00
 Fuel \$1,900.00
 Insurance \$996.40
 Mobile Phone \$1,260.00
 Vehicle Maintenance \$600.00
 Uniforms \$500.00
 Training / Dues and Subscriptions \$1,000.00
 Supplies \$500.00

Total Estimated Cost \$34,416.40

2 Part Time Inspectors Total \$68,832.80

Total # Inspections Per Yr / Per Ins 466 Ann / 9 Weekly

Average Cost Per Inspection \$73.85

New Flat Fee for Inspections \$75.00

Charlotte Inspection Charge \$165.00

**INTERLOCAL AGREEMENT
FOR ENFORCEMENT OF STATE FIRE CODE**

This Agreement made on the last date set out below, by and between the Town of Dallas, a municipal corporation having a charter granted by the State of North Carolina, hereafter referred to as "Municipality", and Gaston County, a corporate and political body and a subdivision of the State of North Carolina, hereafter referred to as "County"

WITNESSETH:

WHEREAS, Article 20 of Chapter 160A of the General Statutes of the State of North Carolina authorizes among other things the contractual exercise by one unit of local government for one or more other units of any administrative or governmental power, function, public enterprise, right, privilege, or immunity of local government; and,

WHEREAS, the Municipality has adopted ordinances providing for the administration and enforcement of regulatory codes and county ordinances; and,

WHEREAS, such codes are commensurate with the regulatory codes and ordinances now in effect for Gaston County as enforced by the County; and,

WHEREAS, pursuant to N.C. Gen Stat. Chapter 160A, Article 20 upon official request of the governing body of any municipality within the County, the Gaston County Board of Commissioners may by agreement exercise enforcement powers within said municipality and upon such direction may do so until such time as the Municipal governing body withdraws its request; and,

NOW, THEREFORE, in consideration of the promises and the mutual covenants and agreements of the parties, the parties hereto agree as follows:

1. **Purpose.** The purpose of this Agreement is to provide for the transfer of jurisdiction to the County for inspection and enforcement responsibility for the codes and county ordinances listed in the attached Exhibit A, which is incorporated herein by reference.
2. **Term.** The term of this Agreement begins on the last date set out below and continues through June 30, 2020 and shall automatically renew each fiscal year thereafter, unless terminated as provided herein.
3. **Responsibilities.**
 - A. Municipality. The Municipality agrees to:
 - (1) Provide any pre-permit or pre-inspection reviews of any applicable Municipal ordinances or regulations;
 - (2) Provide written certification (where necessary) that any necessary plans are in accordance with Municipal regulations;
 - (3) Allow the County to retain any fees collected pursuant to enforcement of the N.C. Fire Prevention Code (Permit fees, review fees, etc.)
 - (4) Not hold County responsible for enforcement of any of Municipality's other ordinances or regulations, unless specifically contracted.
 - B. County. The County agrees to:
 - (1) Provide plan review necessary for issuance or permits under the Code;
 - (2) Issue required permits;

- (3) Conduct site inspections based on the NC Fire Prevention Code Inspection Schedule or other agreed upon frequency;
 - (4) Seek judicial or equitable enforcement of said codes or ordinances when necessary in the County's discretion.
4. **Geographic Jurisdiction.** The County shall have the authority to enforce the Code in the geographical jurisdiction stated in Exhibit A, which is attached hereto and incorporated by reference.
 5. **Personnel.** The County shall, in the County's discretion, employ and provide personnel sufficient to perform inspection duties for the Municipality.
 6. **Indemnity.** The Municipality, during the term of this Agreement, shall indemnify and save harmless the County from and against any and all claims, demands, and or causes arising out of enforcement by the County of Codes under the Agreement, with the exception of grossly negligent, willful or wanton conduct by the County.
 7. **Cost.** The cost of services provided by the County shall be as set forth in Exhibit A, which is attached hereto and incorporated by reference.
 8. **Termination.** The Municipality or County may terminate this Agreement upon a thirty (30) day written notice to the Manager or Mayor of the governing unit.
 9. **Amendment.** This Agreement may only be amended in writing upon the signature of both parties. No oral agreements shall have any effect.
 10. **Entire Agreement.** This Agreement is the only agreement between the parties and contains all the terms agreed upon, and replaces any previous agreements. This Agreement has no effect upon enforcement of codes or ordinances not specifically mentioned. If any part of this Agreement is held invalid such decision shall not render the document invalid.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in duplicate by themselves for their duly authorized offices of the day and year last set out below.

