

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, MAY 13, 2019 – 7:00 P.M.
WEDDINGTON TOWN HALL
1924 WEDDINGTON ROAD WEDDINGTON, NC 28104
AGENDA**

Prayer – Pastor Anderson, Marvin AME Zion Church

1. Open the Meeting
2. Pledge of Allegiance
3. Determination of Quorum
4. Additions, Deletions and/or Adoption of the Agenda
5. Mayor/Councilmember Reports
6. Public Comments
7. Public Safety Report
8. Consent Agenda
 - A. Call for a Public Hearing to be held Monday, June 10, 2019 at 7:00 p.m. at Weddington Town Hall for the proposed budget for Fiscal Year 2019-2020 and set the tax rate.
 - B. Approve Release of Water and Sewer Performance Bond #0632829 in the Amount of \$66,872.43 for the Bromley Subdivision Map 8; and Water and Sewer Maintenance Bond #0632830 in the Amount of \$15,205.28 for the Bromley Subdivision Map 8; and the Water and Sewer Maintenance Bond #0632833 in the Amount of \$2,828.10 for the Bromley Subdivision Map 9
 - C. Approve Budget Amendments for FY 2018-2019
 - D. Approve Proclamation 2019-02 Recognizing May 15, 2019 as Peace Officers Memorial Day and May 12 through May 18 as National Police Week
9. Approval of Minutes
 - A. March 22, 2019 Special Town Council Meeting Minutes
 - B. April 8, 2019 Regular Town Council Meeting Minutes
10. Public Hearing
 - A. Discussion and Consideration of Text Amendment to Article IV – Lighting
 - B. Discussion and Consideration of Amendment to Code of Ordinances – Erosion and Sediment Control
11. Old Business
 - A. Update on Land Use Plan Revisions
 - B. Discussion of FY 2019-2020 Budget
12. New Business
 - A. Discussion of Weddington Hills Road Closure
 - B. Discussion and Consideration of Entering into Contract with Cardno
13. Update from Town Planner
14. Code Enforcement Report
15. Update from Finance Officer and Tax Collector
16. Transportation Report
17. Council Comments
18. Adjournment



List of Events

Alarm Calls

For the Month of: April 2019

5/1/2019

9:07:12AM

Incident #	Date/Time	Street	City	Subdivision	Prime Unit	Caller Name	Close Code
Nature	Priority	Agcy	Zone	Business			
1	2019094022	4/1/2019 7:53:15	1213 PARKHILL CT	WED	HIGH	D23 F	
	ALARMS LAW	7	UCSO	T10		LEWIS, RICHARD & RHONDA	
	DEN MOTION [04/01/19 07:53:35 ALAWSON]						
	ALARM MONITORING // 800-535-2478 // OP 60 [04/01/19 07:54:12 ALAWSON]						
	AC CB ADV THEY'RE GETTING THE SAME SIGNAL STILL // DEN NOTION [04/01/19 08:16:31 JLEHECKA]						
	{D23} AUD ALRM ON SCENE [04/01/19 08:17:53 MROGERS]						
	{D23} ALL WINDOWS AND DOORS SEC [04/01/19 08:19:08 MROGERS]						
	ATT TO CONTACT KH [04/01/19 08:19:49 JLEHECKA]						
	GOT ANSWERING MACHINE [04/01/19 08:20:19 JLEHECKA]						
2	2019094890	4/1/2019 22:39:39	500 AUCKLAND LN	WED	WELN	D21 CNR	
	ALARMS LAW	7	UCSO	T10		CARNEY, JAMES	
	GARAGE DRF [04/01/19 22:39:49 JGREGORIUS]						
	ATT KH [04/01/19 22:39:58 JGREGORIUS]						
	JENNIFER // CB 800 230 6975 // SAFE HOME SEC // REF 1648010 [04/01/19 22:40:15 JGREGORIUS]						
	{D21} EXTENDED EA [04/01/19 22:40:58 MGARCIA]						
	ETA ** [04/01/19 22:41:02 MGARCIA]						
	22d by c24 [04/01/19 22:41:43 Unit:D21]						
	AC CB REQ -22 [04/01/19 22:44:17 TJONES]						
3	2019095247	4/2/2019 8:19:09	1213 PARKHILL CT	WED	HIGH	W3 F	
	ALARMS LAW	7	UCSO	T10		LEWIS, RICHARD & RHONDA	
	DEN MOTION [04/02/19 08:20:09 ALAWSON]						
	AMC // 800-535-2478 // OP GARCIA [04/02/19 08:20:47 ALAWSON]						
	I walked around the house and all doors and windows appeared to be secure. There was a silver car in te garage and all the lights were off. Appeared no one was home. [04/02/19 08:41:14 Unit:W3]						
4	2019095733	4/2/2019 15:26:35	501 VINTAGE CREEK DR	WED	VINT	W3 F	
	ALARMS LAW	7	UCSO	T10		YARLAGADDA, NAGARJUNA	
	INTERIOR MOTION [04/02/19 15:27:04 KMICHAELS]						
	SIMPLY SAFE OP 8486 CB 800 633 2677 [04/02/19 15:28:01 KMICHAELS]						
	ATT KH [04/02/19 15:28:06 KMICHAELS]						
	All doors and windows appeared secured at this time. [04/02/19 15:41:38 Unit:W3]						
5	2019096338	4/3/2019 6:27:09	908 LINGFIELD LN	WED	DEVO	T2 CBC	
	ALARMS LAW	7	UCSO	T10		ARANGO, CLAUDIA	
	FRONT DOOR [04/03/19 06:27:42 MBALDWIN]						
	CPI / 704-945-6115 / OP#2984 [04/03/19 06:28:04 MBALDWIN]						
	AC REQ 22 // FALSE ALARM [04/03/19 06:30:44 JGREGORIUS]						

	Incident #	Date/Time	Agcy	Street	City	Subdivision	Prime Unit		
	Nature	Priority		Zone	Business	Caller Name	Close Code		
6	2019096535	4/3/2019 9:51:30			104 VINTAGE CREEK DR	WED	VINT	W2	G
	ALARMS LAW	7	UCSO	T10				MODEL NUMBER 2	
	OFFICE RIGHT DOOR [04/03/19 09:51:53 EMULLIS] ATTEMPTING KH NEXT [04/03/19 09:52:20 EMULLIS] SEC CENTRAL // 800-230-6975 // OP 7064 [04/03/19 09:52:36 EMULLIS] Spoke to agent on site, all is 10-4, she put in the wrong code. [04/03/19 09:59:52 Unit:W2]								
7	2019096554	4/3/2019 10:09:21			3833 N TWELVE MILE CREEK RD	WED		W3	F
	ALARMS LAW	7	UCSO	T10				DOVER, JAMES	
	BACK DOOR [04/03/19 10:09:55 ESTOKES]CPI SEC // 704 945 6115 // OP 3337 [04/03/19 10:10:16 ESTOKES] NO KH REACHED [04/03/19 10:10:22 ESTOKES] SPoke with the son who lives next door and he stated everything was locked. Everything was locked and no signs of forced entry. Son walked through the house and everything is in place. [04/03/19 10:20:52 Unit:W3]								
8	2019097695	4/4/2019 12:38:12			302 FIR PLACE CT	WED	LAKF	T2	G
	ALARMS LAW	7	UCSO	T10				STEVENS, PARKER	
	FRONT DOOR [04/04/19 12:38:35 SCASHMAN] MR PARKER STEVENS, OWNER, REQ DISPATCH, NO SHOULD BE THERE [04/04/19 12:38:52 SCASHMAN] CPI // 704-945-6115 // OP 3337 [04/04/19 12:39:23 SCASHMAN] UDTS: {T2} OPEN DOOR DISCOVERED [04/04/19 12:47:42 EHARRISON] {T2} UNSECURE FRNT DOOR [04/04/19 12:47:59 EHARRISON] PER PARKER HIS WIFE IS ON SCENE BRITTNEY STEVENS ON SCENE [04/04/19 12:49:21 EHARRISON] UDTS: {T2} NO NEED TO CHECK STATUS [04/04/19 12:54:30 EHARRISON] cleared house. it appeared the front door blew open. no signs of forced entry. or anything missing. [04/04/19 12:55:03 Unit:T2] Everything was fine at the house. Front door was unlocked. Wife was in front of house. [04/04/19 12:55:35 Unit:W3]								
9	2019097743	4/4/2019 13:35:36			204 STILLWELL DR	WED	VINT	W3	CAL
	ALARMS LAW	7	UCSO	T10				STINSON SENSABAUGH, CODY	
	BURG ALARM // SMALL GARAGE DOOR [04/04/19 13:36:07 SSTARNES] JUST CALLED IN -22 [04/04/19 13:36:47 SSTARNES] SEC CENTRAL 800 230 6975 OP 7139 [04/04/19 13:37:04 SSTARNES]								
10	2019097904	4/4/2019 16:17:41			312 WHEATBERRY HILL DR	WED	ATHE	W3	F
	ALARMS LAW	7	UCSO	T10				MARIN, LILLY	
	EXTRERIOR GARAGE DOOR [04/04/19 16:18:08 EMULLIS] ATTEMPTING KH [04/04/19 16:18:32 EMULLIS] CPI SEC // 704-945-6115 // OP 4301 [04/04/19 16:18:49 EMULLIS] ADT ALARM EXTERIOR GARAGE DOOR [04/04/19 16:40:16 SSTARNES] EXTRERIOR GARAGE DOOR [04/04/19 16:18:08 EMULLIS] ATTEMPTING KH [04/04/19 16:18:32 EMULLIS] CPI SEC // 704-945-6115 // OP 4301 [04/04/19 16:18:49 EMULLIS] ADT ALARM EXTERIOR GARAGE DOOR [04/04/19 16:40:16 SSTARNES] {W3} EHL7661 // GRY TACOMA [04/04/19 16:40:42 JCROSS]There was an audible alarm I could hear. Grey toyota truck in drive way. Garage door was locked and front door was locked. There were two packages on the front porch. [04/04/19 16:42:33 Unit:W3]								
11	2019097978	4/4/2019 18:00:55			312 WHEATBERRY HILL DR	WED	ATHE	T4	N
	ALARMS LAW	7	UCSO	T10				MARIN, LILLY	

Incident #	Date/Time	Street	City	Subdivision	Prime Unit	Caller Name	Close Code
Nature	Priority	Agcy	Zone	Business			
EXIT THIRD DOOR [04/04/19 18:02:02 EMULLIS]							
AC CALLING KH // WILL CALL BACK WITH ETA [04/04/19 18:02:34 EMULLIS]							
CPI SEC // 704-945-6115 // OP 5034 [04/04/19 18:02:51 EMULLIS]							
Due to recent activation of alarm not even less than two hours ago and no key holder responding and Deputy Dodd (W3) verifying the residence is secure. Will respond when key holder is enroute. [04/04/19 18:14:12 Unit:T4]							
12	2019098458	4/5/2019 8:29:24	3518	TIMBER OAK CT	WED	WELN	W3 CAL
	ALARMS LAW	7	UCSO	T10 CHARLES ALLEY JR			Rapid Response Monitoring
[ASAP ALARM ID: 330963276]							
-- ALARM INFO: AUDIBLE BURGLARY (BACK DOOR)							
-- LOCATION: 3518 TIMBER OAK CT WEDDINGTON, NC 28104 (RESIDENTIAL)							
-- SUBSCRIBER: CHARLES ALLEY JR							
-- SUBSCRIBER CALLBACK: 7043402185							
-- AMC: RAPID RESPONSE MONITORING (1RA)							
-- AMC CALLBACK: 8009323822							
-- LAT/LONG: 35.0530815124512/-80.6924438476562 [04/05/19 08:29:24 911UTIL]							
AC CB REQ -22 [04/05/19 08:35:54 JLEHECKA]							
13	2019098984	4/5/2019 18:13:25	531	WALDEN TR	WED	WALD	C34 N
	ALARMS LAW	7	UCSO	T10 PEELER, DAVID			ADT SECURITY SERVICES
[ASAP ALARM ID: 737373846]							
-- ALARM INFO: AUDIBLE BURGLARY (DESCRIPTION: BA-DOOR-ENTRY/EXIT ZONE: CARRIAGE HOUSE EXTERIOR)							
-- LOCATION: 531 WALDEN TRL WAXHAW NC 281737502 (RESIDENTIAL)							
-- SUBSCRIBER: PEELER, DAVID							
-- SUBSCRIBER CALLBACK: 704-641-0405							
-- AMC: ADT SECURITY SERVICES (1AT)							
-- AMC CALLBACK: 8772387730							
-- LAT/LONG: 35.0173568725586/-80.7807998657226							
-- AMC CALL TO PREMISE RESULTS: Answering Machine-Left Message, Answering Machine-Left Message [04/05/19 18:13:25 911UTIL]							
AC REQ -22 [04/05/19 18:17:28 JTHOMPSON]							
14	2019099512	4/6/2019 9:05:37	5105	CHICKADEE CT	WED	WEDO	D24 CAL
	ALARMS LAW	7	UCSO	T10			LAWNDELL, KIRK
BACK DOOR [04/06/19 09:06:03 ALAWSON]							
ALARM MONITORING CENTER // 800-535-2478 // OP 45 [04/06/19 09:06:53 ALAWSON]							
AC REQ -22 // OP 45 [04/06/19 09:08:11 ALAWSON]							
15	2019099704	4/6/2019 13:08:15	3932	FOX RUN RD	WED	FOXR	WC1 F
	ALARMS LAW	7	UCSO	T10			KTAZ, DONNA
frnt door [04/06/19 13:08:37 MROGERS]							
CPI // 704-945-6115 // 4695 [04/06/19 13:09:21 MROGERS]							
pet sitter set off the alarm [04/06/19 13:22:47 Unit:WC1]							
16	2019100123	4/6/2019 21:32:40	13639	PROVIDENCE RD	WED		W1 G
	ALARMS LAW	7	UCSO	T10 HARRIS TEETER WEDDINGTON			
PHARMACY 3 6 MTN ALARM [04/06/19 21:33:29 JMILLEN]							
VERIFY SEC// OP 1109// 1-800-888-4443 [04/06/19 21:33:56 JMILLEN]							
Made contact with the Store Manager on arrival. He advised that the floor crew using the buffer caused the alarm activation. This has happened before when the pharmacy is closed. He made contact with proper party to get the alarm reset. [04/06/19 21:50:03 Unit:W1]							

	Incident #	Date/Time	Agcy	Street	City	Subdivision	Prime Unit		
	Nature	Priority		Zone	Business	Caller Name		Close Code	
17	2019103566	4/10/2019 11:34:09	11:34:09		3224 MICHELLE DR	WED	PROW	W1	F
	ALARMS LAW	7		UCSO	T10 WILLIAM E HORNE			Protection One	
	[ASAP ALARM ID: 573514820]								
	-- ALARM INFO: AUDIBLE BURGLARY (PED BACK/GARAGE DOOR AUDIBLE)								
	-- LOCATION: 3224 MICHELLE DR WEDDINGTON NC 281049382 (RESIDENTIAL)								
	-- SUBSCRIBER: WILLIAM E HORNE								
	-- SUBSCRIBER CALLBACK: 704-846-8954								
	-- AMC: PROTECTION ONE (1PR)								
	-- AMC CALLBACK: 8002970543								
	-- LAT/LONG: 35.0508308410644/-80.7466583251953								
	-- AMC CALL TO PREMISE RESULTS: No Answer Premises [04/10/19 11:34:09 911UTIL]								
	UDTS: {W1} NO NEED TO CHECK STATUS [04/10/19 11:48:15 JHUSKEY]								
	Dodge Caravan Illinois Tag: AU55456 [04/10/19 11:49:59 Unit:W1]								
	Residence appears to be secure from the exterior. Front and rear doors secure. No audible alarm sounding at this time. [04/10/19 11:50:36 Unit:W1]								
18	2019104560	4/11/2019 10:17:22	10:17:22		804 LINGFIELD LN	WED	DEVO	W1	G
	ALARMS LAW	7		UCSO	T10			LEVITZ, AMY	
	FRONT DOOR // GARAGE DOOR // KITCHEN MOTION [04/11/19 10:18:00 ALAWSON]								
	SOMEONE ON SITE WITH NO PASSCODE [04/11/19 10:18:07 ALAWSON]								
	REACHED KEYHOLDER // IN THE PROCESS OF SELLING THE HOME BUT DOESNT THINK ANYONE HAS ANY KEYS YET [04/11/19 10:19:05 ALAWSON]								
	CPI SEC // 704-945-6115 // OP 4140 [04/11/19 10:19:19 ALAWSON]								
	AC CB WITH ADD SIGNALS FRONT DOOR AND KITCHEN MOTION [04/11/19 10:24:06 JLEHECKA]								
	RED SANTE FE [04/11/19 10:25:11 KMICHAELS]								
	UDTS: {W1} NO NEED TO CHECK STATUS [04/11/19 10:32:22 KMICHAELS]								
	New homeowner just purchased the residence set the alarm off by accident and did not have the password, everything is 10-4. [04/11/19 10:47:11 Unit:D14]								
	Laura Baron new homeowner had mother (Delka Casthanheira Gattaz) come to the residence due to her being hospitalized. The alarm had not being turned off by the previous homeowner due to funds not in bank account after sale. The previous owner provided an alarm code to disarm the alarm. The previous owner is going to contact the realtor that is responsible for the sale. Mail for the previous homeowner was placed in mailbox for pickup. [04/11/19 10:49:25 Unit:W1]								
19	2019104799	4/11/2019 14:14:57	14:14:57		8172 SHANNON WOODS LN	WED	SHAW		CBC
	ALARMS LAW	7		UCSO	T10 SPRATT, TALITA			SPRATT, TALITA	
	[ASAP ALARM ID: 752890747]								
	-- ALARM INFO: AUDIBLE BURGLARY (DESCRIPTION: BA-GARAGE/CARPORT DR ZONE: BA-GARAGE/CARPORT DR)								
	-- LOCATION: 8172 SHANNON WOODS LN WEDDINGTON NC 281047945 (RESIDENTIAL)								
	-- SUBSCRIBER: SPRATT, TALITA								
	-- SUBSCRIBER CALLBACK: 704-890-7260								
	-- AMC: ADT SECURITY SERVICES (1AT)								
	-- AMC CALLBACK: 8772387730								
	-- LAT/LONG: 34.998176574707/-80.7179641723633								
	-- AMC CALL TO PREMISE RESULTS: Answering Machine-Left Message [04/11/19 14:14:57 911UTIL]								
	[FROM AMC] cancel pd, recieved disarm code all is ok [04/11/19 14:15:57 911UTIL]								
20	2019105256	4/11/2019 22:49:04	22:49:04		2017 GLOUCESTER ST	WED	WILL	C20	CAL
	ALARMS LAW	7		UCSO	T10			MCMANUS, JAMES	

Incident #	Date/Time	Street	City	Subdivision	Prime Unit		
Nature	Priority	Agcy	Zone	Business	Caller Name	Close	Code
		GARAGE DR [04/11/19 22:49:20 JGREGORIUS] ATT KH [04/11/19 22:49:31 JGREGORIUS] OP 4544 // CB 704 945 6000 // CPI [04/11/19 22:49:43 JGREGORIUS] AC REQ TO CANCEL [04/11/19 23:03:39 JMILLEN]					
21	2019105739	4/12/2019 12:05:46	6029 HEMBY RD	WED	BROL	W3	CAL
	ALARMS LAW	7	UCSO	T10		YOO, HWI	
	BURG ALARM FRONT DOOR FRONT MOTION DETECTOR [04/12/19 12:06:17 SSTARNES] CPI CB 7049456115 OP 3337 [04/12/19 12:06:53 SSTARNES] PER AC 22 [04/12/19 12:13:24 SSTARNES]						
22	2019106253	4/12/2019 21:23:47	104 CREST CT	WED	CARC	B24	CAL
	ALARMS LAW	7	UCSO	T10		TODD, LEIGH	
	BREAKFAST RIGHT DOOR / NO ANS AT PREMISE [04/12/19 21:24:42 GSECREST] SEC CENTRAL / OP 7115 / REF 1986288 / 800-230-6975 [04/12/19 21:25:00 GSECREST] AC REQ -22 [04/12/19 21:31:16 EOATES]						
23	2019106262	4/12/2019 21:32:36	13639 PROVIDENCE RD	WED		B34	CNR
	ALARMS LAW	7	UCSO	T10	HARRIS TEETER WEDDINGTON		
	PHARMACY 360 MOTION [04/12/19 21:33:04 SCASHMAN] NO KH YET [04/12/19 21:33:10 SCASHMAN] IVERIFY // 800-888-4443 // OP 1109 [04/12/19 21:33:30 SCASHMAN] UDTS: {B14} NO NEED TO CHECK STATUS [04/12/19 21:43:47 ALILES] I c hecked with the supervisor and nothing appears wrong at the gate. He checked the alarm and it was showing armed. [04/12/19 21:43:48 Unit:B14]						
24	2019106644	4/13/2019 10:01:40	101 HIGHCLERE DR	WED	HIGC	A34	CAL
	ALARMS LAW	7	UCSO	T10			
	MODEL #1, ENTRY EXIT FRONT DOOR, FRONT DOOR MOTION, TRACY SHOWING FOR PREMISE IS ENROUTE BUT GAVE WRONG CODE [04/13/19 10:02:45 WBOLICK] KH 7043010804, TRACY OLSON [04/13/19 10:03:06 WBOLICK] SEC CENTRAL//OP 7157//8002306975 [04/13/19 10:03:24 WBOLICK] REF 2021762 [04/13/19 10:03:33 WBOLICK] PER AC -22 [04/13/19 10:17:10 SSTARNES]						
25	2019107531	4/14/2019 7:58:24	1010 LAKE FOREST DR	WED	LAKF	T4	CAL
	ALARMS LAW	7	UCSO	T10		SHAW, SIMTESH	
	BACK DR [04/14/19 07:58:48 MULLIGAN] CPI//800-948-7133//OP 3102 [04/14/19 07:59:45 MULLIGAN] PER AC 22 [04/14/19 08:05:28 SSTARNES]						
26	2019107614	4/14/2019 10:35:30	5101 PANHANDLE CIR	WED	WELI	T4	F
	ALARMS LAW	7	UCSO	T10		BERGER, BRYAN	
	GARAGE DOOR [04/14/19 10:35:59 EMULLIS] ATTEMPTING KH [04/14/19 10:36:27 EMULLIS] CPI SEC // 704-945-6115 // OP 3337 [04/14/19 10:36:45 EMULLIS] AC REQ -22 [04/14/19 10:41:34 EMULLIS] Spoke with homeowner, he said his sensor on his garage is acting up. [04/14/19 10:43:53 Unit:T4]						

	Incident #	Date/Time	Agcy	Street	City	Subdivision	Prime Unit		
	Nature	Priority		Zone	Business	Caller Name	Close Code		
27	2019109973	4/16/2019 14:07:34			8158 SHANNON WOODS LN	WED	SHAW	W1	G
	ALARMS LAW	7	UCSO	T10	CALFEE, MARILYN				Rapid Response Monitoring
	[ASAP ALARM ID: 368352776]								
	-- ALARM INFO: AUDIBLE BURGLARY (4TH LAUNDRY)								
	-- LOCATION: 8158 SHANNON WOODS LN MATTHEWS, NC 28104 (RESIDENTIAL)								
	-- SUBSCRIBER: CALFEE, MARILYN								
	-- SUBSCRIBER CALLBACK: 7048216895								
	-- AMC: RAPID RESPONSE MONITORING (1RA)								
	-- AMC CALLBACK: 8009323822								
	-- LAT/LONG: 34.9988098144531/-80.7177352905274 [04/16/19 14:07:34 911UTIL]								
	[FROM AMC] MARILYN C. CALLED IN AND WAS VERIFIED. SHE STATES ALL IS OK AND REQUESTS TO ATTEMPT TO CANCEL [04/16/19 14:09:59 911UTIL]								
	UDTS: {W1} NO NEED TO CHECK STATUS [04/16/19 14:26:11 JTHOMPSON]								
	Spoke with homeowner who advised that she contacted the alarm company who was going to cancel the deputy dispatched. She advised that everything was ok. She advised that she was the cause for the activation which was accidental. [04/16/19 14:30:04 Unit:W1]								
28	2019110009	4/16/2019 14:57:11			6035 HEMBY RD	WED	BROL	W3	F
	ALARMS LAW	7	UCSO	T10					BIAKABUTUKA RESIDENCE
	[ASAP ALARM ID: 368525976]								
	-- ALARM INFO: AUDIBLE BURGLARY (BASEMENT DOOR)								
	-- LOCATION: 6035 HEMBY RD WEDDINGTON, NC 28104 (RESIDENTIAL)								
	-- SUBSCRIBER: BIAKABUTUKA RESIDENCE								
	-- SUBSCRIBER CALLBACK: 7042466168								
	-- AMC: RAPID RESPONSE MONITORING (1RA)								
	-- AMC CALLBACK: 8009323822								
	-- LAT/LONG: 35.0320930480957/-80.7598495483398 [04/16/19 14:57:11 911UTIL]								
	[FROM AMC] ACKNOWLEDGEMENT OF ALARM WAS RECEIVED THERE MAY BE SOMEONE ON SITE [04/16/19 14:59:04 911UTIL]								
	Spoke with homeowner who advised he accidentally set it off. No disturbance observed. [04/16/19 15:05:32 Unit:W3]								
29	2019111381	4/17/2019 19:00:20			334 TURTLEBACK RDG	WED	FALL	W2	F
	ALARMS LAW	7	UCSO	T10					
	AC HAS HOLISTER DEVONSHIRE, MODEL HOME [04/17/19 19:01:03 SCASHMAN]								
	BACK DOOR [04/17/19 19:01:21 SCASHMAN]								
	STILL AT KH [04/17/19 19:01:30 SCASHMAN]								
	CEN STATION // 800-432-1429 // OP 592 [04/17/19 19:01:55 SCASHMAN]								
	REF # 563618940 [04/17/19 19:02:20 SCASHMAN]								
	{W2} REQ KH [04/17/19 19:14:07 ALILES]								
	AC HAS NOT REACHED ANY KH [04/17/19 19:18:47 GSECREST]								
	TENCH T, 610-213-5980 // BRIAN W 571-395-0844 [04/17/19 19:19:22 GSECREST]								
	THOSE ARE KHS THAT AC HAS ON FILE [04/17/19 19:19:41 GSECREST]								
	Checked back door, all appeared 10-4, 10-8 due to false alarm history and no KH [04/17/19 19:26:31 Unit:W2]								
30	2019112060	4/18/2019 12:12:32			531 WALDEN TR	WED	WALD	W2	CAL
	ALARMS LAW	7	UCSO	T10					PEELER, DAVID

[ASAP ALARM ID: 754947037]
-- ALARM INFO: AUDIBLE BURGLARY (DESCRIPTION: BA-DOOR-PERIMETER ZONE: CABANA)
-- LOCATION: 531 WALDEN TRL WAXHAW NC 281737502 (RESIDENTIAL)
-- SUBSCRIBER: PEELER, DAVID
-- SUBSCRIBER CALLBACK: 704-641-0405
-- AMC: ADT SECURITY SERVICES (1AT)
-- AMC CALLBACK: 8772387730
-- LAT/LONG: 35.0173568725586/-80.7807998657226
-- AMC CALL TO PREMISE RESULTS: Answering Machine-Left Message, Answering Machine-Left Message [04/18/19 12:12:32 911UTIL]
PER AC 22 [04/18/19 12:15:28 SSTARNES]

[ASAP ALARM ID: 1608933725]
 -- ALARM INFO: AUDIBLE BURGLARY (BASEMENT RIGHT GLASSBREAK DETECTOR)
 -- LOCATION: 3121 HIGHBURY PL WEDDINGTON, NC 28104 (RESIDENTIAL)
 -- SUBSCRIBER: RANDAZZO, JAMES AND NATALIE
 -- SUBSCRIBER CALLBACK: 7048140819
 -- AMC: RAPID RESPONSE MONITORING (1RA)
 -- AMC CALLBACK: 8009323822
 -- LAT/LONG: 35.0288276672363/-80.7498092651367 [04/19/19 13:36:58 911UTIL]
 [FROM AMC] WE DID REACH SOMEONE AT THE PREMISE NUMBER, BUT THEY DID NOT KNOW THE PASSWORD, AND WE DID RECEIVE AN ELECTRONIC
 ACKNOWLEDGEMENT OF THE ALARM THAT SOMEONE MAY BE ON SITE [04/19/19 13:40:01 911UTIL]
 Made contact with James Randazzo the homeowner. He advised that his daughter activated the alarm and when the alarm company called she gave them the alarm
 code but not the secret word or phrase. J. Randazzo was contacting the alarm company on my arrival. Everything appeared to be in order. [04/19/19 13:45:20
 Unit:W11

2019113529	4/19/2019 19:51:14	4315 WEDDINGTON MATTHEWS RD	WED	MAND	D24	CNR
ALARMS LAW	7	UCSO	T10	WEDDINGTON SWIM AND RAQUET	WEDDINGTON SWIM AND RAQU	
GENERAL BURG [04/19/19 19:51:35 MBALDWIN]						
SEC CEN / 800-230-6975 / OP#7057 [04/19/19 19:51:53 MBALDWIN]						
AC REQ 22 // KH GAVE PROPER CODE FOR FALSE ALARM [04/19/19 19:54:04 JGREGORIUS]						
-22 per AC. [04/19/19 19:56:23 Unit:D24]						

34	2019113630	4/19/2019 21:28:36	7510 NEW TOWN RD	WED	D24	F
	ALARMS LAW	7	UCSO	T10	MORRISON, STEVEN	
	DURESS ALARM ZONE 55 [04/19/19 21:30:31 JMILLEN]					
	PROTECT AMAERICA// OP 7869// 800-633-2677 [04/19/19 21:30:56 JMILLEN]					
	All windows/doors appeared secure. Unable to make contact at the home. [04/19/19 21:47:49 Unit:D24]					
	AC ADV FALSE ALARM [04/19/19 21:54:37 JMILLEN]					

Incident #	Nature	Date/Time	Priority	Agncy	Street		City	Subdivision	Prime Unit	Caller Name	Close Code
					Zone	Business					
35	2019114103	4/20/2019 10:09:50				101 HIGHCLERE DR		WED	HIGC		C34 CAL
	ALARMS LAW	7		UCSO		T10					
	FRONT DOOR/MOTION [04/20/19 10:10:31 JTHOMPSON]										
	MODEL HOME [04/20/19 10:10:41 JTHOMPSON]										
	SEC CENTRAL, OP 7173, CB 800-230-6975 [04/20/19 10:10:56 JTHOMPSON]										
	AC REQ -22 [04/20/19 10:16:22 JHUSKEY]										
36	2019114522	4/20/2019 19:26:31				2005 BROOK VIEW CT		WED	WEDD		W1 CAL
	ALARMS LAW	7		UCSO		T10					GIAMMARINO, JOSE & MICHELLE
	FRONT MOTION [04/20/19 19:26:59 CCONLEY]										
	CPI OPER 5079 7049456115 [04/20/19 19:27:38 CCONLEY]										
	PER AC, CANCEL DISPATCH [04/20/19 19:31:00 MBALDWIN]										
37	2019115051	4/21/2019 12:02:07				406 WEDDINGTON RD		WED			W1 CAL
	ALARMS LAW	7		UCSO		T10					CARTER, KEVIN & LADONNA
	LIVING ROOM GLASS BREAK [04/21/19 12:03:07 ALAWSON]										
	CPI SEC // 704-945-6115 // OP 4695 [04/21/19 12:03:42 ALAWSON]										
	AC REQ -22 // OP 3498 [04/21/19 12:09:50 ALAWSON]										
38	2019116006	4/22/2019 11:20:15				334 TURTLEBACK RDG		WED	FALL		W3 N
	ALARMS LAW	7		UCSO		T10					
	ZONE 4 BACK DOOR [04/22/19 11:20:28 SSTARNES]]										
	MODEL HOME [04/22/19 11:20:38 SSTARNES]										
	TBI SMART HOME SOLUTIONS CB 800 432 1429 OP 968 [04/22/19 11:21:03 SSTARNES]										
	due to call history of false alarms and no KH 10=8 [04/22/19 11:44:56 Unit:W2]										
39	2019116041	4/22/2019 12:18:06				3216 MICHELLE DR		WED	PROW		W3 CAL
	ALARMS LAW	7		UCSO		T10					BRANUM, JANE
	GARAGE BACK DOOR [04/22/19 12:18:28 SSTARNES]										
	PARAMOUNT SEC CB 855 807 9591 OP JULIE [04/22/19 12:19:22 SSTARNES]										
	PER AC 22 [04/22/19 12:19:36 SSTARNES]										
40	2019116098	4/22/2019 13:20:34				1312 DELANEY DR		WED	BROL		W3 F
	ALARMS LAW	7		UCSO		T10					WEICHENG LIU AND PEIJUNG CH
	[ASAP ALARM ID: 1619155225]										
	-- ALARM INFO: AUDIBLE BURGLARY (GARAGE DOOR)										
	-- LOCATION: 1312 DELANEY DR WEDDINGTON, NC 28104 (RESIDENTIAL)										
	-- SUBSCRIBER: WEICHENG LIU AND PEIJUNG CHOU										
	-- SUBSCRIBER CALLBACK: 7046187058										
	-- AMC: RAPID RESPONSE MONITORING (1RA)										
	-- AMC CALLBACK: 8009323822										
	-- LAT/LONG: 35.0288047790527/-80.747673034668 [04/22/19 13:20:34 911UTIL]										
	[FROM AMC] WE RECEIVED AT 1318 A BURGLARY ALARM VIA ZONE 2 GARAGE DOOR AND A ELECTRONIC ACKNOWLEDGMENT THAT SOMEONE MAY OR MAY NOT BE ON SITE. SPOKE WITH PEIJUNG CHOU STATES ALL IS OK BUT GAVE AN INVALID PASSWORD. PERMIT # 3048. CROSS STREETS: Bromley Drive and Highbury Place. SUBDIVISION: Bromley Estates [04/22/19 13:22:16 911UTIL]										
	Spoke with homeowner and advised everything was ok. [04/22/19 13:30:03 Unit:W3]										