GASTON COUNTY

BY: _____

(Assistant) County Manager

Date

ATTEST:

Donna S. Buff, Clerk To The Board

DALLAS

BY: _____

Signature

Date

Title: _____

ATTEST:

Clerk

EXHIBIT A

Town of Dallas

Codes: Level I, II, & III fire prevention inspections, plan review, consultation, and other similar undertakings as established under the NC State Fire Prevention Code.

Jurisdiction: Incorporated area and extraterritorial jurisdiction (if applicable).

Cost: Sixteen Thousand Eight Hundred Seventy Five Dollars (\$16,875.00) annually in addition to any fees or fines collected.

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Creek Naming

AGENDA ITEM NO. 8A

MEETING DATE: 7/9/2019

BACKGROUND INFORMATION:

In the renewal process for the Town's MS4 Storm Water permit, it has been determined that the tributary that runs along the southern side of the Dallas border should be named for ease of identifying and labeling the Town's storm drains that fall in that direction.

Currently, for FEMA purposes the tributary is known as L4. It is proposed that the tributary be renamed Dallas Creek for more recognizable identification.

MANAGER RECOMMENDATION: Rename the tributary known as L4 to Dallas Creek, as proposed.

BOARD ACTION TAKEN:

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Annexation Request- Ollie Way

AGENDA ITEM NO. 8B

MEETING DATE: 7/9/2019

BACKGROUND INFORMATION:

NVR, Inc. and Katie Summey, owner of PID#170057 (no address assigned), is petitioning for annexation into the Town of Dallas for the development of a single family residential subdivision. This parcel is considered contiguous.

The parcel is currently located outside of Town of Dallas zoning, but is adjacent to R-10 single family residential. The 2003 Future Land Use Plan highlights this specific parcel for Neighborhood and Community Business, but adjacent parcels are marked for new residential development.

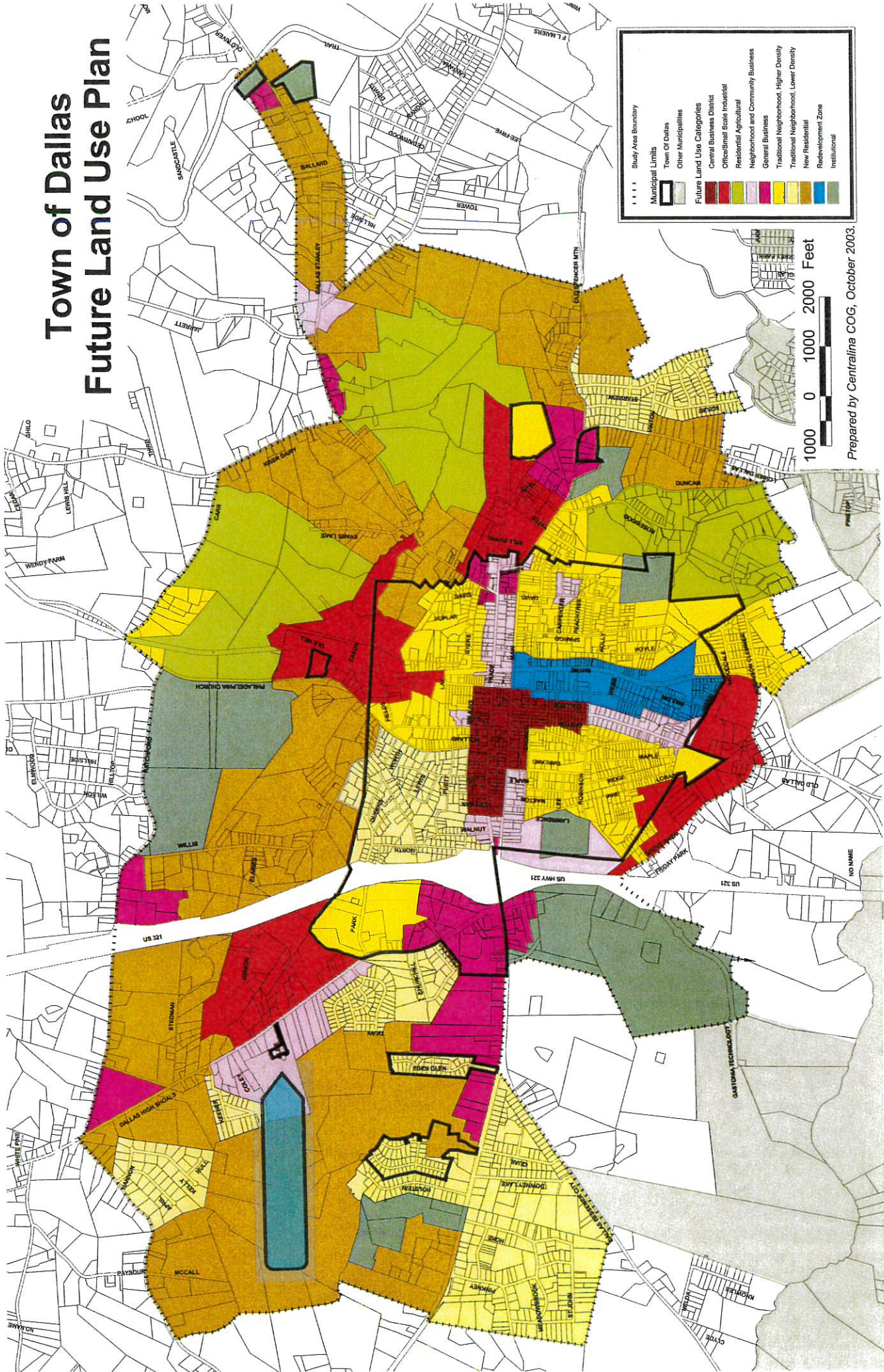
The developer, if successful with this annexation, intends to pursue a phased development plan to extend beyond this parcel- some of which is already located within Town limits.