Incident #	Date/Time	Street	City	Subdivision	Prime Unit				
Nature	Priority	Agcy	Zone	Business	Caller Name	Close Code			
41	2019116118	4/22/2019 13:39:14	4065 BLOSSOM HILL DR	WED	HIGH	W3	F		
	ALARMS LAW	7	UCSO	T10		PRAKASH, KRISHNAVENI			
	[ASAP ALARM ID: 739008056] -- ALARM INFO: AUDIBLE BURGLARY (DESCRIPTION: BA-BURGLAR ALARM ZONE: BA-BURGLAR ALARM) -- LOCATION: 4065 BLOSSOM HILL DR MATTHEWS NC 281047742 (RESIDENTIAL) -- SUBSCRIBER: PRAKASH, KRISHNAVENI -- SUBSCRIBER CALLBACK: 704-770-7574 -- AMC: ADT SECURITY SERVICES (1AT) -- AMC CALLBACK: 8772387730 -- LAT/LONG: 35.028247833252/-80.7673187255859 -- AMC CALL TO PREMISE RESULTS: Answering Machine-Left Message, Answering Machine-Left Message [04/22/19 13:39:14 911UTIL] no one answered RING system all appeared secured [04/22/19 13:50:32 Unit:W2]								
42	2019116796	4/23/2019 2:29:56	716 RIDGELAKE DR	WED	LAKF	T4	F		
	ALARMS LAW	7	UCSO	T10 KANSAL, ANIL		Rapid Response Monitoring			
	[ASAP ALARM ID: 1621546525] -- ALARM INFO: AUDIBLE BURGLARY -- LOCATION: 716 RIDGE LAKE DR WEDDINGTON, NC 28104 (RESIDENTIAL) -- SUBSCRIBER: KANSAL, ANIL -- AMC: RAPID RESPONSE MONITORING (1RA) -- AMC CALLBACK: 8009323822 -- LAT/LONG: 35.0115242004394/-80.7391510009766 [04/23/19 02:29:56 911UTIL] [FROM AMC] RECEIVED BURGLARY ALARM MOTION SENSOR MAIN DOOR VERIFIED ANIL KANSAL REQUESTED DISPATCH NOT ON SITE AND IS NOT RESPONDING CROSS STREET IS LAKE FOREST DRIVE [04/23/19 02:31:34 911UTIL] -28 DMJ5232 GRY LEXUS // AUD BURG [04/23/19 02:40:25 ALILES] NN2CK [04/23/19 02:42:58 Unit:T4] PHONE # THAT A23 REQUESTED FROM AC: ANIL KANSAL - 919-824-7350 // SECONDARY # - RICHA KANSAL - 704-942-1046 [04/23/19 02:48:32 EOATES] I arrived at the listed address in reference to an alarm activation. I walked the perimeter of the residence and checked all the doors, at this time all doors are secure, and the windows appear to be secure. There are no signs of attempted entry into the residence and nothing appears to be tampered with nor vandalized. All appears good at this time. [04/23/19 02:51:00 Unit:T4]								
43	2019117336	4/23/2019 13:43:12	731 RIDGELAKE DR	WED	LAKF	W3	F		
	ALARMS LAW	7	UCSO	T10		OUELLETTE, MARK			
	FRONT DOOR [04/23/19 13:43:36 SSTARNES] ADT SEC CB 8772387730 OP MOINYAE [04/23/19 13:44:26 SSTARNES] UDTS: {W3} NO NEED TO CHECK STATUS [04/23/19 13:54:50 MULLIGAN] Spoke with pet sitter and advised she set if off by mistake. Stated homeowners shut off alarm. All appeared fine at this time. [04/23/19 13:55:27 Unit:W3]								
44	2019118413	4/24/2019 13:12:15	13700-110 PROVIDENCE RD	WED		SR21	CAL		
	ALARMS LAW	7	UCSO	T10					
	DR. ANDREW TRAN DENTAL OFFICE, MULTIPLE ACTIVATIONS [04/24/19 13:12:51 JTHOMPSON]] SEC CEN, OP 7004, CB 800-230-6975 [04/24/19 13:13:20 JTHOMPSON] AC REQ -22 [04/24/19 13:16:41 JTHOMPSON] 22 PER ALARM COMP. [04/24/19 13:17:33 Unit:SR21]								

Incident #	Date/Time	Street	City	Subdivision	Prime Unit	Caller Name	Close Code
Nature	Priority	Agcy	Zone	Business			
45	2019118624	4/24/2019 16:18:19	2053 FITZHUGH LN	WED	STRA	D24	CAL
	ALARMS LAW	7	UCSO	T10		GARBER, DANIEL	
	FRONT DOOR [04/24/19 16:18:39 CDROWAN] ATT KH// CPI// 8009487133// OP 4624 [04/24/19 16:19:07 CDROWAN] AC REQ -22 [04/24/19 16:20:41 JTHOMPSON]						
46	2019118680	4/24/2019 17:05:55	3024 TWIN LAKES DR	WED	LAKF	W1	G
	ALARMS LAW	7	UCSO	T10		Rapid Response Monitoring	
	[ASAP ALARM ID: 1628384325] -- ALARM INFO: AUDIBLE BURGLARY -- LOCATION: 3024 TWIN LAKES DR MATTHEWS, NC 28104 (RESIDENTIAL) -- SUBSCRIBER: DAGGUBATI, MOHAN -- AMC: RAPID RESPONSE MONITORING (1RA) -- AMC CALLBACK: 8009323822 -- LAT/LONG: 35.0152931213379/-80.7360305786133 [04/24/19 17:05:55 911UTIL] [FROM AMC] WE RECIEVED AN ADDITIONAL BURGLARY ALARM AT 17:03 INDICATING RING MOTION SENSOR KITCHEN. I SPOKE WITH HIMA PUCHAKAYALA WHO STATED EVERYTHING IS O.K. AND STATED SHE WAS ON-SITE, MS. PUCHAKAYALA DID NOT PROVIDE A PASSWORD. WE ALSO SHOW A CROSS-STREET OF LAKE PRAIRIE DR. [04/24/19 17:07:37 911UTIL] [FROM AMC] WE ARE RECEIVING A VALID REQUEST TO CANCEL [04/24/19 17:08:03 911UTIL] Homeowner advised the app on phone got locked up causing her to accidentally activate the alarm system when trying to deactivate it. [04/24/19 17:19:02 Unit:W1]						
47	2019118728	4/24/2019 17:44:09	1140 BROMLEY DR	WED	BROL	W1	F
	ALARMS LAW	7	UCSO	T10		JENSON, KERI AND CURT	
	FOYER MOTION [04/24/19 17:44:29 KMICHAELS] CPI OP 4865 CB 704 945 6115 -ATT KH [04/24/19 17:45:05 KMICHAELS] UDTS: {W1} NO NEED TO CHECK STATUS [04/24/19 18:05:36 MGADAIRE] Checked the exterior of the residence and everything appeared to be secure. No cause for the alarm was found. [04/24/19 18:07:42 Unit:W1]						
48	2019118802	4/24/2019 18:53:21	3030 KINGS MANOR DR	WED	HIGH	W1	CAL
	ALARMS LAW	7	UCSO	T10	LOEW, H CHARLES	ADT SECURITY SERVICES	
	[ASAP ALARM ID: 739689946] -- ALARM INFO: AUDIBLE BURGLARY (DESCRIPTION: BA-BURG-MOTION (DT) ZONE: DIN RM) -- LOCATION: 3030 KINGS MANOR DR WEDDINGTON NC 281046868 (RESIDENTIAL) -- SUBSCRIBER: LOEW, H CHARLES -- SUBSCRIBER CALLBACK: 703-362-3465 -- AMC: ADT SECURITY SERVICES (1AT) -- AMC CALLBACK: 8772387730 -- LAT/LONG: 35.0252342224121/-80.7781295776367 -- AMC CALL TO PREMISE RESULTS: Answering Machine-Left Message, Answering Machine-Left Message [04/24/19 18:53:21 911UTIL] AC REQ CANCEL [04/24/19 18:57:17 JMILLEN]						
49	2019119733	4/25/2019 14:55:16	3650 FOX RUN RD	WED	FOXR	W1	F
	ALARMS LAW	7	UCSO	T10		MOORER, GRADY	
	ENTRY EXIT ALARM [04/25/19 14:55:42 MGADAIRE] SIMPLY SAFE / 800-633-2677 / OP 4078 [04/25/19 14:56:02 MGADAIRE] UDTS: {W1} NO NEED TO CHECK STATUS [04/25/19 15:11:45 KMICHAELS] Checked the exterior of the residence and everything appeared to be secure. All doors were secured. I made contact with homeowner via telephone regarding having the alarm system checked. They are currently out of town and will return May 1, 2019. [04/25/19 15:13:18 Unit:W1]						

Incident #	Date/Time	Street	City	Subdivision	Prime Unit		
Nature	Priority	Agcy	Zone	Business	Caller Name	Close Code	
50	2019120164	4/26/2019 0:42:00		1213 PARKHILL CT	WED	HIGH	D24 CAL
	ALARMS LAW	7	UCSO	T10			LEWIS, RICHARD
	KITCHEN GLASS BREAK [04/26/19 00:42:26 JMILLEN]						
	ALARM MONITORING CENTER// OP SE// 800-535-4278 [04/26/19 00:42:47 JMILLEN]						
	AC REQ -22 // FALSE ALARM [04/26/19 00:45:57 JGREGORIUS]						
51	2019120791	4/26/2019 15:05:28		3211 LAKEHURST CROSSING	WED	PREV	W3 CAL
	ALARMS LAW	7	UCSO	T10			MURPHY, SHAWN
	FRONT OR GARAGE DOOR [04/26/19 15:06:01 SSTARNES]						
	CHILD ON SITE LAUREN MURPHY DOESNT KNOW PASSWORD [04/26/19 15:06:15 SSTARNES]						
	CPI SEC CB 7049456115 OP 4140 [04/26/19 15:06:59 SSTARNES]						
	AC REQ -22//OP 5078 [04/26/19 15:10:56 EHARRISON]						
52	2019120868	4/26/2019 15:53:23		4814 BEULAH CHURCH RD	WED		WC1 F
	ALARMS LAW	7	UCSO	T10			NAPOLI, DAVID
	DEN MOTION // AC WILL ATT KH [04/26/19 15:53:59 JCROSS]						
	AMC // CB 8005352478 // OP 45 [04/26/19 15:54:32 JCROSS]						
	everything looks secure [04/26/19 16:06:30 Unit:WC1]						
53	2019120869	4/26/2019 15:53:47		3716 RED FOX TR	WED	FOXR	W3 CAL
	ALARMS LAW	7	UCSO	T10			DODGE, TERRY
	BACK DOOR [04/26/19 15:54:14 SSTARNES]						
	CPI SEC CB 8009487133 OP 3928 [04/26/19 15:54:51 SSTARNES]						
	AC -22 [04/26/19 15:58:02 EMULLIS]						
54	2019120949	4/26/2019 16:57:11		6057 HEMBY RD	WED	BROL	W2 F
	ALARMS LAW	7	UCSO	T10 MCCARTER, LENNIA			ADT SECURITY SERVICES
	[ASAP ALARM ID: 740248176]						
	-- ALARM INFO: AUDIBLE BURGLARY (DESCRIPTION: BA-WINDOW(S) ZONE: LIVING WIND 1)						
	-- LOCATION: 6057 HEMBY RD MATTHEWS NC 28104 (RESIDENTIAL)						
	-- SUBSCRIBER: MCCARTER, LENNIA						
	-- SUBSCRIBER CALLBACK: 919-539-2479						
	-- AMC: ADT SECURITY SERVICES (1AT)						
	-- AMC CALLBACK: 8772387730						
	-- LAT/LONG: 35.0316848754883/-80.7622222900391						
	-- AMC CALL TO PREMISE RESULTS: Answering Machine-Left Message [04/26/19 16:57:11 911UTIL]						
	High wind storm, all appears secured. no one answered door. [04/26/19 17:05:59 Unit:W2]						
55	2019121218	4/26/2019 22:08:55		518 COTTONFIELD CIR	WED	PROV	W2 F
	ALARMS LAW	7	UCSO	T10			DAVIS, CATHY
	LAUNDRY/KITCHEN/DEN WINDOWS [04/26/19 22:09:30 SCASHMAN]						
	NO KH YET [04/26/19 22:09:34 SCASHMAN]						
	CPI // 704-945-6115 // OP 3996 [04/26/19 22:09:58 SCASHMAN]						
	{W2} BLK CRWN VIC // AUDB FRM RESD [04/26/19 22:15:36 LNAVARRO]						
	{W2} GARAGE DOOR HALF UP [04/26/19 22:15:50 LNAVARRO]						
	No one answered door, garage door appeared to be opened for cat that was in the area. I was unable to lift if enough to make entry. All appears 104, alarm seemed to reset and audible went off. [04/26/19 22:21:25 Unit:W2]						

Incident #	Date/Time	Street	City	Subdivision	Prime Unit				
Nature	Priority	Agcy	Zone	Business	Caller Name	Close Code			
56	2019121482	4/27/2019 5:21:17	2101 CLIMBING ROSE LN	WED	ROSE	UCSO	CAL		
	ALARMS LAW	7	UCSO	T10	JONES, KEITH	ADT SECURITY SERVICES			
	[ASAP ALARM ID: 740389686] -- ALARM INFO: AUDIBLE BURGLARY (DESCRIPTION: BA-IR MOTION ZONE: FOYER) -- LOCATION: 2101 CLIMBING ROSE LN MATTHEWS NC 281046233 (RESIDENTIAL) -- SUBSCRIBER: JONES, KEITH -- SUBSCRIBER CALLBACK: 704-965-8840 -- AMC: ADT SECURITY SERVICES (1AT) -- AMC CALLBACK: 8772387730 -- LAT/LONG: 35.0594673156738/-80.7364349365234 -- AMC CALL TO PREMISE RESULTS: Answering Machine-Left Message [04/27/19 05:21:17 911UTIL] [FROM AMC] PLEASE CANCEL DISPATCH, PD CALLED IN WITH PROPER CODE, AT SITE [04/27/19 05:21:56 911UTIL]								
57	2019121483	4/27/2019 5:23:32	2101 CLIMBING ROSE LN	WED	ROSE	B14	F		
	ALARMS LAW	7	UCSO	T10	JONES, KEITH				
	ZONE 7 FOYER MOTION [04/27/19 05:24:03 SCASHMAN] KH KEITH JONES AND WIFE ARE OUT OF TOWN // REQ DISPATCH [04/27/19 05:24:21 SCASHMAN] ADT // 877-238-7730 // PHIL [04/27/19 05:24:49 SCASHMAN] AC ADV SMALL DOG ON SITE [04/27/19 05:25:03 SCASHMAN] I checked the residence all appears to be ok small dog in the bedroom. [04/27/19 05:50:29 Unit:B14]								
58	2019122489	4/28/2019 7:09:40	3600 BEULAH CHURCH RD	WED		B31	CAL		
	ALARMS LAW	7	UCSO	T10		LOWERY, CHRIS			
	PERIMETER BURG ZONE 12 [04/28/19 07:10:40 SSTARNES] SEC CENT 800 230 6975 OP 7138 [04/28/19 07:11:14 SSTARNES] REF 1776037 [04/28/19 07:11:28 SSTARNES] PER AC 22 [04/28/19 07:14:43 SSTARNES] Cancelled by AC. CNR [04/28/19 07:15:30 Unit:B31]								
59	2019123064	4/28/2019 22:35:23	3161 FOXMEADE DR	WED	PROW		CBC		
	ALARMS LAW	7	UCSO	T10		JOHNSON, ROBERT			
	GARAGE DOOR [04/28/19 22:35:39 LNAVARRO] CPI / OP 5033 / 7049456165 [04/28/19 22:36:04 LNAVARRO] ATT KH [04/28/19 22:36:12 LNAVARRO] AC REQ 22 [04/28/19 22:38:08 LNAVARRO]								
60	2019123680	4/29/2019 13:42:15	5015 ANCESTRY CIR	WED	WEDH	W1	G		
	ALARMS LAW	7	UCSO	T10		VANDERCOOK, SANDRA			
	PATIO DOOR ALARM, STILL ATT KH [04/29/19 13:42:50 ACOPELAND] OP 3928 CPI 800-948-7133 [04/29/19 13:43:15 ACOPELAND] UDTS: {W1} NO NEED TO CHECK STATUS [04/29/19 13:51:21 JTHOMPSON] KEYHOLDER ETA10 , BLK CAR [04/29/19 14:07:28 JKING2] Found two rear doors open to the residence. They appear to have been pushed open both the two dogs in the rear of the residence. A check of the interior of the residence was completed with negative results. Contact made with key holder via telephone. I will stand by until she arrives at the residence. [04/29/19 14:09:09 Unit:W1] Key holder telephone number 704-649-9943. [04/29/19 14:10:57 Unit:W1] Made contact with Sandra Vandercook. A walk through of the residence was completed and everything appeared to be in order. [04/29/19 14:22:25 Unit:W1]								

	<i>Incident #</i>	<i>Date/Time</i>	<i>Street</i>	<i>City</i>	<i>Subdivision</i>	<i>Prime Unit</i>		
	<i>Nature</i>	<i>Priority</i>	<i>Agcy</i>	<i>Zone</i>	<i>Business</i>	<i>Caller Name</i>	<i>Close Code</i>	
61	2019124720	4/30/2019 11:39:37			500 AUCKLAND LN	WED WELN	W1 CBC	
	ALARMS LAW	7	UCSO	T10		CARNEY, JAMES		
	UPSTAIRS MOTION [04/30/19 11:40:02 MGADAIRE]							
	SAFE HOME SECURITY / 800-344-4423 / OP 7205 [04/30/19 11:40:19 MGADAIRE]							
	REF 1648010 [04/30/19 11:40:48 MGADAIRE]							
	AC REQ 22 [04/30/19 11:42:54 JSIMPSON1]							
62	2019125159	4/30/2019 18:08:57			1027 BARON RD	WED AERO	W1 CAL	
	ALARMS LAW	7	UCSO	T10		OAKS, JOHNNY		
	PATIO BACK DOOR [04/30/19 18:09:29 JTHOMPSON]							
	SONITROL, OP HANNAH, CB 800-866-9003 [04/30/19 18:10:06 JTHOMPSON]							
	CLR CANCELLED [04/30/19 18:13:35 JSIMPSON1]							
					Total Number of Calls for Month:	62		



Union County Sheriff's Office

Events By Nature

For the Month of: April 2019

Date of Report

5/1/2019

9:07:14AM

<u>Event Type</u>	<u>Total</u>
911 HANG UP	61
ABANDONED VEHICLE	1
ACCIDENT EMD	1
ACCIDENT HITRUN PD LAW	1
ACCIDENT PD COUNTY NO EMD	11
ALARMS LAW	62
ANIMAL BITE REPORT LAW	1
ANIMAL COMP SERVICE CALL LAW	5
ASSIST EMS OR FIRE	3
ASSIST OTHER AGENCY LAW	1
ATTEMPT TO LOCATE	5
BOLO	7
BURGLARY HOME OTHER NONBUSINESS	5
BUSINESS CHECK	31
CARDIAC RESPIRATORY ARREST EMD	3
CARELESS AND RECKLESS	9
DISTURBANCE OR NUISANCE	3
DOMESTIC DISTURBANCE	3
DRUG ACTIVITY	1
ESCORT	1
FOLLOW UP INVESTIGATION	11
FOOT PATROL	17
FRAUD DECEPTION FORGERY	3
HARASSMENT STALKING THREATS	1
ILLEGAL DUMPING LITTERING	1
IMPROPERLY PARKED VEHICLE	3
INVESTIGATION	1
JURISDICTION CONFIRMATION LAW	6

<u>Event Type</u>	<u>Total</u>
KNOCK AND TALK	1
LARCENY OF VEHICLE	1
LARCENY THEFT	9
LOST OR FOUND PROPERTY	2
MENTAL DISORDER	1
MISSING PERSON	1
MOTORIST ASSIST	6
NC DOT MISCELLANEOUS	2
POISONING EMD	1
PREVENTATIVE PATROL	994
PROP DAMAGE VANDALISM MISCHIEF	5
RADAR PATROL INCLUDING TRAINIG	4
REFERAL OR INFORMATION CALL	6
RESIDENTIAL CHECK	11
SEARCH CONDUCTED BY LAW AGNCY	1
SERVE CRIMINAL CIVIL SUBPOENA	3
SEX ASSAULT CHILD LAW	2
SHOTS FIRED	1
SUSPICIOUS CIRCUMSTANCES	1
SUSPICIOUS PERSON	8
SUSPICIOUS VEHICLE	13
TEST PLEASE LIMIT THESE	3
TRAFF VIOLATION COMPLAIN EPD	12
TRAFFIC DIRECT CONTROL	3
TRAFFIC HAZARD	4
TRAFFIC STOP	52
TRESPASSING	2
WANTED PERSON	1
WELL BEING CHECK	2

Total Calls for Month:

1,410

Weddington

4/2019

UCR Code	Description	Date of Report	Incident ID	
13B				
13B	SIMPLE ASSAULT	4/5/19	201902864	
13B	SIMPLE ASSAULT	4/11/19	201903071	
			Total:	2
220				
220	BREAKING/ENTERING-FELONY	4/3/19	201902764	
220	BREAKING/ENTERING-FELONY	4/3/19	201902766	
220	BREAKING/ENTERING-FELONY	4/3/19	201902765	
220	BREAKING/ENTERING-FELONY	4/3/19	201902767	
220	BREAKING/ENTERING-FELONY	4/9/19	201902970	
220	BREAKING/ENTERING-FELONY	4/9/19	201902971	
220	BREAKING/ENTERING-FELONY	4/9/19	201902972	
220	BREAKING/ENTERING-FELONY	4/23/19	201903384	
			Total:	8
23H				
23H	LARCENY >\$300 - <\$1000 FROM CONSTRUC SIT	4/4/19	201902804	
23H	LARCENY-FELONY	4/24/19	201903413	
			Total:	2
26A				
26A	OBTAINING PROPERTY BY FALSE PRETENSES	4/19/19	201903295	
			Total:	1
290				
290	INJURY TO REAL PROPERTY	4/20/19	201903315	
290	INJURY TO PERSONAL PROPERTY	4/21/19	201903331	
290	INJURY TO REAL PROPERTY	4/26/19	201903450	
			Total:	3
35A				
35A	POSSESS MARIJUANA UP TO 1/2 OZ	4/6/19	201902910	
			Total:	1
90D				
90D	DRIVING WHILE IMPAIRED	4/25/19	201903433	
			Total:	1
90F				
90F	STALKING	4/20/19	201903302	
			Total:	1
90Z				
90Z	UNAUTHORIZED USE OF MOTOR VEHICLE	4/24/19	201903412	
90Z	LITTERING	4/25/19	201903436	
			Total:	2

Weddington

4/2019

UCR Code	Description	Date of Report	Incident ID
999			
999	ANIMAL CALL	4/1/19	201902684
999	INVESTIGATION	4/1/19	201902718
999	CALL FOR SERVICE	4/3/19	201902758
999	ANIMAL CALL BITE	4/2/19	201902723
999	ANIMAL CALL	4/7/19	201902915
999	LOST PROPERTY	4/16/19	201903202
999	INVESTIGATION	4/24/19	201903417
999	ACCIDENT NO VISIBLE INJURY	4/25/19	201903422
999	FICTICIOUS INFO TO OFFICER	4/25/19	201903430
999	DWLR IMPAIRED REV	4/25/19	201903430
999	INVESTIGATION	4/29/19	201903540
999	INVESTIGATION	4/30/19	201903567
Total:			12

Monthly Crime Total

33

**TOWN OF
W E D D I N G T O N**

MEMORANDUM

TO: Mayor and Town Council
FROM: Lisa Thompson, Town Administrator/Planner
DATE: May 13, 2019
SUBJECT: Bond Release for Bromley Subdivision

Toll Brothers is requesting a performance and maintenance bond release for water and sewer construction within the Bromley Subdivision. A letter verifying final Union County Public Work's acceptance is attached.

Staff recommends releasing bond #0632829 in the amount of \$66,872.43 for the Bromley Subdivision Map 8; bond #0632830 in the amount of \$15,205.28 for the Bromley Subdivision Map 8; and bond #0632833 in the amount of \$2,828.10 for the Bromley Subdivision Map 9



US INFRASTRUCTURE OF CAROLINA, INC.
CONSULTING ENGINEERS

September 8, 2015

Mr. Julian Burton, Zoning Administrator/Town Planner
Town of Weddington
1924 Weddington Road
Weddington, NC 28104

SUBJECT: Bromley Map 8
Release of Performance Bond
USI Project No. 140209

Dear Julian:

The water and sanitary sewer utilities for Map 8 of the Bromley subdivision have been accepted by Union County Public Works as described in the attached letter. Therefore we recommend release of the performance bond in the amount of \$66,872.43 for this phase of the subdivision.

If you have any questions, please contact us at 704-342-3007.

Sincerely,

US Infrastructure of Carolina, Inc.

Bonnie A. Fisher, P.E.
Senior Engineer

cc: Mike Neff, PE

Attachment

UNION COUNTY
DEPARTMENT OF PUBLIC WORKS

500 North Main Street, Suite 500, Monroe, NC 28112
Phone: (704)296-4210 • Fax: (704)296-4232



May 15, 2017

Town of Weddington
Attn: Lisa Thompson
1924 Weddington Road
Matthews, NC 28104

Subject: Bromley, Maps 8 & 9

Dear Mrs. Thompson:

Union County Public Works Department has inspected the materials and workmanship of the water and sewer distribution systems which has been installed in the above mentioned subdivision. We find this project to be in substantial compliance and intent of the approved plans and specifications and hereby recommend **releasing** the current letter of credits for this project.

Sincerely;

A handwritten signature in cursive script, appearing to read "Crystal Panico".

Crystal Panico, PE.
New Development Program Manager

Cc: Bart Key- Toll Brothers
Joe Whaley- Yarbrough- Williams & Houle

COP/lkm



UNION COUNTY PUBLIC WORKS

September 4, 2015

Mr. Jeremy Schumacher
250 Gibraltar Road
Horsham, PA 19044

**RE: Letter of Final Acceptance for the Development: Bromley Maps 7, 8, and 9
(Lots 19-29; 35; 42; 51; 55-60; 69-73; 36-41; 43-50; 104-111; 30-34)**

Mr. Jeremy Schumacher,

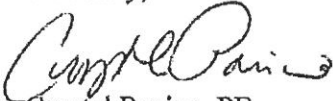
This Letter of Final Acceptance pertains to the Development Phase referenced above. If you have requested that UCPW accept less than the entire Development Phase Project, such reduced portion of the Development Phase Project for which acceptance is given is identified on Exhibit A, attached and incorporated herein by reference. That part of the Development Phase Project for which acceptance is given, whether the entire Development Phase Project or only such portion as identified on Exhibit A, shall be referred to in this letter as the "Accepted Portion of the Development Phase Project." Article 5 of the Union County Water and Sewer Extension Ordinance (the "Ordinance") is enclosed for your convenience. Capitalized terms in this letter shall have the meanings set forth in the Ordinance, unless otherwise clearly required by the context.

UCPW has determined that all conditions imposed pursuant to Section 5.1 of the Ordinance for the Accepted Portion of the Development Phase Project have been satisfied. As to the Accepted Portion of the Development Phase Project, UCPW will release authorization to set water meters in accordance with the provisions in Section 5.2 of the Ordinance. The date of this letter will begin the warranty required pursuant to Section 5.5 of the Ordinance. You are requested to contact UCPW three months prior to expiration of the applicable warranty in order that a warranty inspection may be conducted in accordance with Section 5.6 of the Ordinance.

UNION COUNTY PUBLIC WORKS

Please contact UCPW should you have any questions.

Sincerely,



Crystal Panico, PE
Project Manager

Cc: (Via Email)

Julian Burton at jburton@townofweddington.com

Marc Houle at march@y-wh.com

Richard Jenson at lee.jenson@unioncountync.gov

James King at james.king@unioncountync.gov

TOWN OF WEDDINGTON
BUDGET CHANGES REPORT

DATES: 04/01/2019 TO 06/30/2019

<u>REFERENCE</u>	<u>CHANGE NUMBER</u>	<u>DATE</u>	<u>INITIALS</u>	<u>ORIGINAL BUDGET</u>	<u>BUDGET CHANGE</u>	<u>AMENDED BUDGET</u>
10-3350-400 SUBDIVISION FEES	2293	04/30/2019	LG	20,000.00	-5,000.00	15,000.00
10-3831-491 INVESTMENT INCOME	2294	04/30/2019	LG	7,500.00	5,000.00	12,500.00
10-4110-127 FIRE DEPARTMENT BLDG/MAINTENANCE	2295	04/30/2019	LG	19,000.00	6,000.00	25,000.00
10-4110-193 ATTORNEY FEES - LITIGATION	2296	04/30/2019	LG	25,000.00	-6,000.00	19,000.00
10-4120-124 SALARIES - FINANCE OFFICER	2297	04/30/2019	LG	13,310.00	-1,250.00	12,060.00
10-4120-182 EMPLOYEE RETIREMENT	2298	04/30/2019	LG	8,500.00	1,100.00	9,600.00
10-4120-183 EMPLOYEE INSURANCE	2299	04/30/2019	LG	12,750.00	150.00	12,900.00
10-4120-193 CONTRACT LABOR	2300	04/30/2019	LG	7,000.00	45,000.00	52,000.00
10-4120-321 TELEPHONE - ADMIN	2302	04/30/2019	LG	3,000.00	-500.00	2,500.00
10-4120-331 UTILITIES - ADMIN	2303	04/30/2019	LG	6,000.00	500.00	6,500.00
	2305	04/30/2019	LG	6,500.00	0.00	6,500.00
	2306	04/30/2019	LG	6,500.00	0.00	6,500.00
10-4120-351 REPAIRS & MAINTENANCE - BUILDING	2301	04/30/2019	LG	67,500.00	-45,000.00	22,500.00
	2310	04/30/2019	LG	22,500.00	0.00	22,500.00
10-4120-410 ADMINISTRATIVE:TRAVEL	2308	04/30/2019	LG	5,000.00	2,000.00	7,000.00
10-4120-499 MISCELLANEOUS	2309	04/30/2019	LG	8,000.00	-2,000.00	6,000.00
10-4130-321 TELEPHONE - PLANNING & ZONING	2304	04/30/2019	LG	3,000.00	-500.00	2,500.00
10-4130-331 UTILITIES - PLANNING & ZONING	2307	04/30/2019	LG	6,000.00	500.00	6,500.00
					<u>0.00</u>	



**TOWN OF WEDDINGTON
PROCLAMATION
P-2019-02**

WHEREAS, The Congress and President of the United States of America have designated May 15 as Peace Officers' Memorial Day, and the week in which May 15 falls as National Police Week; and

WHEREAS, the members of the law enforcement agencies of Union County and North Carolina play an essential role in safeguarding the rights and freedom of the citizens of the State; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards and sacrifices of their law enforcement officers and agencies and that members of those agencies recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression or intimidation; and

WHEREAS, the citizens of Weddington recognize and appreciate the contributions made by law enforcement officers at all levels of government; and

NOW, THEREFORE, I, Elizabeth Callis, Mayor of the Town of Weddington, North Carolina, call upon all citizens of Weddington to observe May 15, 2019 as

PEACE OFFICERS' MEMORIAL DAY

In honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice to their community or have become disabled in the performance of duty.

And the week of May 12 through May 18, 2019 as

NATIONAL POLICE WEEK

In witness whereof, I have hereunto set my hand and caused the Seal of the Town of Weddington to be affixed this the 11th day of February 2019.

Elizabeth Callis, Mayor

Attest:

Karen Dewey, Town Clerk

**TOWN OF WEDDINGTON
SPECIAL TOWN COUNCIL MEETING
WEDDINGTON TOWN HALL
FRIDAY MARCH 22, 2019 – 3:30 P.M.
Minutes
Page 1 of 1**

Mayor Callis opened the Special Meeting at 3:30 p.m.

Quorum was determined with Mayor Elizabeth Callis, Mayor Pro Tem Janice Propst, and Councilmember Jeff Perryman in attendance. Councilmembers Mike Smith and Scott Buzzard were absent

Staff present: Town Administrator/Planner Lisa Thompson

1. ADOPTION OF THE AGENDA

Motion: Mayor Pro Tem Propst made a motion to adopt the agenda as presented.
Vote: The motion passed with a unanimous vote.

2. DISCUSSION OF RECOMMENDED REVISION TO THE TOWN LIGHTING ORDINANCE

Ms. Thompson introduced Noll Kretschmann with EYP.
The Council reviewed the scope of work with Mr. Kretschmann.

The Council discussed how to evaluate light trespass and sky glow, including up light, forward light, and back light. They discussed various BUG ratings and how they are used to evaluate luminaires optical performance related to light trespass, sky glow, and high angle brightness control.

The Council expressed concern over the brightness and color of LED lights and how they appear versus the warmer glow of non-LED lights. They discussed existing lighting concerns and future development and how to regulate the LED lights. The Town reviewed specification sheets on current lighting offered within the Town from Union Power and agreed to use that as a base to move forward.

Mr. Kretschmann will get a revised copy of the lighting ordinance to Staff, addressing concerns raised by Council.

3. ADJOURNMENT

Motion: Mayor Pro Tem Propst made a motion to adjourn the March 22, 2019
Town Council Special Meeting at 4:30 p.m.
Vote: The motion passed with a unanimous vote.

Adopted: _____

Elizabeth Callis, Mayor

Karen Dewey, Town Clerk

**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, APRIL 8, 2019 – 7:00 P.M.
WEDDINGTON TOWN HALL
MINUTES**

Prayer – Matt Simpkins, Christ Lutheran Church

1. Open the Meeting

Mayor Callis called the meeting to order at 7:01 p.m.

2. Pledge of Allegiance

The Council led the Pledge of Allegiance.

3. Determination of Quorum

Quorum was determined with Mayor Elizabeth Callis, Mayor Pro Tem Janice Propst, Councilmembers Mike Smith and Jeff Perryman present. Councilmember Scott Buzzard was absent.

Staff: Town Administrator/Planner Lisa Thompson, Town Clerk Karen Dewey, Finance Officer Leslie Gaylord, Town Attorney Karen Wolter

Visitors: Walt Hogan, Mark Knowles, Rick Jasinski, Randy Goddard, Mike Monroe, Bill Saint, Matt Simpkins, Bill Deter, Micah Tolles, Nicholas Goodwin

4. Additions, Deletions and/or Adoption of the Agenda

Motion: Mayor Pro Tem Propst made a motion to adopt the agenda as presented
Vote: The motion passed with a unanimous vote.

5. Mayor/Councilmember Reports

Mayor Callis stated her thanks to all the Weddington High School students, staff and residents who volunteered for the Spring Litter Sweep. The shredding truck shredded about 6000 pounds. The Weddington High School FFA has their banquet tomorrow night, the Mayor and the North Carolina Agriculture Commissioner will be attending. The FFA is also sponsoring a Welcome to AG day at Hunter Farm. The Council is invited to attend. Antioch Elementary 5th grade students will be presenting projects based on problems in the community and their solutions and the Mayor will be attending. Christ Lutheran Church South is hosting their Easter Egg Hunt and Egg Drop on April 20, 2019 from 2-4. The Mayor will be the Grand Marshall.

Councilmember Smith stated that he met with Adam Thomas of Spirit First Ministries. He also met with the Reliable Growth Group to discuss ETJ and impact fees.