In order to move forward with the request, the Board must direct Staff to investigate the sufficiency of the petition to determine if it meets the standards of G.S. §160A-58.1.

MANAGER RECOMMENDATION: Direct Staff to investigate the sufficiency of the annexation request.

BOARD ACTION TAKEN:

Town of Dallas Future Land Use Plan



TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: Ordinance to Demolish

AGENDA ITEM NO. 8C

MEETING DATE: 7/9/2019

BACKGROUND INFORMATION:

The Town of Dallas received a complaint regarding the abandoned structure located at 406 Starr Street.

After performing an on-site inspection with the Gaston County Building and Inspections Dept., it was confirmed that the dwelling has not been properly maintained or secured, and had significant fire damage to the structural walls of the dwelling.

The Development Services Director mailed a Complaint of Notice and Hearing on April 15, 2019, and held a hearing with the property owner on April 29, 2019. A Findings of Fact and Order was mailed on May 24, 2019 and received on May 31, 2019.

The Order stated that the owner was required to bring the structure into compliance with the Housing Code or to demolish and remove the structure by July 1, 2019. It also noted that in the event that the owner entered into a contract to sell the property prior to that date, a new owner would be eligible for an extension of up to 30 days past the closing date.

To date, the structure has not been removed or repaired, and the Town has received no notice of a pending sale of the property.

The Development Services Director is recommending an Ordinance to Demolish to remove this structure, as it constitutes a hazard to the health, safety or welfare of the residents of the town.

MANAGER RECOMMENDATION: Approve the Order to Demolish as presented.

BOARD ACTION TAKEN:

FINDINGS OF FACT AND ORDER

TO: Owners and parties in interest of the abandoned structure located at **406 Starr St** in the Town of Dallas, North Carolina.

The undersigned Development Services Director of the Town of Dallas, pursuant to law, conducted a hearing at the time and place stated in the Complaint and Notice heretofore issued and served, or at a time to which the hearing was continued with previous notice to the above named owners and parties in interest or their agents or attorneys. At the hearing, the answer, if any, filed by the owners and parties in interest was read and considered, and the evidence, contention and views of the owners and parties in interest were carefully analyzed and considered by the undersigned. In addition to other evidence presented, the undersigned personally inspected the structure described above, and the inspection and examination has been considered, along with other evidence offered at this hearing,

Upon the record and all of the evidence offered and contentions made, the undersigned Housing Inspector does hereby find the following facts:

1. The above named owners and parties in interest with respect to the structure located at the place specified above were duly served as required by law with written Complaint and Notice of hearing which set forth the Complaint that the structure located at the above address is hazardous to the health, safety and welfare of the residents of the town and violation of the town's Housing Code, and particulars thereof, and fixed a time and place for a hearing upon the complaint as provided by law. At the hearing, the following owners, persons in interest, or their agents or attorneys, were present and participated therein: **Tiffany Faro (Development Services Director), Robert T. Cloninger (owner).**

2. The structure described above violates the town's Housing Code, by reason for the following conditions found to be present and to exist in and about the structure:

A. Holes or cracks in the structure's floors, walls, ceilings or roof which might attract or admit rodents and insects, or become breeding places for rodents and insects

B. Violations of the State Building Code, the State Electrical Code, the Fire Prevention Code which constitute a fire hazard in the structure- including but not limited to compromised interior and exterior structural walls as a result of a fire.

C. The structure is unfit for human habitation, and is determined to be dilapidated. (150.41)

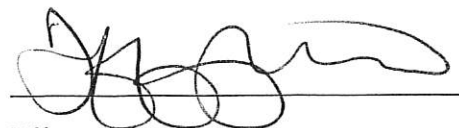
Tax Value of Building= \$31,560

Rehabilitation Estimate= over \$15,780

3. Due to these conditions the structure described above is found to be hazardous to the health, safety and welfare of the residents of the town and in violation of the town's Housing Code.

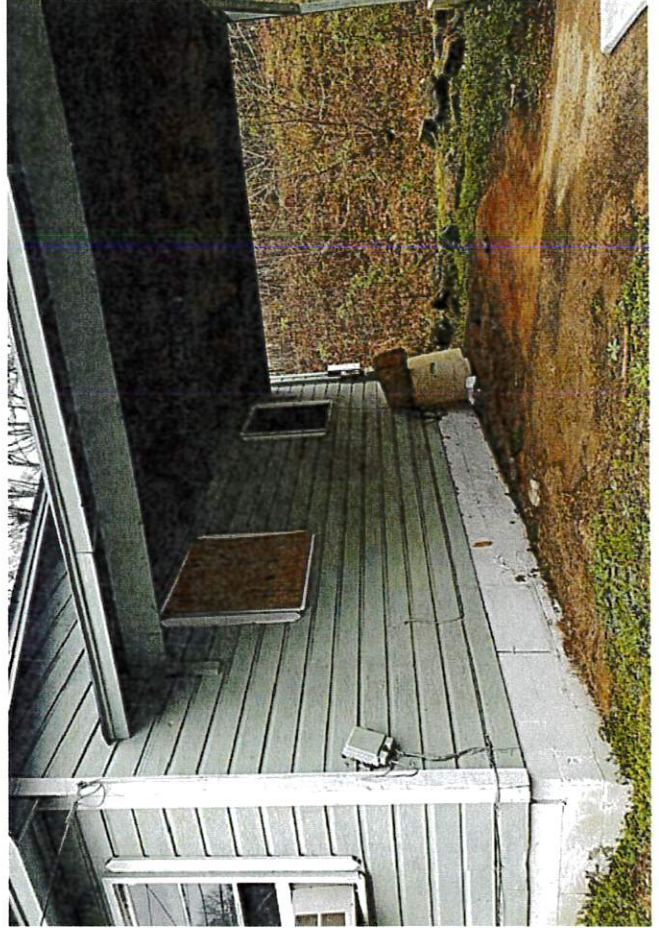
IT IS THEREFORE ORDERED that the owners of the structure named above are required to bring the structure into compliance with the Housing Code by repairing, altering or improving the structure so that it is no longer hazardous to the public health, safety and welfare of the residents of the town and meets the Town's Minimum Standards of Fitness, **OR** else by demolishing or removing the structure from the premises by a date not later than the day of **Monday, July 1, 2019**. In the event that the property is sold or under contract for sale on or before this date, the prospective or new owner shall be eligible for an extension of up to 30 additional days from the date of closing on the property to comply with this order through the submission of a written request to the Development Services Director.

This, the 17th day of May, 2019.