Councilmember Perryman stated that he has no new information to share, but he will let Council know if anything new comes up with the residents of Rosehill neighborhood.

Mayor Pro Tem Propst stated that she attended the Waxhaw Commissioner's meeting with Mayor Callis to see a public works presentation by the County Manager and the County Commission Chairman. They

discussed water issues in Union County. The litter sweep had a great turnout. It was great to see a lot of families participating. Mayor Pro Tem Propst and the Mayor met with Pastor Simpkins to see the plans for Christ Lutheran Church South at Reid Dairy and Rea Roads. Food Truck Fridays will be the first 4 Fridays in May from 5:30 to 9:00 p.m. She wanted to thank Janet Peirano for being here to help Saturday and the rest of the staff for all they did to help make the Litter Sweep such a successful event.

6. Public Comments

Bill Deter – 401 Havenchase Drive – He stated his congratulations to the Council for recognizing the need to adjust lighting ordinance. He stated with the changing technology, new LED lights will impact the town and it's important to keep the ordinance current. He stated that Food truck Fridays are a great event, and he wanted to suggest approaching the small businesses in Weddington Corners to see if they have an interest in participating.

7. Public Safety Report

Council was given the alarm calls and events reports. There was no discussion.

8. Consent Agenda

A. Approve Administrator to enter into an agreement with Haven Creative for Town Branding

Motion: Councilmember Perryman made a motion to approve the consent agenda.
Vote: The motion passed with a unanimous vote.

9. Approval of Minutes

A. March 11, 2019 Regular Town Council Meeting Minutes

Motion: Councilmember Smith made a motion to approve the March 11, 2019 Regular Town Council Meeting Minutes as presented.
Vote: The motion passed with a unanimous vote.

10. Public Hearings

A. Discussion and Consideration of Conditional Use Permit Amendment for Change in Lighting Requirement for Weddington Swim and Racquet Club

Mayor Callis opened the public hearing. Mayor Callis swore in the applicant and those giving comment/testimony

Ms. Thompson presented the staff report: Weddington Swim and Racquet Club requests a Conditional Use Permit (CUP) amendment for a change to the lighting requirements on property located at 4315 Weddington-Matthews Road. The total site is 13.75 acres. The club includes 18 approved tennis courts, a swimming pool and a 4,200 sq. ft. building.

The property has various amendments from throughout the years with the latest in 2017 adding two tennis courts at the southeast corner of the property. During the public hearing for that amendment, the Town was told that the club had been turning the lights off at 10:30 p.m. over the years. After hearing concerns

from an adjacent property owner, the Town Council agreed the new proposed courts shall be turned off by 10:00 pm. The applicant also agreed to an evergreen buffer to help block noise and lights.

Since that meeting the Town has received complaints about the lights being left on past 10:30 pm. After reviewing old minutes from previous CUPs, staff found an amendment from 2001 that stated hours of operation for the club are from 6am-10pm. The applicant believed those hours were specifically for those courts, however the attorney's interpretation is that lights must be turned off outside of these hours for all the courts, including courts previously approved and added since 2001. The condition runs with the land. In addition, staff found out that the lights were being turned on prior to 6:00 am for court maintenance. It was determined that hours of operation included maintaining the courts.

The only option to amend these times is to amend the conditional use permit. The applicant is requesting the following: (1) hours of operation until 10:30 pm except for the new courts 13 and 14 (see attached exhibit provided by the applicant) which shall be 10:00 pm, (2) allowing maintenance to turn the lights on, one court at a time, after 4:30 am when needed, (3) allowing exceptions to the 10:30 pm lights out requirement up to 5 times per year due to extenuating circumstances (i.e. weather) when there is league/tournament matches. This extension shall only include courts 1-12 and 15-16, (4) One time per year the applicant shall hold a member social in the pool deck area with lights out at 11:00 pm. Notification to staff shall be made in advance.

The Planning Board reviewed the CUP application on February 25, 2019. They reviewed the findings of fact and were in favor of each by a vote 3-1.

The Planning Board agreed by a vote 3-1 to recommend amending the lighting as follows:

- No lights on courts 13 & 14 and lights on the other courts can be on until 10:30 p.m.
- No lights on before 6:00 a.m.
- Exception for lights on until 11:00 p.m. up to 5 times per year.
- One time per year the applicant may hold a member social in the pool deck area with lights out at 11:00 p.m. There will be notification to Town Staff in advance.

It was also brought up that this area is in a low spot. The applicant has agreed to do a 4 ft tall berm with a 16-foot-tall arborvitae to block light and noise after the hurricane took out the trees in the back. PB brought up this was a low-lying wet area and showed concern about that tall a tree getting saturated and falling over. If courts 13 & 14 are not lit, it's recommended to plant a 10-12 ft. arborvitae instead of the 4-foot berm with 16 feet high arborvitae. Staff also recommends all other previous conditions from past approvals remain in effect. The findings are listed in the staff report. Staff is happy to answer any questions.

Applicant Mark Knowles-5117 Laurel Grove Lane - on behalf of all the members of the Weddington Swim and Racquet Club, they appreciate the time Council has made. They have been working with neighbors. The Club is planning to build a swale to channel water away from some of the houses in the low-lying area. The applicant will put in fence and trees. They have met with neighbors and he thinks there is a plan that's good for everybody and has addressed everybody's concerns. He would like to urge the Town Council to approve the plan.

Micah Tolles – 2809 Michelle Court – Mr. Tolles stated that since the Fleeners couldn't be present at the meeting. He was attending to be sure that the plan that was recommended and discussed at the Planning Board meeting was still the plan moving forward. Everything that was just outlined the

Fleener's were happy with. The only thing that he wants to be sure of is the new swale is as far as where the water will end up. Mr. Knowles responded that it would follow along the power lines. Mr. Tolles stated that it was his property and it can carry a lot of water. That would be great.

Ms. Thompson stated that she received an email from Fleener's that they wished to be read into the record. Ms. Wolter gave caution as since it is not sworn testimony, there is no opportunity for applicant to cross examine the witness. It is okay to read it into the record, just do not let it influence any decision.

The Fleener's email is attached for the record.

Mayor Callis closed the public hearing.

A conditional use permit shall be issued only after the Council has made each of the following findings:

- a) The use will not materially endanger the public health or safety if located where proposed and developed according to plan. The Council unanimously agreed that it would not endanger the public health or safety.
- b) The use meets all required conditions and specifications. The Council agreed unanimously that the use meets all required conditions and specifications.
- c) The use will not substantially injure the value of adjoining or abutting property, or the use is a public necessity. The Council agreed that the use will not substantially injure the value of the adjoining or abutting property given the plan information provided by the applicant.
- d) The location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located and will be in general conformity with this chapter and the town's land development plan. The Council agreed unanimously that the location and character of the use, if developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and will be in general conformity with this chapter and the Town's land development plan.

Motion:

Councilmember Smith made a motion to approve the CUP amendment with the following conditions:

- No lights on courts 13 & 14 and lights on the other courts can be on until 10:30 p.m.
- No lights on before 6:00 a.m.
- Exception for lights on until 11:00 p.m. up to 5 times per year.
- One time per year the applicant may hold a member social in the pool deck area with lights out at 11:00 p.m. There will be notification to Town Staff in advance.
- A privacy fence and evergreen plantings 12 feet in height shall be placed within 60 days of approval
- All previous conditions
- Applicant will work with staff to coordinate a drainage plan and construct a swale to drain excess water away from the houses near the low-lying area.

Vote:

The motion passed with a unanimous vote.

11. Old Business

A. Update on Land Use Plan Revisions

Council is to review first half of section 5.

12. New Business

A. Discussion of Hemby/Providence Road Subdivision Updates

Classica Homes received sketch plan approval for 35 lots on 43.16 acres located at the southwest corner of Hemby and Providence Road.

The subdivision is accessed by an entrance off Hemby Road. The number of lots proposed do not require a formal TIA, however after hearing concerns from citizens about the entrance on Hemby Road, staff requested the Town Traffic Engineer, Justin Carrol review the entrance/access location.

The applicant agreed to right and left turn lanes on Hemby Road and a right out only on Providence.

The applicant has requested to meet with Council and provide an update with their plans prior to starting the construction plan process.

Bill Saint, the owner of Classica homes gave background on the company.
Rick Jasinski presented the revised sketch plan.

Councilmember Smith asked if it might be prudent to put a southern stub for possible connectivity to future developments. Mr. Jasinski replied that it was discussed but given the surrounding properties and the existing stub on the property to the south, it didn't seem to make sense.

Councilmember Perryman stated that he was glad to see the Providence Road access. He expressed his concern about the heavy traffic eastbound on Hemby in the evening.

Mayor Callis asked if the Providence access would be angled in such a way that it would be difficult to turn in to the access road. Chris Rowe, the designer replied that it is designed so it will be very difficult to turn in that access.

Mayor Pro Tem Propst stated that it is a good design and she appreciates the extra access to Providence Road.

Mayor Callis asked if there are sidewalks planned for the neighborhood. Mr. Jasinski replied that there will be sidewalks on both sides of the street.

B. Discussion of process for pre-application meetings with Town Council

Councilmember Smith asked for this to be added to agenda. Before a developer spends time and money, the Council should meet with developer to look at plans. It would benefit all to see and hear everything at the same time.

Mayor Callis asked if other towns have policies that cover a pre-application meeting. Ms. Wolter replied that it can be added to the zoning ordinance and be made as a clear part of the pre development process. It puts the meeting in a public setting and opens to everybody.

Ms. Thompson stated that this is different from a Conservation subdivision. This would include any proposed developments a little outside the box for the Council to preview.

Staff will work on something to present to Council that will outline pre-application meetings.

C. Discussion and Consideration of Town Events and Budget Amendment for FY 2018-2019

Mayor Callis stated that when discussing the food truck event, there was feedback that adding activities for older kids would be nice to provide. The budget for the event didn't include activities, so there wasn't money set aside.

Ms. Gaylord stated that there is money in other accounts to move to the food truck budget. In addition, the radar trailer was budgeted in public safety, but is a capital expenditure and the additional hours for the weekly litter pick up must be accounted. The Council needs to approve reclassifying the accounts to provide for the additional costs, including an additional \$3500 for the events budget.

Councilmember Smith expressed the need to plan the events budget more thoroughly during the Council retreat at the beginning of the year. The Council agreed.

Motion: Mayor Pro Tem Propst made a motion to amend the budget with the changes as presented in the budget changes report (*attached for the record*) with the exception of changing the re-classification from the fire department line item to the attorney/litigation line item.

Vote: The motion passed with a unanimous vote.

D. Discussion of Preliminary Budget for FY 2019-2020

Ms. Gaylord presented the preliminary budget. She explained there were a lot of changes. The bigger amounts include Tilley Morris roundabout with \$94,000 as contingency money as an infrastructure line item. The park design consultant is added, and the Fire Department and Sheriff contract are included. The Ambassador Court paving is shown. The funds for a potential stoplight at Antioch Church and Forest Lawn at Brookhaven subdivision are included. The Town is hoping that Indian Trail and/or the county will participate in sharing the cost of that. With all changes, the budget went from being balanced to needing a fund balance appropriation. However, Tilley Morris roundabout was budgeted this year and will not be spent until next year.

E. Discussion and Consideration of Qualifications for Construction Design Services for the Town Park/Plaza and begin contract negotiation with qualified firm.

Ms. Thompson presented the staff report: In accordance with N.C. General Statutes §§143-64.31-64.34, procurement of any architectural, survey, and engineering services must go through a Request for Qualifications (RFQ). This requires that firms shall be selected based on demonstrated

competence and qualification without regard to a fee other than unit-price information and that a contract be negotiated. Staff posted an RFQ from Cardno for construction plan/design services for the Town Park and received one proposal which was distributed to Council separately.

Firms shall be evaluated based upon the following considerations:

- a) Demonstrated previous design experience of the firm and its ability to meet the requirements of RFQ,
- b) Qualifications of design personnel assigned to carry out the design concept,
- c) Demonstrated ability of firm to develop a unique facility that meets the design concept for the site-specific area,
- d) The firm's demonstrated ability to create construction designs for park facilities on time and within budget,
- e) Demonstrated ability to design a park facility that can be maintained facility through routine maintenance, and
- f) Demonstrated ability to design a park facility that emphasizes park patron safety.

If Cardo is selected, they will be expected to prepare a scope of services, fee estimate, and any other required documentation in a timely manner.

Staff recommends selecting Cardno to begin contract negotiations.

Motion: Councilmember Perryman made a motion to begin contract negotiation with Cardno based on their qualifications for cost of construction plans and design services for the Town Park.

Vote: The motion passed with a unanimous vote.

13. Update from Town Planner

Ms. Thompson presented the update: At the March meeting, the Planning Board approved Temporary Use Permits and started the conservation subdivision changes, specifically the 4-step process. At the April meeting, they will be getting into development standards. The lighting ordinance amendments should be completed tomorrow and will be brought to the April Planning Board meeting. The Town received the review comments for the erosion control ordinance and will have to do a text amendment to add code enforcement and abatement options. The Planning Board will review that at their April meeting. The Town is about 2 ½ months away from taking the enforcement of erosion control.

14. Code Enforcement Report

Ms. Thompson stated that the violation at 416 Gatewood Lane has been opened back up because there are some inoperative vehicles in front yard. There are two additional cases added to the report for home businesses both on Potter Road.

15. Update from Finance Officer and Tax Collector

Ms. Gaylord presented the update. She mentioned that the grand total under net income is deceptive. The Town still owes for police and fire services and the Tilley Morris round about payment will be next fiscal year.

16. Transportation Report

Ms. Thompson stated that DA funds were supposed to be submitted today. The additional funds for the Tilley Morris roundabout and a traffic light at Antioch and Forest Lawn are included. Indian trail may contribute funds for the traffic light.

17. Council Comments

Councilmember Jeff Perryman: Once again thanks to Town Staff. Every month I come in here, I'm impressed with the information you have for us. It makes it so much easier to digest. Thank you for your work.

Councilmember Mike Smith: I will echo that and thank you everybody who stuck around to the end. The only other thing I want to put a bug in your ear of the Council is to start looking into having these meetings taped and out on YouTube. I've had some discussions about it with Karen and we talked about audio, but I think it's important to look into getting some cameras in here. I think it would be beneficial to the Town for people who can't come to the meetings. I know other towns do it. So maybe have that on the next agenda to have Staff look into it.

Mayor Pro Tem Janice Propst: Thanks to everybody for coming out in the bad weather tonight. I appreciate you taking the opportunity to participate in the process.

Mayor Elizabeth Callis: Thank you.

Ms. Lisa Thompson added thanks to Council for their work on the Litter Sweep. It was a successful day.

18. Adjournment

Motion: Mayor Pro Tem Propst made a motion to adjourn the April 8, 2019 Regular Town Council Meeting at 8:10 p.m.

Vote: The motion passed with a unanimous vote.

Approved: _____

Elizabeth Callis, Mayor

Karen Dewey, Town Clerk

**TOWN OF
W E D D I N G T O N**

MEMORANDUM

TO: Mayor and Town Council

FROM: Lisa Thompson, Town Administrator/Planner

DATE: May 13, 2019

SUBJECT: Text Amendments to the Lighting Ordinance

The Town Council has hired Noll Kretschmann with EYP to assist with updates to the lighting ordinance. The new text addresses the color of LED lights and evaluates luminaire optical performance related to light trespass, sky glow, and high angle brightness control.

The Planning Board reviewed the text on April 22 and recommended approval of the ordinance with a clarification question about G2 or G3 rating for residential street lights.

Attached

Text
Meeting Docs.

EYP/® meeting agenda

Agenda Item 10.A.

To:	Lisa Thompson	Meeting Date:	March 22, 2019
Project Name:	Town of Weddington Lighting Ordinance review	Time:	3:30PM
Project No.:		Location:	Town of Weddington office

Meeting Purpose:	Review Lighting Ordinance w/ Town Council	Meeting Organizer:	Noll Kretschmann
Attendees:	Lisa Thompson Council Members (list)	Representing:	EYP

- Agenda:
1. Introductions
 2. Briefly review Scope of Work
 3. Ordinance Revision recommendations
 - a. LED considerations:
 - i. Output limitations
 - ii. BUG ratings
 - iii. Color appearance
 - b. Property types and adjacencies
 - c. Future development
 - d. Existing installation concerns
 4. Ordinance recommendations with respect to enforceability
 - a. Degree of stringency in requirements
 - b. Utility provided luminaires (Union Power)



Illuminating
ENGINEERING SOCIETY

**Illuminating Engineering Society
of North America**

120 Wall Street 17th Floor

New York, NY 10005-4001

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FUNDAMENTALS OF LIGHTING – ADDENDA #1 **BUG RATINGS – Backlight, Uplight, and Glare (ref. TM-15 and** **addenda)**

The lumens within each LCS solid angle provide data that can relate to an evaluation of light trespass and sky glow.

As illustrated in **Figure 1**, the primary solid angles defined by the LCS are:

- Forward Light
- Back Light
- Uplight

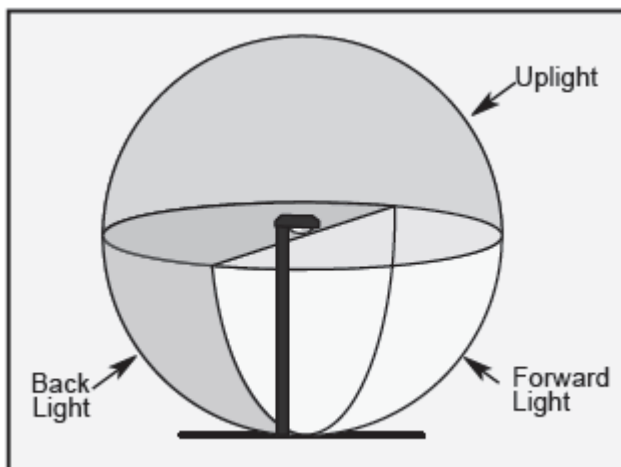


Figure 1. The three primary solid angles of the Luminaire Classification System (LCS).

The sum of percentages of lamp lumens within these three primary solid angles is equal to the photometric luminaire efficiency.

$$\text{Photometric Luminaire Efficiency (\%)} = 100 \times \frac{\text{Forward Light (lumens)} + \text{Back Light (lumens)} + \text{Uplight (lumens)}}{\text{total bare lamp lumens}}$$

$$\text{Photometric Luminaire Efficiency (\%)} = \text{Forward Light (\%)} + \text{Back Light (\%)} + \text{Uplight (\%)}$$

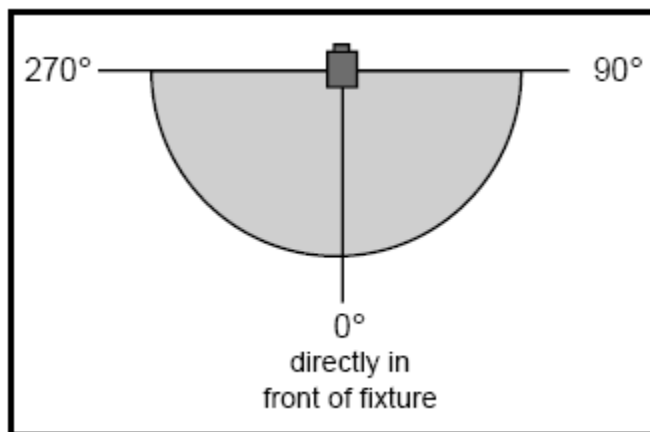
$$\text{Trapped Light (\%)} = 100\% - \text{Photometric Luminaire Efficiency (\%)}$$

Forward Light

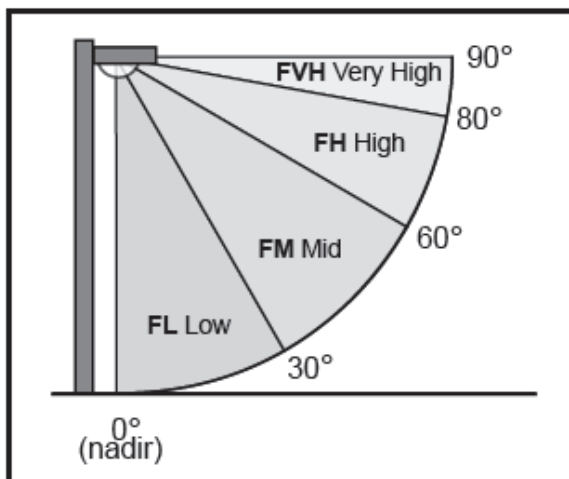
Forward light describes the lumen distribution in front of the luminaire. The forward light solid angle is defined between 0 and 90 degrees vertical, and 270 to 90 degrees horizontal in front of the luminaire. The forward light solid angle is further refined into four vertical secondary solid

angles to evaluate the distribution of light in front of the luminaire. The forward light secondary solid angles (see **Figure 3**) are defined as follows:

- Forward light low secondary solid angle (FL) - Percent lamp lumens between 0 and 30 degrees vertical (or luminaire lumens within that solid angle) in front of the luminaire. This is the light emitted from directly below the luminaire to 0.6 mounting heights away from luminaire.
- Forward light mid secondary solid angle (FM) - Percent lamp lumens between 30 and 60 degrees vertical (or luminaire lumens within that solid angle) in front of the luminaire. This is the light emitted from 0.6 to 1.7 mounting heights away from the luminaire.
- Forward light high secondary solid angle (FH) - Percent lamp lumens between 60 and 80 degrees vertical (or luminaire lumens within that solid angle) in front of the luminaire. This is the light emitted from 1.7 to 5.7 mounting heights away from the luminaire.
- Forward light very high secondary solid angle (FVH) - Percent lamp lumens between 80 and 90 degrees vertical (or luminaire lumens within that solid angle) in front of the luminaire. This is the light emitted beyond 5.7 mounting heights away from the luminaire.



Plan view for forward solid angle



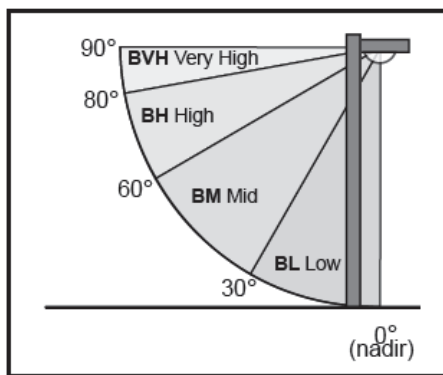
Section view for forward solid angle.

Backlight, Uplight, and Glare (BUG) Ratings

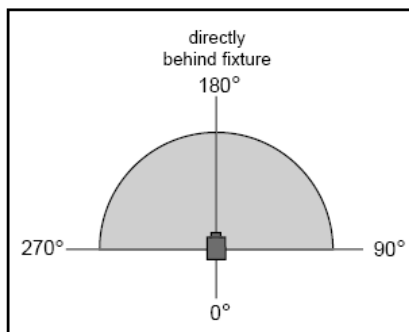
The following Backlight, Uplight, and Glare ratings may be used to evaluate luminaire optical performance related to light trespass, sky glow, and high angle brightness control. These ratings are based on a zonal lumen calculations for secondary solid angles defined in TM-15-07. The zonal lumen thresholds listed in the following three tables are based on data from photometric testing procedures approved by the Illuminating Engineering Society for outdoor luminaires (LM-31 or LM-35).

Table A-1: Backlight Ratings (maximum zonal lumens)

	Secondary Solid Angle	B0	B1	B2	B3	B4	B5
Backlight / Trespass	BH	110	500	1000	2500	5000	>5000
	BM	220	1000	2500	5000	8500	>8500
	BL	110	500	1000	2500	5000	>5000



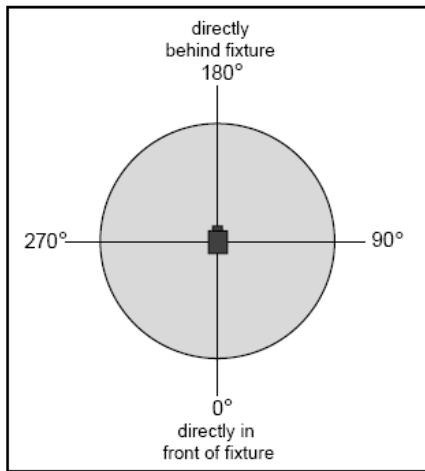
Section view for back light solid angle.



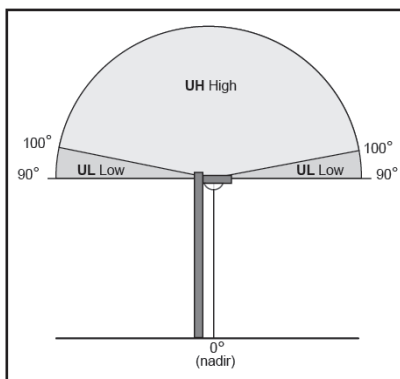
Plan view for back light solid angle, (bottom

Table A-2: Uplight Ratings (maximum zonal lumens)

Secondary Solid Angle		U0	U1	U2	U3	U4	U5
Uplight / Skyglow	UH	0	10	100	500	1000	>1000
	UL	0	10	100	500	1000	>1000
	FVH	10	75	150			>150
	BVH	10	75	150			>150



Plan view for uplight solid angle



Section view for uplight solid angle

Table A-3: Glare Ratings (maximum zonal lumens)

**Glare Rating for
Asymmetrical Luminaire Types (Type I, Type II, Type III, Type IV)**

Secondary Solid Angle		G0	G1	G2	G3	G4	G5
Glare / Offensive Light	FVH	10	250	375	500	750	>750
	BVH	10	250	375	500	750	>750
	FH	660	1800	5000	7500	12000	>12000
	BH	110	500	1000	2500	5000	>5000

**Glare Rating for
Quadrilateral Symmetrical Luminaire Types (Type V, Type V Square)**

Secondary Solid Angle		G0	G1	G2	G3	G4	G5
Glare / Offensive Light	FVH	10	250	375	500	750	>750
	BVH	10	250	375	500	750	>750
	FH	660	1800	5000	7500	12000	>12000
	BH	660	1800	5000	7500	12000	>12000

Notes to Tables A-1, A-2, and A-3:

- (1) Any one rating is determined by the maximum rating obtained for that table. For example, if the BH zone is rated B1, the BM zone is rated B2, and the BL zone is rated B1, then the *backlight rating for the luminaire* is B2.
- (2) To determine BUG ratings, the photometric test data must include data in the upper hemisphere unless no light is emitted above 90 degrees vertical (for example, if the luminaire has a flat lens and opaque sides), per the IES Testing Procedures Committee recommendations.
- (3) It is recommended that the photometric test density include values at least every 2.5 degrees vertically. If a photometric test does not include data points every 2.5 degrees vertically, the BUG ratings shall be determined based on appropriate interpolation.
- (4) A “quadrilateral symmetric” luminaire shall meet one of the following definitions:
 - a. A Type V luminaire is one with a distribution that has circular symmetry, defined by the IESNA as being essentially the same at all lateral angles around the luminaire.
 - b. A Type VS luminaire is one where the zonal lumens for each of the eight horizontal octants (0-45, 45-90, 90-135, 135-180, 180-225, 225-270, 270-315, 315-360) are within ± 10 percent of the average zonal lumens of all octants.

DESCRIPTION

The ACN/ARC/CLB Generation Series LED is a marriage of traditional shapes and contemporary styling. Its superior photometrics offer excellent illumination and uniformity for many of today's applications. Its styling blends well in many settings – historic districts, downtown streetscapes, roadways, residential neighborhoods, as well as city parks and educational campuses. The Generation Series LED sets a new standard for decorative post top luminaires.

Catalog #		Type
Project		
Comments		Date
Prepared by		

SPECIFICATION FEATURES

Construction

HOUSING: Heavy-duty cast aluminum housing and removable door. A single quarter turn fastener on the removable door provides tool-less access to wiring compartment. **CAGE ASSEMBLIES:** Cage assembly uprights and medallions are manufactured of heavy-duty cast aluminum and mounted to the exterior of the base housing via four stainless steel fasteners. Cage rings constructed of extruded aluminum and finished to match housing. **TOPS AND FINIALS:** Choose from multiple spun aluminum or acrylic tops and cast aluminum finials for customized fixture style. All solid tops are made of heavy-duty spun aluminum. **TWISTLOCK GLOBE:** The optional twistlock assembly offers ease of maintenance through instant access to both the LED and wiring compartment by twisting the top refractor assembly and lifting it from the mating lock plate.

Optical

REFRACTIVE GLOBE: High efficiency refractive optical systems are precisely designed utilizing a combination of refractive and reflective prisms. Available in Type III or Type V distributions. Lighting grade acrylic ensures long lasting optical clarity and resistance to discoloration.

Electrical

120-277V 50/60Hz operation. 10kV /10kA common- and differential mode surge protection standard. Thermal management transfers heat rapidly away from the LED source for optimal efficiency and light output. Ambient operating temperature from -40°C to 40°C. Standard three-position tunnel type compression terminal block.

Mounting

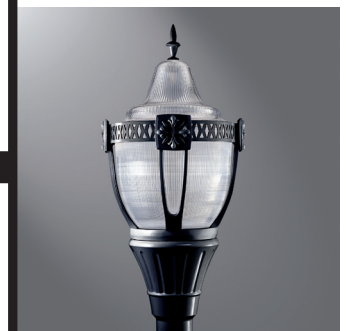
Base casting slipfits over a standard 3" O.D. tenon and secured via four stainless steel allen head fasteners. 3G vibration tested.

Finish

Cast and spun components finished in a five-stage premium TGIC polyester powder coat paint, 2.5 mil nominal thickness for superior protection against fade and wear. Consult your Streetworks representative for a complete selection of standard colors including black, bronze, grey, white, dark platinum, graphite metallic and hartford green. RAL and custom color matches available.

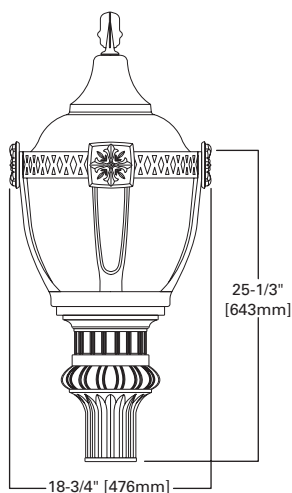
Warranty

Five-year warranty.

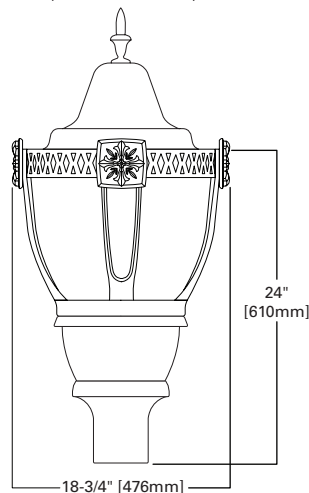


DIMENSIONS

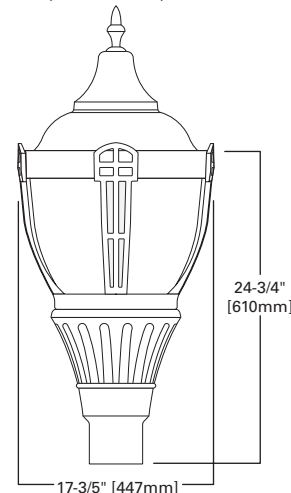
ACN (Acorn Base)



ARC (Architectural Base)



CLB (Classical Base)



ACN/ARC/CLB GENERATION SERIES LED

LED

DECORATIVE POST TOP
LUMINAIRE

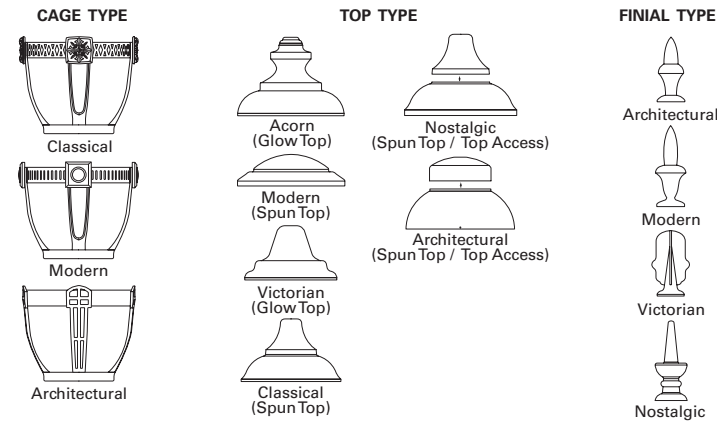
EPA

Effective Projected Area:
2.1 Square Feet

SHIPPING DATA

Approximate Net Weight:
50 lbs. (23 kgs.)

CONFIGURATIONS



LUMEN TABLE

Distribution	Correlated Color Temperature (CCT)	Cage Type	Top Type	Total Lumens (Full Brightness)	Luminaire Wattage (Nominal)
Type III	4000K	None	Glow	11,060	99W
Type III	4000K	None	Solid	8,467	99W
Type III	4000K	Any	Glow	7,776	99W
Type III	4000K	Any	Solid	5,778	99W
Type V	4000K	None	Glow	10,571	99W
Type V	4000K	None	Solid	9,365	99W
Type V	4000K	Any	Glow	7,537	99W
Type V	4000K	Any	Solid	6,087	99W

LUMEN MAINTENANCE

Ambient Temperature	TM-21 Lumen Maintenance (36,000 Hours)	Theoretical L70 (Hours)
15°C	>93%	240,000
25°C	>92%	210,000
40°C	>89%	117,000

ORDERING INFORMATION

Sample Number: ACN-080-LED-E-U-33-1-7-3-BK

Product Family ¹	LED Series	Driver / Lumen Package	Voltage	Refractor Type	Cage Type ⁴	Top Type	Finial Type
ACN=Acorn Base ARC=Architectural Base CLB=Classical Base	080-LED=080 Series	E=Non-Dimming ² D=Dimming ² E50=Non-Dimming / 50% Lumen Output ³ D50=Dimming / 50% Lumen Output ³	U=Universal (120-277V)	33=Type III 55=Type V	Classical 1=Classical A=Classical Sun Gold B=Classical Antique Gold C=Classical Colonial Bronze Modern 2=Modern D=Modern Sun Gold E=Modern Antique Gold F=Modern Colonial Bronze Architectural 3=Architectural G=Architectural Sun Gold H=Architectural Antique Gold J=Architectural Colonial Bronze X=None	1=Acorn 2=Modern 3=Victorian 4=Classical 6=Nostalgic (Top Access) 7=Architectural (Top Access)	1=Victorian 2=Modern 3=Architectural 4=Nostalgic X=None
Color	Options (Add as Suffix)		Accessories (Order Separately)				
AP=Grey BZ=Bronze BK=Black DP=Dark Platinum GN=Hartford Green GM=Graphite Metallic WH=White	2L=Two Circuits ⁵ SH=Street Side / House Side Switching ⁵ B=Decorative Brass Banding ⁶ C=Copper Accents 4=Internal NEMA 7-PIN Photocontrol Receptacle 4N7=Internal NEMA 7-PIN Twistlock Photocontrol Receptacle ^{7,8,9} U=UL/CSA Listed P=Polycarbonate Refractor GHSS=Generation House Side Shield 7030=70 CRI / 3000K ¹⁰		OA1222=10kV Surge Module GLK080EU=Generations LED Retrofit Light Engine Kit GLK080EU2L=Generations LED Retrofit Light Engine Kit wired for Two Circuit Dimming GLK080EUSH=Generations LED Retrofit Light Engine Kit wired for Street Side / House Side Dimming				

NOTES:

1. Customer is responsible for engineering analysis to confirm pole and fixture compatibility for all applications. Refer to our white paper WP513001EN for additional support information.

2. Six LEDs.

3. Three LEDs. Approximately 50% output and energy usage. Consult IES files on ACN/ARC/CLB product page for actual lumen and wattage values.

4. Cage type painted to match base.

5. Not available with E50 or D50 options.

6. Available with Acorn and Victorian tops only.

7. Height of dimming node/photocell cannot exceed 2.8" at outer edge.

8. Depending on characteristics of dimming node, may need to extend antenna out of housing. Consult your lighting representative at Eaton for more information.

9. Not available with ARC base.

10. Extended lead times apply. Use dedicated IES files for 3000K.

ARTICLE IV. - LIGHTING

Sec. 14-81. - Purpose.

The purpose of this article is to improve nighttime public safety, utility, and security by restricting the nighttime emission of light rays. New lighting technologies have produced lights that are extremely powerful, and these lights may be improperly installed so that they create problems of excessive glare, light trespass, and higher energy use. Excessive glare can be annoying and may cause safety problems. Light trespass reduces everyone's privacy, may be detrimental to the aesthetic values of the town, and can restrict persons from the peaceful enjoyment of their property. Higher energy use results in increased costs for everyone. This article is intended to reduce the problems caused by excessive lighting, or by improperly designed and installed outdoor lighting.

(Ord. No. O-2000-01, 8-14-2000)

Sec. 14-82. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Average to minimum means the ratio of average footcandles to the minimum footcandle point calculation or reading for a given area. This ratio is generally maintained footcandles but could be initial. This ratio is an indicator of lighting uniformity. The lower the ratio, the better the uniformity.

Backlight, uplight, and glare (BUG) rating. A luminaire classification system that classifies backlight (B), uplight (U), and glare (G) ratings to evaluate luminaire optical performance related to light trespass, sky glow, and high angle brightness control.

Candlepower means luminous intensity. The term "candlepower" is normally associated with a directional type fixture such as a floodlight.

Direct light means light emitted directly from the lamp, off of the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.

Fixture means the assembly that houses the lamp or lamps and can include all or some of the following parts: a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor or lens.

Floodlight or *spotlight* means any light fixture or lamp that incorporates a reflector or a refractor to concentrate the light output into a directed beam in a particular direction with a wide or narrow beam.

Footcandle means the amount of light falling on a surface, measured or calculated. It can be quantified as one lumen per square foot.

Footcandles, average, means the average of a number of points of footcandle calculations or footcandle readings in a given area. They could be initial or maintained.

Footcandles, average maintained, means the average of a number of points of footcandle calculations or footcandle readings in a given area which have been adjusted to account for maintenance factor, which includes luminaire dirt depreciation (LDD) and lamp lumen depreciation (LLD).

Footcandles, initial, means footcandles that are calculated with no adjustment for dirt build-up in the fixture or lamp lumen depreciation. Initial footcandles should be measured when a lighting system is new and after 100 hours of lamp burn-in time. Car dealerships are often designed using initial footcandles.

Footcandles, maintained, means footcandles that are calculated with an adjustment for a maintenance factor to include dirt buildup in the luminaire (fixture) and lamp lumen depreciation. The system is, in effect, oversized initially ~~and then, over time, allowed to reach a maintained~~ so the gradual decrease in light output reaches the design footcandle level at a predetermined maintenance interval.

Full cutoff (fully shielded lights) means outdoor light fixtures shielded or constructed so that no light rays are emitted by the installed fixture at angles above the 90-degree horizontal plane, as certified by a photometric test report.

Glare means light emitting from a luminaire with an intensity great enough to reduce a viewer's ability to see or, in extreme cases, causing momentary blindness.

Indirect light means direct light that has been reflected or that has scattered off of other surfaces.

Lamp means the component of a luminaire that produces the actual light.

Light trespass means the shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

Lumen output, initial, means ratings of a lamp as listed in a lamp catalog.

Lumens means the total quantity of light emitted from a light source, or a unit of luminous flux. One footcandle is one lumen per square foot. For the purpose of this article, the lumen output values shall be the initial lumen output ratings of a lamp.

Luminaire means a complete lighting system and includes a lamp or lamps and a fixture, housing, reflector, refractor, etc.

Maximum to minimum means the ratio of the maximum footcandle point calculation or reading to the minimum footcandle point calculation or reading for a given area. This ratio is generally maintained footcandles but could be initial. This ratio is an indicator of lighting uniformity. The lower the ratio, the better the uniformity.

Maximum means the maximum footcandle point calculation or reading in a given area. The maximum is generally maintained footcandles but could be initial.

Minimum means the minimum footcandle point calculation or reading in a given area. The minimum is generally maintained footcandles but could be initial.

Mounting height of luminaire means the vertical distance from the ground directly below the centerline of the luminaire to the center of the light source (lamp) in the luminaire.

Outdoor lighting means the nighttime illumination of an outside area or object by any manmade device located outdoors that produces light by any means.

~~Preexisting~~*Pre-existing* luminaires means luminaires not conforming to this article that were in place at the time the ordinance from which this article is derived was adopted.

Temporary outdoor lighting means the nighttime illumination of an outside area or object by any manmade device located outdoors that produces light by any means for a period of less than seven days, with at least 180 days passing before being used again.

(Ord. No. O-2000-01, art. 1, 8-14-2000)

Sec. 14-83. - Regulations.

All public and private outdoor lighting installed in the town shall be in conformance with the requirements established by this article. The provisions of this article are intended to supplement other applicable codes and requirements. Compliance with all applicable provisions of building, electrical and other codes must be observed. In the event of a conflict between the requirements of this article and other requirements, the more stringent requirement shall apply.

(Ord. No. O-2000-01, § 2-1, 8-14-2000)

Sec. 14-84. - Control of glare, light trespass and light levels.

- (a) *Glare control.* All fixtures other than floods shall be fully shielded and shall be classified as full cutoff, as classified by the IESNA. This shall mean that no light is to be emitted out of the fixture above the 90 degree-horizontal plane. Floodlights are to be equipped with shields and aimed so as to direct the light onto the area to be lighted.
- (b) *Light trespass.* The horizontal illuminance on the ground shall not exceed 0.5 maintained footcandles ~~five feet beyond any adjacent~~ at the property line.
- (c) *Light levels.* The following table summarizes the recommended light levels for general parking and pedestrian areas.

LIGHT LEVELS FOR GENERAL OUTDOOR

	Use/Task	Maximum Maintained Average Illuminance (Footcandles)	Uniformity Ratio (Average/ to Minimum)
(a)	Streets, local residential Local Street Classification (Residential/Low Pedestrian Activity)	0.4 avg.	6:1
(b)	Streets, local commercial Collector Street Classification (Commercial/Medium Pedestrian Activity)	0.9 avg.	64 :1
(c)	Parking- (residential, multifamily)		
	• Low vehicular/pedestrian activity	0.2 min.	46 :1
	• Medium vehicular/pedestrian activity	0.6 min.	46 :1
(d)	Parking- (industrial/commercial/institutional/municipal)		
	• High activity, i.e., <u>hospitals</u> , regional shopping centers/fast-food facilities, major athletic/civic cultural events	0.9 min.	4:1

	•Medium activity, i.e., community shopping, office parks, hospitals , commuter lots, cultural/civic/recreational events	0.6 min. <u>7</u>	4:1
	•Low activity, i.e., neighborhood shopping, industrial employee parking, schools, church parking	0.2 min. <u>4</u>	4:1
(e)	Walkways and bikeways	0.5 avg.	5:1
	<u>Low density residential</u> (2 or less dwellings / acre)	<u>0.3</u>	<u>6:1</u>
	<u>Medium density residential</u> (more than 2 dwellings / acre)	<u>0.4</u>	<u>4:1</u>
(f)	Building entrances	5.0 avg.	<u>2:1</u>

Notes:

1. Illumination levels are horizontal on the task, e.g. pavement or area surface.
2. Uniformity ratios dictate that average illuminance values shall not exceed minimum values by more than the product of the minimum value and the specified ratio. For example, for commercial parking high activity, the average footcandles shall not be in excess of 3.6 (0.9×4).
3. Any low or medium activity can be reclassified upward ~~when appropriate~~ with town approval when appropriate.
4. ~~Source: IESNA Lighting Handbook 8th edition.~~
4. ~~5.~~—Lighting levels may be less than the ~~maximum maintained~~listed footcandles.

(d) ~~Sales/display areas. In some instances, higher values are required for retail sales/display areas such as car lots. Such values are given in the following table:~~

~~LIGHT LEVELS FOR SALES/DISPLAY~~

	Use/Task	Maximum Footcandles	Uniformity Ratio Max./Min.
(a)	Main Business District (highly competitive):		
	•Adjacent to roadway	10—20	5:1
	•Other rows	5—10	10:1
	•Entrances	5—10	10:1
	•Driveways	2—3	5:1
(b)	Secondary Business Districts (or small towns):		
	•Adjacent to roadway	5—10	5:1
	•Other rows	2.5—5	10:1

	• Entrances	2.5—5	5:1
	• Driveways	1—2	10:1

-

SourceSources: IESNA RP-33-~~99-14~~, RP-8-18, Lighting Handbook 10th edition

- (e) *Gas station/convenience store lighting.* Lighting levels for convenience stores, gas station and other similar locations shall be adequate to facilitate the activities taking place in such locations. Lighting of such areas shall not be used to attract attention to such businesses. Signs allowed under article V of chapter 58 shall be used for that purpose. Facilities having canopies shall be restricted to ~~no more than 320 watt~~low-profile surface mounted or recessed fixtures, including lenses, mounted flush with the bottom of the canopy. The design light level shall ~~not exceed~~be 20 footcandles average maintained, ~~measured~~ at ground level at the gas pump island area. Canopy fixtures shall have lumen packages of 10,000 (maximum), 4000K; and meet the glare requirements for G1 BUG Rating. Lights shall not be mounted on the top or sides (fascias) of the canopy, and the sides (fascias) of the canopy shall not be illuminated.
- (f) *Sportsfield lighting.* Lighting for sportsfields is generally in excess of general outdoor lighting levels. Recreation lighting levels established by the IESNA are to be used as the standard. Higher lighting levels for tournament or high league play are sometimes required and must be approved by the town prior to construction. All sportsfields must meet the following minimum standards:
- (1) Fixtures must not exceed 80 feet in mounting height, including bases and/or other mounting structures.
 - (2) Fixtures must be fitted with the manufacturer's glare control package. If the manufacturer does not have a glare control package, the fixture specification must be changed to a manufacturer that offers a glare control package.
 - (3) Fixtures must be designed with a sharp cutoff and aimed so that their light beams fall within the primary playing area and the immediate surroundings, so that off-site direct illumination is significantly restricted.
 - (4) Lighting shall be extinguished no later than one hour after the event ends.
- (g) *Signs.*
- (1) Lighting fixtures illuminating signs shall be carefully located, aimed and shielded so that light is directed only onto the sign facade and glare is significantly reduced. Lighting fixtures shall not be aimed toward adjacent streets, roads or properties.
 - (2) Lighting fixtures illuminating signs shall be of a type such that the light source (bulb) is not directly visible from adjacent streets, roads or properties.
 - (3) Internally illuminated signs are prohibited.
 - (4) To the extent practicable, lighting fixtures shall be directed downward rather than upward.

- (5) This article does not regulate outdoor signs. Such regulations have been adopted and can be found in article V of chapter 58.

~~(h)~~ Building facades:

- ~~(1) Minimum illumination on any vertical surface or angular roof shall not exceed 5.0 footcandles average maintained.~~
- ~~(2) Lighting, ornamental and general use lighting. All ornamental and general use fixtures attached to buildings or structures shall be carefully located, aimed, and shielded so that light direct illumination is directed only onto focused exclusively on the building facade. Lighting fixtures shall not be directed toward adjacent streets facade or roads.~~
- ~~(3) To the extent practicable, lighting ground immediately below the fixture. Additionally, these fixtures shall also meet the following standards:~~
 - ~~(1) All wall-mounted fixtures, wall packs, porch lights, ceiling mounted and pendant style fixtures shall be full cutoff fixtures.~~

~~Exception: The fixture delivers a maximum of 1,000 lumens output (equivalent to a 60 watt incandescent bulb) and utilizes a translucent lens covering the light source.~~
 - ~~(2) All recessed ceiling fixtures incorporating a lens cover shall be directed downward rather than upward, restricted to lenses that are either recessed or flush with the ceiling.~~
 - ~~(3) Lamps providing minimum exit discharge lighting as required by the NC Building Codes shall be shielded unless otherwise exempt.~~
 - ~~(4) Dual purpose fixtures (general use and exit discharge) fitted with battery back-up for emergency use shall be full cut-off. Those fixtures that come on only during an emergency or power outage are exempt.~~
 - ~~(5) All LED lighting attached to buildings or structures shall have a maximum BUG rating of B2, U0, G2, unless otherwise exempted or excepted.~~
- (i) *Softscape/holiday/festive lighting*-. All softscape (landscape) lighting shall be aimed and shielded, if necessary, so as not to cause a hazard to a motorist or pedestrian. All fixtures shall be less than 50 watts. All holiday lighting shall be temporary in nature and shall be used only during the holiday or festive celebration period.
- ~~(j) Security lighting. All dusk-to-dawn security lights (aka: barn light, yard light, power-arm refractor) shall be full cutoff fixtures with a maximum rating of 9,500 fixture lumens (6,000 fixture lumens in residential zoning districts) with a mounting height not to exceed 25 feet.~~
 - ~~a. All new dusk-to-dawn utility type fixtures must be equipped with a reflector shield that provides a full cutoff light distribution as defined in Sec. 14-82 of this article. An approved alternative is to install a different type of fixture that has a full cutoff light distribution with a maximum rating of 9,500 lumens.~~
 - ~~b. All new LED dusk-to-dawn utility type fixtures shall comply with the LED standards listed in subsection (k) below.~~

(k) All LED lighting shall meet the B-U-G ratings noted in the applicable subsections and comply with all other applicable requirements, and shall also meet the following standards:

a. The LED correlated color temperature (CCT) shall not exceed 4,000K (Kelvin degrees).

b. The maximum number of fixture lumens shall not exceed 6,500 in residential districts or 20,000 lumens in non-residential districts or for legal non-residential uses in residential districts, unless otherwise allowed or exempted.

(l) *Street lighting.*

(1) Existing non-LED street lights may be replaced with similar non-LED fixtures where warranted by NCDOT and approved by the administrator.

(2) General design standards.

a. *Spacing.* In areas where post-mounted fixtures (18-foot mounting height or less) are installed, the spacing of posts should be adjusted to the particular fixtures used and as approved by the director of public works or his/her designee. IESNA Recommended Practice 8 (Roadway Lighting) should be used as a guide for street lighting design.

b. *Alignment.* Street lighting on newly constructed streets shall be alternately staggered on each side of the street wherever possible.

c. *Luminance.* street lighting fixtures shall meet the following lumen ratings:

i. In residential districts — no greater than 6,500 fixture lumens, with exceptions noted in subsection (5) below.

ii. In non-residential districts — no greater than 20,000 fixture lumens, with exceptions noted in subsection (5) below.

d. *Mounting support.* It is preferred that existing poles and associated mounting hardware be used to mount street lights. However, decorative poles and associated mounting hardware may be used upon agreement between the requestor and the town.

e. *Variations in land elevations.* Where land elevations vary and cause the street lighting poles to be installed higher or lower than adjacent roads or property, thus causing offensive light trespass and/or glare, the administrator may require shields to be installed on the fixtures at the time of the installation or afterwards. If shields do not correct the problem sufficiently, the administrator may require that one or more of the following measures be implemented to mitigate the conflict to the maximum extent possible:

i. Change the aiming of offending fixtures.

ii. Change the location and/or mounting height or the offending poles.

iii. Change the light distribution pattern of the offending fixtures, or

iv. Remove the offending poles and fixtures from the site.

(5) LED street lighting shall comply with the standards in subsection (k) and shall have a maximum BUG rating of B3, U3, G3 on non-residential streets, and a maximum of B2, U1, G2 on residential streets.

Exceptions:

a. Use of LED street lights in residential areas over 6,500 and up to 8,200 fixture lumens are allowed at intersections and safety sensitive locations, as deemed necessary by the administrator.

(Ord. No. O-2000-01, § 2-2, 8-14-2000; Ord. No. O-2003-11, § 1, 5-12-2003; O-2009-09, 7-13-2009)

Sec. 14-85. - Exceptions and exemptions to general design standards.

(a) The design for an area may suggest the use of parking lot lighting, area lighting and roadway fixtures of a particular period or upscale architectural style such as the nostalgic lantern as either alternatives or supplements to the lighting described above. These decorative post-mounted fixtures are generally classified as noncutoff by the IESNA and are acceptable. The maximum lumens generated from each fixture shall not exceed 96,500 initial ~~lamp~~ lumens ~~per fixture~~, and each fixture must be equipped with a solid top to reduce the amount of light going into the sky. A BUG rating not exceeding B3, U3, G3 is acceptable for this application upon approval of the administrator.

(1) The adopted town standard is Streetworks model ACN-080-LED-E-U-33-2-4-2 with 7030 option for 3000K, or in Type V distribution (substitute 55 in place of 33), as manufactured by Eaton. Coordinate with the administrator if street lights are provided through the local utility.

- (b) All temporary emergency lighting needed by the sheriff or fire departments or other emergency services, as well as all vehicular luminaries, shall be exempt from the requirements of this article.
- (c) All hazard warning luminaries required by federal regulatory agencies are exempt from the requirements of this article, except that all luminaries must be shown to be as close as possible to the federally required minimum lumen output requirement for the specific task.
- (d) Motion detector security lights which are normally "off" and which are activated for less than five minutes occasionally when motion is detected are exempt from this article.
- (e) In the case of flags, statues or other top-of-pole mounted objects, including neighborhood entrances, which cannot be illuminated with down-lighting, upward lighting may be used only in the form of two narrow-beam spotlights which confines the illumination to the object of interest.

(Ord. No. O-2000-01, § 2-3, 8-14-2000)

Sec. 14-86. - Prohibitions.

- (a) The operation of searchlights, lasers or other high-intensity beams is prohibited.
- (b) The use of flashing, rotating or pulsating lighting devices is prohibited.

(Ord. No. O-2000-01, § 2-4, 8-14-2000)

Sec. 14-87. - Temporary outdoor lighting.

- (a) Any temporary outdoor lighting that conforms to the requirements of this article shall be allowed. Any temporary lighting as proposed through a temporary use permit shall be reviewed and approved by the planning board when considering said permit. Any other nonconforming temporary outdoor lighting may be permitted by the town council after considering:
 - (1) The public and/or private benefits that will result from the temporary lighting;
 - (2) Any annoyance or safety problems that may result from the use of the temporary lighting; and
 - (3) The duration of the temporary nonconforming lighting.
- (b) The applicant shall submit a detailed description of the proposed temporary nonconforming lighting request to the town council in accordance with all applicable submittal procedures, who shall consider the request at the next regularly scheduled meeting. Prior notice of the meeting shall be provided to the applicant. The town council shall render its decision on the temporary lighting request and notify the applicant in writing within two weeks from the date of its decision. A failure of the town council to act on a request shall constitute a denial of the request.

(Ord. No. O-2000-01, § 2-5, 8-14-2000; Ord. No. O-2017-16, 11-13-2017)

Sec. 14-88. - Grandfather provision for ~~preexisting~~pre-existing luminaries.

- (a) All existing lighting installed on or before the adoption of the ordinance from which this article is derived is "grandfathered" and therefore is acceptable as is and is not required to be changed.
- (b) Luminaries that undergo a change in light source, wattage or fixture housing must be changed to come within compliance of this article.

(Ord. No. O-2000-01, art. 3, 8-14-2000)

Sec. 14-89. - Authorization for installation of public area and roadway lighting.

(a) Installation of any new public area and roadway lighting fixtures other than for traffic control shall be specifically approved by the town council.

(b) The administrator or his designee shall evaluate and approve requests for additions, removals or other changes to street lighting and respond to the requestor within 30 days.

(Ord. No. O-2000-01, art. 4, 8-14-2000)

Sec. 14-90. - Construction.

(a) *Submission contents.*

- (1) Any applicant seeking lighting approval as required shall submit the information required by this subsection. Where applicable, this information shall be submitted as

part of a final subdivision plat, as set forth in chapter 46. The submission shall contain, but not be limited to:

- a. Plans indicating the location on the premises, a point-by-point footcandle diagram and the type of illuminating devices, fixtures, lamps, supports, reflectors, and other devices.
 - b. Description of the illuminating devices, fixtures, lamps, supports, reflectors and other devices. This may include, but is not limited to, catalog cuts by manufacturers and drawings (including sections where required).
 - c. Photometric data, such as that furnished by manufacturers, or similar, showing the angle of cutoff or light emissions.
- (2) The electric utilities that serve the town, given the ongoing high volume of street lights and other outdoor lighting provided by these utilities, are granted a waiver to the procedures described in the appropriate section of this Code or ordinance of the town regarding regulation of utility companies.
- (3) The town will require each electric utility company to comply as follows:
- a. A materials specification book for the electric utility fixtures, lamps, supports, reflectors, poles, raised foundations and other devices will be supplied by the electric utility to the town with a table of contents showing the identification codes and page numbers for the electric utility's equipment available to customers. All lighting equipment in this book must be approved by the town as well as all subsequent new lighting equipment that is proposed to be added by the electric utility. Each project will not require individual approval provided the approved equipment in the book is utilized. *Note:* The use of this book will significantly reduce the paperwork required from the utility lighting supplier.
 - b. A point-by-point footcandle array in a printout format indicating the location, aiming and type of fixtures shall be provided for each project.
 - c. If at some future date, if said project is found to be out of compliance, corrections will be made by the electric utility to allow the project to come under compliance at the utility's expense.
- (b) *Additional submission.* The required plans, as herein called for, shall be sufficiently complete to enable the zoning administrator, or other such person assigned to administer the provisions of this article by the town council, to determine compliance with this article. The zoning administrator may require the applicant to submit additional information, on a case-by-case basis, to determine compliance with this article. Such information may include certified reports of tests conducted by a recognized testing laboratory.
- (c) *Subdivision plat certification.* If any subdivision proposes to have installed street or other common or public area outdoor lighting, the final plat shall contain a statement certifying that the applicable provisions of this article will be adhered to.
- (d) *Lamp or fixture substitution.* Should any outdoor light fixture, or the type of light source therein, be changed after the final plat approval, a change request must be submitted to the zoning administrator for approval, together with adequate information to assure compliance with this article, which must be received prior to substitution.

- (e) *Technical assistance.* If the town requires technical assistance in determining whether plans and lighting equipment submitted for approval meet the requirements of this article, the cost for a lighting consultant's technical services will be paid to the town by the applicant requesting approval of the installation before final plat approval.

(Ord. No. O-2000-01, art. 5, 8-14-2000)

Sec. 14-91. - Notification requirements.

The town zoning permit shall include a statement asking whether the planned project will include any outdoor lighting.

(Ord. No. O-2000-01, art. 6, 8-14-2000)

Sec. 14-92. - Violations, legal actions and penalties.

- (a) *Violation.* It shall be a civil infraction for any person to violate any of the provisions of this article. Each and every day during which the violation continues shall constitute a separate offense.
- (b) *Violations and legal actions.* If, after investigation, the zoning administrator finds that any provision of this article is being violated, he shall give notice, by hand delivery or by certified mail, return-receipt requested, of such violation to the owner and/or to the occupant of such premises demanding that violation be abated within 30 days of the date of hand delivery or of the date of mailing of the notice. If the violation is not abated within said 30-day period, the zoning administrator may institute actions and proceedings, to enjoin, restrain or abate any violations of this article and to collect any penalties associated with such violations.
- (c) *Penalties.* A violation of this article shall be punishable in accordance with section 58-3.

(Ord. No. O-2000-01, art. 7, 8-14-2000)

Secs. 14-93—14-100. - Reserved.

**TOWN OF
W E D D I N G T O N**

MEMORANDUM

TO: Mayor and Town Council
FROM: Lisa Thompson, Town Administrator/Planner
DATE: May 13, 2019
SUBJECT: Text Amendments to the Erosion Control Ordinance

Staff submitted the erosion control ordinance to the state for program delegation. The state had comments that needed to be addressed prior to acceptance. The main change was to place the erosion control section into the zoning ordinance, giving the town the authority to issue stop work orders.

The Planning Board reviewed the text on April 22 and unanimously recommended approval.

Attached

Text



**EROSION AND
SEDIMENTATION CONTROL
ORDINANCE**

April
2019

**AN ORDINANCE TO ADD
ARTICLE 14 TO Chapter 58
IN THE
TOWN OF WEDDINGTON
CODE OF ORDINANCES**

BE IT ORDAINED by the Town Council of the Town of Weddington that the Town of Weddington Code of Ordinances be amended to add ~~Chapter 65~~Article 14, Erosion and Sedimentation Control, as follows:

CHAPTER ~~6558~~: Article XIV EROSION AND SEDIMENTATION CONTROL

PREAMBLE

~~58.601~~ PURPOSE

~~6558.602~~ JURISDICTION

~~6558.603~~ DEFINITIONS

~~6558.604~~ EXCLUSIONS

~~6558.605~~ GENERAL REQUIREMENTS AND OBJECTIVES

~~6558.606~~ MANDATORY STANDARDS FOR LAND DISTURBING ACTIVITIES

~~6558.607~~ DESIGN AND PERFORMANCE STANDARDS

~~6558.608~~ STORMWATER OUTLET PROTECTION

~~6558.609~~ BORROW AND WASTE AREAS

~~6558.610~~ ACCESS AND HAUL ROADS

~~6558.611~~ OPERATIONS IN LAKES OR NATURAL WATERCOURSES

~~6558.612~~ RESPONSIBILITY FOR MAINTENANCE

~~6558.613~~ ADDITIONAL MEASURES

~~6558.614~~ EXISTING UNCOVERED AREAS

~~6558.615~~ PERMITS

~~6558.616~~ EROSION AND SEDIMENTATION CONTROL PLANS

~~6558.617~~ TRANSFERS OF PLANS

~~6558.618~~ INSPECTIONS AND INVESTIGATIONS

~~6558.619~~ PENALTIES

~~6558.620~~ INJUNCTIVE RELIEF

~~6558.621~~ RESTORATION OF AREAS AFFECTED BY FAILURE TO COMPLY

~~6558.622~~ APPEALS

~~6558.623~~ SEVERABILITY

~~6558.624~~ EFFECTIVE DATE

PREAMBLE

The sedimentation of streams, lakes and other waters of this State constitute a major pollution problem. Sedimentation occurs from the erosion or depositing of soil and other materials into the waters, principally from construction sites and road maintenance. The continued development of this Town will result in an intensification of pollution through sedimentation unless timely and appropriate action is taken. Control of erosion and sedimentation is deemed vital to the public interest and necessary to the public health and welfare, and expenditures of funds for erosion and sedimentation control programs shall be deemed for a public purpose. It is the purpose of this Ordinance to provide for the creation, administration, and enforcement of a program and for the adoption of minimal mandatory standards which will permit development of this Town to continue with the least detrimental effects from pollution by sedimentation.

6558.601 PURPOSE. This Ordinance is adopted for the purpose of:

- (1) Regulating certain land-disturbing activity to control accelerated erosion and sedimentation in order to prevent the pollution of water and other damage to lakes, watercourses, and other public and private property by sedimentation; and
- (2) Establishing procedures through which these purposes can be fulfilled.

6558.602 JURISDICTION.

This Ordinance is hereby adopted by the Town Council to apply to all areas within the corporate limits of the Town of Weddington.

The Town shall not have jurisdiction ~~over, to the exclusion of local governments, to adopt rules concerning~~ land-disturbing activities that are:

- a. Conducted by the State.
- b. Conducted by the United States.
- c. Conducted by persons having the power of eminent domain other than a local government.
- d. Conducted by a local government.
- e. Funded in whole or in part by the State or the United States.
- f. Related to oil and gas exploration and development on the well pad site.

In addition, certain exclusions are set forth in Section 6558.04.

Where a conflict exists between any limitation or requirement contained in this Ordinance and those in any other ordinance, regulation, or plan, the more restrictive limitation or requirement shall apply. Except as otherwise provided herein, this ordinance shall not repeal, abrogate, or revoke any other ordinance, regulation, or plan.

6558.603 DEFINITIONS.

The words and phrases used in this Ordinance shall have the meaning assigned in this Section provided, unless the context clearly indicates otherwise. These definitions are derived from the North Carolina Sedimentation Control regulations, 15A NCAC § 4A.0105 and the Sedimentation Pollution Control Act of 1973, NCGS § 113A-52.

Accelerated Erosion – means any increase over the rate of natural erosion as a result of land disturbing activity.

Act – means the North Carolina Sedimentation Pollution Control Act of 1973 and all rules and orders adopted pursuant to it, as amended from time to time.

Adequate Erosion Control Measure, Structure, or Device – means one which controls the soil material within the land area under responsible control of the person conducting the land-disturbing activity, as such controls are specified in the Ordinance.

Affiliate – a person that directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control of another person.

Being Conducted – means a land-disturbing activity has been initiated and permanent stabilization of the site has not been completed.

Borrow – means fill material which is required for on-site construction and is obtained from other locations.

Buffer Zone – means the strip of land adjacent to a lake or natural watercourse.

Completion of Construction or Development – means that no further land-disturbing activity is required on a phase of a project except that which is necessary for establishing a permanent ground cover.

Commission/NCSCC – means the North Carolina Sedimentation Control Commission.

DEQ Planning & Design Manual – means the North Carolina Department of Environmental Quality Erosion and Sediment Control Planning and Design Manual, latest edition.

Department - means the North Carolina Department of Environmental Quality.

Discharge Point – means that point at which runoff leaves a tract.

District/SWCD – means the Union Soil and Water Conservation District (also referred to as the “SWCD”) created pursuant to Chapter 139 of the North Carolina Statutes.

Energy Dissipater – means a structure or a shaped channel section with mechanical armoring placed at the outlet of pipes or conduits to receive and break down the energy from high velocity flow.

Erosion – means the wearing away of land surface by the action of wind, water, gravity, or any combination thereof.

Ground Cover – means any natural vegetative growth or other material which renders the soil surface stable against accelerated erosion.

Lake or Natural Watercourse – means any stream, river, brook, swamp, creek, run, branch, and any reservoir, lake or pond, natural or impounded, in which sediment may be moved or carried in suspension, and which could be damaged by accumulation of sediment.

Land-Disturbing Activity – means any use of the land by any person in residential, industrial, educational, institutional, or commercial development, highways and road construction and maintenance that results in a change in the natural cover or topography and that may cause or contribute to sedimentation.

Local Government – means any county, village, town, or city, or any combination of counties, villages, towns and cities, acting through a joint program with the Town pursuant to the provisions of the Act.

NCSCC – means the North Carolina Sedimentation Control Commission.

Natural Erosion – means the wearing away of the earth’s surface by water, wind or other natural agents under natural environmental conditions undisturbed by man.

Parent – means an affiliate that directly or indirectly, through one or more intermediaries, controls another person.

Person – means any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, interstate body, or other legal entity.

Person Conducting Land-Disturbing Activity – means any person who may be held responsible for a violation unless expressly provided otherwise by this Ordinance, the Act, or any order adopted pursuant to this Ordinance or the Act.

Person Responsible for the Violation – as used in this Ordinance and G.S. 113A-64 means:

- (1) The developer or other person who has or holds themselves out as having financial or operational control over the land-disturbing activity; and/or
- (2) The landowner or person in possession or control of the land who has directly or indirectly allowed the land-disturbing activity or has benefited from it or has failed to comply with any provision of this Ordinance, the Act, or any order adopted pursuant to this Ordinance or the Act.

Phase of Grading – means one of two types of grading, rough or fine.

Plan – means a complete Erosion and Sedimentation Control Plan, prepared in accordance with the NC Erosion and Sediment Control Planning and Design Manual, latest edition.

Sediment – means solid particulate matter, both mineral and organic, that has been or is being transported by water, air, gravity, or ice from its site of origin.

Sedimentation – means the process by which sediment resulting from accelerated erosion has been or is being transported off the site of the land-disturbing activity or into a lake or natural watercourse.

Siltation – means sediment resulting from accelerated erosion which is removable by properly designed, constructed, and maintained control measures; and which has been transported from its point of origin within the site of a land-disturbing activity; and which has been deposited in or is in suspension in water.

Storm Drainage Facilities – means the system of inlets, conduits, channels, ditches and appurtenances which serve to collect and convey storm water through and from a given drainage area.

Storm Water Runoff – means the direct runoff of water resulting from precipitation in any form.

Subsidiary – an Affiliate that is directly or indirectly, through one or more intermediaries, controlled by another person.

SWCD/ Union SWCD – means the Union Soil and Water Conservation District.

Ten-Year Storm – means the surface runoff resulting from a rainfall of an intensity expected to be equaled or exceeded, on the average, once in ten years, and of a duration which will produce the maximum peak rate of runoff, for the watershed of interest under average antecedent wetness conditions.

Town – means Town of Weddington.

Town Council – means the Town of Weddington Town Council.

Town of Weddington Erosion Control Inspector/ Erosion Control Inspector/ Inspector – includes the Town of Weddington Zoning Administrator, who is principally responsible for the administration of this Section, or his duly authorized designee. This term shall also include any persons, agents or other representatives of the town as authorized by the Zoning Administrator.

Tract – means all contiguous land and bodies of water being disturbed or to be disturbed as a unit, regardless of ownership.

Twenty-five Year Storm – means the surface runoff resulting from a rainfall of an intensity expected to be equaled or exceeded, on the average, once in 25 years, and of a duration which will produce the maximum peak rate of runoff, from the watershed of interest under average antecedent wetness conditions.

Two-Year Storm – means the surface runoff resulting from a rainfall of an intensity expected to be equaled or exceeded, on the average, once in 2 years, and of a duration which will produce the maximum peak rate of runoff, from the Watershed of interest under average antecedent wetness conditions.

Uncover(s)(ed)(ing) – means the removal of ground cover from, on, or above the soil surface.

Undertaken – means the initiating of an activity, or phase of activity, which results or will result in a change in the ground cover or topography of a tract of land.

Velocity – means the average speed of flow through the cross section of the main channel at the peak flow of the storm of interest. The cross section of the main channel shall be that area defined by the geometry of the channel plus the area of flow below the flood height defined by vertical lines at the main channel banks. Overload flows are not to be included for the purpose of computing velocity of flow.

Waste – means surplus materials resulting from on-site construction and being disposed of at locations either on or off site other than the initial source of the materials.

Watershed – means the region drained by or contributing water to a stream, lake or other body of water.

Working Days – means days exclusive of Saturday, ~~and~~ Sunday, and Federal and State holidays during which weather conditions or soil conditions permit land-disturbing activity to be undertaken.

Commented [CJ1]: Recommend excluding state & federal holidays as well unless work is being conducted on those days. This has been noted in the Model Ordinance for Local Programs.

6558.604 EXCLUSIONS.

This Section shall not apply to the following land-disturbing activities:

- (1) Activities including the production and relating or incidental to the production of crops, grains, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agriculture undertaken on agricultural land for the production of plants and animals useful to man, including, but not limited to:
 - a. Forages and sod crops, grains and feed crops, tobacco, cotton, and peanuts.
 - b. Dairy animals and dairy products.
 - c. Poultry and poultry products.
 - d. Livestock, including beef cattle, llamas, sheep, swine, horses, ponies, mules, and goats.
 - e. Bees and apiary products.
 - f. Fur producing animals.
 - g. Mulch, ornamental plants, and other horticultural products. For purposes of this section, "mulch" means substances composed primarily of plant remains or mixtures of such substances.
- (2) Activities undertaken on forestland for the production and harvesting of timber and timber products and conducted in accordance with standards defined by the best management practices set out in Forest Practice Guidelines Related to Water Quality, (Best Management Practices) as adopted by the North Carolina Department of Agriculture and Consumer Services. If land-disturbing activity undertaken on forestland for the production and harvesting of timber and timber products is not conducted in accordance with standards defined by the Forest Practice Guidelines Related to Water Quality, the provisions of this ordinance shall apply to such activity and any related land-disturbing activity on the tract.
- (3) Activities for which a permit is required under the Mining Act of 1971, Article 7 of Chapter 74 of the General Statutes.
- (4) For the duration of an emergency, activities essential to protect human life, including activities specified in an executive order issued under G.S. 166A-19.30(a)(5).
- (5) Activities undertaken to restore the wetland functions of converted wetlands to provide compensatory mitigation to offset impacts permitted under Section 404 of the Clean Water Act.
- (6) Activities undertaken pursuant to Natural Resources Conservation Service standards to restore the wetlands functions of converted wetlands as defined in Title 7 Code of Federal Regulations § 12.2

Commented [CJ2]: This paragraph has been updated. The Department now refers to the Department of Agriculture and Consumer Services. (Forestry is no longer under the Department as you have it defined). Refer to the Model Ordinance for the exact wording. ADDRESSED by BF

6558.605 GENERAL REQUIREMENTS AND OBJECTIVES.

- (A) **Plan Approval Required.** No Person shall initiate any land-disturbing activity which disturbs one (1) acre of more of land subject to this ordinance without first having plan approval from the Erosion Control Inspector.
- (B) **Plan Approval Exceptions.** Land-disturbing activities which disturb less than one (1) acre of land for single-family residential development are excluded from plan submittal and approval, provided that erosion control devices are installed as needed in accordance with the specifications and details found in the DEQ Planning & Design Manual. If the person performing the land-disturbing activity fails to provide and maintain proper erosion control measures, the Erosion Control Inspector may require a plan be submitted for review and approval within 30 days of notification.

(C) **Protection of Property.** Persons conducting land-disturbing activity shall take reasonable measures to protect all public and private property from damage caused by such activity.

(D) **Basic Control Objectives.** A plan may be disapproved pursuant to Section ~~6558~~.16 of this Ordinance if the plan fails to address the following control objectives:

- (1) Identify Critical Areas – On-site areas which are subject to severe erosion, and off-site areas which are especially vulnerable to damage from erosion and/or sedimentation, are to be identified and receive special attention.
- (2) Limit Time of Exposure – All land-disturbing activity is to be planned and conducted to limit exposure to the shortest feasible time.
- (3) Limit Exposed Areas – All land-disturbing activity is to be planned and conducted to minimize the size of the area to be exposed at any one time.
- (4) Control Surface Water – Surface water runoff originating upgrade of exposed areas should be controlled to reduce erosion and sediment loss during the period of exposure.
- (5) Control Sedimentation – All land-disturbing activity is to be planned and conducted so as to prevent off-site sedimentation damage.
- (6) Manage Storm Water Runoff – When the increase in the velocity of storm water runoff resulting from a land-disturbing activity is sufficient to cause accelerated erosion of the receiving watercourse, plans are to include measures to control the velocity to the point of discharge so as to minimize accelerated erosion of the site and increased sedimentation of the stream.

~~6558.606~~ MANDATORY STANDARDS FOR LAND DISTURBING ACTIVITIES.

No land-disturbing activity subject to the control of this Ordinance shall be undertaken except in accordance with the following mandatory standards:

(A) **Buffer Zone.**

- (1) No land-disturbing activity during periods of construction or improvement to land shall be permitted in proximity to a lake or natural watercourse unless a buffer zone is provided along the margin of the watercourse of sufficient width to confine visible siltation within the twenty-five percent (25%) of the buffer zone nearest the land-disturbing activity.
- (2) Unless otherwise provided, the width of the buffer zone begins and is measured landward from the normal pool elevation of impounded structures (lakes) to the nearest edge of the disturbed area and/ or five feet from the edge of the top of the bank of streams or rivers to the nearest edge of the disturbed area. Natural or artificial means of confining visible siltation must be placed, constructed or installed outside the undisturbed buffer zone.
- (3) For any watercourse, where more than one stream buffer width is imposed by Town of Weddington Code of Ordinance or other local, state or federal law(s), rule(s), or regulation(s), the greater buffer width stipulated shall apply.

(B) **Graded Slopes and Fills.** The angle for graded slopes and fills shall be no greater than the angle which can be retained by vegetative cover or other adequate erosion control devices or structures. In any event, slopes left exposed will, within 14 calendar days of completion of any phase of grading, be planted or otherwise be provided with ground cover, devices, or structures sufficient to restrain erosion.

- (C) **Fill Material.** Unless a permit from the Department's Division of Waste Management to operate a landfill is on file for the official site, acceptable fill material shall be free of organic or other degradable materials, masonry, concrete and brick in sizes exceeding twelve (12) inches, and any materials which would cause the site to be regulated as a landfill by the State of North Carolina.
- (D) **Ground Cover.** Whenever more than one (1) acre of land is uncovered, the person conducting the land-disturbing activity shall install such sedimentation and erosion control devices and practices as are sufficient to retain the sediment generated by the land-disturbing activity within the boundaries of the tract during construction upon and development of said tract. Provisions for a ground cover sufficient to restrain erosion must be accomplished within 15 working days or 60 calendar days, whichever is shorter following the land-disturbing activity.
- (E) **Prior Plan Approval.** No person shall initiate any land-disturbing activity that will disturb more than one acre on a tract unless a Plan for the activity is filed with and approved by the Town of Weddington. The land-disturbing activity may be initiated and conducted in accordance with the plan once the plan has been approved. The Town shall forward to the Director of the Division of Water Resources a copy of each Plan for a land-disturbing activity that involves the utilization of ditches for the purpose of de-watering or lowering the water table of the tract.

6558.607 DESIGN AND PERFORMANCE STANDARDS.

Erosion and sedimentation control measures, structures, and devices shall be so planned, designed, and constructed as to provide protection from the calculated maximum peak rate of storm water runoff from the ten-year storm. Storm water runoff rates shall be calculated using the procedures in the USDA, Natural Resources Conservation Service's "National Engineering Field Manual for Conservation Practices," or other acceptable calculation procedures.

6558.608 STORMWATER OUTLET PROTECTION.

- (A) Persons shall conduct land-disturbing activity so that the post-construction velocity of the ten-year storm runoff in the receiving watercourse to the discharge point does not exceed the greater of:
 - (1) The velocity established in Table 6558.608-1 of this Section;
 - or
 - (2) The velocity of the ten-year storm runoff in the receiving watercourse prior to the land-disturbing activity.
- (B) If the conditions of Section 6558.608 (A) cannot be met, then the receiving watercourse to and including the discharge point shall be designed and constructed to withstand the expected velocity anywhere the velocity exceeds the "prior to land-disturbing activity" velocity by ten percent (10%).
- (C) **Acceptable Management Measures.** Measures applied alone or in combination to satisfy the intent of this section are acceptable if there are no objectionable secondary consequences. The Town recognizes that the management of storm water runoff to minimize or control downstream channel and bank erosion is a developing technology. Innovative techniques and ideas will be considered and may be used when shown to have the potential to produce successful results. Some alternatives are to:

- (1) Avoid increases in surface runoff volume and velocity by including measures to promote infiltration to compensate for increased runoff from areas rendered impervious.
- (2) Avoid increases in storm water runoff discharge velocities by using vegetated or roughened swales and waterways in lieu of closed drains and high velocity paved sections.
- (3) Provide energy dissipaters at outlets of storm drainage facilities to reduce flow velocities to the point of discharge. These may range from simple rip-rapped sections to complex structures.
- (4) Protect watercourses subject to accelerated erosion by improving cross sections and/or providing erosion-resistant lining.

(D) **Exceptions.** This rule shall not apply where it can be demonstrated that storm water discharge velocities will not create an erosion problem in the receiving watercourse.

(E) Maximum permissible velocity for storm water discharges shall be regulated in accordance with Table 6558.608-1.

Table 6558.608-1 Maximum Permissible Velocities

Material	Feet/Second	Meters/Second
Fine sand (noncolloidal)	2.5	0.8
Sandy loam (noncolloidal)	2.5	0.8
Silt loam (noncolloidal)	3.0	0.9
Ordinary firm loam	3.5	1.1
Fine gravel	5.0	1.5
Stiff clay (very colloidal)	5.0	1.5
Graded, loam to cobbles (noncolloidal)	5.0	1.5
Graded, silt to cobbles (colloidal)	5.5	1.7
Alluvial silts (noncolloidal)	3.5	1.1
Alluvial silts (colloidal)	5.0	1.5
Coarse gravel (noncolloidal)	6.0	1.8
Cobbles and shingles	5.5	1.7
Shales and hard pans	6.0	1.8

6558.609 BORROW AND WASTE AREAS.

When the Person conducting the land-disturbing activity is also the person conducting the borrow or waste disposal activity, areas from which borrow is obtained and which are not regulated by the provisions of the Mining Act of 1971, and waste areas for surplus materials other than landfills regulated by the North Carolina Department of Environment and Natural Resources' Division of Solid Waste Management, shall be considered as part of the land-disturbing activity where the borrow material is being used or from which the waste material originated. When the person conducting the land-disturbing activity is not the person obtaining the borrow and/or disposing of the waste, these areas shall be considered a separate land-disturbing activity.

6558.610 ACCESS AND HAUL ROADS.

Temporary access and haul roads, other than public roads, constructed or used in connection with any land-disturbing activity shall be considered a part of such activity.

6558.611 OPERATIONS IN LAKES OR NATURAL WATERCOURSES.

Land-disturbing activity in connection with construction in, on, over, or under a lake or natural watercourse shall be planned and conducted in such a manner as to minimize the extent and duration of disturbance of the stream channel. The relocation of a lake, stream or other watercourse where relocation is an essential part of the proposed activity, shall be planned and executed so as to minimize changes in the lake, stream or other watercourse flow characteristics, except when justification acceptable to the Town for significant alteration to flow characteristic is provided.

6558.612 RESPONSIBILITY FOR MAINTENANCE.

During the development of a site, the person conducting the land-disturbing activity shall install and maintain all temporary and permanent erosion and sedimentation control measures as required by the approved plan or any provision of this Ordinance or the Act, or any order adopted pursuant to this Ordinance or the Act. After site development, the landowner or person in possession of the land shall install and/or maintain all necessary permanent erosion and sediment control measures, except those measures installed within a road or street right-of-way or easement accepted for maintenance by a governmental agency.

6558.613 ADDITIONAL MEASURES.

Whenever the Erosion Control Inspector determines that significant sedimentation is occurring as a result of land-disturbing activity, despite application and maintenance of protective practices, the person conducting the land-disturbing activity will be required to and shall take additional protective action.

6558.614 EXISTING UNCOVERED AREAS.

- (A) All uncovered areas existing on the effective date of this Ordinance which resulted from land-disturbing activity which exceed one (1) acre of land, that are subject to continued accelerated erosion and are causing off-site damage from sedimentation, shall be provided with a ground cover or other protective measures, structures, or devices sufficient to restrain accelerated erosion and control off-site sedimentation.
- (B) The Erosion Control Inspector will serve upon the landowner or other person in possession or control of that land a written notice of violation by registered or certified mail, return receipt requested, or other means reasonably calculated to give actual notice. The notice will set forth the measures needed to comply, and will state the time within which such measures must be completed. In determining the measures required and the time allowed for compliance, the Erosion Control Inspector shall take into consideration the economic feasibility, technology, and quantity of work required, and shall set reasonable and attainable time limits of compliance.
- (C) The Erosion Control Inspector reserves the right to require preparation and approval of a plan in any instance where control measures are required.

6558.615 PERMITS.

- (A) No person shall undertake any land-disturbing activity subject to this Ordinance without having first obtained a Plan Certificate and Letter of Approval or ESC Installation and Maintenance Agreement Approval from the Erosion Control Inspector, except that no Plan Certificate and Letter of Approval or ESC Installation and Maintenance Agreement Approval shall be required for any Land-Disturbing Activity:

- (1) For the purpose of fighting fires; or
 - (2) For the stock piling of raw or processed sand, stone, or gravel in material processing plants and storage yards, provided that sediment control measures have been utilized to protect against off-site damage; or
 - (3) That does not disturb more than one (1) acre in surface area. In determining the area, lands under one or multiple owners being developed as a unit will be aggregated.
- (B) Although a Plan Certificate and Letter of Approval is not required for land-disturbing activity comprising less than one (1) acre for **residential projects**, such activity shall be subject to all other requirements of this Ordinance and any other applicable standards or ordinances adopted by the Town of Weddington.
- (C) Submittals for erosion and sediment control plan approval and erosion control inspections shall be subject to any and all relevant fees as adopted by the Town Council and prescribed in the Town of Weddington Code of Ordinances. Fees shall accompany plan submittals, otherwise the submittal shall be determined incomplete and shall be returned to the applicant.

6558.616 EROSION AND SEDIMENTATION CONTROL PLANS.

- (A) Persons conducting land-disturbing activity shall be responsible for preparing a plan for all land-disturbing activities subject to this Ordinance whenever the proposed activity is to be undertaken on a tract disturbing more than one (1) acre of land, excluding **single-family residential development** addressed in Section 6558.605 (B).
- (B) An electronic submittal along with **Three complete hard copies** of the plan shall be filed with the Town of Weddington Zoning Administrator at least 30 days prior to the commencement of the proposed activity. A fee, made payable to the Town of Weddington, shall be charged for each plan review. Such fee shall be in accordance with a fee schedule adopted by the Town of Weddington Town Council. No plan shall be considered complete unless accompanied by such fee and a performance bond in the form of a certified check, cash or irrevocable letter of credit, in an amount deemed sufficient by the Town Engineer to cover all costs of protection or other improvements required to establish protective cover on the site in conformity with this ordinance. The performance bond shall remain effective until work has been completed, inspected and approved by the Town.
- (C) The Erosion Control Inspector **applicant** shall transmit a copy of the complete plan to the Union Soil and Water Conservation District (SWCD) for their review at least 30 days prior to the commencement of the proposed activity. The SWCD shall be given up to twenty (20) days to make comment on the plan. Failure of the SWCD to submit its comments to the Erosion Control Inspector within such time period shall not delay final action on the proposed plan by the Erosion Control Inspector.
- (D) The Erosion Control Inspector shall render a decision on a plan within thirty (30) days of submittal. The Erosion Control Inspector shall condition approval of a draft plan upon the applicants' compliance with local, state and federal water quality laws, regulations, ordinances and rules. Such decision shall be approval, approval with modifications, approval with performance reservations, or disapproval. Failure to approve, approve with modifications or performance reservations, or disapprove a complete plan within thirty (30) days of receipt shall be deemed approval.

Commented [CJ3]: Is Section 58.605(B) meant to address residential development of one acre or less in size, or is it meant to address ALL development of one acre or less in size? VERIFY INTENT WITH LISA

Commented [CJ4]: You can likely specify the number of copies you want here; we are looking to remove this specification by December, as more governments move towards e-permitting.

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Commented [CJ5]: You can also require the applicant submit the plan to the SWCD simultaneously.

(E) Any final decision made pertaining to the proposed plan shall be filed with the Town of Weddington Zoning Administrator (or as otherwise designated by the Town) and sent to the applicant by first class certified mail.

Commented [CJ6]: You may wish to send Disapproval or Approval with Modification letters via certified mail. In the event these decisions are appealed, you will need proof of service/delivery. AGREED

(F) Denial of a plan or a revised plan must specifically state in writing the reasons for disapproval. The Erosion Control Inspector must approve, approve with modifications, or disapprove a revised plan within fifteen (15) days of receipt, or it is deemed to be approved.

(G) Plan approval shall expire three (3) years following the date of approval, if no land-disturbing activity has been undertaken, or if no land-disturbing activity has occurred with three (3) years. If, following commencement of a land-disturbing activity pursuant to an approved plan, the Erosion Control Inspector determines that the plan is inadequate to meet the requirements of this ordinance, the Erosion Control Inspector may require any revision of the plan that is necessary to comply with this ordinance.

(H) Persons conducting land-disturbing activities which are addressed by Section ~~6-5-5.8~~ 616 shall have secured a Plan Certificate and Letter of Approval (in accordance with procedures described herein) before any land-disturbing activities commence. A copy of the approved plan and the Certificate of Plan Approval shall be maintained at the job site by the persons conducting the land-disturbing activity. After approving the plan, if the Erosion Control Inspector, either upon review of such plan or on inspection of the job site, determines that a significant risk of accelerated erosion or off-site sedimentation exists, the Inspector may require that a revised plan be submitted. Pending the preparation and approval of the revised plan, work shall cease or shall continue under conditions outlined by the Erosion Control Inspector.

(I) A plan may be disapproved unless accompanied by an authorized statement of financial responsibility and ownership. This statement shall be signed by the person financially responsible for the land-disturbing activity or their attorney-in-fact. The statement shall include the mailing and street addresses of the principal place of business of the person financially responsible and of the owner of the land or their registered agents. If the person financially responsible is not a resident of North Carolina, a North Carolina agent must be designated in the statement for the purpose of receiving notice of compliance or non-compliance with the plan, the Act, this ordinance, or rules or orders adopted or issued pursuant to this ordinance. If the applicant is not the owner of the land to be disturbed, the draft erosion and sedimentation control plan must include the owner's written consent for the applicant to submit a draft erosion and sedimentation control plan and to conduct the anticipated land disturbing activity.

(J) The person submitting a plan to the Erosion Control Inspector is, prior to submission of the plan, solely and exclusively responsible for determining whether the proposed land-disturbing activities require any form of state or federal environmental certification or documentation. Any plan submitted for a land-disturbing activity for which an environmental document is required by the North Carolina Environmental Policy Act (G.S. 113A-1, et seq.) shall be deemed incomplete until a complete environmental document is available for Town review. The Erosion Control Inspector, upon discovery that an environmental certification or documentation is required but was not obtained, shall promptly notify the person submitting the plan that the thirty (30) day time limit for review of the plan pursuant to Section ~~6-5-5.8~~ 616 (D) of this Ordinance shall not begin until a complete environmental document or certificate is available for review by the Erosion Control Inspector. However, no term or condition in the Ordinance shall be interpreted to place the burden for determining the necessity for an environmental certificate or documentation upon

the Erosion Control Inspector, and the person submitting the plan, as well as any other persons specified by law, rule or regulation, shall remain solely and exclusively responsible for such determination.

- (K) The plan required by this section shall contain architectural ~~and~~ or engineering drawings, maps, assumptions, calculations, and narrative statements as needed to adequately describe the proposed development of the tract and the measures planned to comply with the requirements of this Ordinance. Any erosion and sediment control measures and/or devices must be drawn to scale and contour when deemed applicable by the Erosion Control Inspector. Plan content may vary to meet the needs of specific site requirements. Detailed guidelines for plan preparation shall be found in the DEQ Erosion Control and Sedimentation Planning and Design Manual. The Erosion Control Inspector shall automatically disapprove a plan if it is determined that implementation of the plan would result in a violation of rules adopted by the Environmental Management Commission to protect riparian buffers along surface waters.

Commented [CJ7]: We updated this in the Model Ordinance to "or".

- (L) A plan may be disapproved upon a finding that an applicant, or a parent, subsidiary, or other affiliate of the applicant:

- (1) Is conducting or has conducted land-disturbing activity without an approved plan or has received notice of violation of a plan previously approved by the NCSCC or the Town pursuant to the Act and has not complied with the notice within the time specified in the notice.
- (2) Has failed to pay a civil penalty assessed pursuant to the Act or a local ordinance adopted pursuant to the Act by the time the payment is due.
- (3) Has been convicted of a misdemeanor pursuant to G.S. 113A-64(b) or any criminal provision of a local ordinance adopted pursuant to the Act; or
- (4) Has failed to substantially comply with applicable local, State or Federal laws, regulations, rules or ordinances adopted pursuant to the Act. For purposes of this subsection ~~6558.616~~ (L), an applicant's record may be considered for only the two (2) years prior to the application date.

- (M) Applications for amendment of a plan in written and/or graphic form may be made at any time under the same format as the original application. Until such time as said amendment is approved by Erosion Control Inspector, land-disturbing activity shall not proceed except in accordance with the plan as originally approved.

- (N) Any person engaged in land-disturbing activity who fails to file a plan in accordance with this Ordinance, or who conducts a land-disturbing activity except in accordance with provisions of an approved plan shall be deemed in violation of this Ordinance.

6558.617 TRANSFER OF PLANS.

- (A) The Town of Weddington may transfer a plan if all of the following conditions are met:

- (1) The successor-owner of the property submits to the local government a written request for the transfer of the plan and an authorized statement of financial responsibility and ownership, the successor-owner holds title to the property on which the permitted activity is occurring or will occur, the successor-owner is the sole claimant of the right to engage in the permitted activity, and there is no substantial change in the permitted activity.

(2) In addition to (1) above, the plan holder must also be one of the following:

- a. A natural person who is deceased.
- b. A partnership, Limited Liability Corporation, corporation, or any other business association that has been dissolved.
- c. A person who has been lawfully and finally divested of title to the property on which the permitted activity is occurring or will occur.
- d. A person who has sold the property on which the permitted activity is occurring or will occur.

(B) The plan holder shall comply with all terms and conditions of the plan until such time as the plan is transferred.

(C) The successor-owner shall comply with all terms and conditions of the plan once the plan has been transferred.

(D) Notwithstanding changes to law made after the original issuance of the plan, the local government may not impose new or different terms and conditions in the plan without the prior express consent of the successor-owner. Nothing in this subsection shall prevent the local government from requiring a revised plan pursuant to Section ~~6558.6~~16(G).

(E) Denials of transfer requests may be appealed pursuant to Section ~~6558.6~~22(A)

~~6558.6~~18 INSPECTIONS AND INVESTIGATIONS.

(A) The Erosion Control Inspector will periodically inspect land-disturbing activities to ensure compliance with the Act, this ordinance, or rules or orders adopted or issued pursuant to this ordinance, and to determine whether the measures required in the plan are effective in controlling erosion and sediment resulting from land-disturbing activity. Notice of the right to inspect shall be included in the certificate of approval of each plan. The landowner, the financially responsible party, or the landowner's or the financially responsible party's agent shall perform an inspection of the area covered by the plan after each phase of the plan has been completed and after establishment of temporary ground cover in accordance with ~~6558.6~~06 (C). The person who performs the inspection shall maintain and make available a record of the deviation from the approved erosion control plan, identify any measures that may be required to correct the deviation, and document the completion of those measures. The record shall be maintained until permanent ground cover has been established as required by the approved erosion and sedimentation control plan.

(B) No person shall willfully resist, delay, or obstruct the Erosion Control Inspector, while inspecting or attempting to inspect a land-disturbing activity under this section.

(C) If it is determined that a person engaged in the land-disturbing activity has failed to comply with the Act, this Ordinance, or rules, or orders adopted or issued pursuant to this Ordinance, or has failed to comply with an approved plan, a notice of violation shall be served upon that person. The notice shall be served by registered or certified mail or by any means authorized under GS 1A-1, Rule 4. The Notice of Violation shall specify a date by which, or a cure period within which, the person must comply with this Ordinance, and inform the person of the actions that need to be taken to comply with this Ordinance. The Notice shall set forth the measures necessary to achieve compliance with the plan, specify a reasonable time period within which such measures shall be completed, and warn that failure

to correct the violation within the time period stated is subject to a civil penalty and other enforcement actions. However, no time period for compliance need be given for failure to submit a plan for approval, for obstructing, hampering or interfering with an authorized representative while in the process of carrying out his official duties, or for the penalty that may be assessed pursuant to this Ordinance for the day the violation is assessed by the Erosion Control Inspector. Any person who fails to comply within the time specified in the Notice is subject to additional civil and criminal penalties for a continuing violation as provided in this Ordinance.

If the person engaged in the land-disturbing activity has not received a previous notice of violation under this section, the Erosion Control Inspector shall deliver the notice of violation in person. If the Erosion Control Inspector is unable to deliver the notice of violation in person within 15 days following discovery of the violation, the notice of violation may be served in the manner prescribed for service of process by G.S. 1A-1, Rule 4. The notice shall include information on how to obtain assistance in developing corrective measures. Assistance may be provided by referral to a technical assistance program in the Department (DEQ), referral to a cooperative extension program, or by the provision of written materials such as Department (DEQ) guidance documents.

- (D) The Erosion Control Inspector shall have the power to conduct such investigation as may be reasonably deemed necessary to carry out duties as prescribed in this ordinance, and for this purpose to enter at reasonable times upon any property, public or private, for the purpose of investigating and inspecting the sites of any land-disturbing activity. No person shall refuse entry or access to the Erosion Control Inspector who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper, or interfere with any such representative while in the process of carrying out their official duties as provided in this Ordinance.
- (E) The Erosion Control Inspector shall also have the power to require written statements, or the filing of reports under oath, with respect to pertinent questions relating to land-disturbing activity.
- (F) On any tract on which one (1) five (5) or more acres are disturbed, or that are disturbed under a common plan of development or sale, the person conducting land-disturbing activity will be responsible for self-inspection of erosion and sedimentation control facilities at least once every seven (7) days or within 24 hours of a storm event of greater than 0.51.0 inches of rain per 24-hour period.

Commented [CJ8]: This paragraph refers to an NPDES requirement. You may want to add the following text: "or that disturbed under a common plan of development or sale", as this will likely be effective on or about April 1, 2019.

Commented [CJ9]: This paragraph refers to an NPDES requirement. This value will be changed in the NCG01 permit to 1.0 inches, effective on or about April 1, 2019.

6558.619 PENALTIES; STOP WORK ORDERS.

(A) Civil Penalties.

- (1) Any person who violates any of the provisions of the applicable State, Federal or local laws, rules, regulations or ordinances, including this Ordinance, or rules or orders adopted or issued pursuant to applicable State, Federal or local laws, rules, regulations or ordinances, including this Ordinance, or who initiates or continues a land-disturbing activity for which an erosion and sedimentation control plan is required except in accordance with the terms, conditions, and provisions of an approved plan, is subject to a civil penalty. The maximum civil penalty ~~for~~ per violation is five thousand dollars (\$5,000). A civil penalty may be assessed from the date of the violation. Each day of a continuing violation shall constitute a separate violation. When the person has not been assessed any civil penalty under this subsection for any previous violation and that person

abated continuing environmental damage resulting from the violation within 180 days from the date of the notice of violation, the maximum cumulative total civil penalty assessed under this subsection for all violations associated with the land-disturbing activity for which the erosion and sedimentation control plan is required is twenty-five thousand dollars (\$25,000).

- (2) In determining the amount of the penalty, items which may be considered are the degree and extent of harm caused by the violation, the cost of rectifying the damage, the amount of money the violator saved by non-compliance, whether the violation was committed willfully and the prior record of the violator in complying with or failing to comply with this Ordinance.
- (3) The Erosion Control Inspector shall determine the amount of the civil penalty and shall notify the person who is assessed the civil penalty of the amount of the penalty, the reason for assessing the penalty, the option available to that person to request a remission of the civil penalty under G.S. 113A-64.2, the date of the deadline for that person to make the remission request regarding this particular penalty, and, when that person has not been assessed any civil penalty under this section for any previous violation, the date of the deadline for that person to abate continuing environmental damage resulting from the violation in order to be subject to the maximum cumulative total civil penalty under subdivision (1) of this subsection. The notice of assessment shall be served by any means authorized under G.S. 1A-1, Rule 4, and shall direct the violator to either pay the assessment ~~or~~ contest the assessment within 30 days by filing a petition for a contested case under Article 3 of Chapter 150B of the General Statutes, or file a request with the Sedimentation Control Commission for remission of the assessment within 60 days of receipt of the notice. A remission request must be accompanied by a waiver of the right to a contested case hearing pursuant to Chapter 150B of the North Carolina General Statutes and a stipulation of the facts on which the assessment was based.
- (4) The final decision on contested assessments shall be made by the governing body of the Town in accordance with the local ordinances or regulations adopted to establish and enforce the erosion and sedimentation control program. Appeal from the final decision of the governing body of the Town shall be to the Superior Court of the county where the violation occurred. Such appeals must be made within 30 days of the final decision of the governing body of the Town.
- (5) If payment is not received within 60 days after it is due, if a violator does not pay a civil penalty assessed by the Town of Weddington within 30 days after it is due, the Erosion Control Inspector may institute a civil action to recover the amount of the assessment. The civil action may be brought in the superior court of any county where the violation occurred or the violator's residence or principal place of business is located. A civil action must be filed within three years of the date the assessment was due. An assessment that is not contested is due when the violator is served with a notice of assessment. An assessment that is contested is due at the conclusion of the administrative and judicial review of the assessment.
- (3) In determining the amount of the penalty, items which may be considered are the degree and extent of harm caused by the violation, the cost of rectifying the damage, the amount of money the violator saved by non-compliance, whether the violation was committed willfully and the prior record of the violator in complying with or failing to comply with this Ordinance.
- (64) The clear proceeds of civil penalties collected by the Town must be remitted to the Civil Penalty and Forfeiture Fund in accordance with G.S. 115C-457.2. Penalties collected by the Town may be diminished only by the actual costs of collection. The collection cost percentage to be used shall be established and approved by the North Carolina Office of State Budget and Management on an annual basis, based upon the

Commented [FB10]:

Commented [CJ11]: This has been changed in the latest Model Ordinance to account for the 60-day waiting period required for remission requests to be considered. (Thirty days is still required for petitions and payments.) SECTIONS ADDED

Commented [CJ12]: Would encourage adding the language included in the latest Model Ordinance. SECTON ADDED

computation of actual collection costs by each town for the prior fiscal year. In any event, the cost percentage shall not exceed twenty percent (20%) of penalties collected.

(B) Criminal Penalties. Any Person who knowingly or willfully violates any provision of this Ordinance, or rule, regulation or order adopted or issued pursuant to this Ordinance, or who knowingly or willfully initiates or continues a land-disturbing activity for which a plan is required, except in accordance with the terms, conditions, and provisions of an approved plan, shall be guilty of a Class 2 misdemeanor which may include a fine not to exceed \$5,000.00.

(C) Stop Work Orders.

- (1) The Erosion Control Inspector may issue a stop-work order per 58-3; if he finds that a land-disturbing activity is being conducted in violation of this Section or of any rule adopted or order issued pursuant to this Section, that the violation is knowing and willful, and that either:
 - (a) Off-site sedimentation has eliminated or severely degraded a use in a lake or natural watercourse or that such degradation is imminent.
 - (b) Off-site sedimentation has caused severe damage to adjacent land or that such damage is imminent.
 - (c) The land-disturbing activity is being conducted without an approved plan.
- ~~(2) The stop work order shall be in writing and shall state what work is to be stopped and what measures are required to abate the violation. The order shall include a statement of the findings made by the Town of Weddington pursuant to subsection (a) of this section, and shall list the conditions under which work that has been stopped by the order may be resumed. The delivery of equipment and materials which does not contribute to the violation may continue while the stop work order is in effect. A copy of this section shall be attached to the order.~~
- ~~(3) The stop work order shall be served by the sheriff of Union County or by some other person duly authorized by law to serve process as provided by G.S. 1A-1, Rule 4, and shall be served on the person at the site of the land disturbing activity who is in operational control of the land disturbing activity. The sheriff or other person duly authorized by law to serve process shall post a copy of the stop work order in a conspicuous place at the site of the land disturbing activity. The Town of Weddington shall also deliver a copy of the stop work order to any person that the Town of Weddington has reason to believe may be responsible for the violation.~~
- ~~(4) The directives of a stop work order become effective upon service of the order. Thereafter, any person notified of the stop work order who violates any of the directives set out in the order may be assessed a civil penalty as provided in Section 65.18(A). A stop work order issued pursuant to this section may be issued for a period not to exceed five days.~~
- ~~(5) The Erosion Control Inspector shall designate an employee (which may be the Erosion Control Inspector) to monitor compliance with the stop work order. The name of the employee so designated shall be included in the stop work order. The employee so designated, or the Erosion Control Inspector, shall rescind the stop work order if all the violations for which the stop work order are issued are corrected, no other violations have occurred, and all measures necessary to abate the violations have been taken. The Erosion Control Inspector shall rescind a stop work order that is issued in error.~~
- ~~(6) The issuance of a stop work order shall be a final agency decision subject to judicial review in the same manner as an order in a contested case pursuant to Article 4 of Chapter 150B of the General Statutes. The petition for judicial review shall be filed~~

~~in the superior court of the county in which the land-disturbing activity is being conducted.~~

~~(7) As used in this section, days are computed as provided in G.S. 1A-1, Rule 6.~~

~~(8) The Attorney for the Town of Weddington shall file a cause of action to abate the violations which resulted in the issuance of a stop work order within two business days of the service of the stop work order. The cause of action shall include a motion for an ex parte temporary restraining order to abate the violation and to effect necessary remedial measures. The resident superior court judge or any judge assigned to hear the motion for the temporary restraining order shall hear and determine the motion within two days of the filing of the complaint. The clerk of superior court shall accept complaints filed pursuant to this section without the payment of filing fees. Filing fees shall be paid to the clerk of superior court within 30 days of the filing of the complaint.~~

6558.620 INJUNCTIVE RELIEF.

- (A) Whenever the Erosion Control Inspector has reasonable cause to believe that any person is violating or threatening to violate this Ordinance or any term, condition, or provision of an approved plan, he/ she may, either before or after the institution of any other action or proceeding authorized by this Ordinance, institute a civil action for injunctive relief to restrain the violation or threatened violation. The action shall be brought in the superior court in Union County.
- (B) Upon determination by a court that an alleged violation is occurring or is threatened, the court shall enter any order of judgment that is necessary to abate the violation, to ensure that restoration is performed, or to prevent the threatened violation. The institution of an action for injunctive relief under this section shall not relieve any party to the proceedings from any civil or criminal penalty prescribed for violations of this Ordinance.

6558.621 RESTORATION OF AREAS AFFECTED BY FAILURE TO COMPLY.

The Erosion Control Inspector may require a person who engaged in a land-disturbing activity and failed to retain sediment generated by the activity as required by subsection 6558.606 (C) to restore the waters and land affected by the failure so as to minimize the detrimental effects of the resulting pollution by sedimentation. This authority is in addition to any other civil or criminal penalty or injunctive relief authorized under this Ordinance.

6558.622 APPEALS.

Procedures which constitute the appeals process, related to the following actions:

- (A) **Plan Approval with Modifications or Plan Disapproval.** The appeal of an approval, approval with modifications or disapproval of a plan made by the Erosion Control Inspector with regard to this Ordinance shall be governed by the following provisions:
 - (1) The order of approval, disapproval, or modification of any proposed Plan made by the Erosion Control Inspector shall entitle the Person challenging such decision to a public hearing before the Town of Weddington Board of Adjustment if such Person submits written demand for a hearing and completes the necessary forms and pays the required appeals fee within fifteen (15) days following the date the decision was filed in The Town's Zoning Administrator office or mailed to the applicant, whichever date is later. Such written request and completed forms shall be submitted to the Clerk of the Board of Adjustment or his designee. Forms shall be available at the Town of

Weddington Town Hall, or as directed by the Erosion Control Inspector. A fee for such public hearing shall be in accordance with a fee schedule adopted by the Town of Weddington Town Council. No request shall be considered complete unless accompanied by such fee.

- (2) Notice of the Board of Adjustment public hearing shall be sent by first class mail to the applicant at least ten (10) days prior to the public hearing and to any person who has submitted written request to receive such notice at least ten (10) days prior to the date of the public hearing. The hearing shall be held no later than thirty (30) days after the date of receipt of said written request.
- (3) A hearing shall be conducted by the Board of Adjustment. A concurring vote per the Board of Adjustment's officially adopted by-laws will be necessary to reverse any order, requirement, decision, or determination of any official charged with the enforcement of this Ordinance, or to decide in favor of an appellant any matter upon which is required to pass or to grant variance from the provisions of this Ordinance. The Town shall keep minutes of the proceedings, showing the votes of each member upon each question and the attendance of each member at such hearings. The final disposition of the Town shall be based on findings of fact.
- (4) A party dissatisfied with the decision of the Board of Adjustment following the public hearing shall appeal such decision to the NCSCC pursuant to Title 15, Chapter 4B, Section .0018(d) of the North Carolina Administrative Code and as provided by NC GS 113A-61(c).

(B) Plan Disapproval Due To Prior Violation, Unpaid Penalties, or Non-compliance. In the event that a plan is disapproved pursuant to Subsection ~~6558.6~~16 (L) of this Ordinance, the Town of Weddington Inspector shall notify the Director of the Division of Land Resources of such disapproval, along with the reasons therefore, within ten (10) days after the date of the decision. The Erosion Control Inspector shall advise the applicant and the Director of the Division of Land Resources in writing as to the specific reasons that the plan was disapproved. The applicant may appeal the Erosion Control Inspector's disapproval of the plan pursuant to Subsection ~~6558.6~~16 (L) of this Ordinance directly to the NCSCC.

(C) Issuance of Notice of Violation, Penalties, or Order of Restoration. The appeal of Issuance of Notice of Violation, Assessment of Civil Penalty, or Order of Restoration made by the Town of Weddington with regard to this Ordinance shall be governed by the following provisions:

- (1) The issuance of a notice of violation, assessment of a civil penalty, or an order of restoration by the Erosion Control Inspector shall entitle the person alleged to be in violation of the Ordinance (petitioner) to appeal within thirty days by filing a petition for a contested case with the State Office of Administrative Hearings under Article 3 of Chapter 150B.

~~6558.6~~23 SEVERABILITY. If any section or specific provision or standard of this ordinance is found by a court to be unconstitutional or invalid for any reason, the decision of the court shall not affect the validity of any other section, provision, or standard of these regulations, except the provision in question. The other portions of these regulations not affected by the decision of the court shall remain in full force and effect.

~~6558.6~~24 EFFECTIVE DATE. This ordinance shall become effective upon approval of the North Carolina Sedimentation Control Commission.

Adopted the ____ day of _____, 201__

Elizabeth Callis, Mayor

Attest:

Karen Dewey, Town Clerk

- Future land uses reflect a future condition -- uses designated on the map may be appropriate in 5-10 years, but currently may not be appropriate due to reasons of compatibility, availability of adequate public facilities, or proximity to services.
- The Future Land Use Map is dynamic -- as justified by changing conditions in the community, the future land use map should change. While map amendments should not be made frequently, periodic adjustments to better achieve community goals will help the community achieve its planning goals.
- The maps and text of the Land Use Plan are to be used together -- the text and tables in this element guide interpretation of the Future Land Use Map.
- Single-family residential land uses make up the greatest percent of Weddington's land uses. Vacant lands still comprise significant acreage in the entire Town, but continue to be developed with new single-family development. Neighborhoods, for the most part, stand-alone and are generally not connected with each other (although the Town's subdivision regulations do call for streets to be stubbed at the periphery of a subdivision in order to allow for connectivity in the future-).

Existing Land Use. Existing land uses are shown in **Exhibit 10** and are current as of ~~April 2013~~ 2019. The exhibit illustrates generalized land uses; the associated data should be used to monitor the consistency of future growth and development in the Planning Area with the goals, policies and recommendations of this Plan.

The current Weddington Land Use Plan Map indicates that thirty-five percent of the Town's land area, or approximately 3,870 acres, are "Residential Conservation." **Sixty-four percent** or approximately 6,969 acres are "Traditional Residential while only .003 percent or 41 acres are "Business". According to this model, if all Weddington's "Residential Conservation" land is developed at the density permitted by right (conventional subdivisions), by the Town, the Town could accommodate an additional 9,934 persons-. It was assumed that only eighty-five percent or 3,290 acres of the Residential Conservation district could be developed. Land must be set aside for roads, bodies of water, utilities, etc. Using 2010 census data of 3.02 persons per household, 3,290 units would yield an additional 9,934 residents. With a 2010 population of 9,459, this results in the Town having a build-out population of over 19,300 persons.

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Exhibit 10: Existing Land Use Map
 CORRESPONDING NUMBERS CAN BE FOUND IN EXHIBIT C

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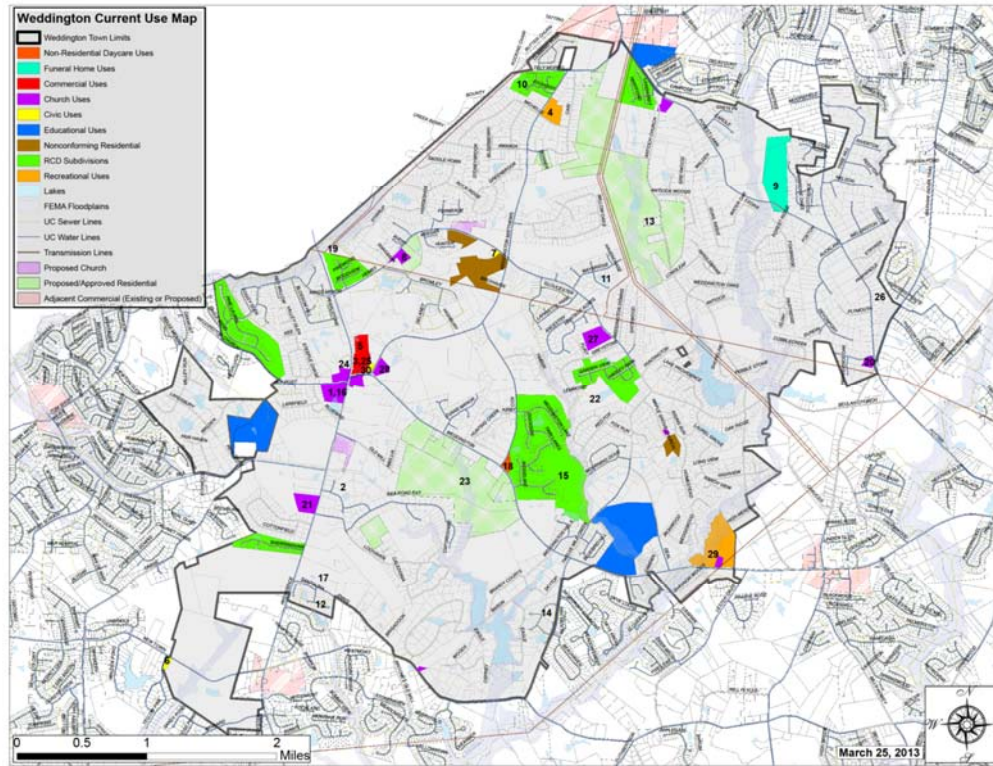
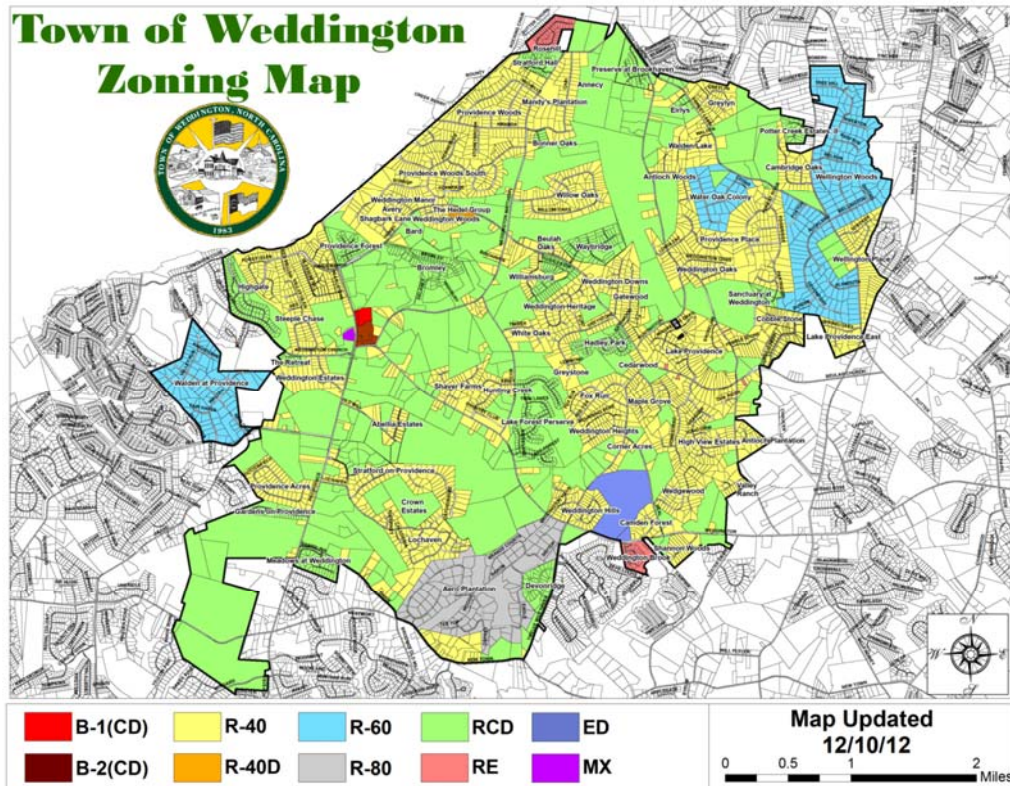


Exhibit 11: Existing Zoning Map

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The vast majority of the Town's housing stock has been constructed since 1980 and has typically been on the higher end of the housing market. The Town's housing stock largely consists of detached single-family units on one-acre (or greater) lots. While single-family residences are ~~predominating~~predominant, the Town contains an existing small, though concentrated, area of residential duplex development along Hemby Road. The area is zoned for this type of duplex development. However, the creation of this zone is not intended to encourage this type of development, nor to suggest that other areas of the Town should be zoned accordingly.

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The Town has grown geographically since its incorporation as a result of a few voluntary and involuntary annexation petitions. The pattern and density of new housing development is relatively uniform throughout the Town. This is largely due to the Town's RCD, R-40, R-60, and R-80 ~~(minimum 12,000, 40,000, 60,000, and 80,000 square feet per lot,~~

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~~respectively)~~ zoning regulations. Since 2008, the Town has issued an average of ~~53-130~~ certificates of occupancy new home zoning permits per year. According to the 2010 census, the average household size in Weddington is 3.02 persons. This results in a growth of approximately 160 people per year. However, over the past ten years the Town has issued 858 new home zoning permits. From 2002 to 2007 an average of 99 new home permits per year.

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Almost all of structures within the Town of Weddington are single-family units. In ~~2013,2018 11-9~~ duplex units and 30 mobile homes were located in the Town. There are no multi-family dwellings in Weddington. However, Weddington is not a typical town; it is a distinctive residential community whose land use regulations call for low-density single-family homes. As compared with most communities, lot sizes are somewhat greater than the norm. Older homes are scattered throughout the Town, while the newer homes are primarily found in subdivisions. ~~Allowing alternative smaller lots in future growth will contribute to community diversity.~~

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Commercial Development. As indicated previously, the Town has very limited commercial activity, ~~and all existing commercial development is located within the designated Town Center.~~ The Town Center is located at the intersection of NC 16 and NC 84 and further defined by the Downtown Overlay District, discussed below. In the future, in order to preserve the Town's rural character, new commercial development is restricted to the Town Center. ~~despite potential commercial development pressure along proposed thoroughfare improvement projects such as the Rea Road Extension and the continued widening of Highway 16.~~ The existing commercial development is zoned for mixed uses, business, retail, and office uses. Uses are limited in nature and size; setback requirements are significant. Tenants in the shopping center include a grocery store, ~~fitness center,~~ three restaurants, a mail delivery center, a hair salon, nail salon, pet salon, drycleaners, and an animal hospital. Adjacent to the shopping center is a small professional office complex that contains a dentist office, orthodontic office, chiropractic office, two medical health office, an insurance company, a real estate agency, a law firm, clothing alteration and an interior design office. A convenience store and bank are located along NC 16. Adjacent to the shopping center is an indoor gymnasium facility. ~~A 15,000 square foot office building was recently approved.~~ Weddington's Town Hall lies adjacent to this shopping/office complex. All land that is currently zoned for commercial purposes in Weddington is found in the vicinity of the Town Center.

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In May of 2015, the Town Council adopted a Downtown Overlay District to provide additional regulations for the ~~above mentioned 3441~~ acres already designated as future business on the Future Land Use Map. The Overlay District policies are based on the

Goals, Policies, and Strategies already included in this Land Use Plan, and will help create an attractive, accessible, and unified Town Center.

~~Although commercial facilities are limited within Weddington itself, there are numerous commercial facilities within a short distance of Weddington. There are a number of existing shopping centers within five miles from Weddington, with more planned or under construction. A 2009 market study by Arnett Muldrow indicated that there were 7,174,000 square feet of existing or planned retail space within a 15 minute drive of Weddington.~~

The large amount of commercial development in southern Mecklenburg County and western Union County, close to Weddington, provides additional commercial development opportunities and supports existing Town demand. Future commercial development in the Town should therefore be limited due to existing traffic volumes on major thoroughfares and overall community sentiment as reflected in the ~~2010 land use survey~~2018 Town Survey. ~~However, the survey also showed a preference for innovative commercial uses that blend in, rather than are differentiated from, adjacent areas. Such land uses, such as limited retail and office, if properly designed, can be both appealing and harmonious with adjacent land uses.~~

~~Two new commercial developments, Rea Farms and Waverly, at the intersection of Providence Road and Ardrey Kell Road, offer over 700,000 square feet of commercial area. They are located approximately two miles north of the Weddington Town Center. An existing shopping facility close to Weddington is the Arboretum, at Providence Road and NC 51. It contains over 500,000 square feet of retail floor area and contains a wide variety of stores; including grocery, discount retail, clothing, restaurants, fast food, and movie theaters. It is one of the largest shopping centers in southern Mecklenburg County and serves many of the shopping needs of Weddington residents. The Promenade on Providence is located at the intersection of Providence Road and Ballantyne Commons Parkway. The Promenade offers over 450,000 square feet of commercial area. This includes a strip shopping center, retail uses, pharmacy, convenience store and a two "big box" home improvement stores, as well as an office complex. The Arboretum is located approximately five miles north of the Weddington "Town Center".~~

Two other shopping complexes, Stonecrest and Blakeney serve the Weddington area and are located along Rea Road. These two shopping centers plus Village Commons in Wesley Chapel, ~~and Cureton Town Center in Waxhaw, Rea Village Shopping Center at Providence Road and Ardrey Kell Road and Idlewild Village in Stallings~~ serve the Weddington community.

~~In nearby Marvin, a fifteen-acre parcel was rezoned to accommodate a small shopping area along the west side of that portion of Rea Road Extension that lies in Marvin. A similar sized tract along the east side of Rea Road Extension that lies in unincorporated Union County is also zoned for commercial purposes.~~

~~Other existing shopping areas that are relatively close to Weddington include Plantation Market, on Weddington Matthews Road in Matthews; Potter Square, which lies off Old Monroe Road in Stallings; and at the intersection of McKee Road and Potter Square in Stallings. There also are two other strip shopping centers that lie along US 74 in Indian Trail that provide many of the same shopping opportunities as are found in the other previously mentioned shopping facilities. The only true “downtown” shopping opportunities that are located nearby are found in Matthews and Waxhaw, which includes a limited number of specialty shopping stores, restaurants, and offices.~~

Historical Preservation

The Town of Weddington was created by the North Carolina General Assembly in 1983, but its history as a community goes back 150 years before that, to the time of the American Revolution when the area was originally settled as an agricultural farming community. As a farming community, crops of cotton made the Sandy Ridge Township a prosperous and prestigious place to live on the western edge of Union County and southeast of the city of Charlotte. The history of the community is intimately tied to the families of Reuben Boswell, his son-in-law Clark Weddington, and his grandson Reuben Boswell Weddington, for whom the town is named for. On the 5th day of October of 1823 a group of 22 farmers agreed to give \$262.00 to raise a house of worship at the “crossroads” at the intersection of what is now known as Weddington to Monroe Road (now Hwy 84) and Providence Road (Hwy 16). The church site was given gratuitous for the purpose of building a church by Mr. Reuben Boswell on July 15, 1824. The donation by Mr. Boswell was 4 acres, to the Sandy Ridge Methodist Episcopal Church. There were 23 charter members of the Methodist Episcopal Church and their names appear on the stone marker in the original church yard. The record book for the church ended in 1854 and very little is known about what happened in the community around the church until about 1874 when Reuben Weddington, grandson of Reuben Boswell built a second church building and gave about 800 acres of land which was to be used for the church’s interest. The church began to operate a school which was supported by the income from the property given by Mr. Weddington. The (Sandy Ridge Church) was changed to Weddington in 1899 in honor of Mr. Reuben Weddington who died a couple years later in 1901. In the 1890’s a new school structure was built – a two story white framed building called Weddington Academy across Providence Road, “Road,” “on the hill”. Weddington Academy served the community until 1918. Grades 1-11 were taught. During that period, children that lived beyond walking and

buggy distance boarded in the adjacent boarding house. During the next 25 years the community grew, a parsonage was added and the church turned the school property over to the Western North Carolina Conference of the Methodist Church. The Conference built a large brick school which was destroyed by fire in 1925. Weddington Institute flourished for a number of years “on the hill” and the community also contained a boarding house, a school dormitory, and the principal’s house. After the school and the principal’s home were destroyed by fire the dormitory was sold and the State of NC took over the operation of the school. During these years the town centered on the church, a cotton gin, and two stores located near the corner of Hwy 84 and Providence Road. Out of gratitude for the generous support of Reuben Weddington, the community took the name of Weddington. In 1925 a new brick church was built to replace the wood frame church built by Mr. Weddington and the original board of trustees. In 1948 a Community Hut was built beside the brick church and in 1953 a Sunday school wing was added to the church.

Until the early 1970’s Weddington was primarily an agricultural community that stayed relatively the same in appearance. The rapid growth of Charlotte in the 1950’s and 1960’s was toward the southeast, and Weddington was right in the path of that growth. Beginning in the 1970’s land was subdivided and houses began to spring up in the Weddington Community. The newer homes were occupied by young families who were looking for a unique community in which to raise their children. It was to protect and control its own future rather than risk annexation by Charlotte that in 1983 a citizens group organized and petitioned the NC General Assembly to pass a bill that incorporated Weddington. Mark Teal, the town’s first temporary mayor, was quoted on May 1, 1983 in the Charlotte Observer as saying “I think the biggest thing in it (Incorporation) is a controlling factor in the western part of the county” Teal said. “It will allow the people who live there to have some control over what happens in their area”. Weddington has remained a residential community over the years, centered on family, their church, and the schools. Today Weddington has within its town limits two elementary schools, one middle school and one high school.

According to the 1996 UNC Charlotte Land Use Plan there are at least ten older buildings within the Town limits that have historic and or architectural importance. It is the community’s good fortune that in 2013 these structures are still here. These structures consist of original farm homes, small folk homes and an original community school building. All are being restored or are in restorable condition. The styles found include, Neo- Classical Revival, Queen Anne, Victorian Queen Ann, Colonial Revival, Eclectic stylized houses. There are also several small folk houses as well. These homes add to the character of our Weddington community and the town should make every effort to assure that they remain and remain in a state that their importance warrants. When Weddington

United Methodist Church moved to “the hill” on Providence Road, it also incorporated into its campus one of the early brick school structures built in the early 1900’s. Today a majority of that structure serves as Helms Hall, and classrooms for the church preschool and Sunday school. The ~~town~~ [Town](#) of Weddington itself purchased the historic Thomas-Wrenn house on the north side of Weddington Road (NC 84) in 1992. Built about 1894 the house is Victorian in style. Other homes include: the John Matthews Victorian home located at 201 S. Providence Road listed on the historic registry, the Jacob Allen Deal home (1856-1926) Georgian Greek Revival, with Italianate elements farm home built in 1913, located at 610 Weddington Road and being preserved by the family, The Howard Family Neo-classical, Revival, Queen Ann home is located at 345 S. Providence Road and is still occupied by family, Fred F. Deal (1886-1984) Colonial farm home built early 1920’s at 1908 Cox Road, the small farm / folk home of Andrew Jackson Moore is located on the northwest corner of Twelve Mile Creek and Hwy 84. The Hemby House owned by Weddington UMC, relocated and now at 7003 Matthews Weddington Road, the Matthews-Andrew Joseph Price home built in the late 19th century by N.M.S.Stitt and Mary Matthews has been relocated to the Hunter Berry Farm along Providence Road and is currently being restored by Nancy Anderson. The Hunter Matthews home, also known as the Plyer home, is located at 258 Weddington Road; the Victor Silas Hunter Jr. home is located on the Hunter Berry Farm on Providence Road. The James Stanhope Delaney (1849-1927) home place is located on Matthews–Weddington Road and is being restored by the family. The home at 7112 New Town Road is also of historic significance and every effort should be made to help in preservation. [In 2017, the Town purchased a 3.3 acre historical property.](#)

The Town of Weddington Historic Preservation Commission will continue to work with homeowners to preserve these farm homes, and to gather the history of the community. The commission meets quarterly at town hall.

COMMUNITY DESIGN AND IDENTIFICATION

Appearance is an issue that affects all aspects of physical planning, as well as a community’s environment. All too often the visual environment has been neglected in American communities. Weddington is fortunate in that it has only recently been under the process of transformation from rural to suburban land use. Today the community is at a crossroads; it can take measures to avoid the negative visual elements suffered by most urban areas. Many communities throughout America are virtually indistinguishable today, containing numerous architecturally similar structures, flashing lights, large signs, strip commercial development, etc. Many communities today are realizing, with the support of court decisions, that they must take an active role not only in promoting, but in regulating for an improved visual appearance.

It is a commonly held belief that the appearance and form of the environment can influence the self-expression and development of the individual. More concretely, the look of a community's surroundings is also important to the economic well-being of its residents; deteriorating appearance can be tied directly to the decline of residential and business areas and their property values. Not only have private individuals and civic organizations been active in appearance campaigns, the role of government in community appearance has become an accepted necessity. Planning and land use regulations have generally been justified on the basis of health and safety concerns, rather than aesthetics. However, municipalities have for quite some time been enacting ordinances (with court support) which control appearance solely on the basis of aesthetics. Thus, community appearance activities and controls have become more frequently recognized as legitimate and important local government activities, rather than activities which are simply limited to volunteer groups.

Fortunately for Weddington at present, there are few negative elements and many positive elements of the community's appearance. Since its incorporation, Weddington leaders have been successful in setting the Town apart from many of its neighbors. Sign clutter, strip development, and urban decay are not problems associated with Weddington. In many respects, the Town is fortunate that it lies in a high-growth and high-income area. As a result, what is of concern to many Weddington residents is the amount of growth that has taken place in the community, rather than the type of growth. At present, three Town entrances are designated with Weddington entrance monument signs as found in most municipalities. Although there are a number of entrance ways into the Town, the most traveled are on NC 16, NC 84, Weddington-Matthews Road and Rea Road.

One is able to differentiate land use patterns and densities when coming into Weddington, especially from Mecklenburg County. This is largely a result of the community's development pattern, as prescribed by its land use regulations. Weddington is a suburban residential community that is being developed in terms of dispersed subdivisions, as opposed to the concentric patterns in which older towns have developed.

Without question, Weddington's rural character is its most visible attribute. The Town's zoning regulations set it apart from many of its neighbors. Whereas neighboring municipalities allow standard lot sizes as low as ~~10,000-15,000~~ 6,000-10,000 square feet and greater housing densities, 12,000 square feet is the minimum lot size in Weddington. However, 12,000 square foot lots are only permitted in Conservation subdivisions. These Conservation subdivisions still have an overall density of one unit per acre and require fifty percent conservation lands, thus remaining density neutral in comparison with the

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Conventional subdivisions. Even in unincorporated portions of Union County, lot sizes as low as ~~20,000~~10,000 square feet are allowed (with even smaller lot sizes allowed in clustered developments).

Site Design. Site design plays a significant role in assuring land use compatibility. Factors include transitioning between land use types, intensities, and densities using buffers and floor area ratios, conserving environmental assets using standards to preserve open space and limit impervious surfaces, providing adequate vehicular and pedestrian traffic circulation and connectivity, mitigating potential nuisances, such as signage, excessive noise, smoke, heat, light, vibration or odors detectable to human senses ~~off the premise~~, and designing for public safety. In November of 2014, the Town Council increased the thoroughfare buffer requirements in response to increased residential development, in order to better preserve the viewshed and maintain the rural feel. The Town Council should also utilize the tiers of priority when reviewing conditional zoning applications for conservation subdivisions and follow the 4-step process for Rural Conservation Design, to ensure that each unique site plan adequately reflects the priorities listed in the zoning ordinance, and more generally preserves Weddington's scenic views and rural character.

GROWTH MANAGEMENT AND RESOURCE CONSERVATION

Growth is anticipated to occur throughout the Planning Area, limited primarily by infrastructure and land availability. The Town, however, continues to have little influence on how land located in unincorporated areas is developed. The Town, however, currently regulates development pursuant to its zoning ordinance and subdivision regulations within its municipal limits. Infrastructure availability is a key growth management tool. The Town can, in the future, focus on ensuring that development does not exceed its site carrying capacity, based on environmental conditions, water and sewer availability and capacity and natural resources protection, its accessibility, via an adequate transportation network, and is consistent with locally-accepted design standards. Capacity constraints can be used to determine the development potential of a property for specific densities or intensities; development potential can be correlated to a preferred level of service (LOS) and available capacity. The Town will need to evaluate inclusion of these growth management tools in its regulations. To better manage the impact of growth on existing residents and the natural environment, the Town Council adopted ~~a new~~the stormwater ordinance in November of 2014 to control runoff caused by new development and in 2019 the Town Council adopted the Erosion and Sediment Control Ordinance to take over regulation from the State.

Annexation. Annexation is the legal process whereby the corporate limits of a town or municipality are extended to encompass additional urbanized land and population. In North Carolina, annexation is the public process by which cities may extend municipal services, voting privileges, regulations and taxing authority to new areas with the specific intent of protecting the public's health, safety, and welfare.

To prepare for long-term growth, it may become necessary for Weddington to annex adjoining lands for the well-being of the community. However, annexation must be done in accordance with State law and established policies and plans, rather than on an ad hoc basis. ~~It is imperative that the Town establishes a defined, long-term annexation and growth strategy, as a natural extension of the Land Use Plan process—a strategy that identifies opportunities, constraints and fiscal impacts.~~ Areas that have been targeted for possible future annexation include those unincorporated areas that are included in the Plan's study area. These areas either lie within the Town's annexation agreement area with the Village of Marvin (unincorporated areas primarily west of Weddington), or have been found to be eligible for future involuntary annexation (unincorporated areas primarily south and southeast of Weddington.).

At the present time, the Town of Weddington encompasses approximately 17 square miles of land area, approximately half of which is undeveloped. This is a considerable area for a town with the budget size and limited staff administered by the Town of Weddington. The purpose of this portion of the land use plan is not to identify areas that the Town may annex. Rather, its purpose is to make the future annexation process a planned and orderly process with respect to voluntary and involuntary annexations. This can be done by identifying criteria that should be used by the Town in evaluating petitions for annexation or involuntary annexations. In considering whether petitions for annexation should be favorably considered, the Town should consider the following factors:

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- Whether the development of the proposed annexation area is consistent with the existing patterns of development in the Town;
- Whether the property has need for services that are not projected to be provided by the Town;
- Whether the annexation of property would be a logical geographical expansion of the Town limits;
- Whether the property and its owners would be better served by becoming a part of a Weddington or a neighboring municipality;

- Whether the property is in Union County, and whether the property is under consideration for annexation by another municipality; and,
- Whether the property is fully or partially developed, and whether the petition is from residents of the property or from a developer.

Since shortly after its incorporation, the Town of Weddington has had a policy of entering into “annexation agreements” with neighboring jurisdictions. Such agreements are subject to the provisions of Part 6, Article 4A of the North Carolina General Statutes. The purpose of such agreements is to identify areas that each community agrees NOT to annex into. Any such agreement can be valid for a period of up to twenty years. Once the agreement is executed, a participating city may withdraw from it with five years notice. To date, the Town has executed such agreements with the City of Charlotte and the Village of Marvin. The agreement with Charlotte (which was legislatively enacted) basically states that neither city will annex properties across the County line.

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This section of the land use element identifies key issues relating to annexation, growth and development within the Planning Area. Most significantly, this element focuses on cooperative and coordinated growth management with the County and neighboring jurisdictions and assessing the fiscal impact on Town resources prior to committing the Town to a course of action.

Growth management strategies directly affect growth in and around Weddington. Planning and preparing for growth, and improving inter-governmental and service provider coordination, particularly in matters relating to capital improvements and development standards is critical. Particularly important is the coordinated limitation of development in inappropriate locations (*i.e.*, in open space or in outlying portions of the Planning Area) or where infrastructure is inadequate.

The Town of Weddington should take steps to ensure that in the future it does not become involved in costly annexation litigation battles with its neighbors. Other municipalities with which annexation agreements are suitable and appropriate include the Village of Wesley Chapel and the Towns of Stallings and Indian Trail.

Extraterritorial Planning Jurisdiction. The State of North Carolina allows incorporated municipalities to exercise selected land use planning authority in areas located outside of corporate boundaries. This process is referred to as extraterritorial jurisdiction (ETJ). The detailed powers and limitations of ETJ are defined in NCGS 160A-360. Due to the rapid

~~pace of land development occurring near Weddington, the Town should pursue establishing planning jurisdiction over the area surrounding Weddington's borders. With the County Commissioners' and the Town Council's consent, an extraterritorial jurisdiction (ETJ) agreement should be prepared and adopted. This would enable Weddington to have land use planning control over unincorporated areas in Union County that surround Weddington up to one mile from the Town's existing primary corporate limits. Given that Union County exercises zoning and subdivision regulations as well as State Building Code regulations in unincorporated areas around Weddington, the creation of an ETJ for Weddington would be subject to the approval of the Union County Board of Commissioners or by local legislation.~~

APPENDIX A: GLOSSARY

Commercial: An organization engaged in commerce for the purpose of making a profit that is not an authorized 501 (c)(3). Parcels containing facilities primarily engaged in the exchange of information, goods or services, generally without the physical transformation of those products.

Conservation: Preservation, protection, or restoration of the natural environment, natural ecosystems, vegetation, and wildlife.

Conservation Residential: The Land Use classification used for residentially zoned parcels that are typically either large (six acres or greater) undeveloped parcels or parcels located within an established conservation subdivision.

Density: Number of housing units per gross acre, determined by dividing the number of dwelling units by the total number of acres in the parcel or assemblage of parcels to be developed.

Development: The physical construction of buildings and/or the preparation of land for non-agricultural uses. Development activities include: subdivision of land; construction or alteration of structures, roads, utilities, and other facilities; installation of water, septic and sewer systems; grading; deposit of refuse, debris, or fill materials; and clearing of natural vegetative cover.

Goal: Description of a desired state of affairs for the community in the future. Goals are the broad public purposes toward which policies and programs are directed. Generally, more than one set of actions (policies) may be needed to achieve each goal. In this Plan, goals are phrased to express the desired results of the Plan; they complete the sentence "Our goal is..."

Land Use Plan: A basic element of a comprehensive plan that designates the present and future location, form, class and extent (size) within a planning jurisdiction for residential, commercial, industrial, institutional, etc. use or reuse. The land use plan includes a map and a written description of the different land use areas or districts.

Policy: A statement of government intent against which individual actions and decisions are evaluated.

Rural: A geographic area located inside of or outside of a city or town that typically has smaller populations and densities. These areas typically have more agricultural uses.

Strategy: Individual tasks or accomplishments which, taken together, will enable the Town to achieve its goals. Strategies recommend specific courses of action to implement the Plan.

Town Core: The central or compact area with a mix of retail, office, commercial, institutional, governmental facilities and housing that serves as a gateway to the community and that provides a central location for community activities and needs.

Traditional Residential: The Land Use classification used for residentially zoned parcels that are typically 40,000 square feet in size and are located within an established subdivision.

Undeveloped: Parcels where no discernible development has occurred, where no discernible natural resource management or extraction activity is present, and where the given parcel has not been permanently preserved or conserved in a natural state through ownership or conservation easement.

Urban: A geographic area located inside of a city or town that typically has larger populations, densities and human features.

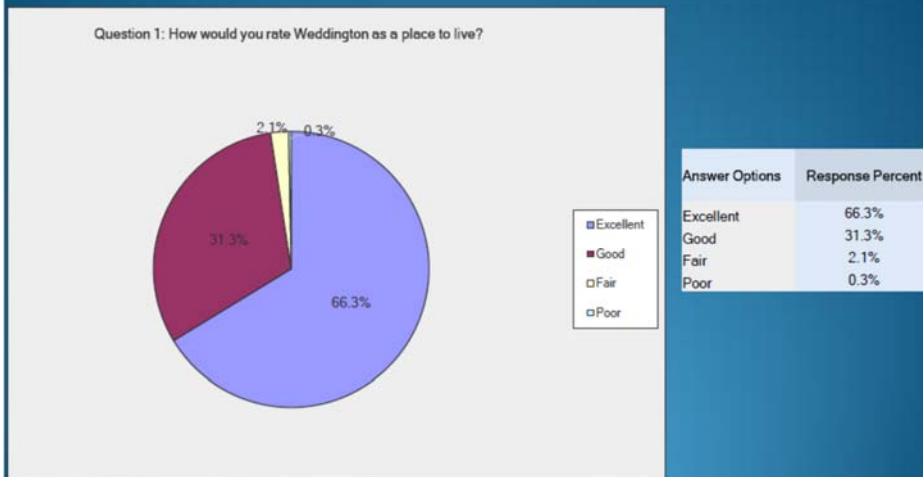
Urban Amenity: The things that people appreciate about their urban environment. An amenity can be a tangible thing, like a shopping centre or a park, and it can be an intangible thing, like a feeling of safety or sense of community.

APPENDIX B: ~~2012~~2018 LAND USE PLAN SURVEY

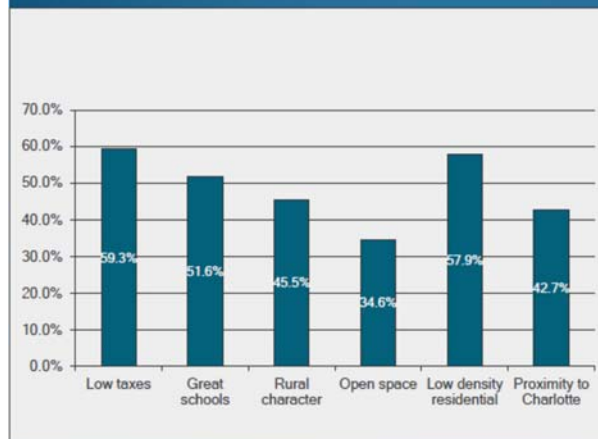
3400 Postcards Sent, 659 Responses – 19.4% Response Rate

- 26% have lived in Weddington less than 5 years
- 49% have lived in Weddington less than 10 years
- 38% work in Mecklenburg County
- 88% live in a subdivision

Question 1: How Would You Rate Weddington As a Place to Live?

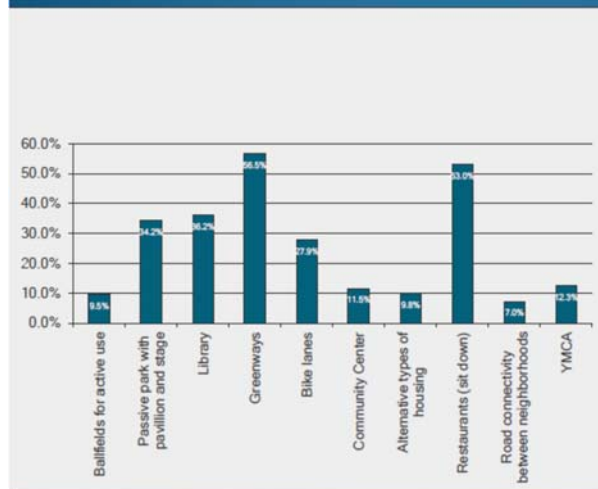


Question 2: Why Did You Move Here/What Do You Most Appreciate About Living Here?
(Could choose up to three)



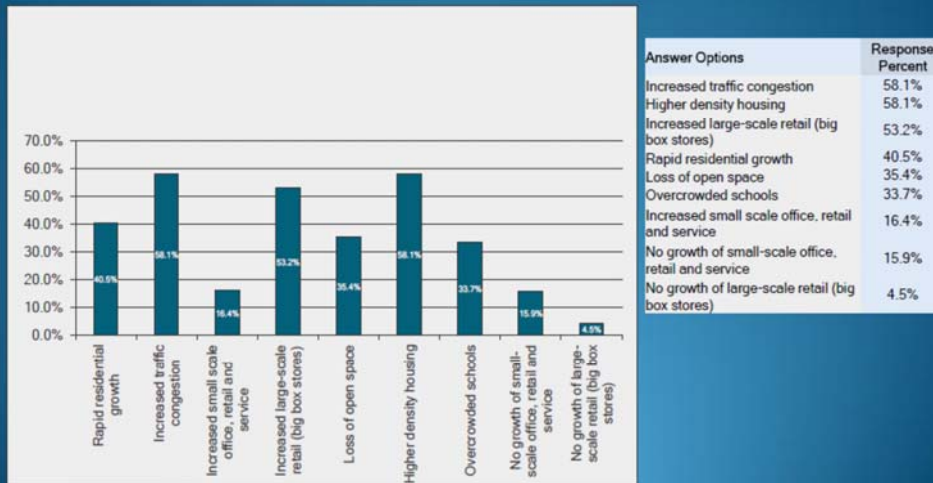
Answer Options	Response Percent
Low taxes	59.3%
Great schools	51.6%
Rural character	45.5%
Open space	34.6%
Low density residential	57.9%
Proximity to Charlotte	42.7%
Other (please specify)	

Question 3: Over the Next Five to Ten Years, Which of the Following Would Most Improve the Quality of Life in Weddington? (Could choose up to three)



Answer Options	Response Percent
Greenways	56.5%
Restaurants (sit down)	53.0%
Library	36.2%
Passive park with pavilion and stage	34.2%
Bike lanes	27.9%
YMCA	12.3%
Community Center	12.3%
Alternative types of housing	9.8%
Ballfields for active use	9.5%
Road connectivity between neighborhoods	7.0%

Question 4: Over the Next Five to Ten Years, Which of the Following Could Most Adversely Affect Weddington's Current Quality of Life? (Could choose up to three)



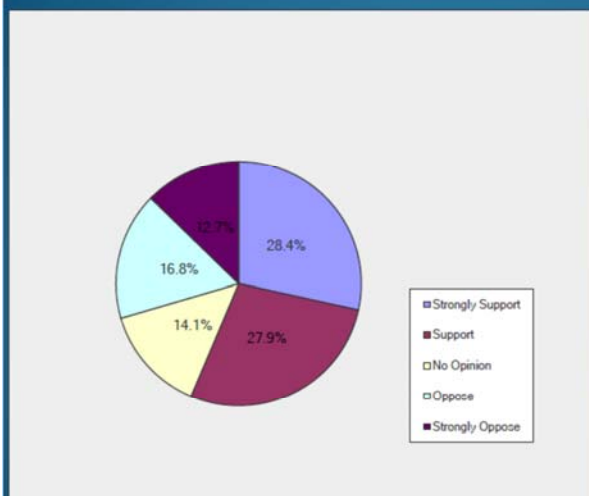
Question 5: To What Degree Are the Following Important in Weddington?

	Very Important	Important	Not at All Important	Don't Know
Maintaining a low tax rate	69.7%	27.4%	2.8%	0.0%
Ensuring public safety (e.g., fire, police)	65.3%	32.1%	2.4%	0.2%
Preservation of open space	60.9%	33.4%	4.2%	1.6%
Low density residential development	53.3%	32.1%	11.9%	2.7%
Limiting non-residential growth	44.6%	34.2%	19.6%	1.6%
Promoting a downtown core	18.4%	35.8%	41.9%	3.8%
Diversify tax base with new non-residential development	15.9%	33.7%	42.0%	8.4%

Question 6: If in Question #5 you responded that limiting non-residential growth is "very important" or "important", would your opinion change if a mixed-use development included additional amenities such as parks, a library or other public facilities?

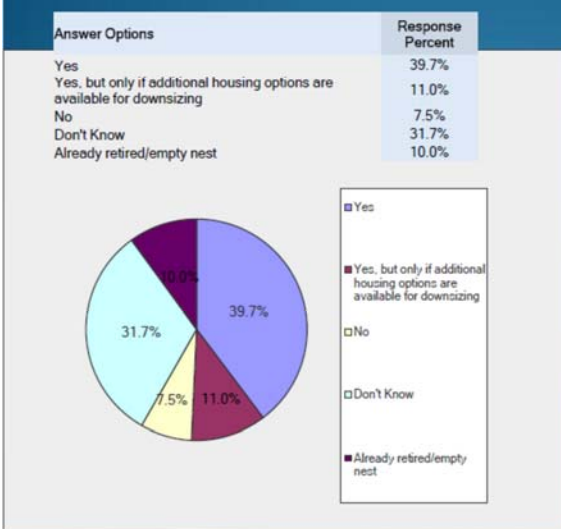
	Response Percent
Yes	43.0%
No	57.0%

Question 7: What Is Your Current Opinion of Conservation Subdivisions?



Answer Options	Response Percent
Strongly Support	28.4%
Support	27.9%
No Opinion	14.1%
Oppose	16.8%
Strongly Oppose	12.7%

Question 8: Do You Plan to Spend Your Retirement Years in Weddington?



Answer Options	Response Percent
Yes	39.7%
Yes, but only if additional housing options are available for downsizing	11.0%
No	7.5%
Don't Know	31.7%
Already retired/empty nest	10.0%

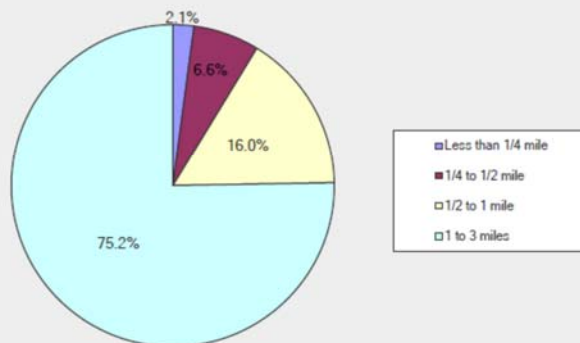
Question 9: Would You Support Higher Density for Age Restricted Communities in Designated Areas?

Answer Options	Response Percent
Yes	51.0%
No	49.0%

Question 10: Should the Weddington Land Use Plan Allow for the Following Types of Development?

Answer Options	Yes	No
Restaurants (sit-down)	72.0%	28.0%
Mixed use (small-scale office/retail/restaurant)	59.5%	40.5%
Medical offices	52.0%	48.0%
Age restricted communities	46.8%	53.2%
Assisted living facilities	44.3%	55.7%
Day care facilities	40.6%	59.4%
Office space	38.6%	61.4%
Mixed use with residential	34.4%	65.6%
Patio homes	29.0%	71.0%
Townhomes	21.5%	78.5%
Restaurants (fast food)	15.9%	84.1%
Condominiums	12.7%	87.3%
Large-scale shopping centers	10.9%	89.1%
Duplexes	8.3%	91.7%
Apartments	4.0%	96.0%

Question 11: How Close Would You Like to Live to Retail Services?



Question 12:

Answer Options	Response Percent
I am aware of the Town's website (townofweddington.com)	96.3%
I am aware of the Town's Facebook page (http://www.facebook.com/townofweddington)	24.8%
I have signed up to receive email regarding events/meetings	28.3%
I have seen Weddington Magazine	60.7%
I have attended at least one event or meeting in the past year	38.1%

**APPENDIX C: CONDITIONAL USE PERMIT AND CONDITIONAL
ZONING PERMIT DATABASE**

Weddington Current Use Map	
Map Number	Description
1	Weddington United Methodist Church CUP
2	Stratford on Providence CUP-PRD
3	Weddington Corners CUP
4	Weddington Swim & Racquet Club CUP
5	Treske CUP
6	Wesley Chapel Volunteer Fire Department CUP
7	Providence Volunteer Fire Department CUP
8	Church of Jesus Christ Later Day Saints CUP
9	Forest Lawn Cemetery CUP
10	Stratford Hall CUP-PRD
11	Waybridge CUP-PRD
12	Meadows at Weddington CUP-PRD
13	Verizon Cell tower CUP
14	Devonridge CUP-PRD
15	Lake Forest Preserve CUP-RCD Subdivision
16	Verizon Cell tower CUP
17	AT&T Cell tower CUP
18	Chesterbrook Academy CUP
19	Duke Energy Transmission Tower CUP
20	Spirit of Joy Church CUP
21	First Baptist Church CUP
22	AT&T Cell tower CUP
23	The Woods CUP-PRD-etc.
24	Polivka MX CZ
25	Trinity Bank ATM CUP
26	8109 Potter Road Radio Tower CUP
27	Bethany Church CUP
28	Hemby House CUP
29	WCWAA Lighting CUP
30	Pinsak Medical Office CUP

Agenda Item 11.B.

TOWN OF WEDDINGTON PROPOSED TOWN BUDGET FY2020

	FY2018 <u>ACTUAL</u>	FY2019 <u>AMENDED BUDGET</u>	<u>PROJECTED 6/30/2019</u>	PRELIMINARY <u>BUDGET FY2020</u>	EXPLANATION FOR CHANGE
REVENUE:					
10-3101-110 AD VALOREM TAX - CURRENT	1,053,317.19	1,065,000.00	1,094,827.75	1,120,000.00	1,121,946.76 calculation based on County estimate
10-3102-110 AD VALOREM TAX - 1ST PRIOR YR	4,435.93	3,000.00	2,513.24	3,000.00	
10-3103-110 AD VALOREM TAX - NEXT 8 YRS PRIOR	2,405.25	1,000.00	2,534.02	2,000.00	Based on estimated current yr actual
10-3110-121 AD VALOREM TAX - MOTOR VEH CURRENT	98,834.95	92,500.00	100,144.11	102,000.00	Based on estimated current yr actual
10-3115-180 TAX INTEREST	2,826.61	2,250.00	2,500.00	2,250.00	
10-3231-220 LOCAL OPTION SALES TAX REV - ART 39	347,930.35	335,000.00	366,324.49	370,000.00	Based on estimated current yr actual
10-3322-220 BEER & WINE TAX	45,517.32	45,000.00	45,000.00	45,000.00	
10-3324-220 UTILITY FRANCHISE TAX	465,788.53	460,000.00	470,593.06	470,000.00	Based on estimated current yr actual
10-3340-400 ZONING & PERMIT FEES	47,330.00	35,000.00	35,000.00	35,000.00	Projected permit fees
10-3350-400 SUBDIVISION FEES	27,330.00	20,000.00	20,000.00	13,250.00	New Town/84 & future unidentified subdivisions
10-3830-891 MISCELLANEOUS REVENUES	1,719.81	1,000.00	1,750.00	1,750.00	
10-3831-491 INVESTMENT INCOME	11,301.98	7,500.00	21,469.84	21,000.00	
TOTAL REVENUE	2,108,737.92	2,067,250.00	2,162,656.51	2,185,250.00	
GENERAL GOVERNMENT EXPENDITURE:					
10-4110-126 FIRE DEPT SUBSIDIES	733,056.00	747,860.00	747,860.00	772,810.00	Fire dept increase & audit
10-4110-127 FIRE DEPT CAPITAL/BLDG MAINTENANCE	130.00	19,000.00	16,000.00	21,000.00	Fire dept generator & other
10-4110-128 POLICE PROTECTION	264,174.00	288,600.00	288,600.00	297,275.00	UCSO increase
10-4110-192 ATTORNEY FEES - GENERAL	91,674.51	60,000.00	30,000.00	30,000.00	
10-4110-193 ATTORNEY FEES - LITIGATION	145,614.75	25,000.00	5,000.00		
10-4110-195 ELECTION EXPENSE	9,899.29	3,500.00	3,500.00	3,500.00	
10-4110-340 PUBLICATIONS	6,445.47	15,000.00	9,908.00	10,500.00	
10-4110-341 WEDDINGTON FESTIVAL	190.38		0.00		
10-4110-342 HOLIDAY/TREE LIGHTING	7,874.99	5,000.00	5,000.00	6,000.00	Tree lighting
10-4110-343 SPRING EVENT	3,129.69	9,000.00	4,500.00	10,175.00	Food truck Fridays and events
10-4110-344 OTHER COMMUNITY EVENTS	1,329.22	2,100.00	1,000.00	1,850.00	Shredding and litter sweeps
10-4110-495 PUBLIC SAFETY	1,462.67		500.00	2,000.00	Deputies for events
TOTAL GENERAL GOVT EXPENDITURE	1,264,980.97	1,175,060.00	1,111,868.00	1,155,110.00	
ADMINISTRATIVE EXPENDITURE:					
10-4120-121 SALARIES - CLERK	21,837.38	23,000.00	22,928.75	22,825.00	
10-4120-123 SALARIES - TAX COLLECTOR	42,611.37	50,000.00	45,031.98	51,250.00	
10-4120-124 SALARIES - FINANCE OFFICER	10,229.16	13,310.00	9,784.68	10,850.00	
10-4120-125 SALARIES - MAYOR & TOWN COUNCIL	25,200.00	25,200.00	25,200.00	25,200.00	
10-4120-181 FICA EXPENSE	7,639.93	8,750.00	7,875.32	8,425.00	
10-4120-182 EMPLOYEE RETIREMENT	8,545.72	8,500.00	9,645.73	11,725.00	
10-4120-183 EMPLOYEE INSURANCE	12,175.50	12,750.00	12,834.00	13,475.00	
10-4120-184 EMPLOYEE LIFE INSURANCE	151.20	175.00	150.00	175.00	
10-4120-185 EMPLOYEE S-T DISABILITY	144.00	175.00	150.00	175.00	
SALARY ADJUSTMENTS				3,500.00	1/2 of merit bonuses/raises
10-4120-191 AUDIT FEES	8,300.00	8,750.00	8,300.00	8,750.00	
10-4120-193 CONTRACT LABOR	8,900.00	7,000.00	6,900.00	103,750.00	Banner installation; misc (branding); park
10-4120-200 OFFICE SUPPLIES - ADMIN	7,314.12	10,000.00	7,500.00	12,000.00	Ipads and cellphones
10-4120-210 PLANNING CONFERENCE	245.04	500.00	500.00	500.00	
10-4120-321 TELEPHONE - ADMIN	1,972.91	3,000.00	2,289.08	3,000.00	

**TOWN OF WEDDINGTON
PROPOSED TOWN BUDGET
FY2020**

	FY2018 <u>ACTUAL</u>	FY2019 <u>AMENDED BUDGET</u>	<u>PROJECTED 6/30/2019</u>	PRELIMINARY <u>BUDGET FY2020</u>	EXPLANATION FOR CHANGE
10-4120-325 POSTAGE - ADMIN	1,599.03	2,000.00	1,762.95	2,000.00	
10-4120-331 UTILITIES - ADMIN	5,124.52	6,000.00	5,615.83	6,000.00	
10-4120-351 REPAIRS & MAINTENANCE - BUILDING	10,279.58	67,500.00	20,000.00	15,000.00	Misc town hall repairs
10-4120-352 REPAIRS & MAINTENANCE - EQUIPMENT	62,724.20	75,000.00	67,440.92	75,000.00	
10-4120-354 REPAIRS & MAINTENANCE - GROUNDS	87,998.00	58,000.00	45,874.50	90,050.00	Add'l landscaping; winter mulching; bush hog; contract increase
10-4120-355 REPAIRS & MAINTENANCE - PEST CONTRL	1,166.80	1,500.00	1,500.00	1,500.00	
10-4120-356 REPAIRS & MAINTENANCE - CUSTODIAL	5,720.00	6,000.00	6,284.55	6,000.00	
10-4120-500 CAPITAL EXPENDITURES		10,000.00	9,539.00	100,000.00	Park construction
10-4120-370 ADVERTISING - ADMIN	508.80	1,000.00	500.00	1,000.00	
10-4120-397 TAX LISTING & TAX COLLECTION FEES	-349.85	250.00	0.00	250.00	
10-4120-400 ADMINISTRATIVE:TRAINING	3,797.50	4,000.00	4,000.00	4,000.00	
10-4120-410 ADMINISTRATIVE:TRAVEL	7,068.65	5,000.00	5,000.00	5,000.00	
10-4120-450 INSURANCE	14,161.75	15,000.00	14,000.00	14,500.00	
10-4120-491 DUES & SUBSCRIPTIONS	18,031.08	19,500.00	19,010.89	20,000.00	
10-4120-498 GIFTS & AWARDS	755.41	3,000.00	1,500.00	3,000.00	
10-4120-499 MISCELLANEOUS	7,251.37	8,000.00	4,110.15	8,000.00	
TOTAL ADMINISTRATIVE EXPENSE	381,103.17	452,860.00	365,228.31	626,900.00	
PLANNING & ZONING EXPENDITURE:					
10-4130-121 SALARIES - PLANNER/ADMINISTRATOR	71,018.45	73,500.00	73,165.36	73,175.00	
10-4130-122 SALARIES - ASST ZONING ADMINISTRATOR	530.40		0.00	500.00	
10-4130-123 SALARIES - ADMINISTRATIVE ASSISTANT	15,084.21	17,650.00	17,672.71	18,000.00	
10-4130-124 SALARIES - PLANNING BOARD	4,700.00	5,200.00	5,000.00	5,200.00	
10-4130-125 SALARIES - SIGN REMOVAL	3,042.81	5,500.00	5,524.69	8,500.00	Litter pick up
10-4130-181 FICA EXPENSE - P&Z	7,193.07	7,725.00	7,754.25	7,725.00	
10-4130-182 EMPLOYEE RETIREMENT - P&Z	10,932.66	14,855.00	13,541.45	14,940.00	
10-4130-183 EMPLOYEE INSURANCE - P&Z	12,172.50	15,750.00	19,910.00	15,925.00	
10-4130-184 EMPLOYEE LIFE INSURANCE - P&Z	235.20	250.00	235.20	250.00	
10-4130-185 EMPLOYEE S-T DISABILITY - P&Z	144.00	175.00	144.00	175.00	
				3,500.00	1/2 of merit bonuses/raises
10-4130-193 CONSULTING	18,955.36	61,075.00	56,587.01	60,000.00	
10-4130-194 CONSULTING - COG	7,915.00	11,500.00	11,500.00	26,500.00	Code enforcement; remedies & Ambassador Ct
10-4130-200 OFFICE SUPPLIES - PLANNING & ZONING	4,897.16	5,000.00	5,000.00	5,000.00	
10-4130-201 ZONING SPECIFIC OFFICE SUPPLIES	175.00	2,500.00	500.00	2,500.00	
10-4130-215 HISTORIC PRESERVATION	409.74	650.00	250.00	350.00	Sign replacement
10-4130-220 INFRASTRUCTURE		206,000.00	8,000.00	262,000.00	Tilley-Morris; Ambassador Ct cost share; stoplight
10-4130-321 TELEPHONE - PLANNING & ZONING	2,163.11	3,000.00	2,289.08	3,000.00	
10-4130-325 POSTAGE - PLANNING & ZONING	1,576.94	2,000.00	1,762.95	2,000.00	
10-4130-331 UTILITIES - PLANNING & ZONING	5,233.46	6,000.00	5,615.83	6,000.00	
10-4130-370 ADVERTISING - PLANNING & ZONING	441.01	1,000.00	500.00	1,000.00	
TOTAL PLANNING EXPENSE	166,820.08	439,330.00	234,952.53	516,240.00	
TOTAL EXPENDITURES	1,812,904.22	2,067,250.00	1,712,048.84	2,298,250.00	
NET OPERATING REVENUES/(EXPENDITURES)	295,833.70	0.00	450,607.66	-113,000.00	

Agenda Item 11.B.

TOWN OF WEDDINGTON NON-OPERATING EXPENDITURES

		PROPOSED FY2020	APPROVED FY2019	APPROVED FY2018
ESTIMATED OPERATING REVENUES		<u>May</u> 489,000.00		
Zoning & Permit Fees		25,000.00	25,000.00	
Subdivision Fees				
	New Town & 12 Mile	8,250.00		
	Future unidentified	5,000.00	20,000.00	
TOTAL ADJUSTED OPERATING REVENUES		527,250.00		
<u>Proposed non-operating expenditures to be funded</u>				
WCVFD	Fire service contract increase (maximum = \$22,300)	20,450.00	10,300.00	21,346.00
	Audit	4,500.00	4,500.00	4,500.00
	Building maintenance (roof, generator)	21,000.00	25,000.00	10,000.00
Police	Increase in contract price (est. @ 4%; 9.2% actual for FY19)	8,675.00	24,425.00	7,175.00
	Municipal participation in funding additional position			
Public Safety	New radar trailer - \$6000-\$6500 each + software/repairs		10,000.00	1,500.00
Attorney	UDO		25,000.00	100,000.00
Parks & Rec	Spring Event (B30Shredding)	500.00	350.00	750.00
	Historic committee (replace historic designation sign)	350.00	1,000.00	1,000.00
	Tree lighting/Christmas cards & decorations	6,000.00	7,500.00	6,500.00
	Litter sweeps	1,350.00	250.00	250.00
	Deputies/EMTs (Food Truck Fridays/Litter Sweep)	2,000.00	500.00	650.00
	Contract labor (i.e. patriotic banner installation, photographer, etc.)	4,000.00	2,000.00	100.00
	Food trucks	4,000.00	4,500.00	3,000.00
	Activities	6,175.00		7,000.00
Office supplies	Ipads/laptops/etc (election year replacement upgrade)	1,500.00	2,500.00	2,500.00
	Cellphones for council/administrator	3,000.00		
Grounds maintenance	Landscape upgrades/medians/roundabout	10,000.00	10,000.00	35,000.00
	Winter maintenance & mulching (every other year)	17,500.00		15,000.00
	New property - bushhog	5,000.00	8,000.00	3,105.00
	Contract adjustments for new landscapers	17,000.00		750.00
Building Maintenance	Matthews property (house demolition; preliminary construction phases)	100,000.00	50,000.00	30,000.00
	Electrical repairs		5,000.00	
	Interior painting		5,000.00	
	Town Hall	7,500.00		
Technology	Smartfusion Upgrade			
	IT service contract (expires 8/31/18)		10,000.00	
	Social media archiving	2,750.00		
Consulting/	Code Enforcement contract	8,000.00	8,000.00	7,815.00
Contract Labor	Code Enforcement (funds for remedies; Ambassador Ct)	18,500.00	3,500.00	2,185.00
	Planning Conference/Retreat mediator			1,500.00
	USI Inspection		28,075.00	35,000.00
	Misc projects (FY20 - branding; FY19 Cardno park design/survey)	5,000.00	5,000.00	8,500.00
	Consultant (FY20 Park; FY19 Randall Arendt)	92,000.00	15,000.00	
Salary adj	Merit/Bonus/Taxes/Benefits - (3%)	7,000.00	6,925.80	5,125.74
	Part-time clerk			21,850.00
	Part-time administrative assistant			16,800.00
	New hire payroll expenses			6,500.00
	Retirement benefits		2,690.00	
	Family medical insurance		3,000.00	
	Litter pick up (\$15.91/hr plus payroll taxes)	4,500.00		
Capital Exp				
Infrastructure	Rea Road cost share reserve		50,000.00	40,000.00
	Cost participation for DOT projects/Ambassador Ct cost share	20,000.00	35,000.00	
	Tilley-Morris roundabout	207,000.00	121,000.00	120,000.00
	Municipal participation in critical intersection funding			
	Town participation in stoplight at Antioch Church/Forest Lawn	35,000.00		
Total cost of non-operating expenditures		640,249.99		
Net revenues over expenditures (fund balance appropriation)		(\$112,999.99)		

FUND BALANCE ASSIGNMENTS

Capital Projects		
Town Hall -- Buildings	\$45,000	\$45,000
Town Hall -- Sidewalks	\$18,000	\$15,000
Infrastructure		
Rea Road Improvements	\$100,000	\$100,000
Other	\$65,000	\$89,500

TOWN OF WEDDINGTON

MEMORANDUM

TO: Mayor and Town Council

FROM: Lisa Thompson, Town Administrator/Planner

DATE: May 13, 2019

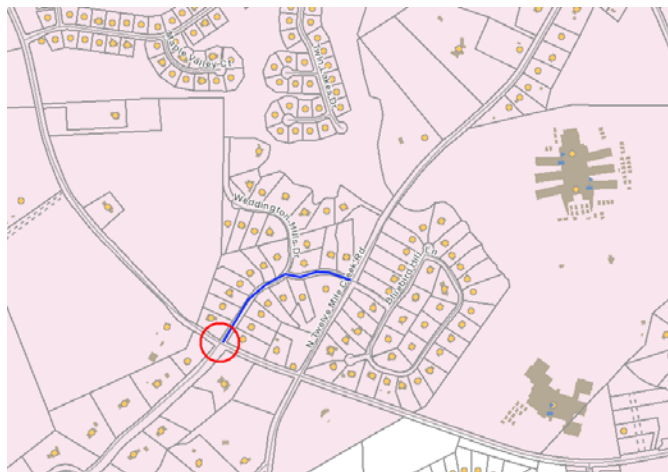
SUBJECT: Weddington Hills Request to Cul-de-sac Weddington Hills Drive

Weddington Hills Subdivision has an issue with cut-through traffic. They are requesting the town go through the 160A-299 process to cul-de-sac Weddington Hills Drive at Highway 84.

This process requires the council to adopt a resolution declaring its intent to close the public way and call for a public hearing on the proposed closing. After the resolution the following notice is given: Publication for four successive weeks prior to the hearing; send out notices to adjacent property owners; and, post notice along the right of way. Any person may be heard on the question of whether the closing would be detrimental to the public interest, or the property rights of any individual. If it appears to the satisfaction of the council after the hearing that closing the street or alley is not contrary to the public interest, and that no individual owning property in the vicinity of the street or alley or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to his property, the council may adopt an order closing the street or alley.

The Weddington Hills HOA conducted a door to door petition resulting in 54 in favor of the cul-de-sac and 9 opposed. The residents have spoken to NCDOT, who is willing to cul-de-sac the road with the Highway 84 expansion, if the town agrees to the closing. However, NCDOT has the final say in case of last-minute grading issues, run-off issues, or utility problems. The HOA has the approval of WCVFD, who did an on-site walk.

Staff is seeking direction on whether Town Council would like to proceed with this process.





Professional Services Agreement

May 6, 2019

Lisa Thompson
Town Administrator/Planner
Town of Weddington
1924 Weddington Road
Weddington, NC 28104
704-846-2709
(sent via email) ljthompson@townofweddington.com

RE: Town of Weddington Construction Design Services Park/Plaza Development

Dear Lisa,

Cardno is pleased to have been selected to submit a proposal to the Town of Weddington's RFQ for construction design services for park/plaza development. We were excited to be a part of the initial concept preparation and we look forward to furthering our relationship with the Town and seeing this project through to completion.

We have prepared the attached detailed Scope of Services and Fee to complete the rezoning, survey, environmental, preliminary engineering, and final Civil Engineering design and permitting for the project. The proposal is prepared based upon our meeting in your office on April 23, 2019 and subsequent emails and phone conversations. The following pages include a detailed project understanding and Cardno assumptions.

We have provided you with a Lump Sum Fee to complete the specific service items listed within the following Scope of Services. Our Scope of Services has been detailed to assure you we are providing the service we have discussed. We respectfully request any comments or questions you may have.

If the attached Scope and Fee are acceptable, please sign and return one executed copy to us via email or utilize this proposal to generate a Town of Weddington contractual agreement.

Thank you again for the opportunity to assist you with this project. We are committed to giving you the quality and service that you expect from Cardno. Once we receive a Notice to Proceed, we will begin with work on the project.

Sincerely,

Cardno, INC.

A handwritten signature in blue ink, appearing to read 'Eric Lalone', with a stylized flourish extending to the right.

Eric Lalone, PLA, ASLA
Senior Principal
Planning & Landscape Architecture Practice Group Manager

SCOPE OF SERVICES

PROJECT UNDERSTANDING

Cardno understands that The Town of Weddington is looking for a scope of services to prepare site improvement plans for the proposed Town Hall Park. This proposal will include preliminary scope to finalize a site plan based on Council feedback to the Conceptual Site Plans prepared previously. We will work with the Town to finalize the Site Plan and help to bring through the rezoning process, under the lead of the Town Planner. It is our assumption that only minor site changes will occur but the main intent of the original concept will remain. Once the Rezoning is approved, we will prepare the required site civil engineering plans for permitting and construction. We will provide assistance to the Town with bidding process.

Cardno understands that the Town may or may not desire a water feature/splash pad as part of this project. If the final design does include a splash pad, a water feature consultant will be required and this will be a design build component. The fees associated with the water feature consultant, permitting, plans preparation and any other scope required pertaining to this feature are not a part of this proposal. Cardno also understands that the Town is interested in using a pre-fabricated or pre-built architectural structure for the restroom and shelter building. It is understood that this structure will be purchased and brought to the site or built on site by the contractor as design/build component and that an architect will be needed for review and seal of the pre-fabricated plans. Cardno assumes that we will assist the Town in selecting these structures however the Town will coordinate the purchase and delivery of the structure with the general contractor. Cardno also assumes the Town will facilitate the sealing of these plans by an Architect registered in the State of North Carolina.

Also, as there is an existing building on site it will be very important that we perform subsurface utility locates for the existing utilities so we can have an accurate base and understand where these are on the site.

PART 1 – PRELIMINARY SERVICES

Final Concept Site Plan, and Rezoning Documents

Cardno understands that the Town will be leading the rezoning effort and desires Cardno to assist in meetings and prepare the necessary rezoning documents. Cardno understands that the Town is looking to rezone the subject parcels using the MX CD designation and there will be a downtown overlay. Cardno understands from preliminary discussions with the Town, that this site will follow a two-step process involving a Site Plan presented to the Planning Board, and upon approval there will be a Call for Public Hearing which will take place at the Town Council meeting.

- Cardno will assist in the preparation of a Revised Concept Plan based on feedback from Town Planning Board and Council. This revised Concept Plan will then become the basis for the Site Plan used in the rezoning process and which will meet the requirements set forth by the Town of Weddington Rezoning and Permitting Procedures.
- Cardno will attend the Planning Board submittal meeting with the Town to assist in answering any questions the Planning Board may have associated with the project.
- Cardno understands that the Town or their Land-use attorney will provide lead for the meeting.
- Cardno will work with zoning and planning staff to address their comments/concerns throughout the rezoning process.

NOTE: The scope of services detailed above is indicative of a typical Town of Weddington rezoning process. A contentious may require additional meetings and/or information to be provided. Due to the uncertainty in any rezoning process, we propose to perform the tasks for this scope on a Time and Materials basis with an estimated budget, if acceptable with the Town.

Arborist Services

Cardno, through our sub-consultant Arborguard Tree Specialists, will provide a tree health survey for the five (5) significant trees on site.. Our report will include identification of the trees, Diameter at Breast Height measurement, approximate tree height and width of crowns, health/condition rating, advice on whether to remove or preserve, then recommended procedures if preservation is advised. This will allow us to better understand how the site plan can be implemented into the site.

ALTA Boundary Survey

- Cardno, through our sub-consultant GPA, will prepare an ALTA/ACSM Land Title Survey in accordance with the 2016 minimum requirements. The standard ALTA certification will be used. We will also provide a metes and bounds legal description of the lease parcel. The survey will meet the minimum detail requirements of an urban survey as adopted by the American Land Title Association, the Congress on Surveying and Mapping and the National Society of Professional Surveyors in 2016. This survey will be tied to NC NAD 83 horizontal datum. Cardno will mark all property corners, reset any missing corners, and produce a signed, sealed plat to be utilized for conveyance and development of the parcels.
- Table A, Optional Survey Responsibilities and Specifications, thereof, items 1, 2, 3, 4, 6a, 6b, 7(a), 8, 9, 11, 13, 16, 17, and 19.
- The Town agrees to provide Cardno with a current "Title Commitment" with copies of all exceptions recorded maps, deeds etc. listed in "Schedule 2B" of the Title Commitment with signed proposal.

Topographic Survey

- Cardno, through our sub-consultant GPA, will perform a field run topographic and location survey. This project will be referenced to NAVD 88 Vertical Datum. The limits of the topographic survey are based on the project Concept Plan "A". We will locate and map all wet and dry utilities based from above ground evidence combined with existing as-built data from utility providers. Contours will be prepared at 1' contour intervals, and will include spot elevations as required. This topographic survey will be field run, and will include all natural features, trees, and locations of all improvements. This survey will consist of a right of way and roadway survey for all adjoining roads as shown.
- We will provide the Town with a signed, sealed survey along with a digital CAD file with a land.xml surface file suitable for design.
- We will subcontract Centerline Locating Services, a private SUE locating company, to mark and paint the existing dry for the subject tract area. We will field locate all utilities and map all markings.
- We will provide up to 4 (four) soft digs on an as needed basis.

Environmental

Streams / Wetlands

The following wetland and stream environmental services might be necessary for development of the subject property. Services will depend on the necessity to show evidence as to the existence of streams and/or wetlands to US Army Corps of Engineers. These services may not be necessary, but we have included if requested by the USACOE.

1. Army Corps Correspondence for Delineation (non-existence) and Site Visit.

PART 2 – GEOTECHNICAL AND PRELIMINARY ENGINEERING SERVICES

Geotechnical Engineering

The goal of this investigation is to assess the general subsurface site conditions and evaluate them relative to the construction of the proposed project. More specifically this will include the provision of geotechnical engineering recommendations relative to soil/rock supported elements that can be utilized in design and construction of the proposed project. Cardno, through our sub-consultant ATC, will perform a total of 6 soil test soil borings to a depth of 20 feet to characterize the subsurface conditions. The borings will be performed to the indicated boring termination depths or auger refusal whichever occurs first. We do not expect the need for site clearing.

Geotechnical exploration and engineering report will include the following:

- Review of existing, if any, site and/or subsurface information made available to us.
- Contact the North Carolina One-Call System for public utility location.
- Advance 6 soil borings to a depth of 20 feet or shallower if rock is encountered, at which point the borings will be terminated. The soil borings will concurrently include, split-spoon sampling and Standard Penetration Testing along with pertinent observations and/or classifications of subsurface conditions.
- Undertake laboratory testing of representative split-spoon samples in order to determine their classification, compressibility, strength characteristics and other parameters of the subsurface materials deemed necessary.
- A written geotechnical report as prepared by a registered professional engineer to include the results of the field exploration, laboratory tests and substantiating data. This will be utilized for engineering analyses and the formulation of recommendations to include, but not be limited to:
 - a. Establishing the bearing capacity of the subsurface materials in order to provide foundation design recommendations for the planned site development including those pertaining to foundation type, depth and size.
 - b. Recommendations and comments regarding site earthwork including subgrade preparation, rock and soil excavation, and filling operations.
 - c. Evaluation of the on-site soils with regard to suitability for use and general fill.
 - d. Identification of unsuitable soils and or rock conditions.
 - e. Recommendations regarding the use the use of the on-site soils based on seasonal effects including stabilization options, as needed.
 - f. Pavement recommendations for passenger and commercial vehicles based upon the design values provided.
 - g. Other value engineering recommendations.

Preliminary Engineering

- Cardno will develop, in association with the Town, a preliminary engineered site plan for the town park to meet the needs and intent of the development. Building locations, driveway and parking lot configurations, utilities, storm water, setbacks, easements, environmental and topography requirements and restrictions will be considered to formalize the engineered Site Plan.
- Depending on the approved final Site Plan there may be a water feature component to this project. If there is a water feature, during the preliminary engineering phase, Cardno will coordinate with the Town to procure a

water feature consultant that will be responsible for all aspects of design, permitting and construction documentation for the water feature systems needed and all permit and submittals required for approval and construction. These services are not a part of this proposal.

- Cardno will work with the Town to help identify the desired architectural components to the plan, based on final conceptual plan determined in the rezoning process above. Cardno understands that this will be a design/build component by the Contractor and all aspects of design, permitting and construction documentation for the architectural systems needed and all permit and submittals required for approval and construction. These services are not a part of this proposal.
- This proposal is based on the ALTA Boundary, site topographic and utility surveys for use in developing the engineered preliminary site and utility design. Cardno will also review the feasibility of a septic system for the project. We will discuss this type of system with Union County and NCDEQ to develop the proper system for this application.
- Cardno will include the Town in the development of the preliminary engineering plan that includes the site layout, conceptual grading, driveways, wet utilities, and storm water management facilities that will conform to the Town's ordinances and standards. Coordination with the Town's storm water engineer will occur early to ensure proper design of the storm water management facilities.
- The Site Plan will incorporate one (1) set of comments from the Town. Future comments/ modifications may be billed at our current hourly rate depending on the complexity and amount of the comments.
- Discussion with the other local governing authorities for the purpose of exposing any extraordinary onsite and/or offsite facilities and/or improvements that may be required in connection with the development.
- Cardno, through our sub-consultant Devita, will perform preliminary engineering for exterior electrical and limited plumbing. This does not include engineering for any of the structures

PART 3 - FINAL ENGINEERING AND CONSTRUCTION DOCUMENTS

Site Improvement Plans

Cardno will create the necessary construction documents for construction to be submitted to the local and state governmental agencies for permitting. This includes plans listed below. Architectural and structural engineering for any buildings, raised walkways or mechanical equipment will be by others.

The final site development and engineering services would include the preparation of construction level plans as follows:

- | | |
|----------------------------------------------------------|------------------------------------------------------------------------------------------------------------|
| ▪ Existing Conditions and Demolition Plans | ▪ Irrigation Plans |
| ▪ Erosion Control Plans and details | ▪ Water Service Hydraulic Analysis |
| ▪ Construction Site Plans | ▪ Private Utility Coordination |
| ▪ Grading and Drainage Plans | ▪ Site Details |
| ▪ Storm water Management Plans, calculations and Details | ▪ Supporting calculations, reports, and data |
| ▪ Utility Plans, calculations and coordination | ▪ Easement Exhibits |
| ▪ Landscape Planting Plans | ▪ Local and State Permitting and Coordination |
| ▪ Hardscape Plans and Details | ▪ Exterior electrical and limited plumbing. (This does not include engineering for any of the structures.) |
| ▪ Landscape lighting Plans | |

Permitting Services

Cardno will submit to and coordinate with the appropriate local and state agencies to obtain the following permits, if applicable:

- Town of Weddington
- Union County Public Works
- NCDOT Driveway Permit

- NCDOT Encroachment Permits (Utility and Non-Utility)
- Town of Weddington / NC DEQ Land Disturbance/Grading Permit
- NC DEQ Storm water Permit

Cardno will attend one (1) pre-application meeting with the Town, and up to four (4) additional face-to-face meetings (one (1) each for Town, Union County Public Works, NC DEQ and NCDOT), if requested. Cardno will coordinate with reviewers and external agencies as needed via phone and email.

Cardno will submit construction documents and other required items to the appropriate reviewing agencies for applicable permits. Cardno will address two sets of minor revisions based upon review comments from the agencies. Major plan revisions due to excessive review comments out of Cardno's control, and additional review cycles beyond those discussed, are not included the fees herein. Cardno does not guarantee the issuance of permits by governing agencies, nor does Cardno control the review schedules and approval timelines of the agencies.

Bid Assistance Services

Bid Documents and Specifications; Cardno will assist the Owner in obtaining competitive bids for project site construction and coordinating bid release and addendums. We will also prepare bid tabulations based on the bid form above in order to compare bids and analyze whether the bids are complete.

PART 4 - CONSTRUCTION ADMINISTRATION (Time and Materials with Not-to-Exceed Budget)

This provides for our services during the construction process after the construction documents have been approved. These services will include the following:

- Review of shop drawings and material submittals and RFI's
- Cardno will perform field visits as requested by the Town to observe the progress of the construction. We expect to attend a pre-construction meeting and three (3) punchlist meetings as a minimum to review the civil engineering and landscape architecture components during the phases of construction.
- Cardno will also provide a total of three (3) visits for the planting and irrigation portion of the project. This will include one visit during construction, one visit to review substantial completion and one visit to determine if the substantial completion punchlist was addressed. Cardno will prepare field reports for all of these visits
- NCDEQ will require a record survey and certification of the storm conveyance system and storm water management facility. The record drawings are to include location, size, depth, and planted material.
- Please note that the pricing for the record survey information assumes that the BMP facilities will be constructed per the design. Should Cardno need to instruct the contractor to revise the BMP facilities to comply and re-certify the storm water facilities, these services are beyond the scope of the provided as-built fee.

EXCLUSIONS

This proposal does not include the following services:

- Retaining Wall Design
- Alternate driveway design or permits
- Offsite analysis or design of utilities
- Acquisition of property rights
- Easement documents or coordination
- Archaeological studies
- FEMA flood hazard area studies
- Preparation of legal descriptions for parcels, easements, or condemned/acquired property
- Specification booklets
- Structural design and calculations
- Construction Staking
- Roadway improvements beyond that described above
- Water feature design, permitting and construction document preparation
- Architectural design, permitting and construction documentation
- Colored Renderings
- 3D Animations
- Transportation Studies or Design

FEES

Cardno proposes to furnish the above-described services for the following lump sum fees (unless otherwise noted as time and materials fees with a not to exceed budget).

PART 1 – Preliminary Services

Final Concept Site Plan, Rezoning Documents	\$9,150
Arborist Services Tree Health Survey	\$1,250
ALTA/NSPS Land Title Survey	\$3,100
Topographic Survey	\$8,920
Environmental Services (USACOE Correspondence, if necessary)	\$2,200
PART 1 SERVICES SUBTOTAL	\$24,620

PART 2 – Geotechnical and Preliminary Engineering

Geotechnical Engineering	\$8,370
Preliminary Engineering	\$10,500
PART 2 SERVICES SUBTOTAL	\$18,870

PART 3 - Final Engineering and Construction Documents

Site Improvement Plans	\$69,850
Permitting Services.....	\$7,500
PART 3 SERVICES SUBTOTAL	\$77,350

PART 4 - Construction Administration (Time and Materials - Not to Exceed)


Bidding Assistance Services	\$1,500
Construction Administration.....	\$5,400
As-Built Plans	\$2,500
Stormwater BMP Certifications	\$3,500
PART 4 SERVICES SUBTOTAL	\$12,900

REIMBURSABLE EXPENSES

Reimbursable expenses will be billed, as incurred, to the Town, and may include but are not necessarily limited to the following: prints, filing fees, transportation, telephone, postage, special mailing and deliveries. Fee stated is budgetary. Special mailing and courier services will be billed at cost, which includes administration thereof. Filing fees, sub-consultant costs and external printing will be billed at the actual cost plus ten percent (10%) for administration thereof.

We appreciate the opportunity to submit this proposal and look forward to working with you on this project. We are prepared to commence work upon receipt of your acceptance and authorization to proceed. If you have any questions, please do not hesitate to call.

Respectfully submitted,
Cardno, INC.

A handwritten signature in blue ink, appearing to read 'Eric Lalone', with a long horizontal flourish extending to the right.

Eric Lalone, PLA, ASLA
Senior Principal
Planning & Landscape Architecture Practice Group Manager

Acceptance and authorization to proceed

Authorized Signature

Print or Type Name

Date

GENERAL TERMS AND CONDITIONS

Cardno shall perform the services outlined in this Agreement for the stated fee in accordance with these terms and conditions

ARTICLE 1: ACCESS TO SITE (if applicable)

Upon execution of this Agreement, the Client represents that they have secured legal rights to access the property and authorizes Cardno staff to access the site for activities necessary for the performance of the services.

ARTICLE 2: PAYMENT

- a. Cardno will submit invoices to Client monthly for services provided during the previous month. Each invoice will identify the project name and cost of the services provided. Cardno's rates are subject to increase annually.
- b. Within thirty (30) days following Client's receipt of each invoice rendered by Cardno pursuant to this Agreement, Client will pay the amount invoiced. Retainers/deposits shall be credited on the final invoice. If Client disputes any portion of an invoice, Client will notify Cardno in writing of such disputed items within 10 days of invoice date. In the event any invoice has not been paid in full within sixty (60) days of the invoice date, Cardno may immediately suspend all or any portion of the Services hereunder indefinitely, pending payment in full of such invoice(s).
- c. Interest will accrue on accounts overdue by 30 days at the lesser of 1.5 percent per month (18 percent per annum) or the maximum legal rate of interest allowable. Collection fees and any additional legal costs associated with the recovery of outstanding payments may also be applied.

ARTICLE 3: INDEMNIFICATION

Cardno and Client shall indemnify and hold harmless each other from and against damages, liabilities, costs and expenses, including but not limited to reimbursement of reasonable attorney fees arising out of damages or injuries to persons or property to the extent caused by the negligence, gross negligence or willful misconduct by the other party or anyone acting under its direction or control or on its behalf in the course of its performance under this Agreement; provided that each party's aforesaid indemnity agreement shall not be applicable to any liability based upon willful misconduct or negligence of the other party. In no event shall either party be responsible for any form of consequential damages, including, but not limited to loss of sales, loss of profits, and attorney fees thereon. For purposes of this Paragraph, the duty to indemnify does not include the duty to pay for or to provide an up-front defense against unproven claims or allegations. Where any claim results from the joint negligence, gross negligence or willful misconduct by Client and Cardno, the amount of such damage for which Client or Cardno is liable as indemnitor under this Paragraph shall equal the proportionate part that the amount of such claim attributable to such indemnitor's negligence, gross negligence or willful misconduct bears to the amount of the total claim attributable to the joint negligence, gross negligence or willful misconduct at issue.

ARTICLE 4: LIMITATION OF LIABILITIES

Notwithstanding any other provision in this Agreement, the Client agrees to strictly limit Cardno's liability under this Agreement or arising from the performance or non-performance of the Services under any theory of law, including but not limited to claims for negligence, negligent misrepresentation and breach of contract, to the lesser of five times the fees paid to Cardno for the Services or the maximum of insurance provided. No claim may be brought against Cardno in contract or tort more than two (2) years after the cause of action arose. Any claim, suit, demand or action brought under this Agreement shall be directed and/or asserted only against Cardno and not against any of Cardno's employees, shareholders, officers or directors. Cardno's liability with respect to any claims arising out of this Agreement shall be limited as provided herein to direct damages arising out of the performance of the Services and Cardno shall not be held responsible or liable whatsoever for any consequential damages, injury or damage incurred by the actions or inactions of the Client, including but not limited to claims for loss of use, loss of profits and loss of markets.

ARTICLE 5: TERMINATION:

This Agreement will continue in effect until terminated by either party upon thirty (30) days written notice to the other party. In the event of any termination, Cardno shall be paid for all services rendered and reimbursables incurred through the date of notice of termination. In the event of termination, the Client shall pay all additional costs reasonably related to termination of the project and a proportionate amount of the consideration hereunder commensurate with the portion of the project accomplished.

ARTICLE 6: FORCE MARJEURE

Any suspension, temporary or permanent, in the performance of this Agreement caused by any of the following events and without fault or negligence on the part of the defaulting party shall not constitute a breach of contract: labor strikes, riots, war, acts of governmental authorities, unusually severe weather conditions or other natural catastrophic events, or any other similar event beyond the reasonable control or contemplation of either party.

ARTICLE 7: ASSIGNMENT

Neither party to this Agreement shall, without the prior written consent, of the other party, which shall not be unreasonably withheld, assign the benefit or in any way transfer any claim or obligation under this Agreement or any part hereof. This Agreement shall inure to the benefit of and be binding upon the parties hereto, and except as otherwise provided herein, upon their executors, administrators, successors, and assigns.

ARTICLE 8: OWNERSHIP OF DOCUMENTS

All report documents produced by Cardno under this Agreement shall be made available to the Client upon receipt of full payment for services rendered. Cardno shall retain ownership of all field notes, computer files and project files used to produce the work products and may make copies of all work products.

ARTICLE 9: CONFIDENTIALITY

Cardno will maintain in confidence the nature of its Services, as well as all information made available to Cardno by Client during the term of this Agreement or resulting from Services performed by Cardno under this Agreement. The confidential obligation imposed on Cardno by Paragraph 9, however, will not extend to any such information insofar as, and from such time as Cardno may disclose (i) as required by law, (ii) pursuant to court order, (iii) to its subcontractors, agents or other representatives as may be reasonably necessary to perform its services hereunder (iv) for the purpose of prosecuting or defending any litigation, or (v) Cardno can show by reasonable proof has been in the public domain. Cardno agrees to use information intended to be kept confidential under this Paragraph 9 solely to provide its Services.

ARTICLE 10: NOTICES

Any notices or written statements hereunder shall be deemed to have been given when mailed by certified or registered mail or via email, with receipt of reply, to the party entitled thereto at its address noted at the top of this Agreement or at such other latest address as it may designate in writing to the other party for this purpose.

ARTICLE 11: NON-SOLICITATION

Neither party shall knowingly solicit, recruit, hire or otherwise employ or retain the employees of the other working under this Agreement during the term of this Agreement and for one (1) year following the termination or expiration of this Agreement without the prior written consent of the other party.

ARTICLE 12: WAIVER

Failure by one party to notify the other party of a breach of any provision of this Agreement shall not constitute a waiver of any continuing breach. Failure by one party to enforce any of its rights under this Agreement shall not constitute a waiver of those rights. The waiver by either party of a breach or violation of any provision of this Agreement shall not operate as, or be construed to be, a waiver of any subsequent breach of the same or any other provision hereof.

ARTICLE 13: GOVERNING LAW

The validity of this Agreement and any of its terms or provisions, as well as the rights and duties of the parties hereunder, shall be interpreted and governed by the laws of the place of the project.

ARTICLE 14: LEGAL CONSTRUCTION

In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid or unenforceable in any respect, such invalidity or unenforceability shall not affect any other provision hereof. This Agreement shall be construed as if such invalid or unenforceable provision had never been contained herein.

ARTICLE 15: ENTIRE AGREEMENT

This Agreement supersedes any and all other agreements, either oral or in writing, between the parties relating to the subject matter of this Agreement and is the entire understanding and agreement related thereto. This Agreement may be amended by mutual consent of the parties in writing to be attached hereto and incorporated herein, executed by Cardno's and the Client's respective representatives.

WEDDINGTON CODE ENFORCEMENT REPORT

April , 2019

- 1. 4005 Ambassador Ct., Inez B. McRae Trust**
 - **6/30/18---Deterioration continues, building vacant and closed.**
 - **4/30/19---Deterioration continues, building vacant and closed.**

- 2. 3824 Beulah Church Rd.**
 - **Trash and debris in back yard around trash containers and utility building. Courtesy letter has been sent to owner.**
 - **7/31/18---Monitoring.**
 - **9/30/18---Citation & Notice of Violation issued 9/10/18 with fines starting 9/25/18 if violation not corrected.**
 - **3/29/19---Violation continues.**
 - **4/30/19---Vehicle is in rear yard. Case closed.**

- 3. 2317 Huntington Dr.**
 - **9/28/18---Courtesy letter issued to owner requesting property be mowed.**
 - **10/31/18---No response to courtesy letter requesting owner to mow. Notice of Violation and Citation issued 11/13/18**
 - **11/30/18---No response. Violation still not corrected.**
 - **12/31/18---Will start process to have this one mowed when weather/growing season begins in spring.**
 - **4/30/19---Monitoring, grass is nearing 24 inch height, violation notice to be sent.**

- 4. 416 Gatewood Ln.**
 - **Motor home/camper parked in street right of way at this address. Owner has requested until 12/31/19 to move it from street.**
 - **12/31/18---Violation continues. Motorhome to be towed by Town.**
 - **1/31/19---Owner has moved camper up into front yard of home.**
 - **2/28/19---Took photo's of camper from street and driveway.**
 - **3/29/19---Monitoring.**
 - **4/30/19---Case continues, camper and vehicles in front are inoperative.**

- 5. 2500 Greenbrook Parkway**
 - **Pallets stacked behind detached garage and old mattress. Sent owner notice to remove these items. No response.**
 - **3/29/19---Met with owner on site. He is having pallets and mattresses removed.**
 - **4/30/19---Pallets still to be removed.**

6. 8425 Potter Rd.
 - Owner is in drywall business but does not bring any of the material to this residential address. Will monitor this one.
 - 4/30/19---Monitoring.
7. 7025 Potter Rd.
 - Courtesy letter sent on 3/28. Concrete finishing business? with equipment in and around storage building.
 - 4/30/19---No response. Will conduct 2nd site visit.
8. 3005 Cornerstone Dr.
 - Box truck and old camper in side yard of house; sent courtesy letter to owner 2/1/19.
 - No response. Vehicles still in driveway at rear of home.
 - 4//30/19---monitoring.
9. 150 Amanda Dr., Ritter Grading
 - Non-conforming business has expanded on to vacant lot next. Notice of violation ordering all expansion to be removed and restored to condition and size of this use at time zoning became effective is pending.
 - 4/30/10---Notice of violation issued requiring compliance by 5/9/19. Owner has requested meeting with staff and town attorney.
10. Beulah Church Rd.
 - 4/30/19----Construction site (3 houses under construction on adjoining lots. Several piles removed. Still some debris to be removed.
11. 3343 Ironwood Dr.
 - 4/30/19---Courtesy letter issued to owner. Truck to be moved.

TOWN OF WEDDINGTON
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

Agenda Item 15

FY 2018-2019

04/01/2019 TO 04/30/2019

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
REVENUE:				
10-3101-110 AD VALOREM TAX -	9,627.84	1,090,048.17	1,065,000.00	-2
10-3102-110 AD VALOREM TAX - 1ST	461.51	1,894.52	3,000.00	37
10-3103-110 AD VALOREM TAX - NEXT 8	1,298.70	2,442.65	1,000.00	-144
10-3110-121 AD VALOREM TAX -	8,871.94	79,016.05	92,500.00	15
10-3115-180 TAX INTEREST	872.15	2,438.29	2,250.00	-8
10-3231-220 LOCAL OPTION SALES TAX	26,746.35	243,070.84	335,000.00	27
10-3322-220 BEER & WINE TAX	0.00	0.00	45,000.00	100
10-3324-220 UTILITY FRANCHISE TAX	0.00	337,593.06	460,000.00	27
10-3340-400 ZONING & PERMIT FEES	3,905.00	38,030.00	35,000.00	-9
10-3350-400 SUBDIVISION FEES	110.00	14,960.00	20,000.00	25
10-3830-891 MISCELLANEOUS REVENUES	50.00	1,624.00	1,000.00	-62
10-3831-491 INVESTMENT INCOME	2,138.16	17,608.00	7,500.00	-135
TOTAL REVENUE	54,081.65	1,828,725.58	2,067,250.00	12
AFTER TRANSFERS	54,081.65	1,828,725.58	2,067,250.00	
4110 GENERAL GOVERNMENT				
EXPENDITURE:				
10-4110-126 FIRE DEPT SUBSIDIES	61,946.34	619,463.40	747,860.00	17
10-4110-127 FIRE DEPARTMENT	65.00	15,546.00	25,000.00	38
10-4110-128 POLICE PROTECTION	72,195.28	288,643.48	288,600.00	0
10-4110-192 ATTORNEY FEES - GENERAL	5,000.00	45,000.00	60,000.00	25
10-4110-193 ATTORNEY FEES -	0.00	-2,999.30	19,000.00	116
10-4110-195 ELECTION EXPENSE	0.00	0.00	3,500.00	100
10-4110-340 PUBLICATIONS	1,300.00	5,033.00	15,000.00	66
10-4110-342 HOLIDAY/TREE LIGHTING	0.00	4,259.89	5,000.00	15
10-4110-343 SPRING EVENT	6,173.36	6,173.36	9,000.00	31
10-4110-344 OTHER COMMUNITY EVENTS	940.00	1,767.75	2,100.00	16
TOTAL EXPENDITURE	147,619.98	982,887.58	1,175,060.00	16
BEFORE TRANSFERS	-147,619.98	-982,887.58	-1,175,060.00	
AFTER TRANSFERS	-147,619.98	-982,887.58	-1,175,060.00	
4120 ADMINISTRATIVE				
EXPENDITURE:				
10-4120-121 SALARIES - CLERK	2,044.04	19,432.29	23,000.00	16
10-4120-123 SALARIES - TAX COLLECTOR	3,827.25	37,526.65	50,000.00	25
10-4120-124 SALARIES - FINANCE OFFICER	931.04	7,510.68	13,310.00	44
10-4120-125 SALARIES - MAYOR &	2,100.00	21,000.00	25,200.00	17
10-4120-181 FICA EXPENSE	680.94	6,537.62	8,750.00	25
10-4120-182 EMPLOYEE RETIREMENT	830.16	7,936.40	8,500.00	7
10-4120-183 EMPLOYEE INSURANCE	1,069.50	10,695.00	12,750.00	16
10-4120-184 EMPLOYEE LIFE INSURANCE	12.60	126.00	175.00	28

TOWN OF WEDDINGTON
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2018-2019

04/01/2019 TO 04/30/2019

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
10-4120-185 EMPLOYEE S-T DISABILITY	12.00	120.00	175.00	31
10-4120-191 AUDIT FEES	0.00	8,300.00	8,750.00	5
10-4120-193 CONTRACT LABOR	0.00	5,200.00	7,000.00	26
10-4120-200 OFFICE SUPPLIES - ADMIN	697.90	4,454.75	10,000.00	55
10-4120-210 PLANNING CONFERENCE	0.00	382.22	500.00	24
10-4120-321 TELEPHONE - ADMIN	170.32	1,526.05	3,000.00	49
10-4120-325 POSTAGE - ADMIN	0.00	1,175.30	2,000.00	41
10-4120-331 UTILITIES - ADMIN	639.45	4,211.87	6,000.00	30
10-4120-351 REPAIRS & MAINTENANCE -	947.27	16,534.05	67,500.00	76
10-4120-352 REPAIRS & MAINTENANCE	2,976.44	44,960.61	75,000.00	40
10-4120-354 REPAIRS & MAINTENANCE	5,924.00	31,550.50	58,000.00	46
10-4120-355 REPAIRS & MAINTENANCE	0.00	116.00	1,500.00	92
10-4120-356 REPAIRS & MAINTENANCE	440.00	4,964.55	6,000.00	17
10-4120-370 ADVERTISING - ADMIN	116.45	277.44	1,000.00	72
10-4120-397 TAX LISTING & TAX	-7.95	-481.39	250.00	293
10-4120-400 ADMINISTRATIVE:TRAINING	585.00	2,915.00	4,000.00	27
10-4120-410 ADMINISTRATIVE:TRAVEL	553.14	4,464.16	5,000.00	11
10-4120-450 INSURANCE	0.00	13,154.92	15,000.00	12
10-4120-491 DUES & SUBSCRIPTIONS	50.00	19,010.89	19,500.00	3
10-4120-498 GIFTS & AWARDS	150.97	1,256.97	3,000.00	58
10-4120-499 MISCELLANEOUS	0.00	2,760.15	8,000.00	65
10-4120-500 CAPITAL EXPENDITURES	0.00	9,539.00	10,000.00	5
TOTAL EXPENDITURE	24,750.52	287,157.68	452,860.00	37
BEFORE TRANSFERS	-24,750.52	-287,157.68	-452,860.00	
AFTER TRANSFERS	-24,750.52	-287,157.68	-452,860.00	

4130 PLANNING & ZONING

EXPENDITURE:

10-4130-121 SALARIES - ZONING	6,008.34	61,148.68	73,500.00	17
10-4130-123 SALARIES -	1,483.25	14,727.26	17,650.00	17
10-4130-124 SALARIES - PLANNING	375.00	3,650.00	5,200.00	30
10-4130-125 SALARIES - SIGN REMOVAL	704.02	4,124.69	5,500.00	25
10-4130-181 FICA EXPENSE - P&Z	633.70	6,179.72	7,725.00	20
10-4130-182 EMPLOYEE RETIREMENT -	1,115.50	11,118.90	14,855.00	25
10-4130-183 EMPLOYEE INSURANCE	1,327.50	13,275.00	15,750.00	16
10-4130-184 EMPLOYEE LIFE INSURANCE	19.60	196.00	250.00	22
10-4130-185 EMPLOYEE S-T DISABILITY	12.00	120.00	175.00	31
10-4130-193 CONSULTING	-494.00	34,391.34	61,075.00	44
10-4130-194 CONSULTING - COG	0.00	8,045.50	11,500.00	30
10-4130-200 OFFICE SUPPLIES -	697.90	3,458.38	5,000.00	31
10-4130-201 ZONING SPECIFIC OFFICE	0.00	204.98	2,500.00	92
10-4130-215 HISTORIC PRESERVATION	0.00	0.00	650.00	100
10-4130-220 INFRASTRUCTURE	0.00	8,000.00	206,000.00	96
10-4130-321 TELEPHONE - PLANNING &	170.34	1,526.19	3,000.00	49

TOWN OF WEDDINGTON
REVENUE & EXPENDITURE STATEMENT BY DEPARTMENT

FY 2018-2019

04/01/2019 TO 04/30/2019

	<u>CURRENT PERIOD</u>	<u>YEAR-TO-DATE</u>	<u>BUDGETED</u>	<u>% BUDGET REM</u>
10-4130-325 POSTAGE - PLANNING &	0.00	1,175.31	2,000.00	41
10-4130-331 UTILITIES - PLANNING &	639.48	4,308.81	6,000.00	28
10-4130-370 ADVERTISING - PLANNING	116.45	277.46	1,000.00	72
TOTAL EXPENDITURE	<u>12,809.08</u>	<u>175,928.22</u>	<u>439,330.00</u>	<u>60</u>
BEFORE TRANSFERS	<u>-12,809.08</u>	<u>-175,928.22</u>	<u>-439,330.00</u>	
AFTER TRANSFERS	<u>-12,809.08</u>	<u>-175,928.22</u>	<u>-439,330.00</u>	
GRAND TOTAL	<u><u>-131,097.93</u></u>	<u><u>382,752.10</u></u>	<u><u>0.00</u></u>	

TOWN OF WEDDINGTON
BALANCE SHEET

Agenda Item 15
PERIOD ENDING: 04/30/2019

FY 2018-2019

10

ASSETS

ASSETS

10-1120-000	TRINITY CHECKING ACCOUNT	1,516,648.85
10-1120-001	TRINITY MONEY MARKET	1,129,018.81
10-1170-000	NC CASH MGMT TRUST	548,360.81
10-1211-001	A/R PROPERTY TAX	17,745.30
10-1212-001	A/R PROPERTY TAX - 1ST YEAR PRIOR	7,629.78
10-1212-002	A/R PROPERTY TAX - NEXT 8 PRIOR YRS	11,007.16
10-1214-000	PREPAID ASSETS	3,202.50
10-1232-000	SALES TAX RECEIVABLE	2,765.71
10-1610-001	FIXED ASSETS - LAND & BUILDINGS	2,346,268.11
10-1610-002	FIXED ASSETS - FURNITURE & FIXTURES	20,583.08
10-1610-003	FIXED ASSETS - EQUIPMENT	114,681.60
10-1610-004	FIXED ASSETS - INFRASTRUCTURE	26,851.01
TOTAL ASSETS		<u>5,744,762.72</u>

LIABILITIES & EQUITY

LIABILITIES

10-2120-000	BOND DEPOSIT PAYABLE	75,002.25
10-2155-000	HEALTH INSURANCE PAYABLE	-2,714.50
10-2156-000	LIFE INSURANCE PAYABLE	-32.20
10-2620-000	DEFERRED REVENUE - DELQ TAXES	7,629.78
10-2625-000	DEFERRED REVENUE - CURR YR TAX	17,745.30
10-2630-000	DEFERRED REVENUE-NEXT 8	11,007.16
TOTAL LIABILITIES		<u>108,637.79</u>

EQUITY

10-2620-001	FUND BALANCE - UNASSIGNED	2,516,986.83
10-2620-003	FUND BALANCE-ASSIGNED	228,000.00
10-2620-004	FUND BALANCE-INVEST IN FIXED ASSETS	2,508,386.00
CURRENT FUND BALANCE - YTD NET REV		382,752.10
TOTAL EQUITY		<u>5,636,124.93</u>

TOTAL LIABILITIES & FUND EQUITY	<u>5,744,762.72</u>
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TOWN OF W E D D I N G T O N

MEMORANDUM

TO: Mayor and Town Council

FROM: Kim Woods, Tax Collector

DATE: May 13, 2019

SUBJECT: Monthly Report –April 2019

Transactions:	
Adjustments <5.00	\$(13.95)
Balance Adjustment	\$(212.21)
Refunds	\$8.30
Interest Charges	\$298.25
Penalty and Interest Payments	\$(898.75)
Overpayments	\$(11.95)
Taxes Collected:	
2008	\$(6.32)
2009	\$(8.18)
2012	\$(130.25)
2013	\$(143.65)
2014	\$(139.23)
2015	\$(314.67)
2016	\$(565.37)
2017	\$(461.51)
2018	\$(10,393.24)
As of April 30, 2019; the following taxes remain Outstanding:	
2008	\$769.58
2009	\$511.72
2010	\$530.18
2011	\$52.18
2012	\$265.34
2013	\$474.85
2014	\$1155.51

2015	\$1524.83
2016	\$5722.97
2017	\$7629.78
2018	\$17,745.30
Total Outstanding:	\$36,382.24