Tiffany Faro

Development Services Director, 704-922-3176 ext. 230, tfaro@dallasnc.net



ORDINANCE TO REMOVE OR DEMOLISH

AN ORDINANCE DIRECTING THE DEVELOPMENT SERVICES DIRECTOR TO REMOVE OR DEMOLISH THE STRUCTURE HEREIN DESCRIBED AS HAZARDOUS TO THE PUBLIC HEALTH, SAFETY, AND WELFARE AND DIRECTING THAT A NOTICE BE PLACED THEREON THAT THE SAME MAY NOT BE OCCUPIED.

WHEREAS, the Board of Aldermen of the Town of Dallas, North Carolina finds that the abandoned structure described herein is hazardous to the health, safety, and welfare of the residents of the Town under the Town's Housing Code, and that all of the procedures of the Housing Code have been complied with; and

WHEREAS, this structure should be removed or demolished, as directed by the Housing Inspector, and should be placard by placing thereon a notice prohibiting use for human habitation; and

WHEREAS, the owner of this structure has been given a reasonable opportunity to bring the structure up to the standards of the Housing Code in accordance with G.S. §160A-443(5) pursuant to an order issued by the Development Services Director on **May 17, 2019**, and the owner has failed to comply with the order;

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Dallas, North Carolina that:

SECTION 1. THE DEVELOPMENT SERVICES DIRECTOR is hereby authorized and directed to place a placard containing the legend:

"This building is unfit for human habitation: the use or occupation of this building for human habitation is prohibited and unlawful."

upon the structure located at the following address: **406 STARR ST, DALLAS NC 28034.**

SECTION 2. THE DEVELOPMENT SERVICES DIRECTOR is hereby authorized and directed to proceed to remove or demolish the above described structure in accordance with this order to the Owner hereof dated the **July 9, 2019**, and in accordance with the Housing Code and G.S. §160-443, due to the conditions outlined below which constitute a hazard to the health, safety or welfare of the residents of the town:

- A. Holes or cracks in the structure's floors, walls, ceilings or roof which might attract or admit rodents and insects, or become breeding places for rodents and insects;
- B. Violations of the State Building Code, the State Electrical Code, the Fire Prevention Code which constitute a fire hazard in the structure;
- C. The structure is determined to be dilapidated per the definition outlined in 150.41 due to conditions including fire damage to structural and load bearing walls, fire damage to exterior walls, siding and roof, rotten wood members at the front door, and overall condition of the interior and exterior of the structure.
- D. the structure as a result of:

SECTION 3. THE COST OF REMOVAL OR DEMOLITION.

(a) The cost of removal or demolition shall constitute a lien against the real property upon which the cost was incurred. The lien shall be filed in the office of the Tax Collector, and shall have the same and be collected in the same manner as the lien for special assessment in G.S. §160A-233.

(b) Upon completion of the required removal or demolition, the Housing Inspector shall sell the material of the structure and credit the proceeds against the cost of removal or demolition. The Housing Inspector shall certify the remaining balance to the Tax Collector. If a surplus remains after sale of the materials and satisfaction of the cost of removal or demolition, the Housing Inspector shall deposit the surplus in the Superior Court where it shall be secured and disbursed in the manner provided in G.S. §160A-446(f).

SECTION 4. IT SHALL BE UNLAWFUL for any person to remove or cause to be removed the placard from any building to which it is affixed. It shall likewise be unlawful for any person to occupy or to permit the occupancy of any building therein declared to be hazardous to the public health, safety, and welfare.

SECTION 5. This subchapter shall become effective upon its adoption.

Adopted this 9th day of July, 2019.

Mayor Rick Coleman

ATTESTED:

Da'Sha Leach, Town Clerk

TOWN OF DALLAS, NORTH CAROLINA

REQUEST FOR BOARD ACTION

DESCRIPTION: August Meeting Date Change

AGENDA ITEM NO. 8D

MEETING DATE: 7/9/2019

BACKGROUND INFORMATION:

Due to anticipated scheduling conflicts, the Board of Aldermen meeting scheduled for Tuesday, August 13th may need to be rescheduled. If it is determined that the meeting needs to be rescheduled, it is suggested that the meeting be moved to Tuesday, August 20th.

MANAGER RECOMMENDATION: Reschedule the August 13th Board of Aldermen meeting to Tuesday, August 20th based on scheduling conflicts.

BOARD ACTION TAKEN: