



Agenda

Greenville City Council

June 12, 2008
7:00 PM
City Council Chambers
200 West Fifth Street

Assistive listening devices are available upon request for meetings held in the Council Chambers. If an interpreter is needed for deaf or hearing impaired citizens, please call 252-329-4422 (voice) or 252-329-4060 (TDD) no later than two business days prior to the meeting.

- I. Call Meeting To Order**
- II. Invocation - Council Member Glover**
- III. Presentation of Colors**
- IV. Pledge of Allegiance**
- V. Roll Call**
- VI. Approval of Agenda**
- VII. Special Recognitions**
 - Hightower Hoopsters
 - South Central High School Softball Team
 - Raymond King, Public Works Department Retiree
- VIII. Appointments**
 1. Appointments to the Greenville Bicycle Friendly Task Force
 2. Appointments to Boards and Commissions
- IX. New Business**

Public Hearings

3. North Carolina Department of Transportation Rail Division: Greenville Traffic Separation Study
4. Ordinance requested by Allen Lyle to rezone 1.75 acres located at the northeast corner of the intersection of Dickinson Avenue and Allen Road from RA20 (Residential-Agricultural) to CG (General Commercial)
5. Ordinance requested by Waterford Commons, LLC to rezone 6.79 acres located at the northeast corner of the intersection of B's Barbeque Road and Stantonsburg Road from MO (Medical-Office) to CG (General Commercial)
6. Ordinance requested by Jeremy Spengeman to amend the definition of “conventional restaurant”, for purposes of qualifying as a principal use restaurant under the zoning regulations, to reduce the minimum sales requirement of prepared and/or packaged foods, in a ready-to-consume state, during any month, from more than fifty (50) percent of total gross receipts in all cases to either (i) more than fifty (50) percent of total gross receipts or (ii) has monthly sales of prepared and/or packaged food in a ready-to-consume state in excess of thirty (30) percent of the total gross receipts for such establishment and such sales are not less than seventy-five thousand dollars (\$75,000.00) for such establishment for each quarter-year period of each year, and to include specific criteria for determining which sales can be attributed in the portion of sales of prepared and/or packaged food in a ready-to-consume state in the definitions for conventional restaurant and fast food restaurant
7. Ordinance requested by the Community Development Department to amend the MCH (Medical Heavy Commercial) district table of uses to include a new use entitled "mini-storage warehouse, household; excluding outside storage" as a permitted use.
8. Ordinance to annex Craig F. Goess and Craig M. Goess property containing 5.5972 acres located at the northeast corner of the intersection of West Fire Tower Road and South Memorial Drive
9. Ordinance to annex State of North Carolina and POHL, LLC et. al. property containing 12.6730 acres located at the southeast corner of the intersection of Northeast Greenville Boulevard and Old Creek Road
10. Resolutions authorizing the filing of two grant applications for federal transportation assistance on behalf of the Greenville Area Transit (GREAT) System
11. Public hearing on a request by Michael Ward d/b/a Dejewskis Limousine Service to obtain a limousine franchise

Public Comment Period

- The Public Comment Period is a period reserved for comments by the public. Items that were the subject of a public hearing at this meeting shall not be discussed. A total of 30 minutes is allocated with each individual being allowed no more than 3 minutes. Individuals who registered with the City Clerk to speak will speak in the order registered until the allocated 30 minutes

expires. If time remains after all persons who registered have spoken, individuals who did not register will have an opportunity to speak until the allocated 30 minutes expires.

Other Items of Business

12. Greenville Housing Development Corporation loan to develop the Crystal Springs Elderly Housing Apartments
13. 2008-2009 Annual Work Plan and Financial Plan for the Redevelopment Commission of Greenville
14. Resolution approving a lease agreement with Greenville Industrial-Eppes High School Alumni Heritage Society for space at the Eppes Recreation Center
15. Ordinance amending Title 6, Chapter 4 of the City Code entitled "Cemeteries"
16. Ordinance amending Title 6, Chapter 3 of the City Code: "Garbage and Refuse Collection and Disposal."
17. Contract award for EMS Unit without formal bid process
18. Cable Television Government Access Channel Ad Hoc Advisory Committee
19. Resolution authorizing condemnation to acquire certain property of Charles Gregory Edwards and Sheila B. Edwards
20. Ordinances adopting budgets for the 2008-2009 Fiscal Year and Operating Plans for 2009-2010:
 - a. City of Greenville including Sheppard Memorial Library and Greenville-Pitt County Convention & Visitors Authority
 - b. Greenville Utilities Commission

X. Comments from Mayor and City Council

XI. City Manager's Report

XII. Adjournment



City of Greenville, North Carolina

Meeting Date: 6/12/2008
Time: 7:00 PM

Title of Item: Appointments to the Greenville Bicycle Friendly Task Force

Explanation: On May 8, 2008, the Greenville City Council approved the proposal from the Bicycle Safety Advocacy Group, which included the establishment of a Greenville Bicycle Friendly Task Force. The goals of the Task Force include:

- 1) Review the implementation of the 2002 Greenville Urban Area Bicycle Master Plan
- 2) Inventory and assess the current status of bikeways in Greenville
- 3) Examine model bicycle-friendly communities' best practices
- 4) Develop a plan to seek and obtain designation of Greenville as a Bicycle Friendly Community from the League of American Bicyclists
- 5) Facilitate application for North Carolina Department of Transportation Bicycle and Pedestrian Planning grant
- 6) Explore other opportunities to fund bikeway infrastructure improvements
- 7) Develop a five-year plan for advancing the culture of Greenville to one in which its citizens are proud to support and advocate for bicyclists and pedestrians
- 8) Develop a ten-year plan to achieve 100 miles of bikeways

The Task Force will be a time-limited activity with the objective of completing all of its goals within two years of being created.

The proposal approved by City Council recommended that representatives of each City Council Member and the Mayor be appointed to the Task Force. Therefore, the Mayor and each Council Member will make an appointment at the June 12, 2008 City Council meeting.

Fiscal Note: No direct cost.

Recommendation: For the Mayor and each Council Member to make an appointment to the Greenville Bicycle Friendly Task Force.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / [click to download](#)



City of Greenville, North Carolina

Meeting Date: 6/12/2008
Time: 7:00 PM

Title of Item: Appointments to Boards and Commissions

Explanation: City Council appointments, reappointments, or recommendations need to be made to the Affordable Housing Loan Committee, Board of Adjustment, Community Appearance Commission, Greenville Utilities Commission, Historic Preservation Commission, Pitt-Greenville Airport Authority, Pitt-Greenville Convention and Visitors Authority, Planning and Zoning Commission, Police Community Relations Committee, and Recreation and Parks Commission.

Fiscal Note: No fiscal impact.

Recommendation: To make appointments, reappointments, or recommendations to the Affordable Housing Loan Committee, Board of Adjustment, Community Appearance Commission, Greenville Utilities Commission, Historic Preservation Commission, Pitt-Greenville Airport Authority, Pitt-Greenville Convention and Visitors Authority, Planning and Zoning Commission, Police Community Relations Committee, and Recreation and Parks Commission.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

[Appointments To Boards and Commissions City Council Meetings Agenda Deadline Material 138519](#)

Appointments To Boards and Commissions

June/July 2008

Affordable Housing Loan Committee

Council Liaison: Council Member Rose Glover

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
John Tulloss	First term	Resigned	February 2010

Board of Adjustment

Council Liaison: Council Member Calvin Mercer

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Thomas Harwell (Regular)	Second term	Ineligible	June 2008
Mulatu Wubneh (Regular)	First term	Eligible	June 2008

Community Appearance Commission

Council Liaison: Council Member Larry Spell

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
LaVeta Weatherington	Second term	Ineligible	July 2008
Evon Zell	Filling unexpired term	Eligible	July 2008
Doreen Winston	First term	Did not meet attendance requirements	April 2010

Greenville Utilities Commission

Council Liaison: Council Member At-Large Bryant Kittrell

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Julia Carlson (County)	Filling unexpired term	Eligible	June 30, 2008
L. H. Zincone (City)	Second term	Ineligible	June 30, 2008

Historic Preservation Commission

Council Liaison: Council Member Calvin Mercer

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Chris Woelkers	First term	Resigned	January 2010

Pitt-Greenville Airport Authority

Council Liaison: Council Member Max Joyner, Jr.

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Jerry Powell	Filling unexpired term	Eligible	July 2008

Pitt-Greenville Convention and Visitors Authority

Council Liaison: Mayor Pro-Tem Mildred A. Council

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Dawn Cribari (1) (County)	Second term	Ineligible	July 2008
Thomas Hines (3) (County)	First term	Eligible	July 2008
Linda Pleasants (1) (City)	Filling unexpired term	Eligible	July 2008
Terry Shank (3) (City)	Filling unexpired term	Eligible	July 2008

(1) Owners/operators of hotels/motels

(3) Residents not involved in tourist or convention-related business

Planning and Zoning Commission

Council Liaison: Council Member Larry Spell

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Vacancy (Alternate 2)	First term	Eligible	May 2011

Police Community Relations Committee

Mayoral and At-Large Appointments

Council Liaison: Council Member Rose Glover

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
James Bell (Mayoral)	First term	Resigned	October 2008
Julia Warren (At-Large)	Filling unexpired term	Resigned	October 2008

Recreation and Parks Commission

Council Liaison: Council Member Larry Spell

<u>Name</u>	<u>Current Term</u>	<u>Reappointment Status</u>	<u>Expiration Date</u>
Sue Aldridge	First term	Eligible	June 2008
Jerry Clark	First term	Eligible	June 2008

Applicants for Affordable Housing Loan Committee

Howard Conner 1211 Drexel Lane Greenville, NC 27858	756-8594	Application Date: 5/14/2008
Cheryl Easter 207 Manhattan Street Greenville, NC 27834	752-0829	Application Date: 3/31/2008
Bari Muhammed 302 Sedgefield Drive Greenville, NC 27834	(301) 367-3690	Application Date: 9/24/2007
Justin Mullarkey 1509 East 5th Street Greenville, NC 27858	364-1183	Application Date: 1/28/2008

Applicants for Board of Adjustment

Jennifer Brezina 608 Winstead Road Greenville, NC 27834	355-5707	Application Date: 8/1/2007
Ann Eleanor 102 Lindenwood Drive Greenville, NC 27834	848-4257	Application Date: 12/1/2007
O. J. Gupton 3001-A Mulberry Lane Greenville, NC 27858	756-6146	Application Date: 7/26/2007
Zeke Jackson 3226 Meeting Place Greenville, NC 27858	(919) 750-1420	Application Date: 12/10/2007
Terry King 1310 Thomas Langston Rd. #7 Winterville, NC 28590	321-6996	Application Date: 9/10/2007
Louis Treole 225 York Road Greenville, NC 27858	355-8004	Application Date: 3/11/2008

Applicants for Community Appearance Commission

Justin Mullarkey
1509 East 5th Street
Greenville, NC 27858

Application Date: 1/28/2008

364-1183

Applicants for Greenville Utilities Commission

John E. Ferren 3010 Westview Drive Greenville, NC 27834	756-3607	Application Date: 3/22/2007
Clifton Bell Hickman 112 Roanoke Place Greenville, NC 27834	756-3591	Application Date: 10/11/2007
Sandra A. Hickman 112 Roanoke Place Greenville, NC 27834	756-3591	Application Date: 5/14/2008
Zeke Jackson 3226 Meeting Place Greenville, NC 27858	750-1420	Application Date: 12/10/2007
Corey Rhodes 3911 Sterling Pointe Drive Winterville, NC 28590	756-7776	Application Date: 5/11/2008
Kay Swope 107 Valley Place Greenville, NC 27834	758-4692	Application Date: 10/17/2007
Don M. Wilkerson 3714 Cantata Drive Greenville, NC 27834	355-7331	Application Date: 2/28/2007
William H. Wilkerson 407 Rutledge Road Greenville, NC 27858	754-2827	Application Date: 7/30/2007

Applicants for Historic Preservation Commission

Roger Kammerer 1115 Ragsdale Road Greenville, NC 27858	758-6882	Application Date: 5/12/2008
Kay Swope 107 Valley Place Greenville, NC 27834	758-4692	Application Date: 10/17/2007
Ryan Webb 2012 Tiffany Drive Greenville, NC 27858	916-5549	Application Date: 4/28/2008
Blake Wiggs 1400-B Ashley Way Greenville, NC 27858	902-7343	Application Date: 10/9/2007

Applicants for Pitt-Greenville Airport Authority

Edwin L. Clark
426 West Longmeadow Road
Greenville, NC 27858

Application Date: 12/18/2007

756-6361

Mitchell Jones
94 Tuckahoe Drive
Greenville, NC 27858

Application Date: 8/11/2006

756-7660

Applicants (City of Greenville)

Board/Commission: Pitt-Greenville Convention and Visitors Authority

Jennifer Brezina 608 Winstead Road Greenville, NC 27834	Application Date: 8/1/2007 355-5707	Occupation: Lecturer, ECU College of Business
Joseph Flood 1919 Sherwood Drive Greenville, NC 27858	Application Date: 7/18/2007 353-9915	Occupation: Professor, ECU
Judith Havermann 2009-A Cambria Drive Greenville, NC 27834	Application Date: 11/19/2007 321-1655	Occupation: Licensed Optician, Dr. E. Mullett & Assoc.
Clifton Hickman 112 Roanoke Road Greenville, NC 27834	Application Date: 10/11/2007 756-3591	Occupation: Administrator, Edgecombe County DSS
Chad Reynolds 104 Marion Drive Greenville, NC 27858	Application Date: 9/18/2007 321-6311	Occupation: Financial Consultant, A.G. Edwards & Sons
Kay Swope 107 Valley Place Greenville, NC 27834	Application Date: 10/17/2007 758-4692	Occupation: Occup. Therapy Assistant, Cypress Glen Rehab Department
Marcia Taylor 104-B2 Oaktowne Drive Greenville, NC 27858	Application Date: 08/05/2007 756-9301	Occupation: Professor, ECU
Lisa Wagner 430 A Lake Road Greenville, NC 27834	Application Date: 5/7/2007 902-7580	Occupation: Sales Manager, Hilton

Applicants (Pitt County)

Applicant Interest Listing

Convention & Visitors Authority

Brayom Anderson III 1624 Black Jack Simpson Road Greenville NC 27858	Day (252) 439-0555 Evening Phone: (252) 341-2527 Fax: E-mail: brayom@tie-breakers.com Priority:	Gender: M Race White District: 3 Date Applied: 01/25/2007
Applicant's Attributes: County Planning Jurisdiction District 3		

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	JH Rose High		
Experience	Law enforcement/deputy		
Experience	Tie Breakers Sports Bar & Grill	Owner	
Experience	US Army & Coast Guard		

Joanne Askew 1944 Cornerstone Drive Winterville NC 28590	Day (252) 756-5601 Evening Phone: (252) 814-6774 Fax: E-mail: gobills10@suddenlink.net Priority:	Gender: F Race White District: 5 Date Applied: 02/21/2007
Applicant's Attributes: Winterville City Limits District 5		

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	University of Pennsylvania	BS - Business	
Education	Internboro High		
Experience	Onslow County	Retired HR Director	
Experience	Alamance County	Retired HR Director	
Volunteer/Prof. Associations	United Way		
Volunteer/Prof. Associations	Church Committees		

Applicant Interest Listing

Volunteer/Prof. Associations NC Symphony Board
Volunteer/Prof. Associations Meals on Wheels

Ralph Hall, Jr.
111 Hardee Street
Greenville NC 27858

Day
Evening Phone: (252) 756-0262
Fax:
E-mail: bajhall@aol.com
Priority: 0

Gender: M
Race White
District: 6
Date Applied: 02/26/2003

Applicant's Attributes: District 6
Greenville ETJ

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	University of South Carolina	Civil Engineering	1955-1957
Education	Edenton High		
Experience	Phillippines Construction	Project Manager	1962-1966
Experience	Foreign Service Staff Officer	Civil Engineer	1966-1969
Experience	Odell Associates	Hospital Construction Engineer	1969-1973
Experience	PCMH	Vice-President of Facilities	1973-2001
Volunteer/Prof. Associations	N.C. Bio-Medical Association		
Volunteer/Prof. Associations	N.C. Association of Health Care		
Volunteer/Prof. Associations	American Society of Health Care		
Volunteer/Prof. Associations	American Cancer Society		
Volunteer/Prof. Associations	State Board of Directors		

Boards Assigned To

Industrial Revenue & Pollution Control Authority	3/15/2004 to 3/15/2007
P. C. M. H. Board of Trustees District 2	2/19/2008 to 3/31/2013

Steve Little
3314 NC 33 W
Convention & Visitors Authority
Thursday, April 24, 2008

Day (910) 608-3724
Evening Phone: (252) 758-2040

Gender: M
Race White

Applicant Interest Listing

Greenville NC 27834

Fax: District: 2
E-mail: slittle@nashfinch.com Date Applied: 01/05/2007
Priority:

Applicant's Attributes: District 2
County Planning Jurisdiction
North of the River

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	East Carolina University		
Education	Belvoir Elementary		
Experience		NC Real Estate Broker License	
Experience	Nash Finch	Division Manager	
Volunteer/Prof. Associations	Pitt County Planning Board		6 years
<u>Boards Assigned To</u>			
	ABC Board		1/23/2007 to 6/30/2009

Joseph Skinner
P.O. Box 30135
Greenville NC 27833

Day (252) 847-6843 Gender: M
Evening Phone: (252) 756-1966 Race White
Fax: District: 4
E-mail: Date Applied: 12/17/2007
Priority: 0

Applicant's Attributes: District 4
Greenville City Limits

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	East Carolina University		
Education	Ralph L Fike		
Experience	S.T. Wooten Construction		
Experience	C.A. Lewis	General Contractor	15 years

Applicant Interest Listing

Experience	Pitt County Memorial Hospital	Project Manager/Employer	2000
Volunteer/Prof. Associations	Advisory Board @ PCC		
Volunteer/Prof. Associations	University Kiwanis Club		
Volunteer/Prof. Associations	Planning & Zoning		

Boards Assigned To

Development Commission	12/18/2007 to 12/17/2010
Greenville Nominated	

Kelli Smith

3750 Langston Blvd.
Winterville NC 28590

Day (252) 413-4368
Evening Phone: (252) 353-2737
Fax:
E-mail: kpsmith@pcmh.com
Priority: 0

Gender: F
Race African
District: 4
Date Applied: 09/17/2004

Applicant's Attributes: District 4
Greenville City Limits

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
		MBA - Health Care Admin	
Education	East Carolina University	BS-Biology, MPH -Epidemiology	
Education	Clark Atlanta University		
Education	Beaumont School for Girls		
Experience	Alpha Kappa Alpha Inc.		1991-present
Experience	NASA -Johnson Space Center		1997-1999
Experience	Centers for Disease Control &		1995
Experience	Jefferson County Department of		1996-1997
Experience	University Health Systems	Coordinator, HA Corp Affairs	
Volunteer/Prof. Associations	Institutional Review Board for		
Volunteer/Prof. Associations	University Health Care		

Boards Assigned To

Applicant Interest Listing

Pitt County Emergency Medical Services Advisory
At large

12/6/2004 to 9/16/2005

Linda Tripp

4817 NC 33 E
105 Oakmont Drive-work-use this one
Greenville NC 27858

Day (252) 355-4700
Evening Phone: (252) 758-3840
Fax: (252) 355-4707
E-mail: ltripp@greenvillenc.com
Priority: 0

Gender: F
Race White
District: 3
Date Applied: 04/25/2003

Applicant's Attributes: District 3
Simpson ETJ
GUC Customer
Non Greenville Resident

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	South Georgia College		
Education	East Carolina University	BUED,MAED	
Education	Pitt Community College	Real Estate Broker's License	
Education	Patterson High		
Experience	Carolina Court Reporters, Inc.	President & CEO	1992-present
Experience	State of North Carolina	Division of Water Quality	1972-1979
Experience	Tripp Diet Centers, Inc.	President & CEO	1979-1992
Volunteer/Prof. Associations	East Carolina University	Pirate Club/Vice-President	
Volunteer/Prof. Associations	Pitt Community College		
Volunteer/Prof. Associations	Jockey Club Advisory Board		
Volunteer/Prof. Associations	East Carolina University	Network for Advancement	
Volunteer/Prof. Associations	Various Church Committees &		
Volunteer/Prof. Associations	East Carolina University	Performing Arts/Vice-President	
Volunteer/Prof. Associations	American Heart Association	Gala Chairperson	
Volunteer/Prof. Associations	American Cancer Society	Hope Gala Committee	
Volunteer/Prof. Associations	Greenville Museum of Art	Benefactor	

Convention & Visitors Authority
Thursday, April 24, 2008

Applicant Interest Listing

Volunteer/Prof. Associations	East Carolina University	Art Enthusiasts Committee
Volunteer/Prof. Associations	East Carolina University	Chancellor's Society
Volunteer/Prof. Associations	East Carolina University	Friends of Theater-Director
Volunteer/Prof. Associations	Health Education Foundation	
Volunteer/Prof. Associations	Ironwood Golf Board	

Boards Assigned To

Pitt - Greenville Airport Authority 7/9/2007 to 6/30/2011
County

Larry White

1804 Old Mill Court
Greenville NC 27858

Day (252) 328-2315
Evening Phone: (252) 353-2665
Fax: (252) 328-4368
E-mail: whitel@ecu.edu
Priority:

Gender: M
Race White
District: 3
Date Applied: 05/24/2007

Applicant's Attributes: Greenville City Limits
District 3

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	Florida State University	MLS	1993
Education	University of Florida	BA	1988
Education	Wildwood High		
Experience	East Carolina University	Assistant Professor, Library Program	2005-present
Experience	Washington County Public	Library Director	2002-2005
Experience	Levy County Public Library	Director of Library Operations	1999-2000
Experience	Bureau of Library Development	Library Program Specialist	1998-1999
Experience	Leon County Public Library	Library Service Supervisor	1995-1998
Volunteer/Prof. Associations	Association of Library Inf.	Member since 2005	
Volunteer/Prof. Associations	Association of Rural & Small	Member	2005-2006
Volunteer/Prof. Associations	Pitt County Citizens Academy		

Applicant Interest Listing

Volunteer/Prof. Associations	College of Education	Member	2005-present
Volunteer/Prof. Associations	Library Admin. & Management	Member since 2003	
Volunteer/Prof. Associations	Library Science & Instructional	Member	2005-present
Volunteer/Prof. Associations	Florida Library Association	Member	2000-2002
Volunteer/Prof. Associations	North Carolina Library	Member since 2005	
Volunteer/Prof. Associations	Ohio Library Council	Member	2002-2005
Volunteer/Prof. Associations	Public Library Association	Member since 2003	
Volunteer/Prof. Associations	American Libraries Association	Member since 1993	

Wendy Winstead

140 Farmington Rd.
Grimesland NC 27834

Day (252) 916-8180
Evening Phone: (252) 355-8280
Fax:
E-mail: wenwins@earthlink.net
Priority: 0

Gender: F
Race White
District: 3
Date Applied: 07/12/2006

Applicant's Attributes: District 5
County Planning Jurisdiction

Experience (Educ./Vol./Prof. Assoc./Military/Other Appointed Positions, etc.)

	Organization	Description	Date(s)
Education	East Carolina University	BS in Social Studies	
Education	Fuquay-Varian Senior H.S.		
Experience	R.H.Donnallay	Sprint Yellow Pages Account	1995-present
Volunteer/Prof. Associations	Salvation Army Volunteer		
Volunteer/Prof. Associations	Michael Jordan Golf Classic		
Volunteer/Prof. Associations	Dream Factory Committee		
Volunteer/Prof. Associations	CCA-NC East Carolina Chapter		
Volunteer/Prof. Associations	Association Executives of NC		
Volunteer/Prof. Associations	March of Dimes of Eastern NC	Board of Directors, Bid for Bachelors	
Volunteer/Prof. Associations	American Cancer Society	Relay for Life Committee	
Volunteer/Prof. Associations	Greater Greenville Kiwanis Club	Board of Directors, President, Vice-	

Applicant Interest Listing

Volunteer/Prof. Associations

Pitt-Greenville Chamber of

Ambassador, Chamber Bowling

Boards Assigned To

ABC Board

8/31/2006 to 8/31/2009

Applicants for Planning and Zoning Commission

Susan Bailey 203 Crown Point Road Greenville, NC 27858	756-1559	Application Date: 5/5/2007
O. J. Gupton 3001-A Mulberry Lane Greenville, NC 27858	756-6146	Application Date: 7/26/2007
Judith Havermann 2009-A Cambria Drive Greenville, NC 27834	321-1655	Application Date: 11/19/2007
Zeke Jackson 3226 Meeting Place Greenville, NC 27858	750-1420	Application Date: 12/10/2007
Mitchell Jones 94 Tuckahoe Drive Greenville, NC 27858	756-7660	Application Date: 8/11/2006
Terry King 1310 Thomas Langston Rd. #7 Winterville, NC 28590	321-6996	Application Date: 9/10/2007
Justin Mullarkey 1509 East 5th Street Greenville, NC 27858	364-1183	Application Date: 1/28/2008
Melissa Tilley 115 East Thirtieth Street Greenville, NC 27858	412-0490	Application Date: 11/26/2007
Louis Treole 225 York Road Greenville, NC 27858	355-8004	Application Date: 3/11/2008
William Whisnant 108 Christina Drive Greenville, NC 27858	353-5197	Application Date: 2/14/2008

Applicants

Board/Commission: Police Community Relations Committee

Tawanda Boone 3338 Tobacco Road Greenville, NC 27834	Application Date: 12/20/2007
Home Phone: 414-2454	District: 2
Rodney Coles 411-L15 Beasley Drive Greenville, NC 27834	Application Date: 1/21/2008
Home Phone: 364-1100	District: 1
Richard Crisp 1201 North Overlook Drive Greenville, NC 27858	Application Date: 1/22/2008
Home Phone: 756-2918	District: 4
Terry King 1310 Thomas Langston Road, Unit 7 Winterville, NC 28590	Application Date: 09/10/2007
Home Phone: 321-6996	District: 5
Bari Muhammed 302 Sedgefield Drive Greenville, NC 27834	Application Date: 09/24/2007
Home Phone: 301 367-3690	District: 2
Chad Reynolds 104 Marion Drive Greenville, NC 27858	Application Date: 9/18/2007
Home Phone: 321-6311	District: 5
Mary Rogers 3529 Providence Place Winterville, NC 28590	Application Date: 12/20/2007
Home Phone: 756-9403	District: 5
Wayne Whipple 3102 Cleere Court Greenville, NC 27858	Application Date: 07/18/2007
Home Phone: 321-0611	District: 4
Dennis Winstead 119 North Eastern Street Greenville, NC 27858	Application Date: 5/21/2008
Home Phone: 752-5154	District: 3

Applicants for Recreation and Parks Commission

Martha Brown 2780 Stantonsburg Rd., Apt 2C Greenville, NC 27834	551-9921	Application	6/28/2007
Joseph P. Flood 1919 Sherwood Drive Greenville, NC 27858	353-9915	Application	7/18/2007
Theodore Arthur Graepel 317 Baytree Drive Greenville, NC 27834	756-9172	Application	6/10/2006
Clifton Bell Hickman 112 Roanoke Place Greenville, NC 27834	756-3591	Application	10/11/2007
Chad Reynolds 104 Marion Drive Greenville, NC 27858	321-6311	Application	9/18/2007
Don M. Wilkerson 3714 Cantata Drive Greenville, NC 27834	355-7331	Application	2/28/2007



City of Greenville, North Carolina

Meeting Date: 6/12/2008
Time: 7:00 PM

Title of Item: North Carolina Department of Transportation Rail Division: Greenville Traffic Separation Study

Explanation: The North Carolina Department of Transportation (NCDOT) in cooperation with the City of Greenville, CSX Transportation, and the Carolina Coastal Railway, conducted a Traffic Separation Study to determine what safety improvements should be made at existing highway/rail grade crossings within the City and if any highway/rail at-grade crossings should be closed. A Traffic Separation Study (TSS) is a systematic review of rail crossing safety that evaluates traffic (both rail and highway) patterns and road usage for an entire municipality or region in order to determine required safety improvements and/or elimination of public grade crossings.

The TSS consists of three phases that are as follows:

1. Preliminary Phase – Identifies the study area and creates a Stakeholders Committee to ensure appropriate review of the process as well as interim and final recommendations.
2. Study Phase – Evaluates the existing crossing conditions, average daily traffic (both trains and vehicles), and socioeconomic impacts of potential closings for all public crossings within the study area and prepares recommendations for NCDOT, local officials, and public to review and comment; and
3. Implementation Process - NCDOT and local officials identify funding sources for improvements, develop project agreements, undertake project design for project implementation, coordinate improvements with railroad and state highway officials, and oversee project construction.

The Stakeholders Committee consisted of representatives from the following agencies:

- City of Greenville Planning, Police, Fire/Rescue, and Public Works Departments
- Pitt County
- Pitt County Sheriff Department
- Pitt County Schools (Transportation)
- NCDOT Division 2
- CSX Transportation (CSXT)
- Norfolk Southern Railroad (now leased to Coastal Carolina Railway)

The first Stakeholders Committee meeting was held on February 23, 2006. This meeting focused on the preliminary recommendations for the 45 crossings in the city. During this period, NCDOT also performed its Rail Improvements Study to evaluate the CSXT switching yard. On February 12, 2008, a presentation was made to the City Council by NCDOT and their consultant regarding the progress of the study and the recommendations, as well as NCDOT's Rail Improvements Study. Two public meetings were also held on February 12 and 13, 2008 by NCDOT at the Sheppard Memorial Library to receive public comment on the TSS and the Rail Improvements Study. Comments developed from these meetings were included in the study.

A meeting of the Stakeholders Committee was held on April 3, 2008. This meeting focused on reviewing the public comments on the recommendations and finalizing them for presentation to the City Council for consideration.

The attached map identifies the locations of the existing at-grade crossings evaluated as part of the TSS. The attached tables list the type of recommended improvements for each crossing. In addition to these recommendations, the Stakeholders Committee requested that improvements at any rail crossing site with sidewalks leading up to the crossings should incorporate additional widening to accommodate pedestrian movements. The Committee also recommended that any site with both TSS and rail improvement recommendations should have the improvements performed simultaneously.

NCDOT is nearing the completion of the Study Phase. The implementation of the recommended improvements will be subject to the availability of Federal funds administered through NCDOT. As funding becomes available, the City will enter into a municipal agreement with NCDOT that will assign responsibilities for the improvements at each crossing and the cost share. The City's share is typically 10% of the total project costs. The City is also responsible for the annual equipment maintenance costs for each crossing, which are paid to the railroads.

The municipal agreements for the improvements will be presented to the City Council for consideration as these projects are developed. As presented in the attached, six crossings on City-maintained streets are recommended for closure. These crossings are considered redundant and located in close proximity to others that will remain. These crossings are being recommended for closure for safety purposes. The City Council has the authority to close rail crossings on City streets. Railroad companies require municipalities to close three existing rail crossing sites to obtain approval for a new crossing. Any closures approved

by City Council will be used to support City requirements for future improvements.

City staff has reviewed and concurs with the recommended improvements.

Fiscal Note:

Funding for the City's share of the crossing improvements is included in the annual Capital Improvement Program.

Recommendation:

- 1) City Council hold a public hearing to receive additional public comments on the Greenville Traffic Separation Study.
- 2) City Council approve the recommendations of the Traffic Separation Study. Additionally, staff recommends that City Council authorize the Mayor to send a letter of support to the North Carolina Department of Transportation on the Study's recommendations.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [Greenville TSS Map](#)

 [NCDOT_Traffic_Separation_Summary_Tables_767436](#)

GREENVILLE TRAFFIC SEPARATION STUDY**SUMMARY****Modify Rail Crossing:**

Map Reference	Rail Crossing Name and Number	Recommendation
#2	NS - SR 1809/Windsor Road (Crossing # 465 483U)	Add Gates
#4	NS - SR 1704/14 th Street (Crossing # 465 488D)	Add Median Barrier (Roadway Improvement)
#5	NS - US 264/Greenville Blvd (Crossing # 465 489K)	Add Concrete Median (Roadway Improvement)
#7	NS - Elm Street (Crossing # 465 491L)	Add Gates & Signal Preemption
#8	NS - W. Berkley Road (Crossing # 465 492T)	Add Gates
#9	NS - SR 1702/Evans Street (Crossing # 465 495N)	Add Concrete Median (Roadway Improvement)
#11	NS - Beatty Street (Crossing # 465 506Y)	Add Gates & Signal Preemption
#14	NS - SR 1324/W.H. Smith Blvd (Crossing # 465 514R)	Add Concrete Median (Roadway Improvement)
#15	NS - Arlington Boulevard (Crossing # 465 515X)	Add Concrete Median (Roadway Improvement)
#16	NS - Spring Forest Road (Crossing # 465 516E)	Add Gates
#27	CSX - SR 1527/N. Greene Street (Crossing # 641 851R)	Add Signal Preemption
#28	CSX - NC 33/N. Greene Street (Crossing # 641 852X)	Add Gates
#30	CSX - SR 1528/W. Belvoir Road (Crossing # 641 857G)	Add Concrete Median (Roadway Improvement)
#32	CSX - SR 1530/Airport Road (Crossing # 641 860P)	Add Gates
#34	CSX - W. 3 rd Street (Crossing # 641 557T)	Adjust Vertical Profile (Roadway Improvement): The City of Greenville recently improved the vertical profile for W. 3 rd Street.
#36	CSX - 5 th Street (Crossing # 641 609H)	Add Gates
#38	CSX - 10 th Street Connector: SR 1598/W.10 th St (Crossing # 641 854L)	NCDOT TIP Project: U-3315
#39	CSX - 10 th Street Connector : SR 1531/Dickinson Ave. (Crossing # 641 855T)	NCDOT TIP Project: U-3315
#40	CSX - 14 th Street (Crossing # 641 614E)	Add Median Barrier (Roadway Improvement)

No Improvements required:

Map Reference	Rail Crossing Name and Number	Recommendation
#1	NS - SR 1726/Portertown Road (Crossing # 465 482M)	No improvements recommended
#3	NS - SR 1807/Oxford Road (Crossing # 465 485H)	No improvements recommended
#6	NS - Brownlea Drive (Crossing # 465 490E)	No improvements recommended
#13	NS - US 13/Memorial Drive (Crossing # 465 512C)	No improvements recommended
#17	NS - SR 1403-Allen Road (Crossing # 465 517L)	No improvements recommended
#25	CSX - NC 903 (Crossing # 641 847B)	No improvements recommended
#26	CSX - SR 1579/Staton Road (Crossing # 641 850J)	No improvements recommended
#41	CSX - Howell Street (Crossing # 641 615L)	No improvements recommended
#42	CSX - Moye Hooker Connection/Line Avenue (Crossing # 904 748H)	No improvements recommended
#43	CSX - Arlington Boulevard (Crossing # 642 719W)	No improvements recommended
#44	CSX - US 264 Alt./Greenville Boulevard (Crossing # 641 618G)	No improvements recommended; however, future improvements may consist of widening rail crossing to accommodate future sidewalk improvements stemming from the City of Greenville Convention Center Streetscape Improvements project
#45	CSX - SR 1708/Fire Tower Road (Crossing # 641 620H)	No improvements recommended

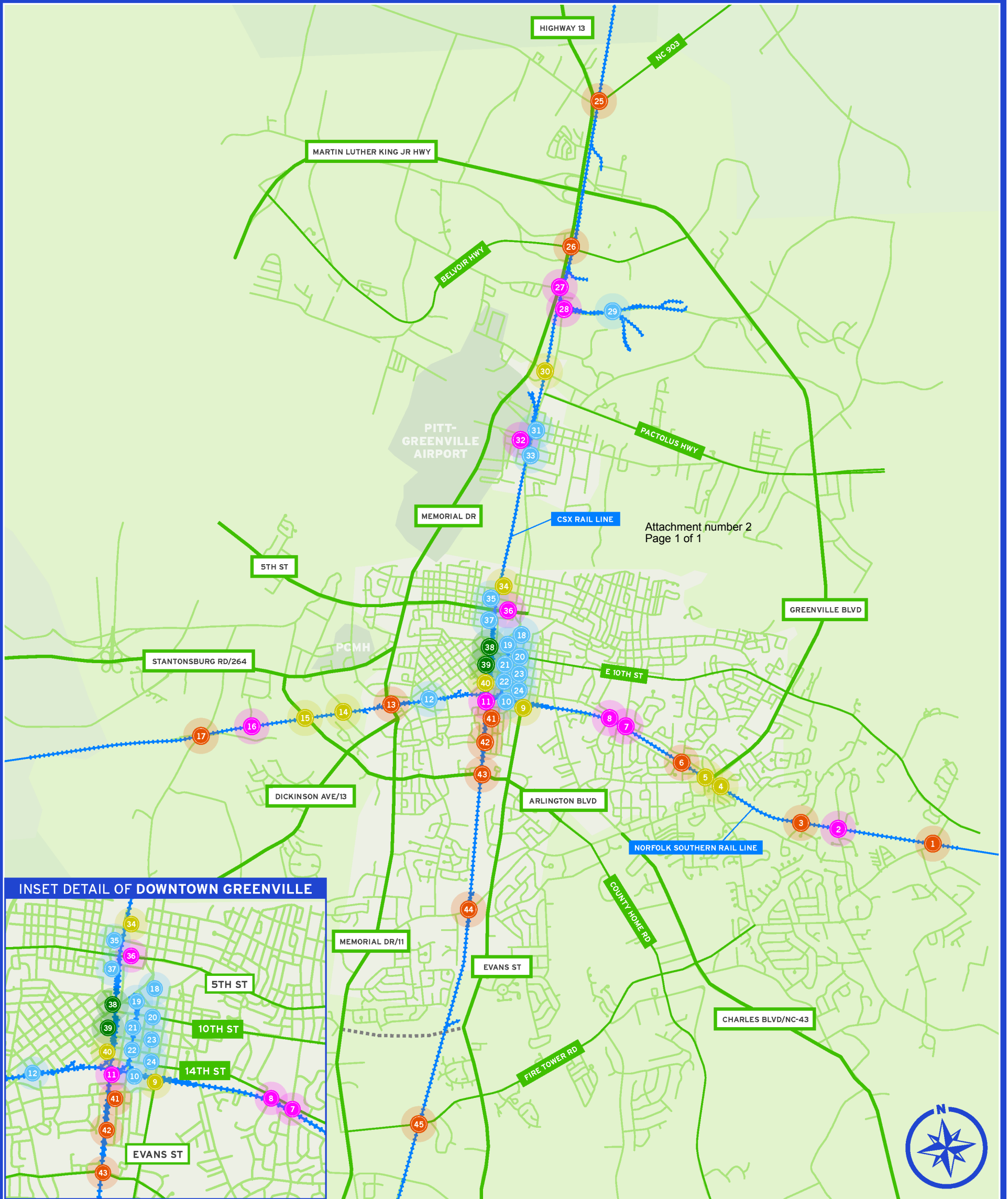
Rail Crossing Closures:

Map Reference	Rail Crossing Name and Number	Recommendation
#10	NS - S. Pitt Street (Crossing # 465 496V)	Rail Crossing Closure
#12	NS - Skinner Street (Crossing # 465 509U)	Rail Crossing Closure
#31	CSX - Gum Road (Crossing # 641 859V)	Rail Crossing Closure
#33	CSX - Dudley Street (Crossing # 641 553R)	Rail Crossing Closure
#35	CSX - W. 4 th Street (Crossing # 641 558A)	Rail Crossing Closure
#37	CSX - Alley Street (Crossing # 641 610C)	Rail Crossing Closure

Remove Rail Spurs:

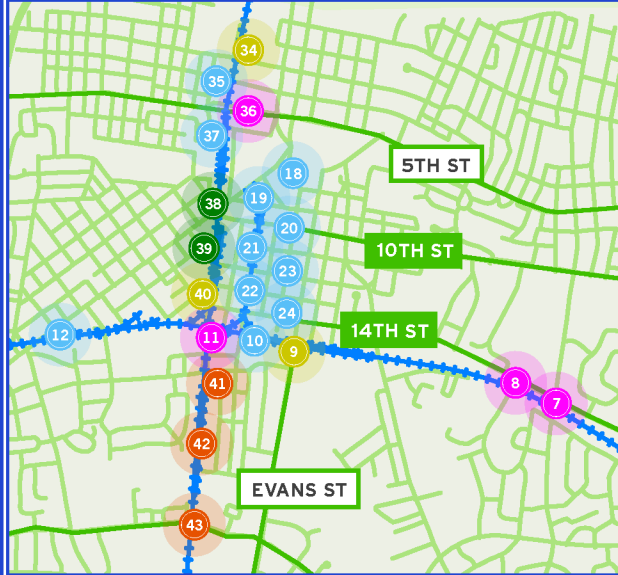
Map Reference	Rail Crossing Name and Number	Recommendation
#18	NS – W. 9 th Street (Crossing # 465 709D)	Removal of Rail Spurs
#19	Ficklen Street	Removal of Rail Spurs
#20	NS – W. 10 th Street (Crossing # 465 708W)	Removal of Rail Spurs
#21	NS – W. 11 th Street (Crossing # 465 707P)	Removal of Rail Spurs
#22	NS – W. 12 th Street (Crossing # 465 706H)	Removal of Rail Spurs
#23	NS – W. 13 th Street (Crossing # 465 705B)	Removal of Rail Spurs
#24	NS – W. 14 th Street (Crossing # 465 704U)	Removal of Rail Spurs
#29	CSX - SR 1591/Industrial Boulevard (Crossing # 641 853E)	Removal of Rail Spurs

GREENVILLE, NC: TRAFFIC SEPARATION STUDY GRADE CROSSING MAP



Attachment number 2
Page 1 of 1

INSET DETAIL OF DOWNTOWN GREENVILLE



1 465 482M: SR 1726/Portertown Rd	16 465 516E: Spring Forest Rd	31 641 859V: Gum Rd
2 465 483U: SR 1809/Windsor Rd	17 465 517L: SR 1203/Allen Rd	32 641 860P: SR 1530/Airport Rd
3 465 485H: SR 1807/Oxford Rd	18 465 709D: W. 9th St*	33 641 553R: Dudley St
4 465 488D: SR 1704/14th St	19 Ficklen St*	34 641 557T: W. 3rd St
5 465 489K: US264/Greenville Blvd	20 465 708W: W. 10th St*	35 641 558A: W. 4th St
6 465 490E: Brownlea Dr	21 465 707P: W. 11th St*	36 641 609H: 5th St
7 465 491L: Elm St	22 465 706H: W. 12th St*	37 641 610C: Alley St
8 465 492T: W. Berkley Rd	23 465 705B: W. 13th St*	38 641 854L: SR 1598/W. 10th St
9 465 495N: SR 1702/Evans St	24 465 704U: W. 14th St*	39 641 855T: SR 1531/Dickinson Ave
10 465 496V: S. Pitt St	25 641 847B: NC 903	40 641 614E: 14th St
11 465 506Y: Beatty St	26 641 850J: SR 1579/Staton Rd	41 641 615L: Howell St
12 465 509U: Skinner St	27 641 851R: SR 1527/N Greene St	42 904 748H: Moye Hooker Connection/Line Ave
13 465 512C: US 13/Memorial Dr	28 641 852X: NC 33/N. Greene St	43 642 719W: Arlington Blvd
14 465 514R: SR 1324/W.H. Smith Blvd	29 641 853E: SR 1591/Industrial Blvd	44 641 618G: US 264 Alt./Greenville Blvd
15 465 515X: Arlington Blvd	30 641 857G: SR 1528/W. Belvoir Rd	45 641 620H: SR 1708/Fire Tower Rd

- A NO ACTION**
- B REMOVALS/CLOSURES**
- C ROADWAY IMPROVEMENTS**
- D GRADE CROSSING IMPROVEMENTS**
- E FUTURE PROJECTS**



On the Web at
www.ncdot.org

*The rail spur to UNX will only be removed if the business relocates out of its current location.



City of Greenville, North Carolina

Meeting Date: 6/12/2008
Time: 7:00 PM

Title of Item: Ordinance requested by Allen Lyle to rezone 1.75 acres located at the northeast corner of the intersection of Dickinson Avenue and Allen Road from RA20 (Residential-Agricultural) to CG (General Commercial)

Explanation: **Required Notice:**
Planning and Zoning Commission meeting notice (adjoining property owner letters) was mailed on May 6, 2008.
On-site Sign(s) posted on May 1, 2008.
City Council public hearing notice (adjoining property owner letters) mailed on May 27, 2008.
Public Hearing Legal Advertisement published on June 2, 2008 and June 9, 2008.

Comprehensive Plan:

The subject site is located in Vision Area F.

Allen Road is considered a “residential corridor” beginning at the intersection of Dickinson Avenue and continuing north to the railroad tracks. The purpose of a residential corridor is to collect traffic from local neighborhood streets and move it onto connector/gateway thoroughfares.

Residential collectors should be designed to accommodate public transit and non-vehicular traffic. Non-residential office and commercial uses should be restricted along residential corridors and be limited to the intersection of residential collectors, or a collector and a major or minor connector.

The Future Land Use Plan Map recommends Commercial (C) at the northeast corner of Dickinson Avenue and Allen Road transitioning to Office/Institutional/Multi-family (OIMF) to the interior area.

**Thoroughfare/Traffic Volume (PW-Engineering Division) Report
Summary:**

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 684 trips to and from the site on Allen Road, which is a net increase of 672 additional trips per day.

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 1,026 trips to and from the site on Dickinson Avenue, which is a net increase of 1,009 additional trips per day. Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 570 trips to and from the site on Greenville Boulevard, which is a net increase of 560 additional trips per day.

During the review process, measures to mitigate the traffic will have to be determined. These measures could include the construction of an additional turn lane on Allen Road along with traffic signal modifications at the nearest signalized intersection (Dickinson Avenue and Greenville Boulevard). Access to the tracts will also be reviewed.

Detailed Thoroughfare/Traffic Volume Report Attached

History/Background:

In 1989, the subject property was zoned RA20 (Residential-Agricultural).

Present Land Use:

One single-family residence.

Water/Sewer:

Water service is currently available at the subject site. Sanitary sewer service is currently available north of the subject site at Cobblestone Drive.

Historic Sites:

There is no known effect on designated sites.

Environmental Conditions/Constraints:

There are no known environmental constraints.

Surrounding Land Uses and Zoning:

North: RA20 – Vacant

South: RA20 – Vacant

East: RA20 – Vacant

West: RA20 – One single-family home, CG – Trade/Wilco gasoline station

Density Estimates:

Under the current zoning (RA-20), staff would anticipate the site to yield no more than four (4) single-family lots.

At the proposed zoning (CG), staff would anticipate the site to yield approximately 17,000 square feet of retail/restaurant space. This is in anticipation of multiple connecting units and a fast food restaurant (5,000 sq. ft.).

The anticipated build-out time is one (1) to two (2) years.

Fiscal Note:

No cost to the City.

Recommendation:

In staff's opinion, the request is in compliance with Horizons: Greenville's Comprehensive Plan and the Future Land Use Plan Map.

The phrase "In compliance with the comprehensive plan" should be construed as meaning the requested zoning is (i) either specifically recommended in the text of the Horizons Plan (or addendum to the plan) or is predominantly or completely surrounded by the same or compatible and desirable zoning and (ii) promotes the desired urban form. The requested district is considered desirable and in the public interest, and staff recommends approval of the requested rezoning.

The Planning and Zoning Commission on May 20, 2008, voted to approve the request.

Note: In addition to other criteria, the Planning and Zoning Commission and City Council shall consider the entire range of permitted and special uses for the existing and proposed zoning districts as listed under Title 9, Chapter 4, Article D of the Greenville City Code.

If City Council determines to approve the rezoning request, a motion to adopt the attached rezoning ordinance will accomplish this. The ordinance includes the statutorily required statement describing whether the action taken is consistent with the comprehensive plan and explaining why Council considers the action taken to be reasonable and in the public interest.

If City Council determines to deny the rezoning request, in order to comply with this statutory requirement, it is recommended that the motion be as follows: Motion to deny the request to rezone and to make a finding and determination that the denial of the rezoning request is consistent with the adopted comprehensive plan and that the denial of the rezoning request is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

- [📄 Location Map](#)
 - [📄 Survey](#)
 - [📄 Ordinance to Rezone Allen Lyle Property 765578](#)
 - [📄 Rezoning Case 08 09 Allen Lyle 760523](#)
 - [📄 Allen Lyle Minutes 767959](#)
 - [📄 List of Uses RA20 to CG 763305](#)
-

ORDINANCE NO. 08-__
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
REZONING TERRITORY LOCATED WITHIN THE
PLANNING AND ZONING JURISDICTION OF THE CITY OF
GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on June 12, 2008 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

WHEREAS, the City Council has been informed of and has considered all of the permitted and special uses of the districts under consideration; and,

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the ordinance rezoning the following described property is consistent with the adopted comprehensive plan and that the adoption of the ordinance rezoning the following described property is reasonable and in the public interest due to its consistency with the comprehensive plan and, as a result, its furtherance of the goals and objectives of the comprehensive plan.

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES HEREBY ORDAIN:

Section 1. That the following described territory is rezoned from RA20 (Residential – Agricultural) to CG (General Commercial).

TO WIT: Thelma Gene Mills Property.

LOCATION: Located at the northeast corner of the intersection of Dickinson Avenue and Allen Road.

DESCRIPTION: That certain tract or parcel of land lying and being in Greenville Township, Pitt County, North Carolina, currently designated on the Pitt County Tax Maps as two parcels, specifically Parcel #27481 and Parcel #03941, more specifically described in proposed recombination as follows:

Start at North Carolina Geodetic Survey Marker “Red Oak” with NC Grid Coordinates North 668,524.945’, East 2,466,405.134’, NAD 83 (said Geodetic Survey Marker further being located in the Southwest quadrant of the intersection of US 264 Alt. and Greenville Boulevard); thence North 00 ° 10 ‘ 21 “ West 197.72’

to an existing concrete right of way marker located in the Northeast quadrant of the intersection of Dickinson Avenue and Allen Road (North Carolina Secondary Road No. 1203 with a right of way width of 100 '); thence and along the eastern right of way of Allen Road South $69^{\circ} 57' 23''$ West 9.90' and North $54^{\circ} 08' 47''$ West 78.77' to an existing right of way disk, the point of curvature of the right of way; thence and continuing along said right of way in a curve, said curve having a radius of 600', a bearing of North $49^{\circ} 54' 56''$ West, and a chord distance of 99.40', to a point on the curve and the **POINT OF BEGINNING** of the tract herein described; thence and continuing along the aforementioned curve a bearing of North $37^{\circ} 22' 10''$ West a chord distance of 152.79' to a right of way disk, the end of said curve and the point of tangency; thence and continuing along the right of way of Allen Road North $30^{\circ} 04' 48''$ West 113.02' to a right of way disk; thence North $28^{\circ} 31' 46''$ West 149.27'; thence and leaving the right of way of Allen Road North $83^{\circ} 58' 00''$ East 63.30' to an existing iron pipe; thence North $76^{\circ} 31' 16''$ East 59.53' to an existing iron pipe; thence turning and running along a ditch South $52^{\circ} 30' 02''$ East 144.74' to an existing iron pipe; thence and continuing along said ditch South $55^{\circ} 25' 07''$ East 170.48' to an existing iron pipe; thence and continuing along said ditch South $27^{\circ} 41' 35''$ East 21.06' to an existing iron pipe; thence and continuing along said ditch South $27^{\circ} 41' 42''$ East 108.8' to an existing iron pipe; thence turning and leaving said ditch South $71^{\circ} 46' 07''$ West 9.03' to a new iron rod; thence South $71^{\circ} 46' 08''$ West 62.43' to a new iron rod; thence South $71^{\circ} 46' 07''$ West 25.35' to a new iron rod; thence South $71^{\circ} 46' 07''$ West 50.89' to an existing iron pipe; thence South $71^{\circ} 46' 04''$ West 75.07' to an existing iron pipe; thence South $71^{\circ} 46' 59''$ West 4.33', more or less, to a point in the Eastern right of way line of Allen Road, the **POINT OF BEGINNING**, containing 1.75 acres, more or less.

The bearings in the description above are North Carolina Grid bearings, NAD 1983. Distances in the description above are horizontal ground measurement.

Section 2. That the Director of Community Development is directed to amend the zoning map of the City of Greenville in accordance with this ordinance.

Section 3. That all ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 4. That this ordinance shall become effective upon its adoption.

ADOPTED this 12th day of June, 2008.

Patricia C. Dunn, Mayor

ATTEST:

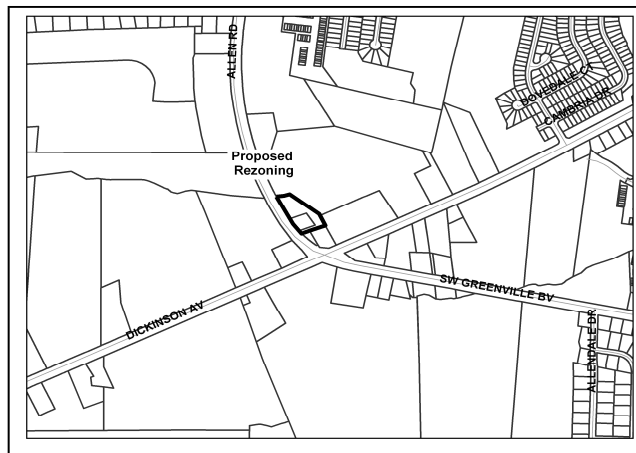
Wanda T. Elks, City Clerk

Case No: 08-09

Applicant: Allen Lyle

Property Information

Current Zoning: RA20 (Residential Agricultural)
Proposed Zoning: CG (General Commercial)
Current Acreage: 1.75 acres
Location: NE corner of Allen Road and Dickinson Avenue
Points of Access: Allen Road, Dickinson Avenue, Greenville Blvd



Location Map

Transportation Background Information

1.) Allen Road- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	3-lane	4-lane divided w/ raised median
Right of way width (ft)	60	90
Speed Limit (mph)	55	55
Current ADT:	15,914 (*)	Ultimate Design ADT: 35,000 vehicles/day (**)
Design ADT:	12,000 vehicles/day (**)	
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information: There are no sidewalks along Allen Road that service this property.		

Notes: (*) 2006 NCDOT count adjusted for a 3% annual growth rate
 (**) Traffic volume based an operating Level of Service D for existing geometric conditions
 ADT – Average Daily Traffic volume

Transportation Improvement Program Status: NCDOT is in the process of widening Allen Road to 3-lanes, as funding becomes available.

2.) Dickinson Avenue- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	2-lane (4-lane W. of Allen Rd)	5-lane curb & gutter
Right of way width (ft)	100	100
Speed Limit (mph)	55 E. of Allen Rd / 50 W. of Allen Rd.	55 E. of Allen Rd / 50 W. of Allen Rd.
Current ADT: (E of Allen Rd)	7,108 (*)	Ultimate Design ADT: 33,500 vehicles/day (**)
(W of Allen Rd)	19,096 (*)	
Design ADT:	12,000 (E. of Allen Rd); 33,500 (W. of Allen Rd) vehicles/day (**)	
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information: There are no sidewalks along Dickinson Aveune that service this property.		

Notes: (*) 2006 NCDOT count adjusted for a 3% annual growth rate
 (**) Traffic volume based an operating Level of Service D for existing geometric conditions
 ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No Planned improvements.

3.) Greenville Blvd- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	4-lane	4-lane
Right of way width (ft)	100	100
Speed Limit (mph)	50	50
Current ADT:	16,974 (*)	Ultimate Design ADT: 30,000 vehicles/day (**)
Design ADT:	33,500 vehicles/day (**)	
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information: There are no sidewalks along Greenville Boulevard that service this property.		

Notes: (*) 2006 NCDOT count adjusted for a 3% annual growth rate
(**) Traffic volume based an operating Level of Service D for existing geometric conditions
ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No Planned improvements.

Trips generated by proposed use/change

Current Zoning: 38 -vehicle trips/day (*) **Proposed Zoning: 2,279** -vehicle trips/day (*)

Estimated Net Change: increase of 2241 vehicle trips/day (assumes full-build out)

(* - These volumes are estimated and based on an average of the possible uses permitted by the current and proposed zoning.)

Impact on Existing Roads

The overall estimated trips presented above are distributed based on current traffic patterns. The estimated ADTs on Allen Road, Dickinson Avenue, and Greenville Blvd are as follows:

1.) Allen Road, North of Site: "No build" ADT of 15,914

Estimated ADT with Proposed Zoning (full build) –	16,598
Estimated ADT with Current Zoning (full build) –	<u>15,925</u>
Net ADT change =	672 (4% increase)

2.) Dickinson Avenue, East of Site: "No build" ADT of 7,108

Estimated ADT with Proposed Zoning (full build) –	7,792
Estimated ADT with Current Zoning (full build) –	<u>7,119</u>
Net ADT change =	673 (9% increase)

3.) Dickinson Avenue, West of Site: "No build" ADT of 19,096

Estimated ADT with Proposed Zoning (full build) –	19,438
Estimated ADT with Current Zoning (full build) –	<u>19,102</u>
Net ADT change =	336 (2% increase)

4.) Greenville Blvd, South of Site:**“No build” ADT of 16,974**

Estimated ADT with Proposed Zoning (full build) – 17,544

Estimated ADT with Current Zoning (full build) – 16,984**Net ADT change = 560 (3% increase)****Staff Findings/Recommendations**

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 684 trips to and from the site on Allen Road, which is a net increase of 672 additional trips per day.

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 1026 trips to and from the site on Dickinson Avenue, which is a net increase of 1009 additional trips per day.

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 570 trips to and from the site on Greenville Blvd, which is a net increase of 560 additional trips per day.

During the review process, measures to mitigate the traffic will have to be determined. These measures could include the construction of an additional turn lane on Allen Road along with traffic signal modifications at the nearest signalized intersection (Dickinson Avenue and Greenville Blvd). Access to the tracts will also be reviewed.

Excerpt from the Planning and Zoning Commission meeting minutes of May 20, 2008

REQUEST BY ALLEN LYLE

Rezoning ordinance requested by Allen Lyle to rezone 1.75 acres located at the north-east corner of the intersection of Dickinson Avenue and Allen Road from RA-20 (Residential-Agricultural) to CG (General Commercial).

Seth Laughlin, Planner, gave the presentation. Mr. Laughlin delineated the area on the map. Mr. Laughlin stated the property was located in the southwestern quadrant of the city. There is a single-family home located on the property. The property is currently zoned RA-20. The existing land use map shows primarily vacant land surrounding the property with some commercial and residential development to the south. The thoroughfare plan shows the proposed zoning could have a net increase of 2241 trips per day, with approximately 30% on Allen Road, 25% on Greenville Boulevard and 45% on Dickinson Avenue. Mr. Laughlin stated Allen road is a residential corridor, primarily designed to collect neighborhood street traffic and move them toward the connector and gateway corridors, which is what is presented with this request. The intent of the land use plan map is to concentrate commercial development around the intersection and toward the west to have a regional focus area. Mr. Laughlin stated that in staff's opinion the request was in compliance with the comprehensive plan.

No one spoke in favor or opposition to the request.

Motion was made by Mr. Randall, seconded by Ms. Basnight, to recommend approval of the proposed amendment, to advise that it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters. Motion passed unanimously.

EXISTING ZONING

RA20 (Residential-Agricultural)

Permitted Uses

(1) General:

- a. Accessory use or building
- c. On- premise signs per Article N

(2) Residential:

- a. Single-family dwelling
- f. Residential cluster development per Article M
- k. Family care home (see also section 9-4-103)
- q. Room renting

(3) Home Occupations (see all categories):

*None

(4) Governmental:

- b. City of Greenville municipal government building or use (see also section 9-4-103)

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)
- c. Wayside market for farm products produced on site
- e. Kennel (see also section 9-4-103)
- f. Stable; horse only (see also section 9-4-103)
- g. Stable; per definition (see also section 9-4-103)
- h. Animal boarding not otherwise listed; outside facility, as an accessory or principal use

(6) Recreational/ Entertainment:

- f. Public park or recreational facility
- g. Private noncommercial park or recreational facility

(7) Office/ Financial/ Medical:

* None

(8) Services:

- o. Church or place of worship (see also section 9-4-103)

(9) Repair:

* None

(10) Retail Trade:

* None

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

* None

(12) Construction:

- c. Construction office; temporary, including modular office (see also section 9-4-103)

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

(15) Other Activities (not otherwise listed - all categories):

* None

RA20 (Residential-Agricultural)

Special Uses

(1) General:

* None

(2) Residential:

- b. Two-family attached dwelling (duplex)
- g. Mobile Home
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility

(3) Home Occupations (see all categories):

- a. Home occupation; including barber and beauty shops
- c. Home occupation; including manicure, pedicure or facial salon

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

- b. Greenhouse or plant nursery; including accessory sales

(6) Recreational/ Entertainment:

- a. Golf course; regulation
- c.(1). Tennis club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

* None

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- d. Cemetery
- g. School; junior and senior high (see also section 9-4-103)
- h. School; elementary (see also section 9-4-103)
- i. School; kindergarten or nursery (see also section 9-4-103)

(9) Repair:

* None

(10) Retail Trade:

* None

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

(15) Other Activities (not otherwise listed - all categories):

* None

PROPOSED ZONING

CG (General Commercial)

Permitted Uses

(1) General:

- a. Accessory use or building
- b. Internal service facilities
- c. On- premise signs per Article N
- e. Temporary uses; of listed district uses
- f. Retail sales; incidental
- g. Incidental assembly of products sold at retail or wholesale as an accessory to principle use

(2) Residential: * None

(3) Home Occupations (see all categories):

*None

(4) Governmental:

- b. City of Greenville municipal government building or use. (See also section 9-4-103)
- c. County or state government building or use not otherwise listed; excluding outside storage and major or minor repair
- d. Federal government building or use
- g. Liquor store, state ABC

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)

(6) Recreational/ Entertainment:

- f. Public park or recreational facility
- h Commercial recreation; indoor only, not otherwise listed
- j. Bowling alleys
- n. Theater; movie or drama, indoor only
- q. Circus, carnival or fair, temporary only (see also section 9-4-103)
- s. Athletic Club; indoor only

(7) Office/ Financial/ Medical:

- a. Office; professional and business, not otherwise listed
- b. Operation/processing center
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed
- g. Catalogue processing center

(8) Services:

- c. Funeral home
- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon
- o. Church or place of worship (see also section 9-4-103)
- q. Museum
- r. Art Gallery

- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- y.(1) Television and/or radio broadcast facilities including receiving and transmission equipment and towers not exceeding 200 feet in height or cellular telephone and wireless communication towers not exceeding 200 feet in height (see also section 9-4-103)
- z. Printing or publishing service including graphic art, map, newspapers, magazines and books
- aa. Catering service including food preparation (see also restaurant; conventional and fast food)
- hh. Exercise and weight loss studio; indoor only
- kk. Launderette; household users
- ll. Dry cleaners; household users
- oo. Clothes alteration or shoe repair shop
- pp. Automobile wash

(9) Repair:

- g. Jewelry, watch, eyewear or other personal item repair

(10) Retail Trade:

- a. Miscellaneous retail sales; non-durable goods, not otherwise listed
- c. Grocery; food or beverage, off premise consumption (see also Wine Shop)
- c.1 Wine shop (see also section 9-4-103)
- d. Pharmacy
- e. Convenience store (see also gasoline sales)
- f. Office and school supply, equipment sales
- g. Fish market; excluding processing or packing
- h. Restaurant; conventional
- i. Restaurant; fast food
- k. Medical supply sales and rental of medically related products
- l. Electric; stereo, radio, computer, television, etc. sales and accessory repair
- m. Appliance; household use, sales and accessory repair, excluding outside storage
- p. Furniture and home furnishing sales not otherwise listed
- q. Floor covering, carpet and wall covering sales
- r. Antique sales; excluding vehicles
- s. Book or card store, news stand
- t. Hobby or craft shop
- u. Pet shop (see also animal boarding; outside facility)
- v. Video or music store; records, tape, compact disk, etc. sales
- w. Florist
- x. Sporting goods sales and rental shop
- y. Auto part sales (see also major and minor repair)
- aa. Pawnbroker
- bb. Lawn and garden supply and household implement sales and accessory sales
- ee. Christmas tree sales lot; temporary only (see also section 9-4-103)

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

- b. Rental of home furniture, appliances or electronics and medically related products (see also (10)k.)
- c. Rental of cloths and accessories; formal wear, etc.

(12) Construction:

- c. Construction office; temporary, including modular office (see also section 9-4-103)
- e. Building supply; lumber and materials sales, plumbing and/or electrical supply excluding outside storage

f. Hardware store

(13) Transportation:

- c. Taxi or limousine service
- h. Parking lot or structure; principal use

(14) Manufacturing/ Warehousing:

* None

(15) Other Activities (not otherwise listed - all categories):

* None

CG (General Commercial)

Special Uses

(1) General:

* None

(2) Residential:

- i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile home

(3) Home Occupations (see all categories):

* None

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

- d. Game center
- l. Billiard parlor or pool hall
- m. Public or private club
- t. Athletic club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

- c. Office; customer services, not otherwise listed, including accessory service delivery vehicle parking and indoor storage
- f. Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- l. Convention center; private

(9) Repair:

- a. Major repair; as an accessory or principal use
- b. Minor repair; as an accessory or principal use

(10) Retail Trade:

- b. Gasoline or automotive fuel sales; accessory or principal use, retail
- j. Restaurant; regulated outdoor activities
- n. Appliances; commercial use, sales and accessory repair, excluding outside storage

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

- d. Rental of automobiles, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats
- f. Automobile, truck, recreational vehicle, motorcycle and boat sales and service (see also major and minor repair)

(12) Construction:

* None

(13) Transportation:

* None

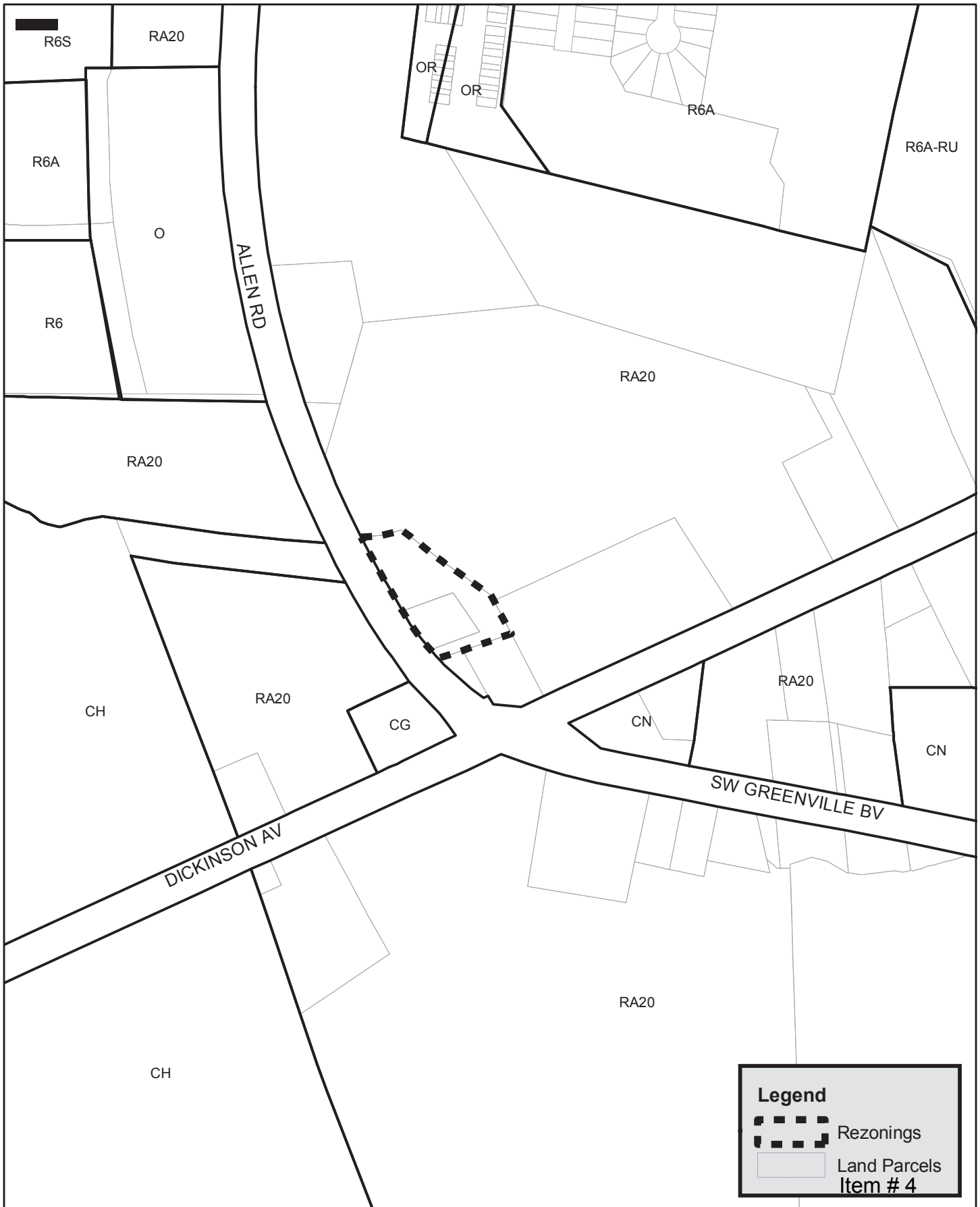
(14) Manufacturing/ Warehousing:

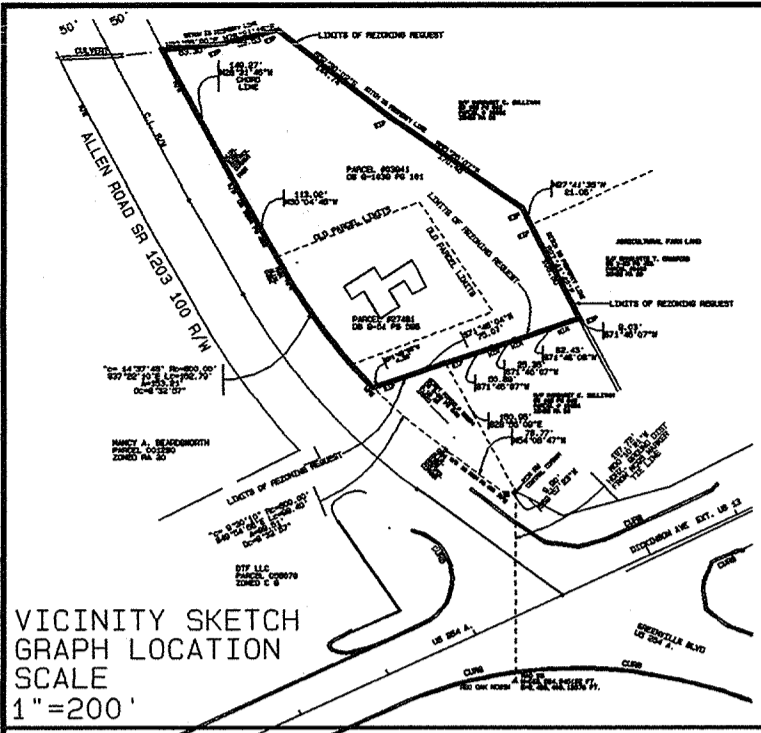
k. Mini-storage warehouse, household; excluding outside storage

(15) Other Activities (not otherwise listed - all categories):

- a. Other activities; personal services not otherwise listed
- b. Other activities; professional activities not otherwise listed
- c. Other activities; commercial services not otherwise listed
- d. Other activities; retail sales not otherwise listed

Allen Lyle
RA-20 to CG
1.75 Acres
May 1, 2008





- LEGEND**
- LINES SURVEYED
 - - - LINES NOT SURVEYED
 - CL --- CENTER LINE
 - CMS --- CONCRETE MONUMENT SET
 - ECM --- EXISTING CONCRETE MONUMENT
 - ETA --- EXISTING IRON AXLE
 - EIP --- EXISTING IRON PIPE
 - EIR --- EXISTING IRON ROD
 - ERRI --- EXISTING RAILROAD IRON
 - ERRS --- EXISTING RAILROAD SPIKE
 - EPKN --- EXISTING PK NAIL
 - NIR --- NEW IRON ROD
 - NIP --- NEW IRON PIPE
 - RRSS --- RAILROAD SPIKE SET
 - RVW --- RIGHT OF WAY
 - PP --- POWER POLE
 - D.B. --- DEED BOOK
 - POB --- POINT OF BEGINNING
 - NPS --- NO POINT SET
 - MNS --- MAG NAIL SET
 - EMN --- EXIST. MAG NAIL
 - SSS --- STAINLESS STEEL SPIKE (COTTON SPINDLE)
 - ESSS --- EXIST. STAINLESS STEEL SPIKE (COTTON SPINDLE)
 - PKNS --- PK NAIL SET
 - EAI --- EXISTING ANGLE IRON
 - N/F --- NOW OR FORMERLY
 - CP --- COMPUTED POINT
 - PC --- PLAT CABINET
 - SL --- SLIDE OR SLOT
 - TP --- TELEPHONE POLE OR PEDISTAL
 - LP --- LIGHT POLE, STREET OR SECURITY LIGHT
 - P.I. --- POINT OF INTERSECTION
 - RWM --- RIGHT OF WAY METAL DISK ON #5 REBAR

STATE OF NORTH CAROLINA
 COUNTY OF PITT

I, BILLY R. LEGGETT, certify that this plat was drawn under my supervision from an actual survey made under my supervision, (deed description recorded in Book AS, Page NOTED, etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book AS, Page NOTED; that the ratio of precision as calculated is 1:10,000 TRAV; that this plat was not prepared in accordance with G.S. 47-30 as amended.

Witness my original signature, license number and seal this 8 th day of MAY, 2008

PROFESSIONAL LAND SURVEYOR LICENSE NUMBER L - 2515



- I, Billy R. Leggett, PLS certify that the parcel surveyed is subject to the following:
- A** That the survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land;
 - B** That the survey is located in a portion of a county or municipality that is unregulated as to an ordinance that regulates parcels of land;
 - C** That the survey is of an existing parcel or parcels of land and does not create a new street or change an existing street;
 - D** That the survey is of an existing building or other structure, or a natural feature, such as a watercourse; That the survey is a control survey;
 - E** That the survey is of another category, such as the recombination of existing parcels # 09941 an # 27481 into one parcel or other exception to the definition of subdivision;
- PROFESSIONAL LAND SURVEYOR LICENSE NUMBER L - 2515

OWNER/AGENT STATEMENT

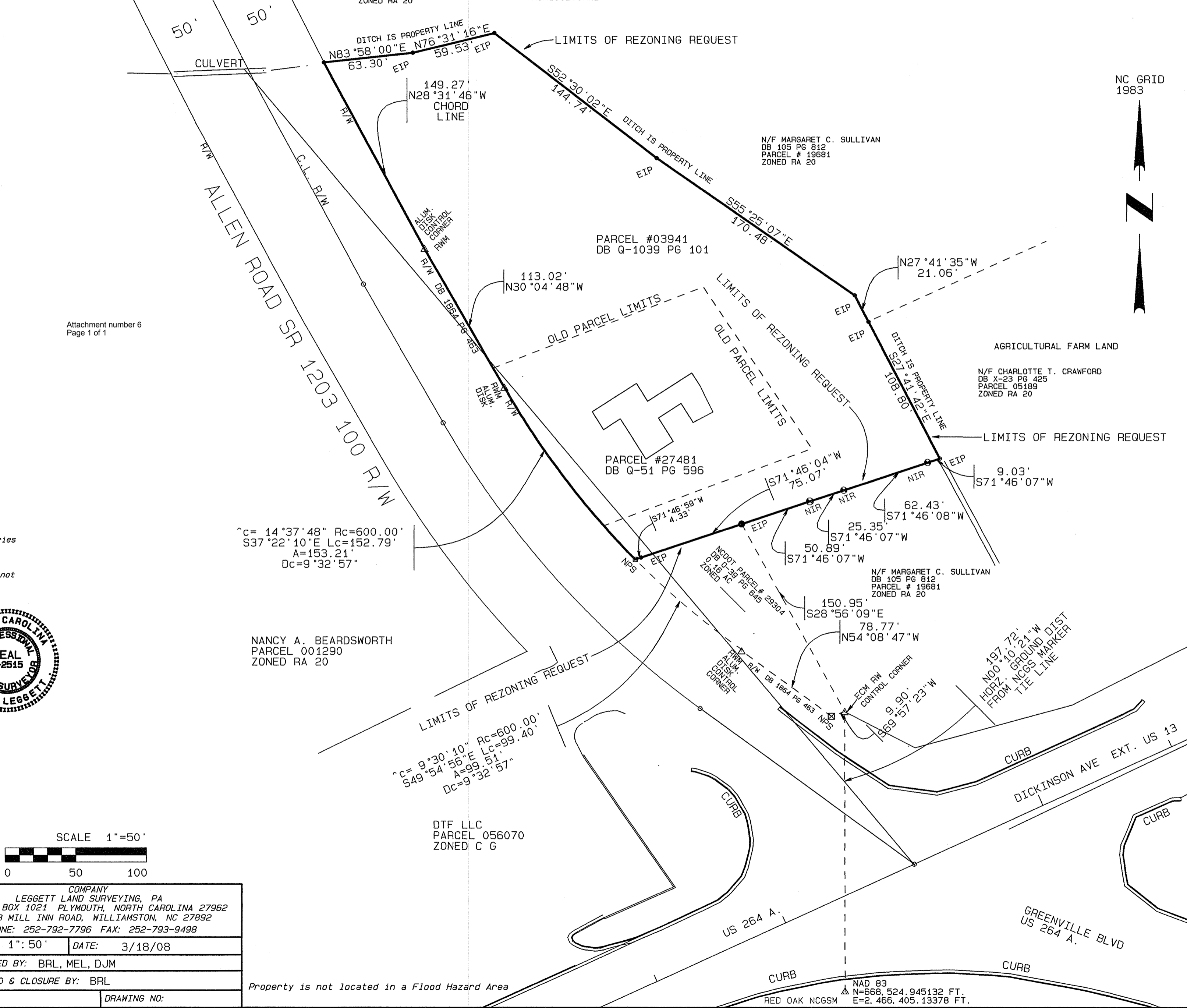
I, _____, being the Owner or Agent request that the attached rezoning request be placed on the agenda of the Planning and Zoning Commission meeting scheduled for ____/____/____.

I understand that failure to address any item in these requirements may result in the rezoning request not meeting the minimum submission requirements and will be returned to me for revision and resubmission at the next regular review cycle

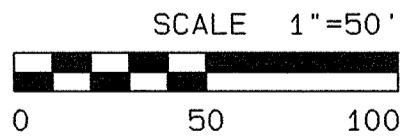
PROPOSED CHANGE FROM RESIDENTIAL ZONE RA-20
 TO NEW COMMERCIAL USE ZONE C G
 ACREAGE: 1.75 ACRES

Signature _____

Date _____



Attachment number 6
 Page 1 of 1



ORIGINAL MAP DATED 3-18-2008. CHANGES REQUESTED BY PLANNING DEPT.
 REVISED ZONING CHANGE REQUEST MAP PREPARED FOR

ALLEN LYLE		LEGGETT LAND SURVEYING, PA P. O. BOX 1021 PLYMOUTH, NORTH CAROLINA 27962 1528 MILL INN ROAD, WILLIAMSTON, NC 27892 PHONE: 252-792-7796 FAX: 252-793-9498	
TOWNSHIP: GREENVILLE GREENVILLE ETJ AREA	SCALE: 1" = 50'	DATE: 3/18/08	
COUNTY: PITT	SURVEYED BY: BRL, MEL, DJM		
STATE: NORTH CAROLINA	CHECKED & CLOSURE BY: BRL		
ZONE: TAX MAP: PIN #: DRAWING NO:			

Property is not located in a Flood Hazard Area

NAD 83
 N=668,524.945132 FT.
 RED OAK NCGSM E=2,466,405.13378 FT.



City of Greenville, North Carolina

Meeting Date: 6/12/2008
Time: 7:00 PM

Title of Item: Ordinance requested by Waterford Commons, LLC to rezone 6.79 acres located at the northeast corner of the intersection of B's Barbeque Road and Stantonsburg Road from MO (Medical-Office) to CG (General Commercial)

Explanation:

Required Notice:
Planning and Zoning Commission meeting notice (adjoining property owner letters) mailed on May 6, 2008.
On-site Sign(s) posted on May 1, 2008.
City Council public hearing notice (adjoining property owner letters) mailed on May 27, 2008.
Public Hearing Legal Advertisement published on June 2, 2008 and June 9, 2008.

Comprehensive Plan:

The subject site is located in Vision Area F.

Stantonsburg Road is considered a "gateway corridor" beginning at the intersection of South Memorial Drive and continuing west. Gateway corridors serve as primary entranceways into the City and help define community character. Gateway corridors may accommodate a variety of intensive, large-scale uses, in appropriately located focus areas with lower intensity office and/or high-density residential development in the adjacent transition areas.

The Future Land Use Plan Map recommends Commercial (C) at the northeast corner of Stantonsburg Road and B's Barbeque Road, transitioning to Office/Institutional/Multi-family (OIMF) to the interior area.

The requested zoning is in compliance with the Medical District Plan update (2/21/08).

Thoroughfare/Traffic Volume (PW-Engineering Division) Report Summary

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 4,380 trips to and from the site on Stantonsburg Road, which is a net increase of 4,183 additional trips per day.

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 2,358 trips to and from the site on B's Barbeque Road, which is a net increase of 2,252 additional trips per day.

During the review process, measures to mitigate the traffic will be determined. These measures may include turn lane modifications on B's Barbeque Road and may require traffic signal modifications at the signalized intersection of B's Barbeque Road and Stantonsburg Road.

Detailed Thoroughfare/Traffic Volume Report Attached

History/Background:

In 2005, the subject property was rezoned from MR (Medical-Residential [High Density Multi-family]) to MO (Medical-Office).

Present Land Use:

Vacant.

Water/Sewer:

Water and sanitary sewer are available at Waterford Place Apartments, Phase II.

Historic Sites:

There is no known effect on designated sites.

Environmental Conditions/Constraints:

There are no known environmental constraints.

Surrounding Land Uses and Zoning:

North: MR – Two single-family residences fronting B's Barbeque Road

South: MO – Office building

East: MO – Candlewood Suites (currently under construction), MR – Waterford Place Apartments

West: CG – Vacant

Density Estimates:

Under the current zoning (MO), staff would anticipate the site to yield approximately 27,500 square feet of office space.

At the proposed zoning (CG), staff would anticipate the site to yield approximately 65,500 square feet of retail/restaurant/office space. This is in anticipation of multiple connecting units, a convenience store having automotive fuel sales (5,000 sq. ft.), and a conventional restaurant and a financial institution (6,000 sq. ft.). This rezoning contains 5 of the 6 lots on the approved Waterford Commons preliminary plat.

The anticipated build-out time is 2-3 years.

Fiscal Note:

No cost to the City.

Recommendation:

In staff's opinion, the request is in compliance with Horizons: Greenville's Comprehensive Plan and the Future Land Use Plan Map.

The phrase "In compliance with the comprehensive plan" should be construed as meaning the requested zoning is (i) either specifically recommended in the text of the Horizons Plan (or addendum to the plan) or is predominantly or completely surrounded by the same or compatible and desirable zoning and (ii) promotes the desired urban form. The requested district is considered desirable and in the public interest and staff recommends approval of the requested rezoning.

The Planning and Zoning Commission voted on May 20, 2008, to approve the request.

Note: In addition to other criteria, the Planning and Zoning Commission and City Council shall consider the entire range of permitted and special uses for the existing and proposed zoning districts as listed under Title 9, Chapter 4, Article D of the Greenville City Code.

If City Council determines to approve the rezoning request, a motion to adopt the attached rezoning ordinance will accomplish this. The ordinance includes the statutorily required statement describing whether the action taken is consistent with the comprehensive plan and explaining why Council considers the action taken to be reasonable and in the public interest.

If City Council determines to deny the rezoning request, in order to comply with this statutory requirement, it is recommended that the motion be as follows: Motion to deny the request to rezone and to make a finding and determination that the denial of the rezoning request is consistent with the adopted comprehensive plan and that the denial of the rezoning request is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

- [Location Map](#)
 - [Survey](#)
 - [Ordinance to Rezone Waterford Commons LLC Property 765599](#)
 - [Rezoning Case v2 Waterford Commons amended 761164](#)
 - [Waterford Commons LLC Minutes 767957](#)
 - [List of Uses MO to CG 763296](#)
-

ORDINANCE NO. 08-____
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GREENVILLE
REZONING TERRITORY LOCATED WITHIN THE
PLANNING AND ZONING JURISDICTION OF THE CITY OF
GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on June 12, 2008 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance rezoning the following described territory;

WHEREAS, the City Council has been informed of and has considered all of the permitted and special uses of the districts under consideration; and,

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the ordinance rezoning the following described property is consistent with the adopted comprehensive plan and that the adoption of the ordinance rezoning the following described property is reasonable and in the public interest due to its consistency with the comprehensive plan and, as a result, its furtherance of the goals and objectives of the comprehensive plan.

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES HEREBY ORDAIN:

Section 1. That the following described territory is rezoned from MO (Medical–Office) to CG (General Commercial).

TO WIT: Waterford Commons, LLC Property.

LOCATION: Located at the northeast corner of the intersection of B’s Barbeque Road and Stantonsburg Road.

DESCRIPTION: Being those parcels located in Greenville, Arthur Township, Pitt County, North Carolina, bounded on the west by B’s Barbeque Road (NCSR 1204), on the north by Shelby Jean Umphlett et al property, on the east by East Carolina Hospitality, LLC and Waterford Place Apartments II, LLC property, and on the south by Stantonsburg Road (NCSR 1467), and more particularly described as follows:

TRACT I

BEGINNING at a point in the eastern right-of-way line of B's Barbeque Road (NCSR 1204), said point being the southwest corner of the Shelby Jean Umphlett, Timothy Wayne Umphlett, Sr. and wife Angela Umphlett recorded in Deed Book 1456, page 23, thence leaving N.C. Secondary Road 1204 (B's Barbeque Road) and with the southern line of Umphlett S 55° 40' 58" E 212.91' to a point being the northwest corner of the East Carolina Hospitality, LLC property recorded in Deed Book 2355, page 603, thence leaving the Umphlett property and with the western line of East Carolina Hospitality S 28° 36' 30" W 308.03' to a point, thence S 75° 06' 17" W 87.98' to a point, said point being in the northern right-of-way line of Waterford Commons Drive recorded in Map Book 68, page 115, thence with the northern right-of-way line along a curve in a counterclockwise direction, said curve having a radius of 125.00', a chord bearing of N 30° 24' 13" W and a chord distance of 66.84' to a point, thence continuing along said right-of-way N 45° 54' 43" W 180.64' to a point in the eastern right-of-way line of B's Barbeque Road (NCSR 1204), thence with the eastern right-of-way of B's Barbeque Road N 44° 05' 17" E 248.79' to a point, thence along a curve in a counterclockwise direction, said curve having a radius of 1461.97', a chord bearing N 42° 43' 35" E and a chord distance 87.98' to the POINT OF BEGINNING containing 1.96 acres and shown on as Tract I on Rivers and Associates, Inc. Drawing Z-2460 dated March 11, 2008, entitled Rezoning Map for Waterford Commons, LLC which by reference is made a part hereof.

TRACT II

BEGINNING at a point in the northern right-of-way line of Stantonsburg Road (NCSR 1467), said point being the intersection of the western right-of-way of Waterford Commons Drive as recorded in Map Book 68, page 115, thence with the northern right-of-way line of Stantonsburg Road along a curve in a counterclockwise direction, said curve having a radius of 7799.44', a chord bearing of N 76° 57' 20" W and a chord distance of 310.07' to a point in said right-of-way, thence leaving Stantonsburg Road N 34° 36' 08" W 63.87' to a point in the eastern right-of-way line of B's Barbeque Road (NCSR1204), thence continuing with the eastern right-of-way line of B's Barbeque Road along a curve in a clockwise direction, said curve having a radius of 417.46', a chord bearing of N 32° 31' 54" E and a chord distance of 164.40' to a point in said right-of-way, thence continuing with the eastern right-of-way line of B's Barbeque Road N 28° 53' 31" E 135.36', thence N 44° 05' 17" E 193.00' to a point,

said point being the intersection with the southern right-of-way line of Waterford Commons Drive, thence leaving the right-of-way line of B's Barbeque Road and with the right-of-way of Waterford Commons Drive S 45° 54' 43" E 180.64' to a point of curve, thence continuing with said right-of-way along a curve in a clockwise direction, said curve having a radius of 75.00', a chord bearing of S 14° 16' 31" E and a chord distance of 78.68' to a point of tangency, thence S 17° 21' 40" W 331.47' to the POINT OF BEGINNING containing 3.11 acres and shown on as Tract II on Rivers and Associates, Inc. Drawing Z-2460 dated March 11, 2008, entitled Rezoning Map for Waterford Commons, LLC which by reference is made a part hereof.

TRACT III

BEGINNING at a point in the northern right-of-way line of Stantonsburg Road (NCSR 1467), said point being the southwest corner of Waterford Place Apartments II, LLC shown on a map recorded in Map Book 57, page 65, thence with the northern right-of-way line of Stantonsburg Road N 72° 38' 20" W 187.61' to a point, said point being the intersection with the eastern right-of-way line of Waterford Commons Drive as recorded in Map Book 68, page 115, thence with the eastern right-of-way line of Waterford Commons Drive N 17° 21' 40" E 330.13' to a point of curve, thence continuing with said right-of-way along a curve in a counterclockwise direction, said curve having a radius of 125.00', a chord bearing of N 14° 22' 10" E and a chord distance of 13.05' to a point in the right-of-way, said point being the southwest corner of the East Carolina Hospitality, LLC property recorded in Deed Book 2355, page 603, thence leaving the right-of-way line of Waterford Commons Drive and with the line of East Carolina Hospitality S 78° 37' 20" E 82.75' to a point, thence S 61°23'308" E 172.57' to a point in the western line of Waterford Place Apartments II, LLC recorded in Deed Book 1415, page 632 thence leaving the East Carolina Hospitality property and with the western line of Waterford Place Apartments II, LLC S 28° 36' 30" W 324.35' to the POINT OF BEGINNING containing 1.72 acres and shown on as Tract III on Rivers and Associates, Inc. Drawing Z-2460 dated March 11, 2008, entitled Rezoning Map for Waterford Commons, LLC which by reference is made a part hereof.

Section 2. That the Director of Community Development is directed to amend the zoning map of the City of Greenville in accordance with this ordinance.

Section 3. That all ordinances and clauses of ordinances in conflict with this ordinance are hereby repealed.

Section 4. That this ordinance shall become effective upon its adoption.

ADOPTED this 12th day of June, 2008.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

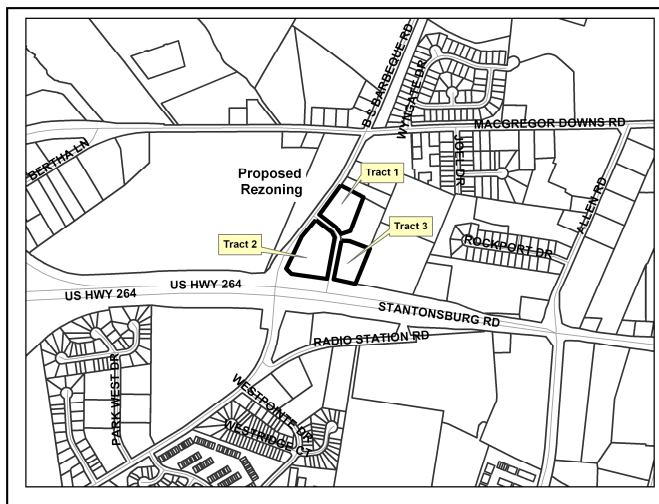
REZONING THOROUGHFARE/TRAFFIC VOLUME REPORT

Case No: 08-07

Applicant: Waterford Commons, LLC

Property Information

Current Zoning: Tract 1-3: MO (Medical-Office)
Proposed Zoning: Tract 1-3: CG (General-Commercial)
Current Acreage: Tr 1: 1.96 ac, Tr 2: 3.11 ac, Tr 3: 1.72 ac
 Total Acreage: 6.79 ac
Location: NE corner of Stantonsburg Road and B's Barbeque Road
Points of Access: Stantonsburg Road and B's Barbeque Road



Location Map

Transportation Background Information

1.) Stantonsburg Road- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	4-lanes	4-lanes
Right of way width (ft)	250	250
Speed Limit (mph)	55	55
Current ADT:	30,171 (*)	Ultimate Design ADT: 35,000 vehicles/day (**)
Design ADT:	35,000 vehicles/day (**)	
Controlled Access	No	
Thoroughfare Plan Status:	Major Thoroughfare	
Other Information:	There are no sidewalks along Stantonsburg Road that service this property.	

Notes: (*) 2006 NCDOT count adjusted for a 2% annual growth rate
 (**) Traffic volume based an operating Level of Service D for existing geometric conditions
 ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No Planned Improvements.

2.) B's Barbeque Road- State maintained

	<u>Existing Street Section</u>	<u>Ultimate Thoroughfare Street Section</u>
Description/cross section	2-lanes	2-lanes
Right of way width (ft)	60	70
Speed Limit (mph)	45	45
Current ADT:	4,057 (*)	Ultimate Design ADT: 12,000 vehicles/day (**)
Design ADT:	12,000 vehicles/day (**)	
Controlled Access	No	
Thoroughfare Plan Status:	Minor Thoroughfare	
Other Information:	There are no sidewalks along B's Barbeque Road that service this property.	

Notes: (*) 2006 NCDOT count adjusted for a 2% annual growth rate
 (**) Traffic volume based an operating Level of Service D for existing geometric conditions
 ADT – Average Daily Traffic volume

Transportation Improvement Program Status: No Planned Improvements.

Trips generated by proposed use/change**Current Zoning: 303** -vehicle trips/day (*)**Proposed Zoning: 6,738** -vehicle trips/day (*)**Estimated Net Change: increase of 6,435 vehicle trips/day (assumes full-build out)**

(*) - These volumes are estimated and based on an average of the possible uses permitted by the current and proposed zoning.)

Impact on Existing Roads**The overall estimated trips presented above are distributed based on current traffic patterns. The estimated ADTs on Stantonsburg Road and B's Barbeque Road are as follows:**

- 1.) Stantonsburg Road, East of Site: "No build" ADT of 30,171**
- | | |
|---|-----------------------------|
| Estimated ADT with Proposed Zoning (full build) – | 34,214 |
| Estimated ADT with Current Zoning (full build) – | <u>30,353</u> |
| Net ADT change = | 3,861 (13% increase) |
- 2.) Stantonsburg Road, West of Site: "No build" ADT of 30,171**
- | | |
|---|--------------------------|
| Estimated ADT with Proposed Zoning (full build) – | 30,508 |
| Estimated ADT with Current Zoning (full build) – | <u>30,186</u> |
| Net ADT change = | 322 (1% increase) |
- 3.) B's Barbeque Road, North of Site: "No build" ADT of 4,057**
- | | |
|---|-----------------------------|
| Estimated ADT with Proposed Zoning (full build) – | 5,405 |
| Estimated ADT with Current Zoning (full build) – | <u>4,118</u> |
| Net ADT change = | 1,287 (31% increase) |
- 4.) B's Barbeque Road, South of Site: "No build" ADT of 4,057**
- | | |
|---|---------------------------|
| Estimated ADT with Proposed Zoning (full build) – | 5,068 |
| Estimated ADT with Current Zoning (full build) – | <u>4,102</u> |
| Net ADT change = | 965 (24% increase) |

Staff Findings/Recommendations

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 4,380 trips to and from the site on Stantonsburg Road, which is a net increase of 4,183 additional trips per day.

Based on possible uses permitted by the requested rezoning, the proposed rezoning classification could generate 2,358 trips to and from the site on B's Barbeque Road, which is a net increase of 2,252 additional trips per day.

During the review process, measures to mitigate the traffic will be determined. These measures may include turn lane modifications on B's Barbeque Road and may require traffic signal modifications at the signalized intersection of B's Barbeque Road and Stantonsburg Road.

Excerpt from the Planning and Zoning Commission meeting minutes of May 20, 2008

REQUEST BY WATERFORD COMMONS, LLC (Continued from April 15, 2008 meeting)

Rezoning ordinance requested by Waterford Commons, LLC for 6.79 acres located at the north-east corner of the intersection of B's Barbeque Road and Stantonsburg Road from MO (Medical-Office) to CG (General Commercial).

Seth Laughlin, Planner, gave the presentation. Mr. Laughlin delineated the area on the map. Mr. Laughlin stated the property was located in the western quadrant of the city. Mr. Laughlin stated the existing three tracts are zoned MO and are currently vacant. This rezoning could have a net increase of 5600 trips with approximately 65% of that traffic coming to and from the site on Stantonsburg Road and the remaining 35% coming from B's Barbecue Road. Mr. Laughlin stated B's Barbecue road is a Connector Corridor while Stantonsburg Road is considered a Gateway Corridor and there is a Community Focus Area. The intended land use map is to concentrate commercial development in the vicinity of the intersection and to the north. The zoning map shows MR to the east, MO to the north and south, with CG to the west. Mr. Laughlin stated in staff's opinion the request was in compliance with the comprehensive plan as well as the updated medical district plan.

Mr. Wilson asked if the current zoning ADT incorporated the projected traffic.

Mr. Laughlin stated the total numbers would be in addition to those numbers. Mr. Laughlin asked Mr. Darryl Vreeland, Transportation Planner, to address the question.

Mr. Vreeland stated the ADT was current count and any volume that could generate in the future was not incorporated in that total.

Mr. Wilson asked if in the future that vacant lot were built up, how the traffic would be handled.

Mr. Vreeland stated it would go through the transportation process and MPO process and it would be prioritized if it were a problem.

Mr. Bell stated there were 3 tracts being requested and asked why the fourth piece shown on the map was not included in the request.

Mr. Laughlin stated that lot was where the Extended Stay Motel was being constructed and it did not need to be rezoned; however they did obtain a special use permit from the Board of Adjustment.

Mr. Jim Walker spoke in favor of the request on behalf of the applicant.

No one spoke in opposition.

Motion was made by Mr. Gordon, seconded by Mr. Baker, to recommend approval of the proposed amendment, to advise that it is consistent with the comprehensive plan and other

applicable plans, and to adopt the staff report which addresses plan consistency and other matters. Motion carried unanimously.

EXISTING ZONING

MO (Medical-Office)

Permitted Uses

(1) General:

- a. Accessory use or building
- b. Internal service facilities
- c. On- premise signs per Article N
- f. Retail sales; incidental

(2) Residential:

- l. Group care facility
- n. Retirement center or home
- o. Nursing, convalescent center or maternity home; major care facility

(3) Home Occupations (see all categories):

*None

(4) Governmental:

- b. City of Greenville municipal government building or use (see also section 9-4-103)
- c. County or state government building or use not otherwise listed; excluding outside storage and major or minor repair
- d. Federal government building or use

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)

(6) Recreational/ Entertainment:

- f. Public park or recreational facility
- g. Private noncommercial park or recreational facility

(7) Office/ Financial/ Medical:

- a. Office; professional and business, not otherwise listed
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed

(8) Services:

- n. Auditorium
- r. Art gallery
- u. Art studio including art and supply sales
- ee. Hospital
- ii. Wellness center; indoor and outdoor facilities

(9) Repair:

* None

(10) Retail Trade:

- d. Pharmacy
- s. Book or card store, news stand
- w. Florist

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

* None

(12) Construction:

c. Construction office; temporary, including modular office (see also section 9-4-103)

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

(15) Other Activities (not otherwise listed - all categories):

* None

Special Uses MO (Medical-Office)

(1) General:

* None

(2) Residential:

i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile home

(3) Home Occupations (see all categories):

* None

(4) Governmental:

a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

s. Athletic club; indoor only

(7) Office/ Financial/ Medical:

* None

(8) Services:

a. Child day care facilities

b. Adult day care facilities

e. Barber or beauty shop

f. Manicure, pedicure or facial salon

j. College and other institutions of higher learning

l. Convention center; private

s. Hotel, motel bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor

or caretaker and section 9-4-103)

s.(1). Hotel, motel bed and breakfast inn; extended stay lodging (see also residential quarters for resident manager,

supervisor or caretaker and section 9-4-103)

hh. Exercise and weight loss studios; indoor only

ll.(1) Dry cleaning; household users, drop-off/pick-up station only [2,000 sq. ft. gross floor area limit per establishment]

jj. Health services not otherwise listed

(9) Repair:

* None

(10) Retail Trade:

- f. Office and school supply, equipment sales [5,000 sq. ft. gross floor area limit per establishment]
- h. Restaurant; conventional
- i. Restaurant; fast food [limited to multi-unit structures which contain not less than three separate uses]
- j. Restaurant; regulated outdoor activities
- k. Medical supply sales and rental of medically related products including uniforms and related accessories.
- t. Hobby or craft shop [5,000 sq. ft. gross floor area limit per establishment]

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

* None

(12) Construction:

* None

(13) Transportation:

* None

(14) Manufacturing/ Warehousing:

* None

(15) Other Activities (not otherwise listed - all categories):

* None

PROPOSED ZONING

CG (General Commercial)

Permitted Uses

(1) General:

- a. Accessory use or building
- b. Internal service facilities
- c. On- premise signs per Article N
- e. Temporary uses; of listed district uses
- f. Retail sales; incidental
- g. Incidental assembly of products sold at retail or wholesale as an accessory to principle use

*(2) Residential: * None*

(3) Home Occupations (see all categories):

*None

(4) Governmental:

- b. City of Greenville municipal government building or use. (See also section 9-4-103)
- c. County or state government building or use not otherwise listed; excluding outside storage and major or minor repair
- d. Federal government building or use
- g. Liquor store, state ABC

(5) Agricultural/ Mining:

- a. Farming; agriculture, horticulture, forestry (see also section 9-4-103)

(6) Recreational/ Entertainment:

- f. Public park or recreational facility

- h Commercial recreation; indoor only, not otherwise listed
- j. Bowling alleys
- n. Theater; movie or drama, indoor only
- q. Circus, carnival or fair, temporary only (see also section 9-4-103)
- s. Athletic Club; indoor only

(7) Office/ Financial/ Medical:

- a. Office; professional and business, not otherwise listed
- b. Operation/processing center
- d. Bank, savings and loan or other savings or investment institutions
- e. Medical, dental, ophthalmology or similar clinic, not otherwise listed
- g. Catalogue processing center

(8) Services:

- c. Funeral home
- e. Barber or beauty shop
- f. Manicure, pedicure, or facial salon
- o. Church or place of worship (see also section 9-4-103)
- q. Museum
- r. Art Gallery
- s. Hotel, motel, bed and breakfast inn; limited stay lodging (see also residential quarters for resident manager, supervisor or caretaker and section 9-4-103)
- u. Art studio including art and supply sales
- v. Photography studio including photo and supply sales
- y.(1) Television and/or radio broadcast facilities including receiving and transmission equipment and towers not exceeding 200 feet in height or cellular telephone and wireless communication towers not exceeding 200 feet in height (see also section 9-4-103)
- z. Printing or publishing service including graphic art, map, newspapers, magazines and books
- aa. Catering service including food preparation (see also restaurant; conventional and fast food)
- hh. Exercise and weight loss studio; indoor only
- kk. Launderette; household users
- ll. Dry cleaners; household users
- oo. Clothes alteration or shoe repair shop
- pp. Automobile wash

(9) Repair:

- g. Jewelry, watch, eyewear or other personal item repair

(10) Retail Trade:

- a. Miscellaneous retail sales; non-durable goods, not otherwise listed
- c. Grocery; food or beverage, off premise consumption (see also Wine Shop)
- c.1 Wine shop (see also section 9-4-103)
- d. Pharmacy
- e. Convenience store (see also gasoline sales)
- f. Office and school supply, equipment sales
- g. Fish market; excluding processing or packing
- h. Restaurant; conventional
- i. Restaurant; fast food
- k. Medical supply sales and rental of medically related products
- l. Electric; stereo, radio, computer, television, etc. sales and accessory repair
- m. Appliance; household use, sales and accessory repair, excluding outside storage
- p. Furniture and home furnishing sales not otherwise listed
- q. Floor covering, carpet and wall covering sales

- r. Antique sales; excluding vehicles
- s. Book or card store, news stand
- t. Hobby or craft shop
- u. Pet shop (see also animal boarding; outside facility)
- v. Video or music store; records, tape, compact disk, etc. sales
- w. Florist
- x. Sporting goods sales and rental shop
- y. Auto part sales (see also major and minor repair)
- aa. Pawnbroker
- bb. Lawn and garden supply and household implement sales and accessory sales
- ee. Christmas tree sales lot; temporary only (see also section 9-4-103)

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

- b. Rental of home furniture, appliances or electronics and medically related products (see also (10)k.)
- c. Rental of cloths and accessories; formal wear, etc.

(12) Construction:

- c. Construction office; temporary, including modular office (see also section 9-4-103)
- e. Building supply; lumber and materials sales, plumbing and/or electrical supply excluding outside storage
- f. Hardware store

(13) Transportation:

- c. Taxi or limousine service
- h. Parking lot or structure; principal use

(14) Manufacturing/ Warehousing:

* None

(15) Other Activities (not otherwise listed - all categories):

* None

CG (General Commercial)
Special Uses

(1) General:

* None

(2) Residential:

- i. Residential quarters for resident manager, supervisor or caretaker; excluding mobile home

(3) Home Occupations (see all categories):

* None

(4) Governmental:

- a. Public utility building or use

(5) Agricultural/ Mining:

* None

(6) Recreational/ Entertainment:

- d. Game center
- l. Billiard parlor or pool hall
- m. Public or private club
- t. Athletic club; indoor and outdoor facilities

(7) Office/ Financial/ Medical:

- c. Office; customer services, not otherwise listed, including accessory service delivery vehicle parking and indoor storage
- f. Veterinary clinic or animal hospital (see also animal boarding; outside facility, kennel and stable)

(8) Services:

- a. Child day care facilities
- b. Adult day care facilities
- l. Convention center; private

(9) Repair:

- a. Major repair; as an accessory or principal use
- b. Minor repair; as an accessory or principal use

(10) Retail Trade:

- b. Gasoline or automotive fuel sales; accessory or principal use, retail
- j. Restaurant; regulated outdoor activities
- n. Appliances; commercial use, sales and accessory repair, excluding outside storage

(11) Wholesale/ Rental/ Vehicle- Mobile Home Trade:

- d. Rental of automobiles, noncommercial trucks or trailers, recreational vehicles, motorcycles and boats
- f. Automobile, truck, recreational vehicle, motorcycle and boat sales and service (see also major and minor repair)

(12) Construction:

* None

(13) Transportation:

* None

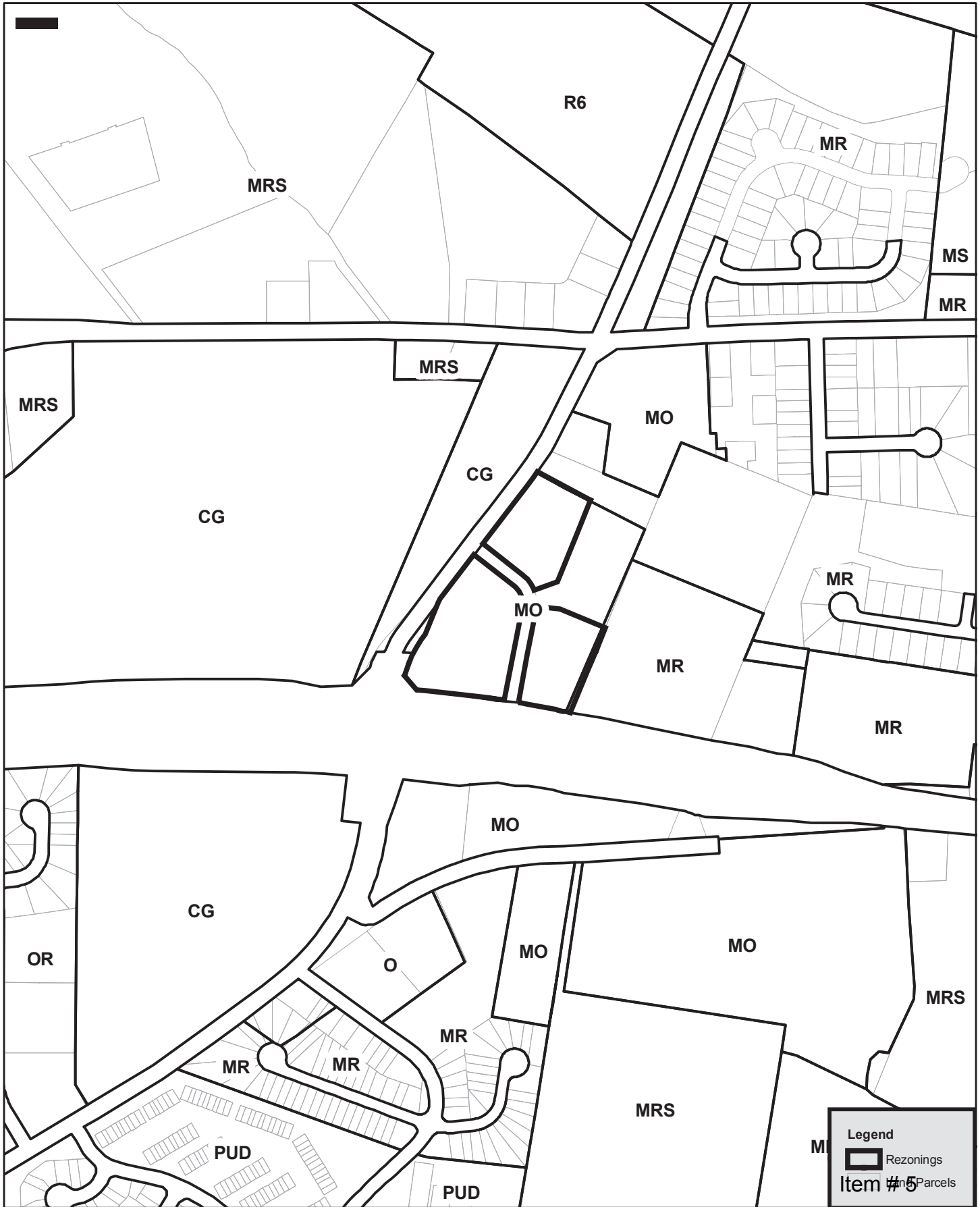
(14) Manufacturing/ Warehousing:

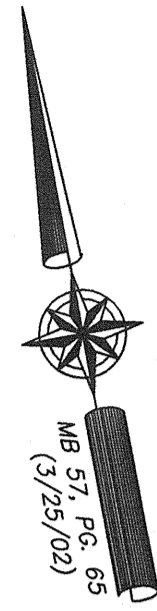
- k. Mini-storage warehouse, household; excluding outside storage

(15) Other Activities (not otherwise listed - all categories):

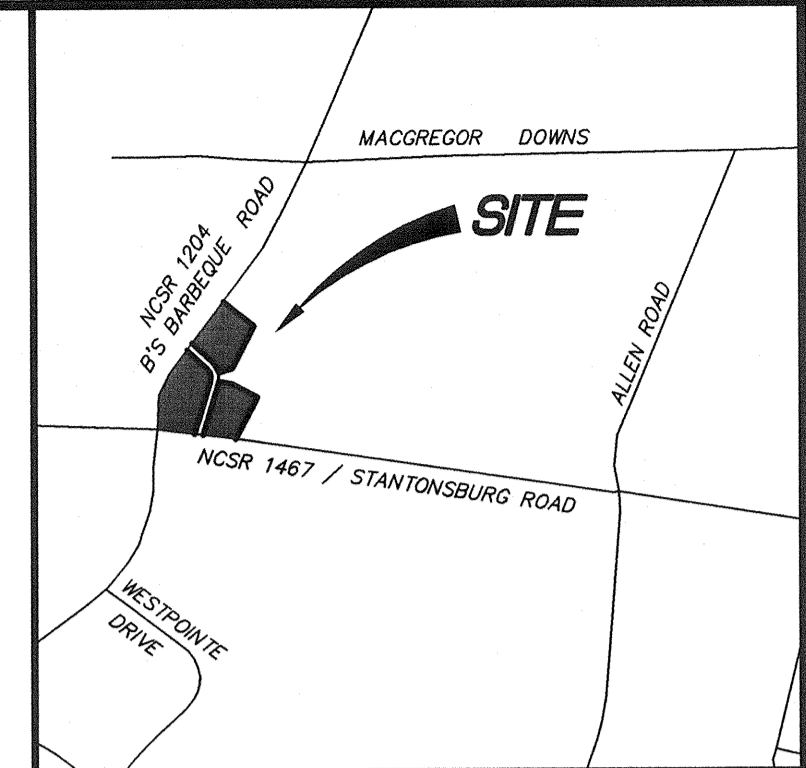
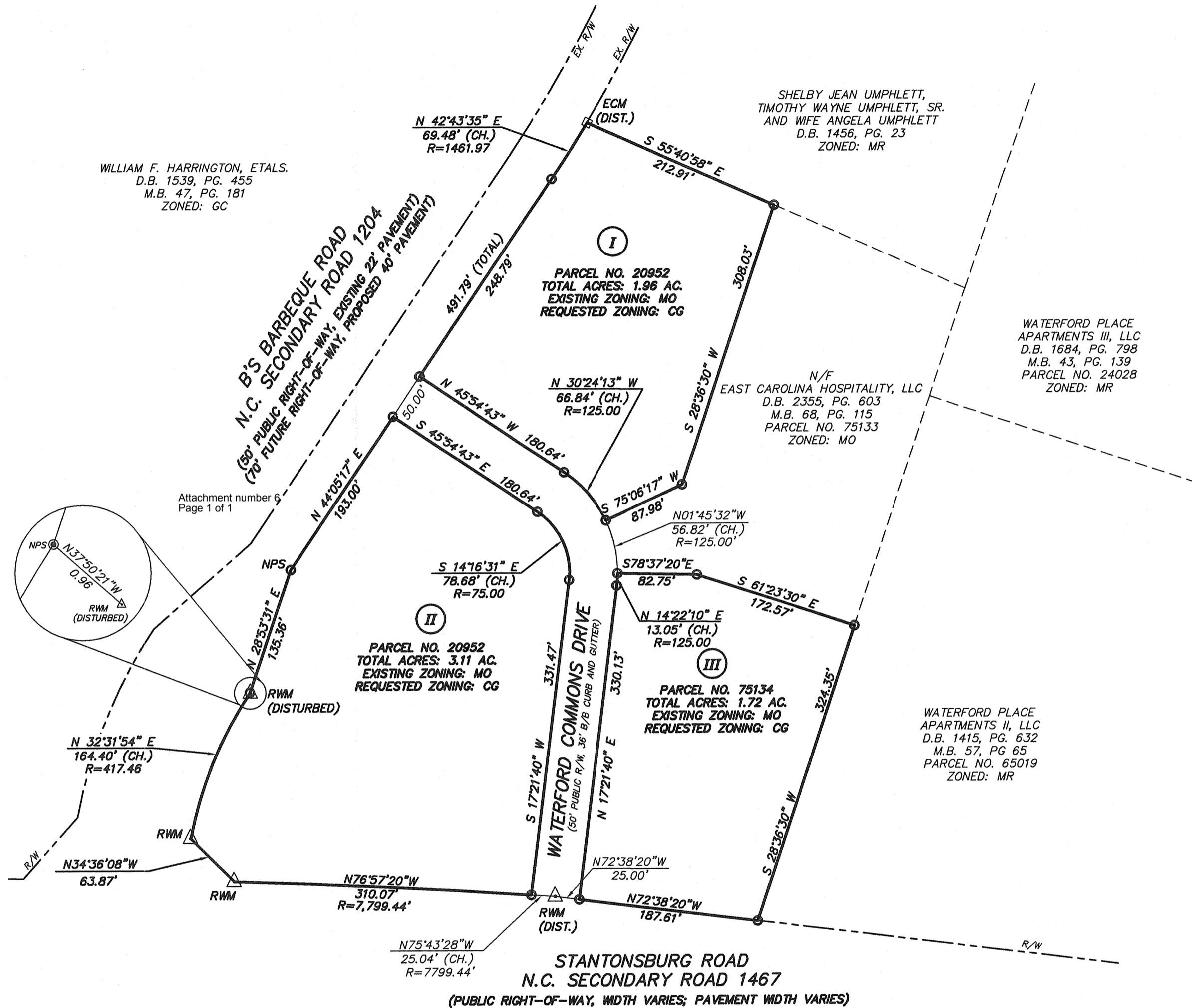
- a. Other activities; personal services not otherwise listed
- b. Other activities; professional activities not otherwise listed
- c. Other activities; commercial services not otherwise listed
- d. Other activities; retail sales not otherwise listed

Waterford Commons, LLC
MO to CG
6.76 Acres
April 4, 2008

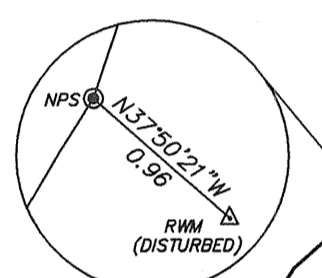




WILLIAM F. HARRINGTON, ETALS.
D.B. 1539, PG. 455
M.B. 47, PG. 181
ZONED: GC



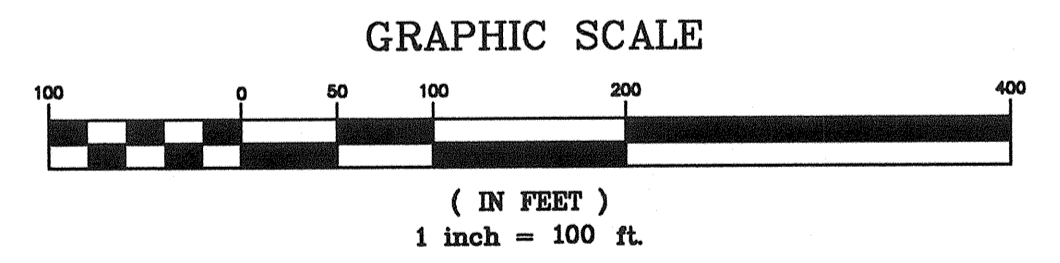
Location Map
SCALE: 1" = 1000'



LEGEND

○	EXISTING IRON PIPE
N/F	NOW OR FORMERLY
E.I.P.	EXISTING IRON PIPE
N.P.S.	NO POINT SET
PG.	PAGE
M.B.	MAP BOOK
B/B	BACK TO BACK
R/W	RIGHT OF WAY
R.W.M.	RIGHT OF WAY MONUMENT
DIST.	DISTURBED

SITE DATA:
TOTAL AREA: 6.79 ACRES

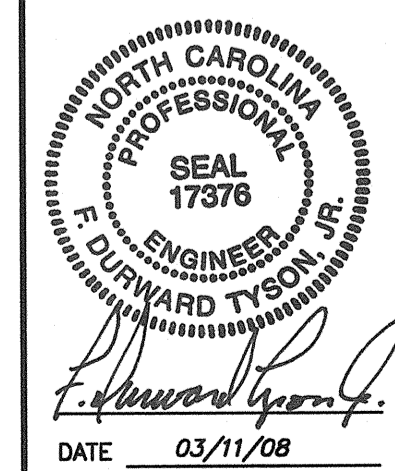


- NOTES :**
1. AREA DETERMINED BY COORDINATES
 2. NO POINT SET AT ANY CORNER UNLESS OTHERWISE NOTED.
 3. THIS MAP WAS PREPARED FOR REZONING PURPOSES ONLY AND IS NOT A BOUNDARY SURVEY OF THE PROPERTIES SHOWN HEREON.
 4. BOUNDARY INFORMATION TAKEN FROM REFERENCED INFORMATION SHOWN HEREON. THIS IS NOT INTENDED TO BE A BOUNDARY SURVEY OF THE PROPERTY SHOWN AND IS NOT TO BE USED FOR SALES OR CONVEYANCES.
 5. THIS MAP IS AN EXCEPTION TO THE DEFINITION OF A SUBDIVISION AND DOES NOT CONFORM TO G.S. 47-30.

REFERENCES :
DEED BOOK 2264, PG. 586
MAP BOOK 68, PG. 115
P/N: 20952 & 75134

OWNER :
WATERFORD COMMONS, LLC
P.O. BOX 566
GREENVILLE, NC 27835
(252) 752-7101

REVISIONS:
04/21/08 - REVISED REQUESTED ZONING



Rivers
& Associates, Inc.
Since 1918
107 East Second Street
Greenville, NC 27858 (252) 752-4135

6131 Falls of Neuse Road, Suite 300
Raleigh, NC 27609 (919) 848-3347

Engineers
Planners
Surveyors

REZONING MAP FOR
WATERFORD COMMONS, LLC
GREENVILLE, ARTHUR TOWNSHIP, PITT COUNTY, NORTH CAROLINA

SURVEY	DRAFT JSV	SCALE	DRAWING NO.	SHEET
DESIGN	CHECK PWH	1" = 100'	Z - 2460	1 OF 1



City of Greenville, North Carolina

Meeting Date: 6/12/2008
Time: 7:00 PM

Title of Item:

Ordinance requested by Jeremy Spengeman to amend the definition of “conventional restaurant”, for purposes of qualifying as a principal use restaurant under the zoning regulations, to reduce the minimum sales requirement of prepared and/or packaged foods, in a ready-to-consume state, during any month, from more than fifty (50) percent of total gross receipts in all cases to either (i) more than fifty (50) percent of total gross receipts or (ii) has monthly sales of prepared and/or packaged food in a ready-to-consume state in excess of thirty (30) percent of the total gross receipts for such establishment and such sales are not less than seventy-five thousand dollars (\$75,000.00) for such establishment for each quarter-year period of each year, and to include specific criteria for determining which sales can be attributed in the portion of sales of prepared and/or packaged food in a ready-to-consume state in the definitions for conventional restaurant and fast food restaurant

Explanation:

In determining the portion of sales that can be attributed to the sale of prepared and/or packaged food in a ready-to-consume state, the following sales shall be included: (i) food prepared in the establishment’s kitchen and served as a meal to be consumed on the premises or as a take-out order, (ii) packaged food sold to accompany the meal, and (iii) non-alcoholic beverages sold to accompany the meal. The following shall not be included in the portion of sales that can be attributed to the sales of prepared and/or packaged food in a ready-to-consume state: (i) mixed alcoholic beverages, including the mixer, (ii) any other alcoholic beverage, (iii) grocery items not ordered and purchased with meals, (iv) a membership, cover or other minimum charge for admittance or service during regular or special periods of operation, and (v) any other product, item, entertainment, service, or gratuity which is not specified as a sale to be included in the portion of sales that can be attributed to the sales of prepared and/or packaged food in a ready-to-consume state. For purposes of determining compliance, the zoning enforcement officer may utilize and rely upon any routine or special audit report prepared by a department, division of a department, or agency of the State of North Carolina.

This proposed "food sales percentage requirement" amendment only applies to the definition of “conventional restaurant” and does not affect or change the

definition of “fast food restaurant”. For an establishment to qualify as a fast food restaurant, such establishment will require sales of prepared and/or packaged foods, in a ready-to-consume state, in excess of fifty (50) percent of the total gross receipts for such establishment during any month.

Under the zoning regulations, the primary distinction between a “restaurant” and a “public or private club” is the minimum percentage of food sales to total sales requirement applicable to restaurants and the option of a “club” to require a membership, cover, or minimum charge for admittance or service during regular or special periods of operation.

The prohibition of charging a membership or admittance fee and the minimum percentage of food sales to total sales requirement for restaurants is included under subsections (1) and (2) of the City’s definition of restaurant (conventional and fast food). The proposed ordinance will not delete or modify subsection (1) – restaurants will not be permitted to charge a membership or admittance fee under any circumstances. Under the proposed ordinance, a public or private club may continue to charge a membership or admittance fee.

Zoning regulations typically regulate land use activities as either “principal use” or “accessory use”. A “principal use” is simply defined as “the primary purpose for which a building, structure or lot is designed, arranged or intended”. An “accessory use” is defined by its association with an on-site principal use, specifically by combination of several criteria including (i) dependent to, (ii) incidental and subordinate to, and (iii) customarily associated with, the principal use. When a second activity is located on a lot that already contains a principal use and the second activity does not qualify under the definition of “accessory use”, the second use is classified as an additional “principal use”. More than one principal use may be located on one lot. This dual-use scenario is allowed provided both principal uses are permitted in the applicable zoning district. Dual or greater multi-principal use is a common occurrence in planned centers, such as a traditional shopping center. Each principal use may have one or more associated accessory uses, provided the principal use and accessory uses comply with the definitions for each. On the other hand, an accessory use cannot be allowed as a matter-of-right absent a permitted principal use to which it is determined to be accessory.

The qualification of a principal use is therefore based on the determination of the “primary purpose” of the structure or lot. Absent specific standards, staff would rely on the following in addition to other considerations: the comparison of (i) the percentage of building floor area and/or lot area devoted to the various uses, (ii) the percentage of employees devoted to the various uses, and the percentage of customers for each, and (iii) the percentage of total revenue of the various uses in the case of a business establishment. For purposes of Greenville’s zoning regulations, the qualification criteria for both a “restaurant” and a “club” is further established by the definition for each use and includes a percentage of food sales to total sales standard – 50% in the case of a restaurant.

For purposes of alcoholic beverage control, the State currently qualifies as a restaurant any establishment that has revenue from food sales in excess of 30%

of total sales during any month. The State requirement at one time (mid-1990's) mirrored the current City standard; however, the percentage was lowered by the State to allow more locations to qualify for a mixed beverage license under the auspices of a restaurant. Prior to State adoption of the reduced requirement, establishments not meeting the 50% rule had to qualify as a "private membership club".

Staff is of the opinion that the State's current 30% ABC law has no direct relation to the establishment or qualification of a principal use under zoning and should not be utilized to determine the establishment of a "restaurant". The State has a complete system for regulating the sale and consumption of alcoholic beverages and, as a result, the City cannot further regulate alcohol sales. The City may, however, define a restaurant for the purpose of zoning regulation, and this local zoning authority does not override or conflict with the State's definition of restaurant for the sale of alcohol. The State's definition of restaurant and the City's definition and regulation of restaurant are independent in purpose and application.

In summary, under the City's zoning regulations, both "restaurant" and "public or private club" are clearly defined. A restaurant is an establishment in which the principal use is the sale and/or consumption of food – a 50% food sales requirement applies and a minimum admittance fee or cover charge is not allowed. A public or private club is an establishment in which the principal use is entertainment and which cannot qualify under the definition of restaurant.

Restaurants may sell alcoholic beverages; however, for purposes of qualification as a restaurant, the sale and consumption of alcoholic beverages is not considered a food product and does not count toward the 50% rule requirement. The State's alcohol control agency (ABC and ALE) is responsible for periodic inspection of licensed establishments for the purpose of monitoring compliance with the State's 30% rule and other matters. The City routinely requests and receives copies of the ALE inspection reports and utilizes such information in determining the use qualification of the licensed establishments.

Conventional restaurants, as currently defined, are allowed as a permitted and/or special use in the following zoning districts: MS, MO, MCG, MCH (medical), OR (office-residential), all five (5) commercial districts and all four (4) industrial districts. Public or private clubs, as currently defined, are allowed as a special use in the following zoning districts: CD, CDF, CG, and CH (commercial) only. If the minimum food sales standard is reduced from 50% to 30%, the establishments that are currently not qualified as a restaurant solely because of the 50% rule, but which can meet the 30% rule, will then become a permitted or special use option in ten (10) additional zoning districts. Such a change will facilitate the establishment of currently considered principal use public/private clubs, under the relaxed definition of restaurant, in a greater variety of locations, many heretofore not considered appropriate for such use. Specifically, the introduction of such (30% qualified) establishments in the medical districts, the CN (neighborhood commercial), O (office only district) and all industrial districts is not in keeping with the purpose and intent of those districts.

Due to the anticipated negative impact of this proposed change, staff is of the

opinion that the requested amendment is not in compliance with the comprehensive plan, and staff recommends denial of the request to amend the definition of “conventional restaurant”. Included below is a staff survey of several other NC cities concerning the regulation of restaurants and public/private clubs.

The following are current definitions from the Greenville zoning ordinance relative to restaurant, public or private club, principal use and accessory use.

“Principal use. The primary purpose for which a building structure or lot is designed, arranged or intended and for which it is or may be used under these regulations.”

“Accessory use. A use which meets the following conditions: (1) a use located on the same lot as the principal use, whether located in the same building, in an accessory building or as an accessory use of land; (2) is incidental to and subordinate to the principal use; (3) is dependent to the principal use; (4) is customarily associated with the principal use; and (5) will not create a nuisance or hazard to the principal use or area uses to a greater degree than that which can be expected by the principal use prior to creation of such accessory use.”

“Public or private club. An establishment of which the principal use is entertainment and which: (1) May be open to the general public; (2) May require a membership, cover, or minimum charge for admittance or service during regular or special periods of operation; (3) May provide live or recorded amplified music; (4) May provide a floor show; (5) May provide a dance area; (6) May offer a full service bar; (7) May offer food services; (8) May provide food attendant (waiter/waitress) table ordering and busboy services; and (9) Does not qualify under the definition of “restaurant, fast food” or “restaurant, conventional” as contained herein.”

“Restaurant, conventional. An eating establishment open to the general public which: (1) Does not require a membership, cover, or minimum charge for admittance or service during regular or special periods of operation; (2) Has sales of prepared and/or packaged foods, in a ready to consume state, in excess of fifty (50) percent of the total gross receipts for such establishment during any month; (3) May offer food in disposable containers; (4) Does provide sit down dining area(s); (5) Does provide table cleaning and clearing (busboy) services; (6) Does provide attendant (waiter/waitress) food delivery services, unless over the counter service is provided in accordance with section 9 below; (7) May offer carry-out and/or off-site delivery services; (8) Does not offer drive-in attendant services; (9) May exhibit one (1) but not both of the following operational functions or characteristics: (a) Drive thru service. (b) Over the counter service. For purposes of this section the term “over the counter service” shall include both customer ordering and the receipt of food, excepting beverages, condiments, utensils, etc., from a order/delivery station or counter remote to the on-site place of consumption; and (10) May have as an ancillary or accessory use a full service bar, live or recorded amplified music, floor show and dancing area which is open to the restaurant patrons and general public and is limited to the hours of operation of the principal use restaurant.”

“Restaurant, fast food. An eating establishment open to the general public which: (1) Does not require a membership, cover, or minimum charge for admittance or service during regular or special periods of operation; (2) Has sales of prepared and/or packaged foods, in a ready to consume state, in excess of fifty (50) percent of the total gross receipts for such establishment during any month; (3) Does not qualify as a conventional restaurant by definition; and (4) May have as an ancillary or accessory use a full service bar, live or recorded amplified music, floor show, and dancing area which is open to the restaurant patrons and general public and is limited to the hours of operation of the principal use restaurant. (5) The following is not considered a “restaurant, fast food” under this definition. (a) Ancillary or accessory food service for a permitted principal use where such food service is open to the general public such as an employee and/or patron cafeteria or eating area; (b) Temporary food service as part of permitted temporary uses such as carnivals, fairs, street fairs, circuses, athletic events, community events, concerts, nonprofit fund raising events, emergency shelters, and the like; or (c) Any establishment where the preparation of food is merely incidental to the sale of food such as a grocery store or food market and the like.”

“Restaurant; outdoor activities. A principal and/or accessory use area associated with or utilized in conjunction with a restaurant (conventional or fast food) which is intended for the temporary or permanent conduct of activities relative to the sale, transfer or enjoyment of products and/or services to persons located on the business premises and which is open and unenclosed on one (1) or more sides or which is without a complete roof structure. For purposes of this section all areas not constituting “mechanically conditioned area” as determined by the building inspector shall be considered open and unenclosed. Additionally, fences and/or wire or plastic mesh screens absent a functional window shall be considered open and unenclosed for purposes of this section.”

“Restaurant; regulated outdoor activities. Any “restaurant; outdoor activity”, as defined herein, which is located within three hundred (300) feet, as measured to the closest point, of any residential district, excepting CDF, which allows single-family dwellings as a permitted use.”

Survey of Nightclub & Restaurant Zoning Requirements -- survey conducted by Mike Dail, Zoning Administrator.

The term “nightclub” as used in this survey includes public or private club, bar, pub, etc.

Cary, NC

Percentage of food sales required to be considered a restaurant: 51% (taken from definition of nightclub/bar)

Can a restaurant charge an admittance or cover charge: Although not specified in the zoning regulations, a restaurant may occasionally charge a cover provided, however, if a restaurant operates as a nightclub, based on activity or frequency, the establishment would be considered a nightclub regardless of the food sales percentage.

Are nightclubs permitted uses or special uses: Nightclubs are a permitted use in some commercial zoning districts and special uses in other commercial districts.
Are there any additional specific requirements for nightclubs: If a nightclub has outdoor activities, it must be located at least 100 feet from any residential zoning district.

Chapel Hill, NC

Percentage of food sales required to be considered a restaurant: The zoning ordinance does not specify a minimum food sales percentage.

Can a restaurant charge an admittance or cover charge: Restaurants can charge a cover.

Are nightclubs permitted uses or special uses: No specific requirement for nightclubs – all nonresidential land uses are subject to either Planning Commission (site plan) approval or City Council special use permit approval, the approval method being dependent on the building size and/or amount of land disturbance and the land use intensity rating of the existing and proposed use; nonresidential developments that contain more than 20,000 sq. ft. of building floor area or involve more than 40,000 sq. ft. of land disturbance, and which involve a change in land use intensity require City Council special use permit approval.

Are there any additional specific requirements for nightclubs: No additional requirement

Fayetteville, NC

Percentage of food sales required to be considered a restaurant: The zoning ordinance does not specify a minimum food sales percentage.

Can a restaurant charge an admittance or cover charge: Restaurants can charge a cover.

Are nightclubs a permitted use or special use: Permitted use

Are there any additional specific requirements for nightclubs: Nightclubs cannot be located within 500 feet of a daycare or church.

Garner, NC

Percentage of food sales required to be considered a restaurant: 51% (specified in the zoning regulations)

Can a restaurant charge an admittance or cover charge: Although not specified in the zoning regulations, a restaurant may occasionally charge a cover provided, however, if a restaurant operates as a nightclub, based on activity or frequency, the establishment would be considered a nightclub regardless of the food sales percentage.

Are nightclubs a permitted use or special use: Nightclubs are a permitted use in some industrial zoning districts and special use in some commercial districts.

Are there any additional specific requirements for nightclubs: Nightclubs located in industrial districts (permitted use category) cannot be located within 500 feet of a residential use or residential zoning district.

Jacksonville, NC

Percentage of food sales required to be considered a restaurant: 30% (specified in the zoning regulations)

Can a restaurant charge an admittance or cover charge: Restaurants cannot

charge a cover.

Are nightclubs a permitted use or special use: Special use

Are there any specific requirements for nightclubs: No additional requirement

Kinston, NC

Percentage of food sales required to be considered a restaurant: The zoning ordinance does not specify a minimum food sales percentage.

Can a restaurant charge an admittance or cover charge: Restaurants cannot charge a cover.

Are nightclubs a permitted use or special use: Nightclubs are a permitted use in some commercial zoning districts and a special use in other commercial districts.

Are there any additional specific requirements for nightclubs: Nightclubs cannot be located within 300 feet of another nightclub.

Rocky Mount, NC

Percentage of food sales required to be considered a restaurant: The zoning ordinance does not specify a minimum food sales percentage.

Can a restaurant charge an admittance or cover charge: Restaurants cannot charge a cover.

Are nightclubs a permitted use or special use: Nightclubs are a permitted use in some commercial districts.

Are there any additional specific requirements for nightclubs: No additional requirement

Washington, NC

Percentage of food sales required to be considered a restaurant: 50% (specified in the zoning regulations)

Can a restaurant charge an admittance or cover charge: Restaurants cannot charge a cover.

Are nightclubs a permitted use or special use: Nightclubs are a special use in some commercial zoning districts.

Are there any additional specific requirements for nightclubs: Nightclubs cannot be located within 500 feet of another nightclub.

Wilmington, NC

Percentage of food sales required to be considered a restaurant: The zoning ordinance does not specify a minimum food sales percentage.

Can a restaurant charge an admittance or cover charge: Although not specified in the zoning regulations, a restaurant may occasionally charge a cover provided, however, if a restaurant operates as a nightclub, based on activity or frequency, the establishment would be considered a nightclub regardless of the food sales percentage.

Are nightclubs a permitted use or special use: Nightclubs are a permitted use in some commercial zoning districts and special uses in other commercial districts.

Are there any additional specific requirements for nightclubs: No additional requirement

Wilson, NC

Percentage of food sales required to be considered a restaurant: 30% (specified

in the zoning regulations)

Can a restaurant charge an admittance or cover charge: Restaurants cannot charge a cover.

Are nightclubs a permitted use or special use: Nightclubs are a special use in some commercial zoning districts.

Are there any additional specific requirements for nightclubs: Nightclubs cannot be located within 500 feet of a residence, church or public park.

Greenville, NC

Percentage of food sales required to be considered a restaurant: Greater than 50% (specified in the zoning regulations)

Can a restaurant charge an admittance or cover charge: Restaurants cannot charge a cover.

Are nightclubs a permitted uses or special uses: Nightclubs are a special use in some commercial zoning districts (CD, CDF, CG and CH only).

Are there any additional specific requirements for nightclubs: See Section 9-4-86(f) below:

“9-4-86(f) Public or private club.

(1)(a) A special use permit for a public or private club is subject to revocation in accordance with the provisions of this subsection (f)(1). Nothing herein shall prohibit or restrict the authority of the board of adjustment to rescind or revoke a special use permit for a public or private club in accordance with the provisions of section 9-4-83.

(b) An annual review shall be conducted by the director of community development or his authorized representative of a public or private club which has received a special use permit for the purpose of determining and ensuring compliance with applicable laws, codes, and ordinances including, but not limited to, noise regulations, litter control regulations, fire codes, building codes, nuisance and public safety regulations, and special use permit conditions of approval. The findings of the director of community development or his authorized representative as a result of this annual review shall be compiled in a written staff report.

(c) At a meeting of the board of adjustment, the director of community development or his authorized representative shall present to the board of adjustment the staff report of a public or private club for which the annual review includes a finding of one or more instances of non-compliance with applicable laws, codes, and ordinances including, but not limited to, noise regulations, litter control regulations, fire codes, building codes, nuisance and public safety regulations, and special use permit conditions of approval. The special use permit holder as specified under subsection (4) below shall be provided notice of the meeting and a copy of the staff report.

(d) Based on the staff report, the board of adjustment, by a majority vote, may either determine that a rehearing is not required for the special use permit or order a rehearing on the special use permit. An order for a rehearing shall be based upon a determination by the board of adjustment that either (i) the use of the property is inconsistent with the approved application, (ii) the use is not in

full compliance with all specific requirements set out in Title 9, Chapter 4 of the Greenville City Code, (iii) the use is not compliant with the specific criteria established for the issuance of a special use permit including conditions and specifications, health and safety, detriment to public welfare, existing uses detrimental, injury to properties or improvements, and nuisance or hazard, or (iv) the use is not compliant with any additional conditions of approval established by the board and set out in the order granting the permit. The rehearing shall be in the nature of, and in accordance with the requirements for a hearing upon a special use permit application. After the rehearing and in accordance with the provisions of section 9-4-81, the board of adjustment may grant a special use permit with conditions imposed pursuant to this subsection (f) and section 9-4-82 or deny the special use permit. The grant or denial of the special use permit by the board of adjustment after the rehearing shall constitute a revocation of the previously granted special use permit for a public or private club.

(e) The requirements and standards set forth in this subsection (f)(1) are in addition to other available remedies and nothing herein shall prohibit the enforcement of applicable codes, ordinances and regulations as provided by law.

(2) The owner(s) and operator(s) of a public or private club shall collect and properly dispose of all litter and debris generated by their establishment or patrons immediately following the closure of business or not later than 7:00 AM each morning following any period of operation. All litter or debris shall be collected from within the boundaries of the establishment, associated parking areas, adjacent sidewalks and public right-of-ways or other adjacent public property open to the public. In addition, the owner(s) and operator(s) of a public or private club shall comply with the provisions of Title 11, Chapter 9 of the City Code whether or not the establishment is a nightclub, bar or tavern.

(3) In addition to subsection (2) above, the board of adjustment may establish specific and reasonable litter and trash mitigation standards or requirements.

(4) The special use permit shall be issued to the property owner as listed on the tax records of the county. When the ownership of any property, which has a special use permit for a public or private club, is transferred to a new owner by sale or other means, the new owner shall sign and file with the office of the director of community development an acknowledgement of the rights, conditions and responsibilities of the special use permit prior to operation of the use under the permit. The acknowledgement shall be made on forms provided by the planning office.

(5) Any public or private club that has been issued a special use permit by the board of adjustment, that is subject to mandatory annual renewal, shall continue under the terms and conditions of the issued special use permit, until the expiration of said permit. All subsequent special use permit approvals for said location shall be subject to the specific criteria set forth under this subsection (f).”

OTHER:

To qualify as a restaurant, under the current State ABC laws, an establishment must have sales of prepared and/or packaged foods, in a ready-to-consume state, in excess of thirty (30) percent of the total gross receipts. For purposes of this rule, alcoholic beverages and blended non-alcohol mixers do not constitute “food”. This State ABC law is separate from any city/county zoning standard unless such standard is specifically adopted by the jurisdiction. Under Greenville’s zoning requirements, a restaurant must have sales of prepared and/or packaged foods, in a ready-to-consume state, in excess of fifty (50) percent of the total gross receipts for such establishment during any month.

State Alcohol Law Enforcement (ALE) officers routinely inspect and audit restaurant establishments for compliance with State ABC requirements (i.e. 30% rule) and other matters. The frequency of such inspection is determined by ALE. The City also may request ALE inspection of establishments and review audit results to determine compliance with local zoning requirements. When the City suspects that an establishment is not in compliance with the zoning regulation (50% rule), either as a result of staff observation of reoccurring nightclub type activity or neighborhood resident complaint of such activity, ALE has, at the request of the City, conducted an inspection at the next available opportunity and provided audit results to the City.

Restaurants that sell alcoholic beverages are subject to periodic ALE inspection, at a frequency determined by ALE, and the City may review the results of any audit to determine compliance with local zoning requirements.

Below are excerpts from the Alcoholic Beverage Control Commission (ABC) website concerning audits and record-keeping requirements (emphasis added):

The ABC Commission’s Audit Division through financial and inventory audits ensures that ABC permit holders comply with the ABC laws and rules. ABC permittees are required to maintain certain qualifications that are monitored through required reports and verified by routine visits to the business location. All ABC businesses are subject to being audited; however, those that possess mixed beverage permits receive the most scrutiny.

The ABC Commission rules require all mixed beverage permittees to maintain full and accurate monthly records of their finances and to submit reports on their financial and inventory on a schedule set by the Audit Division. In addition, the ABC statutes require businesses to meet certain criteria by definition. For example, Mixed Beverage Restaurants shall have gross receipts from food sales of not less than thirty percent (30%) of the business’s total gross receipts. Once the application requirements are met and a retail ABC permit is issued, an ABC auditor will visit the location to discuss the ABC regulations.

Restaurants, Hotels: Record Keeping

Monthly Records.

Restaurants, hotels and tour boats holding Mixed Beverages Permits shall maintain full and accurate monthly records of their finances, separately

indicating each of the following:

1. Amounts expended for the purchase of spirituous liquor from ABC stores and the quantity of spirituous liquor purchased;
2. Amounts collected from the sale of mixed beverages and, by brand and container size, the quantity of spirituous liquor sold;
3. If a guest room cabinet permittee, the amounts collected from the sale of liquor from guest room cabinets, and by container size, the quantity of liquor sold from cabinets;
4. The quantity of spirituous liquor, by brand and container size, that was not sold but is no longer on the premises due to stated reasons, such as breakage or theft;
5. If a restaurant, amounts collected from the sale of
 - A. Food and non-alcoholic beverages;
 - B. Items other than food and beverages of all kinds; and
 - C. Malt beverages, unfortified wine and fortified wine;
6. If a hotel, amounts collected from:
 - A. Furnishing lodging;
 - B. Sale of meals;
 - C. Sale of malt beverages, unfortified wine and fortified wine; and
 - D. All other sources.

Segregation of Records.

Records of purchases of spirituous liquor and sales of alcoholic beverages shall be filed separate and apart from all other records maintained on the premises.

Retention and Inspection of Records.

Records, including original invoices related to alcoholic beverages and mixed beverages, shall be maintained on the premises for three years and shall be open for inspection or audit.

Submission of Financial records.

A restaurant or hotel holding a Mixed Beverages Permit shall submit to the Commission for its review, on forms provided by the Commission, regular reports summarizing the information required to be maintained by this Rule. These reports shall be submitted on a schedule set by the Commission.

Fiscal Note:

No direct cost to the City.

Recommendation:

In staff's opinion, the request is not in compliance with Horizons: Greenville's Community Plan.

The Planning and Zoning Commission recommended denial of the ordinance amendment at their April 15, 2008 meeting.

If City Council determines to approve the amendment request, a motion to adopt the attached ordinance will accomplish this. The ordinance includes the statutorily required statement describing whether the action taken is consistent with the comprehensive plan and explaining why Council considers the action taken to be reasonable and in the public interest.

If City Council determines to deny the amendment request, in order to comply with this statutory requirement, it is recommended that the motion be as follows: Motion to deny the requested text amendment and to make a finding and determination that the denial of the text amendment request is consistent with the adopted comprehensive plan and that the denial of the text amendment request is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [Restaurant_definition_ordinance_applicant_substitute_747492](#)

 [Jeremy_Spengeman_minutes_3_18_08_751524](#)

ORDINANCE NO. 08-__
AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on June 12, 2008 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code; and

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the ordinance involving the text amendment is consistent with the adopted comprehensive plan and that the adoption of the ordinance involving the text amendment is reasonable and in the public interest due to its consistency with the comprehensive plan and, as a result, its furtherance of the goals and objectives of the comprehensive plan.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES HEREBY ORDAIN:

Section 1: That Title 9, Chapter 4, Article B, Section 9-4-22, of the City Code, is hereby amended to delete subsection “(2)” of the definition of “Restaurant, conventional” in its entirety and substitute the following subsection “(2)” as follows:

- “(2) Meets one (1) or more of the following criteria: (i) has monthly sales of prepared and/or packaged food in a ready to consume state in excess of fifty (50) percent of the total gross receipts for such establishment, or (ii) has monthly sales of prepared and/or packaged food in a ready to consume state in excess of thirty (30) percent of the total gross receipts for such establishment and such sales are not less than seventy-five thousand dollars (\$75,000.00) for such establishment for each quarter-year period of each year. For the purpose of this subsection (2), quarter-year periods shall be as follows: (i) January, February, and March, (ii) April, May, and June, (iii) July, August, and September, and (iv) October, November, and December. When a restaurant establishment is in operation for less than any quarter-year period, the minimum amount of the sales of prepared and/or packaged food requirement during that quarter-year period shall be reduced from seventy-five thousand dollars (\$75,000.00) so that it is directly proportional to the number of days of operation during that quarter-year period in comparison to the number of days during that quarter-year period. For purposes of this subsection (2), days of operation shall be the total number of days, including all weekdays, between and including the date of initial operation during that quarter-year period and the last date of that quarter-year period. In determining the portion of sales that can be attributed to the sale of prepared and/or packaged food in a ready to consume state, the following sales shall be included: (i) food prepared in the

establishment's kitchen and served as a meal to be consumed on the premises or as a take-out order, (ii) packaged food sold to accompany the meal, and (iii) non-alcoholic beverages sold to accompany the meal. The following shall not be included in the portion of sales that can be attributed to the sales of prepared and/or packaged food in a ready to consume state: (i) mixed alcoholic beverages, including the mixer, (ii) any other alcoholic beverage, (iii) grocery items not ordered and purchased with meals, (iv) a membership, cover or other minimum charge for admittance or service during regular or special periods of operation, and (v) any other product, item, entertainment, service, or gratuity which is not specified in this subsection (2) as a sale to be included in the portion of sales that can be attributed to the sales of prepared and/or packaged food in a ready to consume state. For purposes of determining compliance under this subsection (2), the zoning enforcement officer may utilize and rely upon any routine or special audit report prepared by a department, division of a department, or agency of the State of North Carolina.”

Section 2: That Title 9, Chapter 4, Article B, Section 9-4-22, of the City Code, is hereby amended to delete subsection “(2)” of the definition of “Restaurant, fast food” in its entirety and substitute the following subsection “(2)” as follows:

“(2) Has monthly sales of prepared and/or packaged food in a ready to consume state in excess of fifty (50) percent of the total gross receipts for such establishment. In determining the portion of sales that can be attributed to the sale of prepared and/or packaged food in a ready to consume state, the following sales shall be included: (i) food prepared in the establishment's kitchen and served as a meal to be consumed on the premises or as a take-out order, (ii) packaged food sold to accompany the meal, and (iii) non-alcoholic beverages sold to accompany the meal. The following shall not be included in the portion of sales that can be attributed to the sales of prepared and/or packaged food in a ready to consume state: (i) mixed alcoholic beverages, including the mixer, (ii) any other alcoholic beverage, (iii) grocery items not ordered and purchased with meals, (iv) a membership, cover or other minimum charge for admittance or service during regular or special periods of operation, and (v) any other product, item, entertainment, service, or gratuity which is not specified in this subsection (2) as a sale to be included in the portion of sales that can be attributed to the sales of prepared and/or packaged food in a ready to consume state. For purposes of determining compliance under this subsection (2), the zoning enforcement officer may utilize and rely upon any routine or special audit report prepared by a department, division of a department, or agency of the State of North Carolina.”

Section 3: That all ordinances and sections of ordinances in conflict with this ordinance are hereby repealed.

Section 4: That this ordinance shall become effective upon its adoption.

ADOPTED this 12th day of June, 2008.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

Excerpt from the Draft Planning and Zoning Commission meeting minutes (4/15/08)

REQUEST BY JEREMY SPENGE MAN (as amended by the applicant) – DENIED

Request by Jeremy Spengeman to amend the definition of “conventional restaurant”, for purposes of qualifying as a principal use restaurant under the zoning regulations, to reduce the minimum sales requirement of prepared and/or packaged foods, in a ready-to-consume state, during any month, from more than fifty (50) percent of total gross receipts in all cases to either (i) more than fifty (50) percent of total gross receipts or (ii) has monthly sales of prepared and/or packaged food in a ready to consume state in excess of thirty (30) percent of the total gross receipts for such establishment and such sales are not less than seventy-five thousand dollars (\$75,000.00) for such establishment for each quarter-year period of each year, and to include specific criteria for determining which sales can be attributed in the portion of sales of prepared and/or packaged food in a ready to consume state in the definitions for conventional restaurant and fast food restaurant.

Chairman Tozer stated that a public hearing was held in February for this request. Adjustments were requested and made. Another public hearing was held in March with additional adjustments requested. Chairman Tozer stated he did not believe there was a need to hold another public hearing. He gave the commission members an opportunity to ask Harry Hamilton any questions. No questions were asked. Chairman Tozer opened the discussion to the board. Mr. Ramey stated he felt it would be wrong to change the criteria given that the city and the people in the community were against it.

Motion was made by Mr. Baker to approve the proposed amendment, to advise that it is consistent with the comprehensive plan or other applicable plans, and to adopt the staff report which addresses plan consistency and other matters. Motion was seconded by Mr. Randall. Bell, Baker, Lehman and Randall voted in favor of the request. Gordon, Moyer, Wilson and Ramey voted in opposition to the request. Chairman Tozer cast the tiebreaker vote in opposition of the motion to approve the amendment. Motion to approve failed 5 to 4.

City Attorney Dave Holec asked for a reverse motion to deny the request.

Mr. Ramey made a motion to deny the proposed amendment, to advise that it is inconsistent with the comprehensive plan or other applicable plans, and to adopt the staff report which addresses plan consistency and other matters. Motion was seconded by Mr. Moyer. Gordon, Moyer, Wilson and Ramey voted in favor. Bell, Baker, Lehman and Randall voted in opposition. Chairman Tozer cast the tiebreaker vote in favor of the motion to deny the amendment. Motion to deny passed 5 to 4. The request is therefore recommended for denial.

[See the 3/18/08 Planning and Zoning Commission public hearing minutes – pg 2]

Excerpt from the Planning and Zoning Commission meeting minutes (3/18/08)

REQUEST BY JEREMY SPENGE MAN (as amended by applicant) - CONTINUED TO THE APRIL 15, 2008 MEETING

Request by Jeremy Spengeman to amend the definition of “conventional restaurant”, for purposes of qualifying as a principal use restaurant under the zoning regulations, to reduce the minimum sales requirement of prepared and/or packaged foods, in a ready-to-consume state, during any month, from more than fifty (50) percent of total gross receipts in all cases to either (i) more than fifty (50) percent of total gross receipts or (ii) more than thirty (30) percent of total gross receipts and such sales are not less than twenty thousand dollars (\$20,000.00), for such establishment for each month, and to include specific criteria for determining which sales can be attributed in the portion of sales of prepared and/or packaged food in a ready to consume state in the definitions for conventional restaurant and fast food restaurant.

This amendment was continued from the February Planning and Zoning meeting. Mr. Hamilton read the substitute amendments for consideration. Mr. Hamilton stated that staff had revised the ordinance and the ordinance amendment report to reflect those changes. Mr. Hamilton stated the following items could be used in determining the portion of sales to be attributed to the sale of foods in a ready-to-consume state: food prepared in the establishment’s kitchen and served as a meal to be consumed on the premises or as a take-out order, packaged foods sold to accompany the meal and non-alcoholic beverages sold to accompany the meal. Mixed alcoholic beverages, including the mixer, any other alcoholic beverages, grocery items not ordered and purchased with the meal, a membership cover or other charge for admittance, and any product, item, entertainment, service or gratuity are not to be included in the sales. Mr. Hamilton stated the \$20,000 food sales rule was based on an estimated average of food sales per month. Mr. Hamilton gave comparisons to other similar restaurants, noting that the \$20,000 food sales requirement was significantly lower than the food sales of Buffalo Wild Wings and Pirates Pub.

Mr. Randall asked how many seats were in Pirates Pub. Mr. Hamilton stated he did not know exactly how many seats it held; however, it was not as large as Dr. Unk’s.

Attorney Phil Dixon, representing the applicant, spoke on behalf of the request.

Mr. Dixon stated the applicant was one of several owners of Dr. Unk’s and Basil’s restaurants. Mr. Dixon stated that neither restaurant had ever had any ABC citations nor had Basil’s had any city citations. He stated that Dr. Unk’s had recently received a city citation and promptly paid the \$50 fine. Mr. Dixon stated that the other university cities in North Carolina have the 30% rule that they are proposing. Mr. Dixon clarified that the request was not for \$20,000/month, but for \$250,000/year, of food sales. Mr. Dixon stated that a number of restaurants in the area are not meeting the rule that have not been cited and felt they were being treated unfairly. Mr. Dixon stated that Dr. Unk’s was in the top 10 purchasers of Cisco Foods for the Greenville area. Mr. Dixon stated in order to stay in business, they could reduce the cost of alcoholic beverages to meet the 50% rule,

but felt that was the opposite of what the city wanted and would encourage people to drink more. Mr. Dixon stated he felt the request was reasonable.

Mr. Baker asked if any complaints had been reported on the restaurant.

Mr. Dixon stated they had not, other than the recent citation from the city regarding the 50% rule.

Mr. Baker asked if Mr. Dixon had met with the city staff since the last meeting.

Mr. Dixon stated he had not, yet he had requested information from Mr. Hamilton and it had been submitted to him.

Mr. Baker asked what percentage of food sales was achieved.

Mr. Spengeman as well as Mr. Hamilton stated it was just over 30%.

Mr. Hamilton stated the city had a formula and it was stated in the ordinance and the existing regulations were included in the report. In order to qualify as a restaurant you must have more than 50% of your total gross receipts from the sale of food. Mr. Hamilton stated that the city's ordinance included language directly from the ABC regulations. Mr. Hamilton also stated that all businesses that sell alcoholic beverages are required to maintain 3 full years of records on the premises and the ABC Commission can check this at any time.

Mr. Ramey asked if Mr. Hamilton considered the current ordinance adequate.

Mr. Hamilton stated he did. He stated that the city did not go out on a monthly basis and check to see if people are meeting the standards unless there was an operational complaint. A number of restaurants had been checked in the last two years and a significant number had applied for Special Use Permits because they were in zones that allowed public clubs. Mr. Hamilton stated the city had received a number of complaints that Dr. Unk's was charging an admission charge. He stated that the zoning for this restaurant does not allow for the Special Use Permit for the public/private club. Mr. Hamilton stated in staff's opinion this was a zoning issue and this area did not allow this type of use for this zoning. Mr. Hamilton stated the city recommends staying with the 51% rule.

Mr. Tozer asked Mr. Hamilton if he was comfortable with the way the amendment was worded.

Mr. Hamilton stated that the substitute amendment put in the \$20,000 exemption in order to monitor the food sales on a monthly basis.

Mr. Moyer stated he felt food sales would fluctuate during certain months due to the city being a university town, which may affect the monthly totals.

Mr. Hamilton stated the city would issue a warning prior to issuing a citation and that being out of compliance for 30 days was not the issue. He stated that Dr. Unk's had been out of the 50% threshold for some time.

Mr. Randall asked if excluding the office and medical districts would be appeasable.

Mr. Hamilton stated that would exclude the restaurants from those districts and would be counterproductive.

Jeremy Spengeman, applicant, spoke in favor of the request. Mr. Spengeman stated he wanted to be responsible and work with the city to resolve the problem and stay in business.

Mr. Wilson asked Mr. Spengeman if he was aware of what could happen when he opened the restaurant in a neighborhood zone.

Mr. Spengeman said he was not, and had he known, he would have contacted an attorney prior to purchasing the property.

Jean Winstead spoke in favor of the request.

Linda Vlahos, business partner to Jeremy Spengeman, spoke in favor of the request.

John Gresham spoke in opposition to the request.

Mr. Baker asked if there had been any complaints with the neighbors.

Mr. Gresham stated that they did have disruptions late at night.

Mrs. Basnight asked what time the restaurant closed.

Mr. Spengeman replied that they closed at 2 a.m.

Chris Mansfield, president of the Tar River University Neighborhood Association, spoke in opposition to the request.

Myron Casper spoke in opposition to the request.

Mr. Dixon spoke in favor in rebuttal. Mr. Dixon stated that the request was for 30% or food sales of \$250,000, not \$20,000/month and stated that the board should be voting on the \$250,000, not the \$20,000/month.

Mr. Wilson asked Mr. Dixon if the city records had been checked.

Mr. Dixon stated they had and no complaints were found.

Mr. Mansfield spoke in opposition in rebuttal.

Mr. Tozer closed the public hearing.

City Attorney Dave Holec stated the amendment was made at \$250,000/year and was translated by the staff to \$20,000/month in order to make it more enforceable. Mr. Holec stated that Mr. Hamilton did send the draft with the \$20,000 exemption to Mr. Dixon several weeks before the meeting and had not heard back from Mr. Dixon. Mr. Holec stated that the board could vote on the \$20,000/month or the \$250,000/year, depending on what the applicant wanted.

Mr. Ramey asked if he was correct in thinking that the board could not change what was presented.

Mr. Holec said that was correct and that is what they were trying to clarify.

Mr. Dixon stated either was acceptable to the applicant.

Mr. Bell asked if the discussion could be tabled.

Mr. Dixon stated he was in favor of tabling the discussion in order to get the wording right.

Mr. Ramey made a motion to carry the request forward for another month. Motion was seconded by Mr. Bell. Motion carried unanimously.

Excerpt from the Planning and Zoning Commission meeting minutes (2/19/08)

REQUEST BY JEREMY SPENGE MAN – CONTINUED TO THE MARCH 18, 2008 MEETING

Request by Jeremy Spengeman to amend the definition of “conventional restaurant” to reduce the minimum sales requirement of prepared and/or packaged foods, in a ready-to-consume state, during any month, from fifty (50) percent of total gross receipts to thirty (30) percent of total gross receipts, for purposes of qualifying as a principal use restaurant under the zoning regulations.



City of Greenville, North Carolina

Meeting Date: 6/12/2008
Time: 7:00 PM

Title of Item: Ordinance requested by the Community Development Department to amend the MCH (Medical Heavy Commercial) district table of uses to include a new use entitled "mini-storage warehouse, household; excluding outside storage" as a permitted use.

Explanation: The purpose of the amendment is to provide the "mini-storage warehouse, household; excluding outside storage" option in the Medical District yielding additional storage opportunities for current and future residents in accordance with the goals and objectives of the Medical District Plan and Comprehensive Plan.

Fiscal Note: No direct cost.

Recommendation: The Planning and Zoning Commission considered the amendment at their May 20, 2008 meeting and recommended approval. If City Council determines to approve the amendment request, a motion to adopt the attached amendment ordinance will accomplish this. The ordinance includes the statutorily required statement describing whether the action taken is consistent with the comprehensive plan and explaining why Council considers the action taken to be reasonable and in the public interest. If City Council determines to deny the amendment request, in order to comply with this statutory requirement, it is recommended that the motion be as follows: Motion to deny the request to amend the City Code and to make a finding and determination that the denial of the amendment request is consistent with the adopted comprehensive plan and that the denial of the amendment request is reasonable and in the public interest due to the denial being consistent with the comprehensive plan and, as a result, the denial furthers the goals and objectives of the comprehensive plan.

Staff recommends approval.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [Mini Storage in MCH Text Amendment Ordinance 761669](#)

 [Text Amendment Mini Storage in MCH 760993](#)

 [Text Amendment Minutes from May 20 2008 768018](#)

ORDINANCE NO. 08-__
AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville, North Carolina, in accordance with Article 19, Chapter 160A, of the General Statutes of North Carolina, caused a public notice to be given and published once a week for two successive weeks in The Daily Reflector setting forth that the City Council would, on June 12, 2008 at 7:00 p.m., in the City Council Chambers of City Hall in the City of Greenville, NC, conduct a public hearing on the adoption of an ordinance amending the City Code; and

WHEREAS, in accordance with the provisions of North Carolina General Statute 160A-383, the City Council does hereby find and determine that the adoption of the ordinance involving the text amendment is consistent with the adopted comprehensive plan and medical district plan and that the adoption of the ordinance involving the text amendment is reasonable and in the public interest due to its consistency with the comprehensive plan and medical district plan and, as a result, its furtherance of the goals and objectives of the comprehensive plan and medical district plan.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES HEREBY ORDAIN:

Section 1: That Title 9, Chapter 4, Article D, Section 9-4-78(f)(14)k., of the City Code, is hereby amended to include the use entitled “mini-storage warehouse, household; excluding outside storage” as a permitted use in the MCH (medical heavy commercial) district.

Section 2: That all ordinances and sections of ordinances in conflict with this ordinance are hereby repealed.

Section 3: That this ordinance shall become effective upon its adoption.

ADOPTED this 12th day of June, 2008.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

Doc# 761669

ORDINANCE AMENDMENT REPORT (Doc# 760993)

Staff Contact: Michael R. Dail, II, Planner

Date: May 9, 2008

Item: Request by Community Development Department to amend the MCH (medical heavy commercial) district table of uses to include the use entitled “mini-storage warehouse, household; excluding outside storage” as a permitted use.

Currently, the subject use is a permitted use in the CH (heavy commercial), IU (unoffensive industry), I (industry), PIU (planned unoffensive industry) and PI (planned industry) districts and a special use in the CG (general commercial) district.

Below is an excerpt from the current table of uses.

		(14) Manufacturing/Warehousing.																												
USE	LUC#	R A20	R 15S	R 9S	R 6S	R 6N	R 96	R 6A	R 6M	MI	MS	MO	MC	MR	MCH	MRS	OR	O	CD	CD	FC	GC	CN	CH	IU	I	PIU	PI		
i.	Moving and storage of nonhazardous materials; excluding outside storage	4													P															
j.	Moving and storage; including outside storage	5																								S	P	P	P	P
k.	Mini-storage warehouse, household; excluding outside storage	4																				S				P	P	P	P	P
l.	Warehouse or mini-storage warehouse, commercial or industrial; including outside storage	5																								S	P	P	P	P
m.	Warehouse; accessory to approved commercial or industrial uses within the district; excluding outside storage	4													S															

Subsection “k.” above is proposed to be rewritten to include “mini-storage warehouse, household; excluding outside storage” as a permitted use in the MCH district* as follows:

(14) Manufacturing/Warehousing.																											
USE	LUC#	R A20	R 15S	R 9S	R 6S	R 6N	RR 9	R 6A	R 6M	MI	MS	MO	MCG	MR	MCH	MRS	ORO	CD	CD	CF	CG	CN	CH	IU	PI	PI	
k. Mini-storage warehouse, household; excluding outside storage	4														P												

A similar use “moving and storage of nonhazardous materials; excluding outside storage” is a permitted use in the MCH zoning district. This use is more intensive than the proposed “mini-storage warehouse, household; excluding outside storage” use. A large moving and storage/warehouse facility is located within the Medical District along Stantonsburg Road and is classified as the more intensive use “moving and storage of nonhazardous materials; excluding outside storage”. Staff feels that the addition of “mini-storage warehouse, household; excluding outside storage” will not have an adverse effect on the Medical District since similar more intensive uses are already permitted and exist. Also there is an increasing need for this type of use in the Medical District as residential particularly multi-family residential uses increase. Residents of multi-family developments typically need additional storage thus the need for mini-storage will continue to increase as the Medical District’s population increases. It is preferred to have mini-storage in close proximity to multi-family developments in the Medical District to alleviate cross town trips to out of district existing mini-storage facilities.

Mini storage facilities are typically developed as new construction and have the following site characteristics: (i) 2 acres or larger in size, (ii) consist of multiple buildings which house multiple units in various sizes for the storage of household goods and are (iii) surrounded by a security fence with an automatic gate giving tenants 24 hour access to the facility.

It is staff’s opinion that the adoption of the ordinance involving the text amendment is consistent with the adopted comprehensive plan and medical district plan and that the adoption of the ordinance involving the text amendment is reasonable and in the public interest due to its consistency with the comprehensive plan and medical district plan and, as a result, its furtherance of the goals and objectives of the comprehensive plan and medical district plan.

Staff recommends approval of the amendment.

Excerpt from the Planning and Zoning Commission meeting minutes of May 20, 2008

REQUEST BY THE COMMUNITY DEVELOPMENT DEPARTMENT

Request by the Community Development Department to amend the MCH (medical heavy commercial) district table of uses to include the use entitled "mini-storage warehouse, household; excluding outside storage" as a permitted use.

Michael Dail, Planner, gave the presentation. Mr. Dail stated that currently, the subject use is a permitted use in the CH (heavy commercial), IU (unoffensive industry), I (industry), PIU (planned unoffensive industry) and PI (planned industry) districts and a special use in the CG (general commercial) district. A similar use "moving and storage of nonhazardous materials; excluding outside storage" is a permitted use in the MCH zoning district. This use is more intensive than the proposed "mini-storage warehouse, household; excluding outside storage" use. A large moving and storage/warehouse facility is located within the Medical District along Stantonsburg Road and is classified as the more intensive use "moving and storage of nonhazardous materials; excluding outside storage". Mr. Dail stated staff feels that the addition of "mini-storage warehouse, household; excluding outside storage" will not have an adverse effect on the Medical District since similar more intensive uses are already permitted and exist. Also there is an increasing need for this type of use in the Medical District as residential particularly multi-family residential uses increase. Residents of multi-family developments typically need additional storage thus the need for mini-storage will continue to increase as the Medical District's population increases. It is preferred to have mini-storage in close proximity to multi-family developments in the Medical District to alleviate cross town trips to out of district existing mini-storage facilities. Mini storage facilities are typically developed as new construction and have the following site characteristics: (i) 2 acres or larger in size, (ii) consist of multiple buildings which house multiple units in various sizes for the storage of household goods and are (iii) surrounded by a security fence with an automatic gate giving tenants 24 hour access to the facility. It is staff's opinion that the adoption of the ordinance involving the text amendment is consistent with the adopted comprehensive plan and medical district plan and that the adoption of the ordinance involving the text amendment is reasonable and in the public interest due to its consistency with the comprehensive plan and medical district plan and, as a result, its furtherance of the goals and objectives of the comprehensive plan and medical district plan.

No one spoke in favor or in opposition to the request.

Motion was made by Mr. Ramey, seconded by Mr. Randall, to recommend approval of the proposed amendment, to advise that it is consistent with the comprehensive plan and other applicable plans, and to adopt the staff report which addresses plan consistency and other matters. Motion passed unanimously.



City of Greenville, North Carolina

Meeting Date: 6/12/2008
Time: 7:00 PM

Title of Item: Ordinance to annex Craig F. Goess and Craig M. Goess property containing 5.5972 acres located at the northeast corner of the intersection of West Fire Tower Road and South Memorial Drive

Explanation: ANNEXATION PROFILE

A. SCHEDULE

1. Advertising date: June 2, 2008
2. City Council public hearing date: June 12, 2008
3. Effective date: June 30, 2008

B. CHARACTERISTICS

1. Relation to Primary City Limits: Contiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 5.5972 acres
4. Voting District: 5
5. Township: Winterville
6. Vision Area: E
7. Zoning District: CG (General Commercial)
8. Land Use: Existing: Vacant
Anticipated: 14,000 square feet of retail space

9. Population:

	Formula	Number of People
Total Current	-----	0
Estimated at full development	-----	0
Current Minority	-----	0
Estimated Minority at full development	-----	0
Current White	-----	0
Estimated White at full development	-----	0

10. Rural Fire Tax District: Winterville

11. Greenville Fire District: Station #5 (Distance of 1.9 miles)

12. Present Tax Value: \$2,157,957
Estimated Future Tax Value: \$3,697,957

Fiscal Note: Total estimated tax value at full development is \$3,697,957.

Recommendation: Approval of the ordinance to annex Craig F. Goess and Craig M. Goess property.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

[Survey](#)

[Annexation_Ord_Goess_and_Goess_June_08_767162](#)

ORDINANCE NO.
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council of the City of Greenville has been petitioned under G.S. 160A-31, as amended, to annex the area described herein; and

WHEREAS, the City Council has directed the City Clerk to investigate the sufficiency of said petition; and

WHEREAS, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at City Hall at 7:00 p.m. on the 12th day of June, 2008 after due notice by publication in The Daily Reflector on the 2nd day of June, 2008; and

WHEREAS, the City Council does hereby find as a fact that said petition meets the requirements of G. S. 160A-31, as amended.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES ORDAIN:

Section 1. That by virtue of the authority vested in the City Council of the City of Greenville, North Carolina, under G. S. 160A-31, as amended, the following described contiguous territory is annexed:

TO WIT: Being all that certain property as shown on the annexation map entitled "Craig F. Goess & Craig M. Goess" involving 5.5972 acres as prepared by Malpass and Associates.

LOCATION: Lying and being situated in Winterville Township, Pitt County, North Carolina, located at the northeastern corner of Fire Tower Road and Memorial Drive. This annexation involves 5.5972 acres.

GENERAL DESCRIPTION: Lying and being situated in Winterville Township, Pitt County, North Carolina and being more particularly described as follows:

Beginning at a point in the northern right of way of NCSR 1708 (Fire Tower Road) said point being located S 88-44-41 E – 250.63’ from the eastern right of way of NC Hwy 11 (Memorial Drive) thence from said point of beginning with the northern right of way of NCSR 1708 S 88-44-41 E – 79.39’, thence S 83-03-36 E – 100.53’, thence S 88-50-03 E – 104.94’, thence S 87-54-38 E – 600.17’, thence S 88-50-03 E – 125.00’, thence leaving the northern right of way of NCSR 1708 S 01-05-46 W – 66.05’ to the centerline of NCSR 1708, thence with the centerline of NCSR 1708 N 88-55-32 W – 1380.62’ to the centerline of NC Hwy 11, thence with the centerline of NC Hwy 11 N 01-40-00 W – 443.15’, thence leaving the centerline of NC Hwy N 88-20-00 E – 375.00’, thence S 01-40-00 E – 373.43’ to the point of beginning containing 5.5972 acres.

Section 2. Territory annexed to the City of Greenville by this ordinance shall, pursuant to the terms of G. S. 160A-23, be annexed into Greenville municipal election district five. The City Clerk, City Engineer, representatives of the Board of Elections and any other person having responsibility or charge of official maps or documents shall amend those maps or documents to reflect the annexation of this territory into municipal election district five.

Section 3. The territory annexed and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Greenville and shall be entitled to the same privileges and benefits as other territory now within the City of Greenville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 4. The Mayor of the City of Greenville, North Carolina, shall cause a copy of the map of the territory annexed by this ordinance and a certified copy of this ordinance to be recorded in the office of the Register of Deeds of Pitt County and in the Office of the Secretary of State in Raleigh, North Carolina. Such a map shall also be delivered to the Pitt County Board of Elections as required by G.S. 163-288.1.

Section 5. This annexation shall take effect from and after the 30th day of June, 2008.

ADOPTED this 12th day of June, 2008.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

NORTH CAROLINA
PITT COUNTY

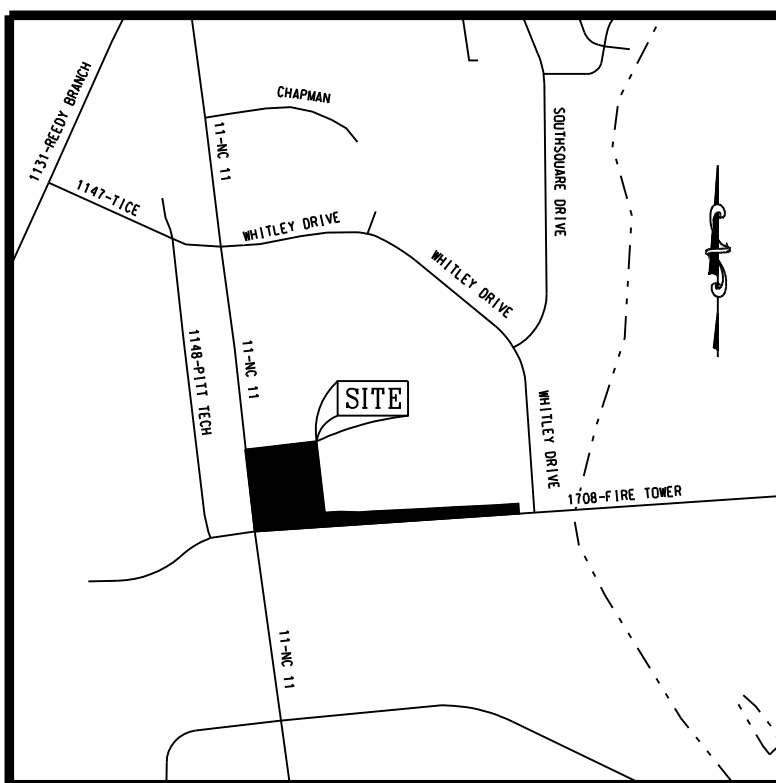
I, Patricia A. Sugg, Notary Public for said County and State, certify that Wanda T. Elks personally came before me this day and acknowledged that she is City Clerk of the City of Greenville, a municipality, and that by authority duly given and as the act of the municipality, the foregoing instrument was signed in its name by its Mayor, sealed with the corporate seal, and attested by herself as its City Clerk.

WITNESS my hand and official seal, this the _____ day of _____, 2008.

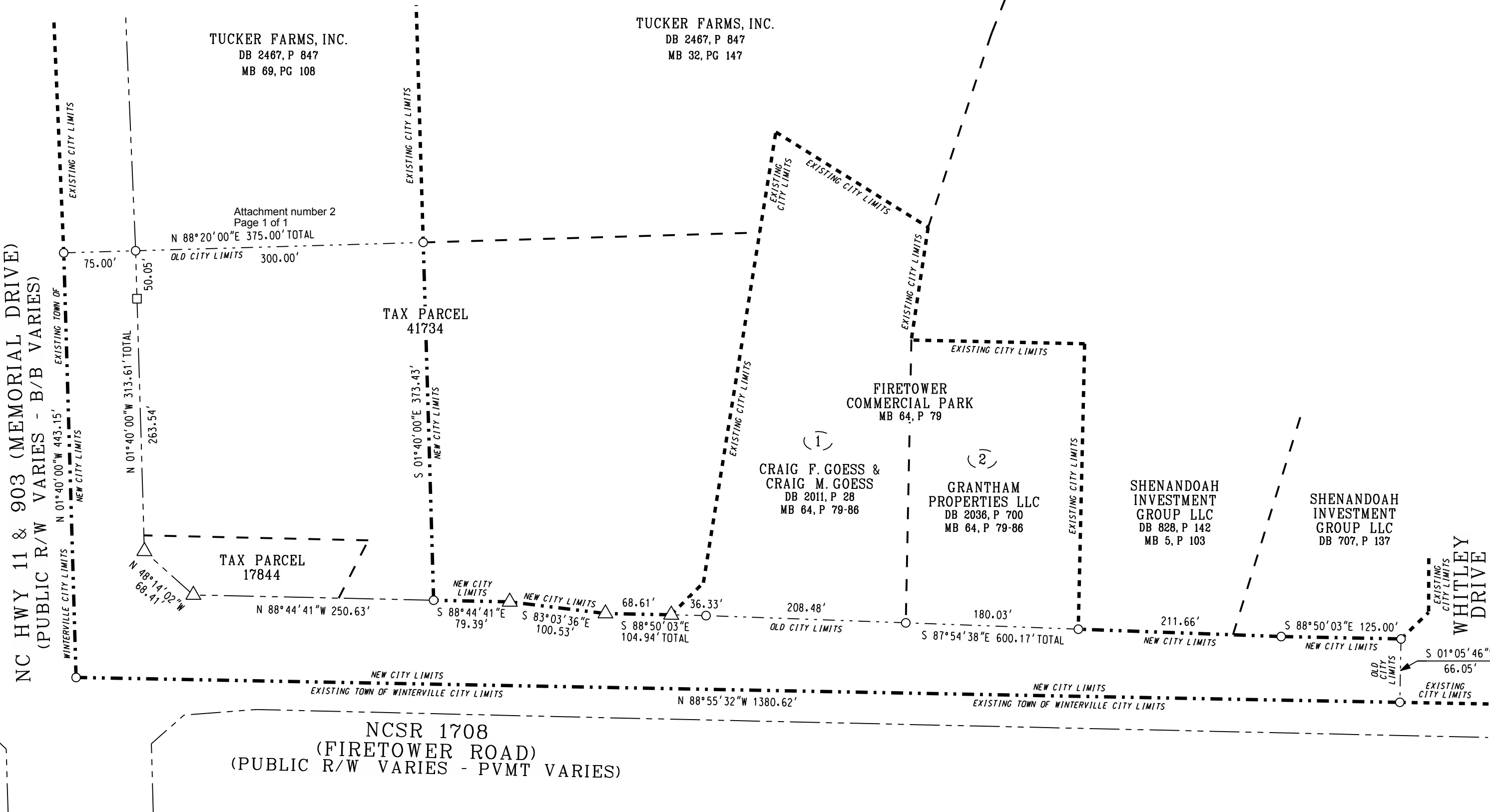
Patricia A. Sugg, Notary Public

My Commission Expires: September 4, 2011

Doc. # 767162



VICINITY MAP
1"=1000'



PARCEL NO. 17844 & A PORTION OF 41734
ANNEXATION MAP FOR
CRAIG F. GOESS & CRAIG M. GOESS
REFERENCE DEED BOOK 2132, PAGE 269 OF THE PITT COUNTY REGISTRY
WINTERVILLE TOWNSHIP PITT COUNTY NORTH CAROLINA

OWNER: CRAIG F. GOESS & CRAIG M. GOESS
ADDRESS: 3615 S. MEMORIAL DRIVE
GREENVILLE, NC 27858
PHONE: (252) 321-3000

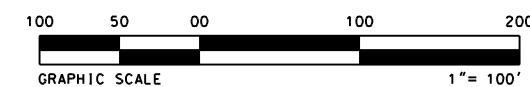
MALPASS & ASSOCIATES
1645 E. ARLINGTON BLVD., SUITE D
GREENVILLE, N.C. 27858
(252) 756-1780

SURVEYED:	CEP	APPROVED:	CEP
DRAWN:	JHT	DATE:	04/18/08
CHECKED:	CEP	SCALE:	1" = 100'

Item # 8

LEGEND

NEW CITY LIMIT = - - - - -
EXISTING CITY LIMIT = - - - - -
OLD CITY LIMIT = - - - - -



MAP NO.	PLATS RECORDED	BOOK	PAGE

MAP SHOWING AREA ANNEXED BY
THE CITY OF GREENVILLE, N.C.

DATE: _____; ORDINANCE NUMBER: _____; AREA: 5.5972 ACRES
WINTERVILLE TOWNSHIP, PITT COUNTY, NORTH CAROLINA

I, CARLTON E. PARKER, CERTIFY THAT THIS MAP WAS DRAWN BY ME OR UNDER MY SUPERVISION FROM AN ACTUAL SURVEY BY ME OR UNDER MY SUPERVISION, THAT THE RATIO OF PRECISION AS CALCULATED FROM LATITUDES AND DEPARTURES IS 1S 1:10,000+; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOK _____, PAGE _____; WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL

THIS _____ DAY OF _____ A.D., 2008.
CARLTON E. PARKER L-2980

NORTH CAROLINA, _____ PITT COUNTY I, _____, A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT CARLTON E. PARKER, A REGISTERED LAND SURVEYOR PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT. WITNESS MY HAND AND OFFICIAL STAMP OR SEAL.
THIS _____ DAY OF _____, 2008.

NOTARY PUBLIC _____
MY COMMISSION EXPIRES _____

NORTH CAROLINA, PITT COUNTY THE FOREGOING CERTIFICATE OF _____ NOTARY PUBLIC, IS CERTIFIED TO BE CORRECT. FILED FOR REGISTRATION THIS _____ DAY OF _____, 20____, AT _____ O'CLOCK, _____ M.
JUDY TART, REGISTER OF DEEDS
BY _____
DEPUTY REGISTER OF DEEDS



City of Greenville, North Carolina

Meeting Date: 6/12/2008
Time: 7:00 PM

Title of Item: Ordinance to annex State of North Carolina and POHL, LLC et al. property containing 12.6730 acres located at the southeast corner of the intersection of Northeast Greenville Boulevard and Old Creek Road

Explanation: ANNEXATION PROFILE

A. SCHEDULE

1. Advertising date: June 2, 2008
2. City Council public hearing date: June 12, 2008
3. Effective date: June 30, 2008

B. CHARACTERISTICS

1. Relation to Primary City Limits: Noncontiguous
2. Relation to Recognized Industrial Area: Outside
3. Acreage: 12.6730 acres
4. Voting District: 1
5. Township: Pactolus
6. Vision Area: B
7. Zoning District: CH (Heavy Commercial)
8. Land Use: Existing: Vacant
Anticipated: State government office complex

9. Population:

	Formula	Number of People
Total Current	-----	0
Estimated at full development	-----	0
Current Minority	-----	0
Estimated Minority at full development	-----	0
Current White	-----	0
Estimated White at full development	-----	0

10. Rural Fire Tax District: Staton House

11. Greenville Fire District: Station #4 (Distance of 1.8 miles)

12. Present Tax Value: \$259,278
 Estimated Future Tax Value: \$259,278 ****(Tax Exempt)****

Fiscal Note:

Total estimated tax value at full development is \$259,278, as government property is exempt from ad valorem taxation.

Recommendation:

Approval of the ordinance to annex State of North Carolina and POHL, LLC et. al. property.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

[Survey](#)

[Annexation Ord POHL LLC and State of NC June 08 767176](#)

ORDINANCE NO. 08-
AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF
THE CITY OF GREENVILLE, NORTH CAROLINA

WHEREAS, the City Council has been petitioned under G.S. 160A-58.1, as amended, to annex the area described herein; and

WHEREAS, the City Council has directed the City Clerk to investigate the sufficiency of said petition; and

WHEREAS, the City Clerk has certified the sufficiency of said petition and a public hearing on the question of this annexation was held at City Hall at 7:00 p.m. on the 12th day of June, 2008, after due notice by publication in The Daily Reflector on the 2nd day of June, 2008; and

WHEREAS, the City Council further finds that the area described therein meets the standards of G.S. 160A-58.1(b), to wit:

- a. The nearest point on the proposed satellite corporate limits is not more than three miles from the corporate limits of the City of Greenville.
- b. No point on the proposed satellite corporate limits is closer to another city than to the City of Greenville.
- c. The area described is so situated that the City of Greenville will be able to provide the same services within the proposed satellite corporate limits that it provides within the primary corporate limits.
- d. No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation.

WHEREAS, the City Council does hereby find as a fact that said petition has been signed by all the owners of real property in the area who are required by law to sign and meets all other requirements of G.S. 160A-58.1, as amended; and

WHEREAS, the City Council further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City of Greenville and of the area proposed for annexation will be best served by annexing the area described herein;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA DOES ORDAIN:

Document Number: 767176

Section 1. By virtue of the authority granted by G.S. 160A-58.2, as amended, the following described noncontiguous territory is hereby annexed and made part of the City of Greenville:

TO WIT: Being all that certain property as shown on the annexation map entitled "State of North Carolina and POHL, LLC et al" involving 12.6730 acres as prepared by Malpass and Associates.

LOCATION: Lying and being situated in Pactolus Township, Pitt County, North Carolina, located at the northeastern corner of Martin Luther King, Jr. Highway and Old Creek Road. This annexation involves 12.6730 acres.

GENERAL DESCRIPTION: Lying and being situated in Pactolus Township, Pitt County, North Carolina and being more particularly described as follows:

Beginning at the intersection of the eastern right of way of US Hwy 264 By-Pass (Martin Luther King, Jr. Highway) and the southern right of way of NCSR 1529 (Old Creek Road), thence from said point of beginning with the southern right of way of NCSR 1529 N 16-34-48 E – 88.30', thence N 16-33-30 E – 35.90', thence N 31-10-54 E – 156.16', thence N 68-40-48 E – 106.95', thence N 61-10-36 E – 100.00', thence N 53-37-36 E – 44.48', thence leaving the southern right of way of NCSR 1529 S 36-22-24 E – 5.00', thence S 48-20-42 W – 71.54' to the eastern right of way of North Creek Drive, thence with the eastern right of way of North Creek Drive S 28-49-24 E – 15.15', thence 80.29' along the arc of a curve said curve being to the left having a radius of 975.00' and a chord bearing S 31-10-57 E – 80.27', thence S 33-32-30 E – 474.24', thence 196.71' along the arc of a curve said curve being to the left having a radius of 475.00' and a chord bearing S 45-29-30 E – 196.71', thence S 57-26-30 E – 629.77', thence 243.74' along the arc of a curve said curve being to the right having a radius of 55.00' and a chord bearing S 69-30-52 W – 87.90' to the western right of way of North Creek Drive, thence with the western right of way of North Creek Drive 36.12' along the arc of a curve said curve being to the left having a radius of 28.00' and a chord bearing N 20-29-08 W – 33.67', thence N 57-26-30 W – 48.94' to the southern line of the State of North Carolina property as

recorded in deed book 1854, page 728, thence leaving the western right of way of North Creek Drive with the southern line of the State of North Carolina property S 22-50-00 W – 324.66’ to the eastern line of the BKJ Capital, LLC property as recorded in deed book 981, page 26, thence with the eastern line of the BKJ Capital, LLC property N 57-26-30 W – 833.49’ to the eastern right of way of US Hwy 264 By-Pass (Martin Luther King, Jr. Highway), thence with the eastern right of way of US Hwy 264 By-Pass (Martin Luther King, Jr. Highway) N 33-32-30 W – 555.55’ to the point of beginning containing 12.6730 acres.

Section 2. The territory annexed to the City of Greenville by this ordinance shall, pursuant to the terms of G.S. 160A-23, be annexed into Greenville municipal election district one. The City Clerk, City Engineer, representatives of the Board of Elections and any other person having responsibility or charge of official maps or documents shall amend those maps or documents to reflect the annexation of this territory into municipal election district one.

Section 3. The territory annexed and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Greenville and shall be entitled to the same privileges and benefits as other parts of the City of Greenville. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

Section 4. That the Mayor of the City of Greenville, North Carolina, shall cause a copy of the map of the territory annexed by this ordinance and a certified copy of this ordinance to be recorded in the office of the Register of Deeds of Pitt County and in the Office of the Secretary of State in Raleigh, North Carolina. Such a map shall also be delivered to the Pitt County Board of Elections as required by G.S. 163-288.1.

Section 5. This annexation shall take effect from and after the 30th day of June, 2008.

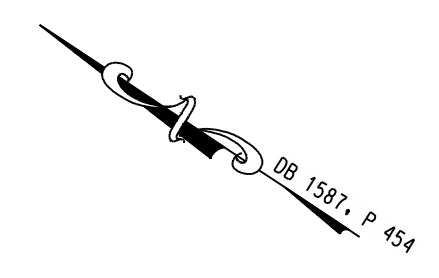
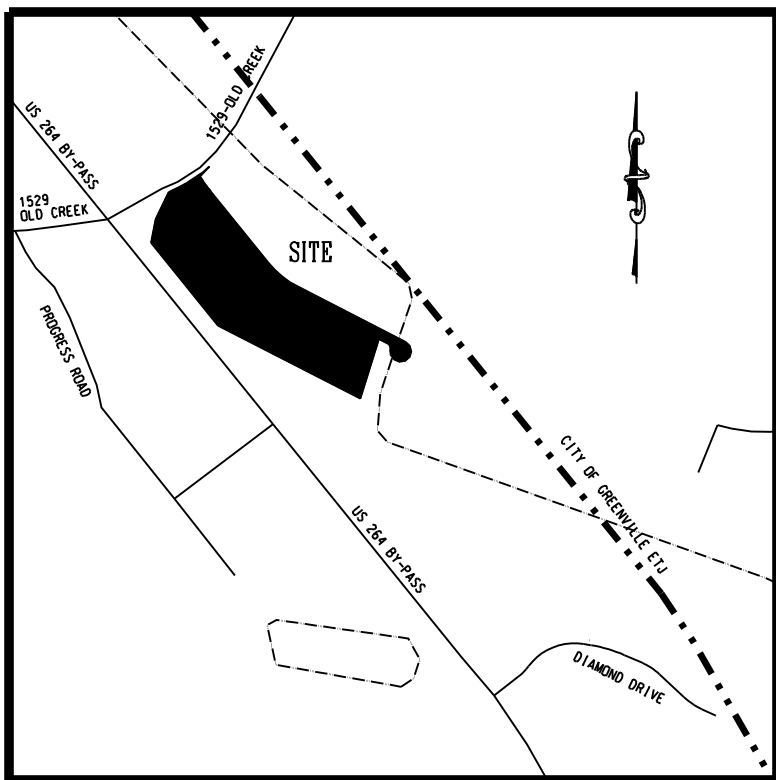
ADOPTED this 12th day of June, 2008.

Patricia C. Dunn, Mayor

ATTEST:

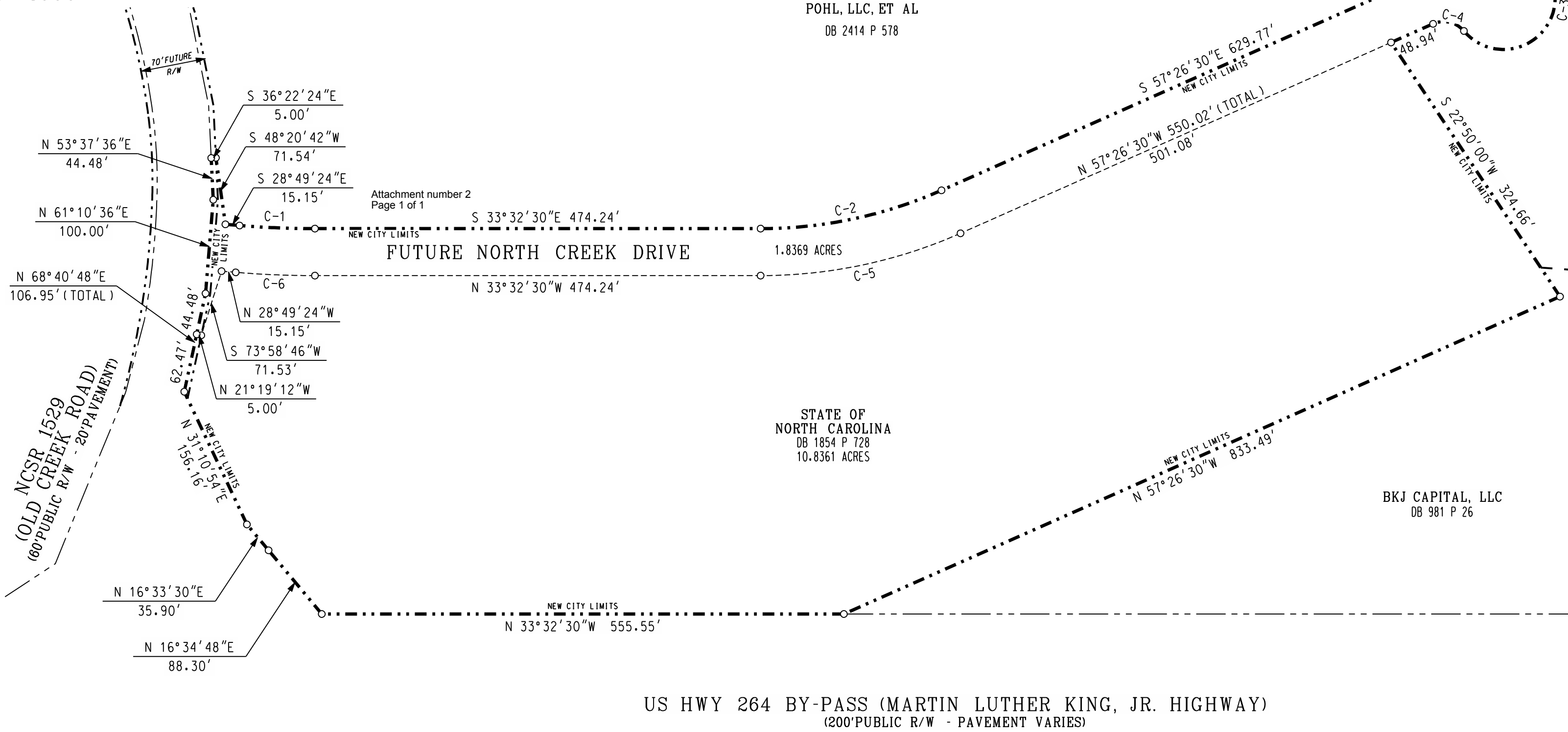
Wanda T. Elks, City Clerk

Document Number: 767176



VICINITY MAP

1"=2000'



POHL, LLC, ET AL
DB 2414 P 578

POHL, LLC, ET AL
DB 2414 P 578

STATE OF
NORTH CAROLINA
DB 1854 P 728
10.8361 ACRES

BKJ CAPITAL, LLC
DB 981 P 26

US HWY 264 BY-PASS (MARTIN LUTHER KING, JR. HIGHWAY)
(200' PUBLIC R/W - PAVEMENT VARIES)

PARCEL NO. 69696 & A PORTION OF 02262

ANNEXATION MAP FOR

STATE OF NORTH CAROLINA AND POHL, LLC, ET AL

BEING ALL OF THE PROPERTY RECORDED IN DEED BOOK 1854, PAGE 728 AND A PORTION OF THE PROPERTY RECORDED IN DEED BOOK 2414, PAGE 578 OF THE PITT COUNTY REGISTRY

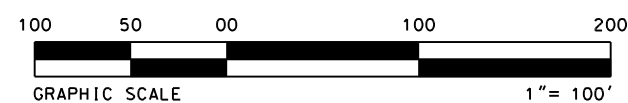
PACTOLUS TOWNSHIP PITT COUNTY NORTH CAROLINA

OWNER: POHL, LLC, ET AL
c/o MR. HARVEY LEWIS
ADDRESS: 226 VERNON WHITE ROAD
WINTERVILLE, NC 28590
PHONE: (252) 714-0207

STATE OF NC
1321 MAIL SERVICE CENTER
RALEIGH, NC 27699

MALPASS & ASSOCIATES
1645 E. ARLINGTON BLVD., SUITE D
GREENVILLE, N.C. 27858
(252) 756-1780

SURVEYED: CEP APPROVED: CEP
DRAWN: KCW DATE: 10/19/06
CHECKED: CEP SCALE: 1"=100'



LEGEND

NEW CITY LIMIT = - - - - -
EXISTING CITY LIMIT = - - - - -
OLD CITY LIMIT = - - - - -

CURVE DATA				
CURVE	RADIUS	ARC LENGTH	CHORD	CHORD BEARING
C-1	975.00'	80.29'	80.27'	S 31°10'57"E
C-2	475.00'	198.14'	196.71'	S 45°29'30"E
C-3	55.00'	243.74'	87.90'	S 69°30'52"W
C-4	28.00'	36.12'	33.67'	N 20°29'08"W
C-5	525.00'	219.00'	217.41'	N 45°29'30"W
C-6	1,025.00'	84.41'	84.39'	N 31°10'57"W

MAP NO.	PLATS RECORDED	BOOK	PAGE

MAP SHOWING AREA ANNEXED BY THE CITY OF GREENVILLE, N.C.

DATE: _____; ORDINANCE NUMBER: _____; AREA: 12.6730 ACRES
PACTOLUS TOWNSHIP, PITT COUNTY, NORTH CAROLINA

I, CARLTON E. PARKER, CERTIFY THAT THIS MAP WAS DRAWN BY ME OR UNDER MY SUPERVISION FROM AN ACTUAL SURVEY BY ME OR UNDER MY SUPERVISION, THAT THE RATIO OF PRECISION AS CALCULATED FROM LATITUDES AND DEPARTURES IS 1:10,000+; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOK _____, PAGE _____; WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL

THIS _____ DAY OF _____ A.D., 2008.
CARLTON E. PARKER L-2980

NORTH CAROLINA, _____ PITT COUNTY I, _____ WILLIAM K. MALPASS _____, A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID, CERTIFY THAT _____ A REGISTERED LAND SURVEYOR PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT. WITNESS MY HAND AND OFFICIAL STAMP OR SEAL. THIS _____ DAY OF _____, 2008.

NOTARY PUBLIC _____ MY COMMISSION EXPIRES _____
NORTH CAROLINA, PITT COUNTY THE FOREGOING CERTIFICATE OF _____ NOTARY PUBLIC, IS CERTIFIED TO BE CORRECT. FILED FOR REGISTRATION THIS _____ DAY OF _____, 2008, AT _____ O'CLOCK, _____ M.
JUDY TART, REGISTER OF DEEDS
BY _____ REGISTER OF DEEDS



City of Greenville, North Carolina

Meeting Date: 6/12/2008
Time: 7:00 PM

Title of Item: Resolutions authorizing the filing of two grant applications for federal transportation assistance on behalf of the Greenville Area Transit (GREAT) System

Explanation: Attached for City Council consideration are grant applications for federal funds designated for the City of Greenville to assist GREAT with 1) routine capital and operating expenses in FY 2008-2009 and 2) a federal "Bus and Bus Facilities" earmark to be used for the purchase of expansion buses and/or the Intermodal Transportation Center project. Also attached are two resolutions authorizing the City to file the two grant applications.

The first grant application is for Section 5307 funds which are available to urban areas with populations of 50,000-200,000 to assist with small capital and operating expenses associated with operating a bus system. The grant funds are used to reimburse the City for one-half the operating deficit and eighty percent of capital expenditures. Staff recommends requesting the total federal amount allocated for Greenville, \$1,047,038. The City's match for this grant is estimated at \$246,500 and is included in the FY 2008-2009 budget.

The second grant application is for Section 5309 capital funds which are used for larger capital expenses associated with expansion of services. This application is for the federal amount earmarked for the City of Greenville, \$678,433. This federal earmark for "Bus and Bus Facilities" is designated for the purchase of expansion buses and/or the Intermodal (Bus) Transportation Center project. These funds are matched with a 10% state match of \$84,804 and a 10% local (City) match of \$84,804.

Fiscal Note: The City's local matching funds for the grant application for Section 5307 are included in the FY 2008-2009 budget. The funds for the grant application for Section 5309 are included in the FY 2009-2010 budget.

Recommendation: City Council conduct a public hearing to receive comment on the proposed grant applications and approve the resolutions authorizing the City to file the grant applications.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [Transit Grant Applications and Resolutions](#)

AUTHORIZING RESOLUTION

RESOLUTION NO.

Section 5307

Resolution authorizing the filing of an application with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for federal transportation assistance authorized by 49 U.S.C. Chapter 53, Title 23 United States Code, and other Federal statutes administered by the Federal Transit Administration.

WHEREAS, the Federal Transportation Administrator has been delegated authority to award Federal financial assistance for a transportation project;

WHEREAS, the contract for financial assistance will impose certain obligations upon the Applicant, including the provision by the Applicant of the local share of the project cost;

WHEREAS, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project;

WHEREAS, it is required by the U. S. Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964 as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U. S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project.

NOW, THEREFORE, BE IT RESOLVED BY THE GREENVILLE CITY COUNCIL.

1. That the City Manager is authorized to execute and file applications on behalf of the City of Greenville with the Federal Transit Administration and the North Carolina Department of Transportation to aid in the financing of planning, capital and/or operating assistance projects authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, and other Federal and State Statutes authorizing a project administered by the Federal Transit Administration and/or the North Carolina Department of Transportation.
2. That the City Manager is authorized to execute and file the Annual Certifications and Assurances and other documents the Federal Transit Administration requires before awarding a Federal assistance grant or cooperative agreement.
3. That the City Manager is authorized to submit additional information as the Federal Transit Administration or the North Carolina Department of Transportation may require in connection with the application or project.
4. That the City Manager is authorized to set forth and execute affirmative minority business

policies in connection with the project.

5. That the City Manager is authorized to execute grant and cooperative agreements with the Federal Transit Administration and the North Carolina Department of Transportation on behalf of the City of Greenville.

ADOPTED this the ____ day of _____, 2008.

Patricia C. Dunn, Mayor

CERTIFICATION

The undersigned duly qualified City Clerk, acting on behalf of the City of Greenville, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Greenville City Council on _____.

WANDA T. ELKS, CITY CLERK

DATE

SEAL

AUTHORIZING RESOLUTION

RESOLUTION NO.

Section 5309 FBus

Resolution authorizing the filing of an application with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for federal transportation assistance authorized by 49 U.S.C. Chapter 53, Title 23 United States Code, and other Federal statutes administered by the Federal Transit Administration.

WHEREAS, the Federal Transportation Administrator has been delegated authority to award Federal financial assistance for a transportation project;

WHEREAS, the contract for financial assistance will impose certain obligations upon the Applicant, including the provision by the Applicant of the local share of the project cost;

WHEREAS, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project;

WHEREAS, it is required by the U. S. Department of Transportation in accord with the provisions of Title VI of the Civil Rights Act of 1964 as amended, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U. S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the applicant that minority business enterprise be utilized to the fullest extent possible in connection with this project.

NOW, THEREFORE, BE IT RESOLVED BY THE GREENVILLE CITY COUNCIL.

1. That the City Manager is authorized to execute and file applications on behalf of the City of Greenville with the Federal Transit Administration and the North Carolina Department of Transportation to aid in the financing of planning, capital and/or operating assistance projects authorized by 49 U.S.C. Chapter 53, Title 23, United States Code, and other Federal and State Statutes authorizing a project administered by the Federal Transit Administration and/or the North Carolina Department of Transportation.
2. That the City Manager is authorized to execute and file the Annual Certifications and Assurances and other documents the Federal Transit Administration requires before awarding a Federal assistance grant or cooperative agreement.
3. That the City Manager is authorized to submit additional information as the Federal Transit Administration or the North Carolina Department of Transportation may require in connection with the application or project.
4. That the City Manager is authorized to set forth and execute affirmative minority business

policies in connection with the project.

5. That the City Manager is authorized to execute grant and cooperative agreements with the Federal Transit Administration and the North Carolina Department of Transportation on behalf of the City of Greenville.

ADOPTED this the ____ day of _____, 2008.

Patricia C. Dunn, Mayor

CERTIFICATION

The undersigned duly qualified City Clerk, acting on behalf of the City of Greenville, certifies that the foregoing is a true and correct copy of a resolution adopted at a legally convened meeting of the Greenville City Council on _____.

WANDA T. ELKS, CITY CLERK

DATE

SEAL

Application for Federal Assistance SF-424

Version 02

* 1. Type of Submission:

- Preapplication
- Application
- Changed/Corrected Application

* 2. Type of Application:

- New
- Continuation
- Revision

* If Revision, select appropriate letter(s):

* Other (Specify)

* 3. Date Received:

4. Applicant Identifier:

5a. Federal Entity Identifier:

* 5b. Federal Award Identifier:

State Use Only:

6. Date Received by State:

7. State Application Identifier:

8. APPLICANT INFORMATION:

* a. Legal Name:

* b. Employer/Taxpayer Identification Number (EIN/TIN):

* c. Organizational DUNS:

d. Address:

* Street1:

Street2:

* City:

County:

* State:

Province:

* Country:

* Zip / Postal Code:

e. Organizational Unit:

Department Name:

Division Name:

f. Name and contact information of person to be contacted on matters involving this application:

Prefix:

* First Name:

Middle Name:

* Last Name:

Suffix:

Title:

Organizational Affiliation:

* Telephone Number:

Fax Number:

* Email:

Application for Federal Assistance SF-424

Version 02

9. Type of Applicant 1: Select Applicant Type:

(c) City Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

Federal Transit Administration

11. Catalog of Federal Domestic Assistance Number:

CFDA Title:

*** 12. Funding Opportunity Number:**

Section 5307

* Title:

Urbanized Area Formula Program

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Greenville, NC

*** 15. Descriptive Title of Applicant's Project:**

Section 5307 operating and routine capital assistance for Greenville Area Transit (GREAT) for fixed route and ADA Paratransit Service in the City of Greenville, NC.

Attach supporting documents as specified in agency instructions.



Application for Federal Assistance SF-424

Version 02

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal

* b. Applicant

* c. State

* d. Local

* e. Other

* f. Program Income

* g. TOTAL

*** 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

a. This application was made available to the State under the Executive Order 12372 Process for review on

b. Program is subject to E.O. 12372 but has not been selected by the State for review.

c. Program is not covered by E.O. 12372.

*** 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

Yes No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

- ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:

Middle Name:

* Last Name:

Suffix:

* Title:

* Telephone Number: Fax Number:

* Email:

* Signature of Authorized Representative: * Date Signed:

Application for Federal Assistance SF-424 Version 02

* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter(s): <input type="text"/> * Other (Specify) <input type="text"/>
---	---	---

* 3. Date Received: <input type="text"/>	* 4. Applicant Identifier: <input type="text"/>
--	---

5a. Federal Entity Identifier: <input type="text"/>	* 5b. Federal Award Identifier: <input type="text"/>
---	--

State Use Only:

6. Date Received by State: <input type="text"/>	7. State Application Identifier: <input type="text"/>
--	--

8. APPLICANT INFORMATION:

* a. Legal Name: <input type="text" value="City of Greenville"/>	
* b. Employer/Taxpayer Identification Number (EIN/TIN): <input type="text" value="56-6000229"/>	* c. Organizational DUNS: <input type="text" value="023307494"/>

d. Address:

* Street1: <input type="text" value="200 West Fifth Street"/>	
Street2: <input type="text"/>	
* City: <input type="text" value="Greenville"/>	
County: <input type="text" value="Pitt"/>	
* State: <input type="text" value="NC"/>	
Province: <input type="text"/>	
* Country: <input type="text" value="USA"/>	
* Zip / Postal Code: <input type="text" value="27834"/>	

e. Organizational Unit:

Department Name: <input type="text" value="Public Works Department"/>	Division Name: <input type="text" value="Transit Division"/>
---	--

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: <input type="text" value="Ms."/>	* First Name: <input type="text" value="Nancy"/>
Middle Name: <input type="text" value="Evans"/>	
* Last Name: <input type="text" value="Harrington"/>	
Suffix: <input type="text"/>	
Title: <input type="text" value="Transit Manager"/>	
Organizational Affiliation: <input type="text" value="City of Greenville, NC"/>	
* Telephone Number: <input type="text" value="252-329-4047"/>	Fax Number: <input type="text" value="252-329-4535"/>
* Email: <input type="text" value="nharrington@greenvillenc.gov"/>	

Application for Federal Assistance SF-424

Version 02

9. Type of Applicant 1: Select Applicant Type:

(c) City Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

* Other (specify):

*** 10. Name of Federal Agency:**

Federal Transit Administration

11. Catalog of Federal Domestic Assistance Number:

CFDA Title:

*** 12. Funding Opportunity Number:**

Section 5309

* Title:

Bus and Bus Facilities Earmark

13. Competition Identification Number:

Title:

14. Areas Affected by Project (Cities, Counties, States, etc.):

Greenville, NC

*** 15. Descriptive Title of Applicant's Project:**

Section 5309 Bus and Bus Facilities earmark for expansion buses and/or capital improvement projects associated with the Bus Transportation Facility

Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424

Version 02

16. Congressional Districts Of:

* a. Applicant

* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

17. Proposed Project:

* a. Start Date:

* b. End Date:

18. Estimated Funding (\$):

* a. Federal
* b. Applicant
* c. State
* d. Local
* e. Other
* f. Program Income
* g. TOTAL

* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)

Yes No

21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)

- ** I AGREE

** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

Authorized Representative:

Prefix: * First Name:
Middle Name:
* Last Name:
Suffix:

* Title:

* Telephone Number: Fax Number:

* Email:

* Signature of Authorized Representative: * Date Signed:



City of Greenville, North Carolina

Meeting Date: 6/12/2008
Time: 7:00 PM

Title of Item: Public hearing on a request by Michael Ward d/b/a Dejewskis Limousine Service to obtain a limousine franchise

Explanation: At the May 8, 2008 City Council meeting, the public hearing for a limousine franchise requested by Michael Ward d/b/a Dejewskis Limousine Service was continued to June 12, 2008 in order to allow Mr. Ward time to provide additional information. That information has not been received.

Fiscal Note: None.

Recommendation: Table the request by Michael Ward d/b/a Dejewskis Limousine Service to obtain a limousine franchise.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download



City of Greenville, North Carolina

Meeting Date: 6/12/2008
Time: 7:00 PM

Title of Item: Greenville Housing Development Corporation loan to develop the Crystal Springs Elderly Housing Apartments

Explanation: The Greenville Housing Development Corporation has determined that a need exists for more quality affordable rental housing for elderly residents of Greenville. These findings were made as a result of a 2006 Housing Market Study commissioned by the Corporation. Working with Scott Redinger, Inc., the Corporation has prepared a Low Income Housing Tax Credit application to the North Carolina Housing Finance Agency for tax credit financing for an elderly affordable housing development entitled Crystal Springs Apartments.

A project of 64 units of affordable rental housing for the elderly is being planned by the Corporation. The total project cost is estimated at \$7,190,385 and would be located on Lake Drive and Spring Forrest Drive. The tax credit application process is highly competitive, and applicants are awarded points for participation by the local government.

As a result and in an effort to insure that the project is competitive, the Greenville Housing Development Corporation has requested that the City provide a loan of \$256,000 at 2% interest for 20 years in 2010. The Corporation would deposit \$350,000 at the time the loan is made by the City into an account for revitalization projects in the West Greenville Certified Revitalization Area. The Corporation and City would agree on projects to be undertaken with those funds. The loan and funds for revitalization activities would occur in a simultaneous transaction in 2010.

Benefits of the project would result in the construction of elderly affordable housing units and complement the City of Greenville's 2008 Consolidated Plan objectives.

Fiscal Note: Funds from the 1992 Affordable Housing Bond proceeds in the amount of \$256,000 would be appropriated in 2010.

Recommendation: Approval of the loan request by the Greenville Housing Development Corporation for the Crystal Springs Elderly Housing Apartments and authorization for the appropriate City officials to execute the attached documents.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [crystal springs site plan and description](#)

 [crystal_springs_agreement_767165](#)

 [crystal_springs_deed_of_trust_767167](#)

 [crystal_springs_promissory_note_767169](#)

AGREEMENT

This AGREEMENT made this ____ day of June, 2008 by and between Greenville Housing Development Corporation, a North Carolina nonprofit corporation (“GHDC”) and the City of Greenville, a North Carolina municipal corporation (the “City”).

WITNESSETH:

WHEREAS, GHDC is putting together an application for the development of 64 units for lower-income seniors to North Carolina Housing Finance Agency for a reservation of low-income housing tax credits for an apartment project to be known as Crystal Springs Apartments (the “Project”); and

WHEREAS, GHDC has a gap in the funding for the Project of \$256,000.00 and will not be able to move forward unless that funding gap is filled; and

WHEREAS, the City has adopted a revitalization plan (the “Revitalization Plan”) for the area located in West Greenville which has been certified as a redevelopment area in accordance with the provisions of Article 22 of Chapter 160A of the North Carolina General Statutes (“West Greenville Certified Redevelopment Area”); and

WHEREAS, although the Project is not located in the West Greenville Certified Redevelopment Area, GHDC is interested in supporting the City in its Revitalization Plan; and

WHEREAS, the City is willing to support the Project financially in exchange for certain support from GHDC for revitalization in the West Greenville Certified Redevelopment Area.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The City agrees to make a \$256,000.00 loan with a twenty (20) year term at a two percent (2%) interest rate to the owner of the Project, which is anticipated to be Crystal Springs Apartments, LLC (the “Project Loan”). The Project Loan will be permanent financing for the Project, closed and funded simultaneous with the closing of other permanent financing for the Project. The Project Loan shall be evidenced by a Promissory Note which requires full payment of the principal amount and any accrued interest to be made no later than twenty (20) years from the date of the Project Loan on a schedule agreed upon by the City and the owner of the Project and shall be secured by a Deed of Trust granting a security interest in the property whereupon the Project is located and the improvements thereon. The Project Loan shall include such other terms and conditions agreed upon by the City and the owner of the Project. The Project Loan will only be made by the City to the owner of the Project after GHDA certifies in writing to the City that (i) the Project has received a reservation of low-income housing tax credits from the North Carolina Housing Finance Agency on or before September 30, 2008, and (ii) GHDC has

received at least \$650,000.00 of developer fee from the owner of the Project on or before the closing of the Project's permanent loans.

2. GHDC agrees to make a \$350,000.00 development investment (the "Development Investment") in the West Greenville Certified Redevelopment Area to be used for revitalization projects in the West Greenville Certified Redevelopment Area. The Development Investment will be funded exclusively from the developer fee paid by the owner of the Project to GHDC. GHDC will invest its original principal of \$350,000.00 plus any income earned by GHDC from revitalization efforts in the West Greenville Certified Redevelopment Area. GHDC shall only expend the Development Investment and any income earned by GHDC from revitalization efforts in the West Greenville Certified Redevelopment Area for revitalization projects which are approved by the City and which are consistent with the purposes of GHDC. Unless otherwise agreed upon by the City and GHDC, GHDC shall expend the \$350,000.00 Development Investment no later than five (5) years from the date of this Agreement provided that the City has approved in writing to GHDC revitalization projects in the West Greenville Certified Redevelopment Area which are consistent with the purposes of GHDC and which involve an aggregate amount of no less than the \$350,000.00 Development Investment.

3. GHDC will deposit the \$350,000.00 Development Investment and any income earned by GHDC from revitalization efforts in the West Greenville Certified Redevelopment Area in an account dedicated to revitalization projects in the West Greenville Certified Redevelopment Area and will provide the City a bank statement and quarterly reports substantiating the use of these funds for revitalization projects approved by the City in the West Greenville Certified Redevelopment Area. The deposit of the \$350,000.00 Development Investment will occur within fifteen (15) days of the receipt by GHDC of the developer fee paid by the owner of the Project to GHDC.

4. Notwithstanding the foregoing, this Agreement shall be null and void and of no further force and effect in the event that either (i) the Project does not receive a reservation of low-income housing tax credits from the North Carolina Housing Finance Agency on or before September 30, 2008; or (ii) GHDC does not receive at least \$650,000.00 of developer fee from the Project owner on or before the closing of the Project's permanent loans. In such event, the City shall have no obligation to make the Project Loan to the Project owner, and GHDC shall have no obligation to make the \$350,000.00 Development Investment in the West Greenville Certified Redevelopment Area.

5. This Agreement shall be construed and enforced in accordance with the laws of the State of North Carolina.

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed as of the date first written above.

GREENVILLE HOUSING DEVELOPMENT
CORPORATION

By: _____
Name: _____
Title: _____

CITY OF GREENVILLE

By: _____
Name: _____
Title: _____

APPROVED AS TO FORM:

David A. Holec, City Attorney

PRE-AUDIT CERTIFICATION

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

Bernita W. Demery, Director of Financial Services

SATISFACTION: The debt secured by the within Deed of Trust together with the note(s) secured thereby has been satisfied in full.
This the _____ day of _____, 20__
Signed:

Recording: Time, Book and Page

Mail after recording to: Blanco Tackabery & Matamoros, P.A., P.O. Drawer 25008, Winston-Salem, NC 27114-5008
This instrument prepared by: Deborah L. McKenney, Esquire

Brief Description for the index

NORTH CAROLINA DEED OF TRUST

THIS DEED of TRUST made _____, 2010, by and between:

GRANTOR	TRUSTEE	BENEFICIARY
CRYSTAL SPRINGS APARTMENTS, LLC P.O. Box 1513 Greenville, NC 27835	WAYNE BOWERS P.O. Box 7207 Greenville, NC 27835-7207	CITY OF GREENVILLE, North Carolina, a body corporate and politic P.O. Box 7207 Greenville, NC 27835-7207

Enter in appropriate block for each party: name address, and, if appropriate, character of entity, e.g. corporation or partnership

The designation Grantor, Trustee, and Beneficiary as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, That whereas the Grantor is indebted to the Beneficiary in the principal sum of **Two Hundred Fifty-Six Thousand and 00/100 Dollars (\$256,000.00)**, as evidenced by a Promissory Note of even date herewith, the terms of which are incorporated herein by reference. The final due date for payments of said Promissory Note, if not sooner paid, is _____, **2030**.

NOW, THEREFORE, as security for said indebtedness, advancements and other sums expended by Beneficiary pursuant to this Deed of Trust and costs of collection (including attorneys fees as provided in the Promissory Note) and other valuable consideration, the receipt of which is hereby acknowledged, the Grantor has bargained, sold, given and conveyed and does by these presents bargain, sell, give, grant and convey to said Trustee, his heirs, or successors, and assigns, the parcel(s) of land situated in the City of **Greenville, Pitt** County, North Carolina (the "Premises"), and more particularly described as follows:

See **Exhibit A** attached hereto and incorporated herein.

TO HAVE AND TO HOLD said Premises with all privileges and appurtenances thereunto belonging, to said Trustee, his heirs, successors, and assigns forever, upon the trusts, terms and conditions, and for the uses hereinafter set forth.

If the Grantor shall pay the Note secured hereby in accordance with its terms, together with interest thereon, and any renewals or extensions thereof in whole or in part, all other sums secured hereby and shall comply with all of the covenants, terms and conditions of this Deed of Trust, then this conveyance shall be null and void and may be canceled of record at the request and the expense of the Grantor. If, however, there shall be any default (a) in the payment of any sums due under the Note, this Deed of Trust or any other instrument securing the Note and such default is not cured within ten (10) days from the due date, or (b) if there shall be default in any of the other covenants, terms or conditions of the Note secured hereby, or any failure or neglect to comply with the covenants, terms or conditions contained in this Deed of Trust or any other instrument securing the Note and such default is not cured within fifteen (15) days after written notice, then and in any of such events, without further notice, it shall be lawful for and the duty of the Trustee, upon request of the Beneficiary, to sell the land herein conveyed at public auction for cash, after having first giving such notice of hearing as to commencement of foreclosure proceedings and obtained such findings or leave of court as may then be required by law and giving such notice and advertising the time and place of such sale in such manner as may then be provided by law, and upon such and any resales and upon compliance with the law then relating to foreclosure proceedings under power of sale to convey title to the purchaser in as full and ample manner as the Trustee is empowered. The Trustee shall be authorized to retain an attorney to represent him in such proceedings.

The proceeds of the Sale shall after the Trustee retains his commission, together with reasonable attorneys fees incurred by the Trustee in such proceedings, be applied to the costs of sale, including, but not limited to, costs of collection, taxes, assessments, costs of recording, service fees and incidental expenditures, the amount due on the Note hereby secured and advancements and other sums expended by the Beneficiary according to the provisions hereof and otherwise as required by the then existing law relating to foreclosures. The Trustee's commission shall be five percent (5%) of the gross proceeds of the sale or the minimum sum of \$ _____ whichever is greater, for a completed foreclosure. In the event foreclosure is commenced, but not completed, the Grantor shall pay all expenses incurred by Trustee, including reasonable attorneys fees, and a partial commission computed on five per cent (5%) of the outstanding indebtedness or the above stated minimum sum, whichever is greater, in accordance with the following schedule, to-wit: one-fourth (¼) thereof before the Trustee issues a notice of hearing on the right to foreclosure; one-half (½) thereof after issuance of said notice, three-fourths (¾) thereof after such hearing; and the greater of the full commission or minimum sum after the initial sale.

And the said Grantor does hereby covenant and agree with the Trustee as follows:

1. INSURANCE. Grantor shall keep all improvements on said land, now or hereafter erected, constantly insured for the benefit of the Beneficiary against loss by fire, windstorm and such other casualties and contingencies, in such manner and in such companies and for such amounts, not less than that amount necessary to pay the sum secured by this Deed of Trust, and as may be satisfactory to the Beneficiary. Grantor shall purchase such insurance, pay all premiums therefor, and shall deliver to Beneficiary such policies along with evidence of premium payments as long as the Note secured hereby remains unpaid. If Grantor fails to purchase such insurance, pay premiums therefor or deliver said policies along with evidence of payment of premiums thereon, then Beneficiary, at his option, may purchase such insurance. Such amounts paid by Beneficiary shall be added to the principal of the Note secured by this Deed of Trust, and shall be due and payable upon demand of Beneficiary. All proceeds from any insurance so maintained shall at the option of Beneficiary be applied to the debt secured hereby and if payable in installments, applied in the inverse order of maturity of such installments or to the repair or reconstruction of any improvements located upon the Property.
2. TAXES, ASSESSMENTS, CHARGES. Grantor shall pay all taxes, assessments and charges as may be lawfully levied against said Premises within thirty (30) days after the same shall become due. In the event that Grantor fails to so pay all taxes, assessments and charges as herein required, then Beneficiary, at his option, may pay the same and the amounts so paid shall be added to the principal of the Note secured by this Deed of Trust, and shall be due and payable upon demand of Beneficiary.
3. ASSIGNMENTS OF RENTS AND PROFITS. Grantor assigns to Beneficiary, in the event of default, all rents and profits from the land and any improvements thereon, and authorizes Beneficiary to enter upon and take possession of such land and improvements, to rent same, at any reasonable rate of rent determined by Beneficiary, and after deducting from any such rents the cost of reletting and collection, to apply the remainder to the debt secured hereby.
4. PARTIAL RELEASE. Grantor shall not be entitled to the partial release of any of the above described property unless a specific provision providing therefor is included in this Deed of Trust. In the event a partial release provision is included in this Deed of Trust, Grantor must strictly comply with the terms thereof. Notwithstanding anything herein contained, Grantor shall not be entitled to any release of property unless Grantor is not in default and is in full compliance with all of the terms and provisions of the Note, this Deed of Trust, and any other instrument that may be securing said Note.
5. WASTE. The Grantor covenants that he will keep the Premises herein conveyed in as good order, repair and condition as they are now, reasonable wear and tear excepted, and will comply with all governmental requirements respecting the Premises or their use, and that he will not commit or permit any waste.
6. CONDEMNATION. In the event that any or all of the Premises shall be condemned and taken under the power of eminent domain, Grantor shall give immediate written notice to Beneficiary and Beneficiary shall have the right to receive and collect all damages awarded by reason of such taking, and the right to such damages hereby is assigned to Beneficiary who shall have the discretion to apply the amount of such damages, in whole or in part, to the indebtedness due hereunder and if payable in installments, applied in the inverse order of maturity of such installments, or to any alteration, repair or restoration of the Premises by Grantor.
7. WARRANTIES. Grantor covenants with Trustee and Beneficiary that he is seized of the Premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free of all encumbrances, and that he will warrant and defend the title against the lawful claims of all persons whomsoever, except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

8. SUBSTITUTION OF TRUSTEE. Grantor and Trustee covenant and agree to and with Beneficiary that in case the said Trustee, or any successor trustee, shall die, become incapable of acting, renounce his trust, or for any reason the holder of the Note desires to replace said Trustee, then the holder may appoint, in writing, a trustee to take the place of the Trustee; and upon the probate and registration of the same, the trustee thus appointed shall succeed to all rights, powers and duties of the Trustee.

THE FOLLOWING PARAGRAPH, 9. SALE OF PREMISES, SHALL NOT APPLY UNLESS THE BLOCK TO THE LEFT MARGIN OF THIS SENTENCE IS MARKED AND/OR INITIALED.

9. SALE OF PREMISES. Grantor agrees that if the Premises or any part thereof or interest therein is sold, assigned, transferred, conveyed or otherwise alienated by Grantor, whether voluntarily or involuntarily or by operation of law (other than: (i) the creation of a lien or other encumbrance subordinate to this Deed of Trust which does not relate to a transfer of rights of occupancy in the Premises; (ii) the creation of a purchase money security interest for household appliances; (iii) a transfer by devise, descent, or operation of law on the death of a joint tenant or tenant by the entirety; (iv) the grant of a leasehold interest of three (3) years or less not containing an option to purchase; (v) a transfer to a relative resulting from the death of a Grantor; (vi) a transfer where the spouse or children of the Grantor become the owner of the Premises; (vii) a transfer resulting from a decree of a dissolution of marriage, legal separation agreement, or from an incidental property settlement agreement, by which the spouse of the Grantor becomes an owner of the Premises; (viii) a transfer into an inter vivos trust in which the Grantor is and remains a beneficiary and which does not relate to a transfer of rights of occupancy in the Premises), without the prior written consent of Beneficiary, Beneficiary, at its own option, may declare the Note secured hereby and all other obligations hereunder to be forthwith due and payable. Any change in the legal or equitable title of the Premises or in the beneficial ownership of the Premises, including the sale, conveyance or disposition of a majority interest in the Grantor if a corporation or partnership, whether or not of record and whether or not for consideration, shall be deemed to be the transfer of an interest in the Premises.
10. ADVANCEMENTS. If Grantor shall fail to perform any of the covenants or obligations contained herein or in any other instrument given as additional security for the Note secured hereby, the Beneficiary may, but without obligation, make advances to perform such covenants or obligations, and all such sums so advanced shall be added to the principal sum, shall bear interest at the rate provided in the Note secured hereby for sums due after default and shall be due from Grantor on demand of the Beneficiary. No advancement or anything contained in this paragraph shall constitute a waiver by Beneficiary or prevent such failure to perform from constituting an event of default.
11. INDEMNITY. If any suit or proceeding be brought against the Trustee or Beneficiary or if any suit or proceeding be brought which may affect the value or title of the Premises, Grantor shall defend, indemnify and hold harmless and on demand reimburse Trustee or Beneficiary from any loss, cost, damage or expense and any sums expended by Trustee or Beneficiary shall bear interest as provided in the Note secured hereby for sums due after default and shall be due and payable on demand.
12. WAIVERS. Grantor waives all rights to require marshalling of assets by the Trustee or Beneficiary. No delay or omission of the Trustee or Beneficiary in the exercise of any right, power or remedy arising under the Note or this Deed of Trust shall be deemed a waiver of any default or acquiescence therein or shall impair or waive the exercise of such right, power or remedy by Trustee or Beneficiary at any other time.
13. CIVIL ACTION. In the event that the Trustee is named as a party to any civil action as Trustee in this Deed of Trust, the Trustee shall be entitled to employ an attorney at law, including himself if he is a licensed attorney, to represent him in said action and the reasonable attorney's fee of the Trustee in such action shall be paid by the Beneficiary and added to the principal of the Note secured by this Deed of Trust and bear interest at the rate provided in the Note for sums due after default.
14. PRIOR LIENS. Default under the terms of any instrument secured by a lien to which this Deed of Trust is subordinate shall constitute default hereunder.
15. OTHER TERMS.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

CRYSTAL SPRINGS APARTMENTS, LLC (SEAL)

By: Greenville Housing Development Corporation, managing member

By: _____
Name _____
Title _____

SEAL-STAMP

STATE OF NORTH CAROLINA

COUNTY OF PITT

I, _____, a Notary Public of the County and State aforesaid, certify that _____, either being personally known to me or proven by satisfactory evidence, personally came before me this day and acknowledged that (s)he is _____ of Greenville Housing Development Corporation, a North Carolina corporation, the Managing Manager of Crystal Springs Apartments, LLC, a North Carolina limited liability company, and that (s)he, as _____, being authorized to do so, voluntarily executed the foregoing on behalf of said corporation and limited liability company for the purposes stated therein.

WITNESS my hand and official stamp or seal, this _____ day of _____, 2010.

Notary Public

My Commission Expires: _____

SEAL-STAMP

The foregoing Certificate(s) of _____ is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

REGISTER OF DEEDS FOR _____ COUNTY

By _____ Deputy/Assistant-Register of Deeds.

EXHIBIT A

Attachment number 2
Page 3 of 3

PROMISSORY NOTE

\$256,000.00

Greenville, North Carolina
_____, 2010

FOR VALUE RECEIVED, the undersigned, CRYSTAL SPRINGS APARTMENTS, LLC, a North Carolina limited liability company ("Maker"), promises to pay to the order of CITY OF GREENVILLE, a North Carolina body corporate and politic ("Holder") at P.O. Box 7207, Greenville, North Carolina 27835-7207 or at such other place as the Holder may, from time to time, designate in writing, the principal sum of Two Hundred Fifty-Six Thousand and 00/100 Dollars (\$256,000.00). Interest shall accrue on the unpaid principal balance outstanding under this Note from the date of this Note until this Note is paid in full, at an annual rate of interest equal to 2.0%, compounded annually.

Commencing _____, 2011 and continuing on _____ of each year thereafter until this Note and all amounts due hereunder are paid in full, Maker shall make annual payments of interest and principal equal to (A) the amount of (i) Maker's net cash flow (as defined in Maker's operating agreement, but computed prior to taking into account any deduction therefrom for any repayments made pursuant to this Note to Holder, and computed based on the 12 complete calendar months immediately preceding such due date, instead of on the basis of Maker's fiscal year) generated by Maker's operations for the 12 complete calendar months immediately preceding such due date, to the extent of such net cash flow, if any, as may remain after Maker's payment of or provision for (x) all other debts, liabilities and obligations of the Maker then due and payable to third parties that are not members of Maker, (y) funding of any operating, replacement, or other reserves required by Maker's other mortgage noteholders or by Maker's investor member under Maker's operating agreement and retention by Maker of any interest earned on all such reserves, and (z) payment of any unpaid asset management fees due under Maker's operating agreement with respect to the current and all prior calendar years to Maker's investor member divided by (ii) 1.15 multiplied by (B) the quotient of (i) \$256,000.00, divided by (ii) (x) \$256,000.00 plus (y) the amount of any Rental Production Program loan to Maker from North Carolina Housing Finance Agency. Any accrued interest and principal remaining unpaid on this Note as of _____, 2030 shall be due and payable in full on such date.

The obligations of the Maker hereunder shall be non-recourse as to the Maker.

This Note may be prepaid in whole or in part at any time without incurring penalty.

This Note is given to evidence a loan made by Holder to Maker and is secured by a Deed of Trust of even date herewith granting a security interest in that certain tract of land and improvements thereon owned by Maker in Greenville, Pitt County, North Carolina, as more particularly described in the Deed of Trust.

In the event that any installment of interest or interest and principal due under this Note shall not be paid for a period of fifteen (15) days after the same shall become due and payable, a late charge of four cents (\$.04) for each one dollar (\$1.00) so overdue may be charged by Holder for the purpose of defraying the expense incident to handling such delinquent payment.

If there is a default in the payment of any part of the principal and/or interest due under this Note as the same becomes due and payable or if there is a voluntary initiation by the Maker of any proceeding under any federal or state law relating to bankruptcy, insolvency, arrangement, reorganization, readjustment of debt or any other form of debtor relief, or the initiation against the Maker of any such proceeding, or any assignment by the Maker for the benefit of creditors or the entry by the Maker into an agreement of composition with creditors or the failure generally by the Maker to pay its debts as they become due, then, in any such event, the Holder shall have the option of declaring the entire unpaid principal balance of this Note and all accrued interest immediately due and payable. In addition, the following shall constitute a default hereunder: (a) if the apartment project to be known as Crystal Springs Apartments (the "Project") is not placed in service on or before December 31, 2010; or (b) if the loan funds are used for anything other than in connection with the construction and other costs of the Project; or (c) if the Project is used for anything other than residential purposes in accordance with the Declaration of Land Use Restrictive Covenants for Low-Income Housing Tax Credits entered into by the Maker and the North Carolina Housing Finance Agency, a body corporate and instrumentality of the State, and recorded at Book _____, Page _____ in the Pitt County Registry. If, after a default under this Note, it becomes necessary for Holder to place this Note in the hands of an attorney for collection, Maker agrees to pay reasonable attorneys' fees, to the extent allowed by law, and all other costs that may be reasonably incurred by Holder in the collection of sums due under this Note, including any costs incurred by Holder in connection with the filing by Maker of a petition under the United States Bankruptcy Code.

If, for any reason, the effective rate of interest payable under this Note should exceed the maximum interest rate permitted by law, the effective rate of interest due under this Note shall be deemed to be reduced immediately to such maximum lawful rate.

The Maker hereby waives grace, notice, protest, demand, presentment for payment and diligence in the collection of this Note and agrees that its liability for the payment of this Note shall not be affected or impaired by any release or change in the security or by any extension of time for the payment of all or any part of the principal and interest due under this Note.

Whenever used in this Note, the words "Maker" and "Holder" shall be deemed to include its respective heirs, personal representatives, successors and assigns.

[SEPARATE SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the undersigned Maker has caused this Note to be executed by its Managing Member and affixed its seal, this ____ day of _____, 2010.

CRYSTAL SPRINGS APARTMENTS, LLC(SEAL)

By: Greenville Housing Development Corporation,
Managing Member

By: _____

Name: _____

Title: _____

Information Sheet

Overview

Crystal Springs Apartments are a new construction of sixty four (64) apartments for the elderly, who earn less than 60% of the area median income. Forty (40) of the units are expected to receive Project Based Vouchers and be affordable to seniors with income less than fifty percent (50%) median income. Crystal Springs will have a community building which will hold a library/computer center, craft room, fitness center, community room with a kitchen attached, and a laundry room. Crystal Springs outdoor community areas currently include a picnic area, walking trail, garden plots and landscaped sitting areas.

All of the apartments are designed and will be 100% handicap accessible with additional design features that will enable seniors to age in place.

Resident Profile and Requirements

Profile

Given the experience of the developers, as owners of senior housing it is expected that the residents of Crystal Springs Apartments to be:

- Mostly single males and females in their 60's and 70's
- Incomes primarily from social security and/or modest pensions typically ranging from \$7,000 to \$20,000
- Less than half of the tenants are expected to have cars
- Racially mixed community
- Able to live alone and care for themselves

Crystal Springs Apartments will be an apartment community for the elderly who are able to live alone, care for themselves and meet their daily living needs with assistance if necessary. Every effort will be made to help residents age in place by arranging assistance for periodic in home services for residents.

However, if residents become unable to care for themselves, GHA will work with family members to locate suitable housing and care for the residents.

Age - Income

Seniors - *must be 55 years of age or older*

The maximum income limit for Pitt County in 2007 at 50 % of median for one person is \$17,450 and for two persons is \$19,900.00. The income limit for Pitt County at 60% of median income for one person is \$20,940.00 and for two persons is \$23,880.00.

Rents and Rental Assistance

Rents

The exact monthly rents have not been established, but the developers expect that forty (40) apartments will qualify for Section 8 Program Based Vouchers. Tenants with incomes under fifty (50%) percent of the median income will qualify for Section 8 Rental Assistance. Rent for twenty

Crystal Springs Apartments

four (24) units for persons at sixty (60%) percent of median income will be based on the state housing guidelines, the 2007 rent limits for Pitt County were \$560.00 for a one bedroom and \$672.00 for a two bedroom.

Rental Assistance

Lower income elderly persons living on fixed incomes of social security and/or a small pension may not be able to pay \$506.00 a month rent and utilities for a one bedroom or \$ 624.00 for a two bedroom unit. GHDC is discussing with HUD that idea of having rental assistance available for tenants through their Section 8 program. For example, HUD says that a person should pay no more than 30% of their income for housing expenses (utilities and rents). An elderly person earning \$12,000 a year, or \$1,000 a month, should pay \$300 a month. When you subtract \$100 a month for the utility estimate, they can only afford a rent of \$200.00.

Given the lower incomes of many seniors in Pitt County, the developers expect that 40 of the elderly tenants may receive some rental assistance.

Development Team Information and Contact Information

Owners

Crystal Springs LLC is a private for profit company that will be formed to own the development. The managing member of the company will be GHDC and Scott A. Redinger Inc.

Developer

GHDC will serve as the developer of Crystal Springs Apartments.

Consultant

Scott A. Redinger Inc. has an extensive history of operating a variety of developing single and multifamily housing for lower income families, elderly and special populations.

Architect

Stogner Architecture PA based out of Rockingham, North Carolina. Mr. Stogner is an experienced designer of affordable rental housing.

Contractor

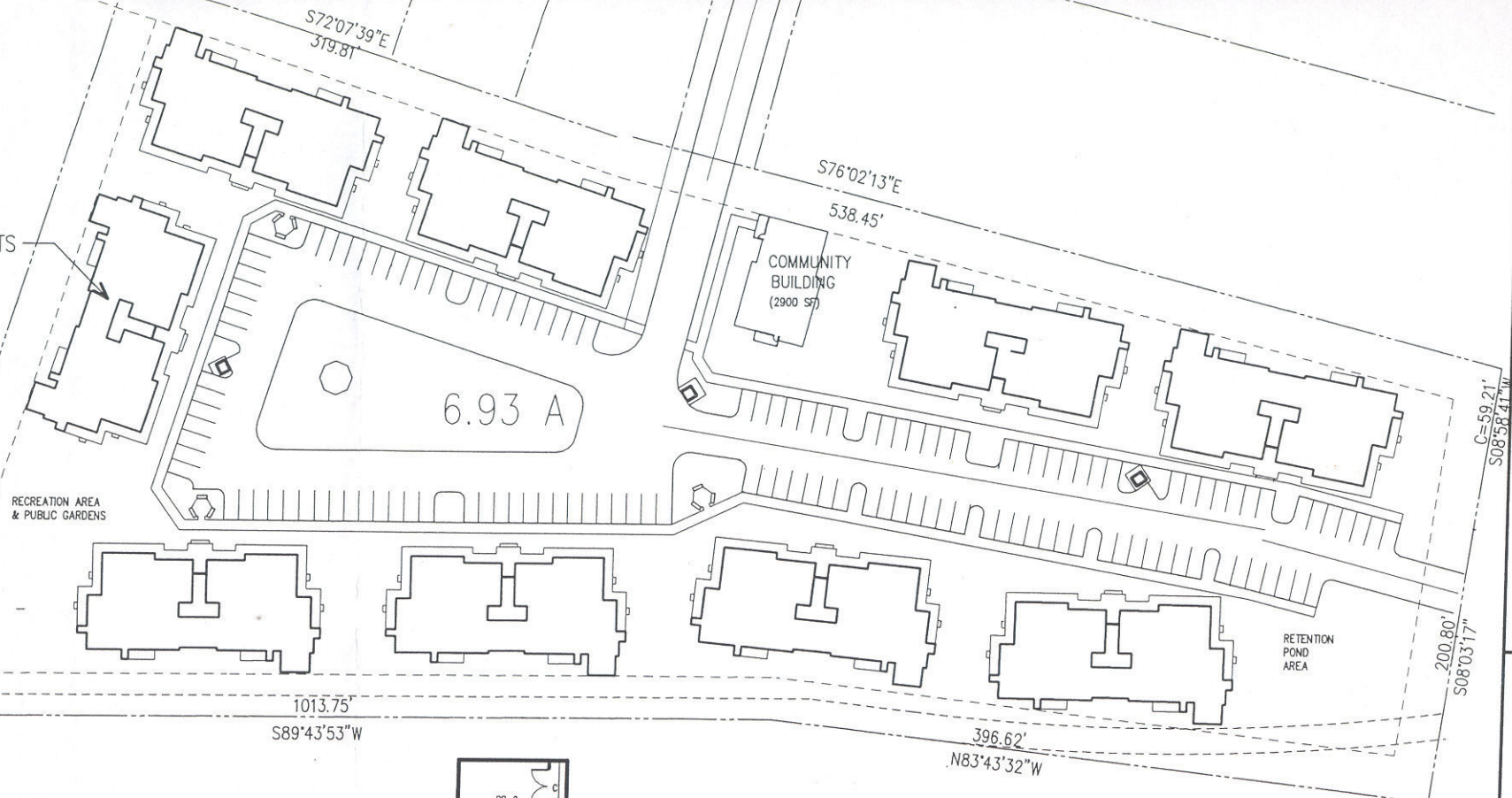
Weaver Cooke Construction of Greensboro, North Carolina. Has over fifty years of experience as a builder of affordable housing.

Questions

If you have any questions concerning this Information Sheet or Crystal Springs Apartments please contact either Don Rogers at (252) 329 4000 or Scott A. Redinger at (910) 793 2850. NOTE: GHA and SAR, INC are both equal housing opportunity providers and do not discriminate in leasing units.

Crystal Springs Apartments

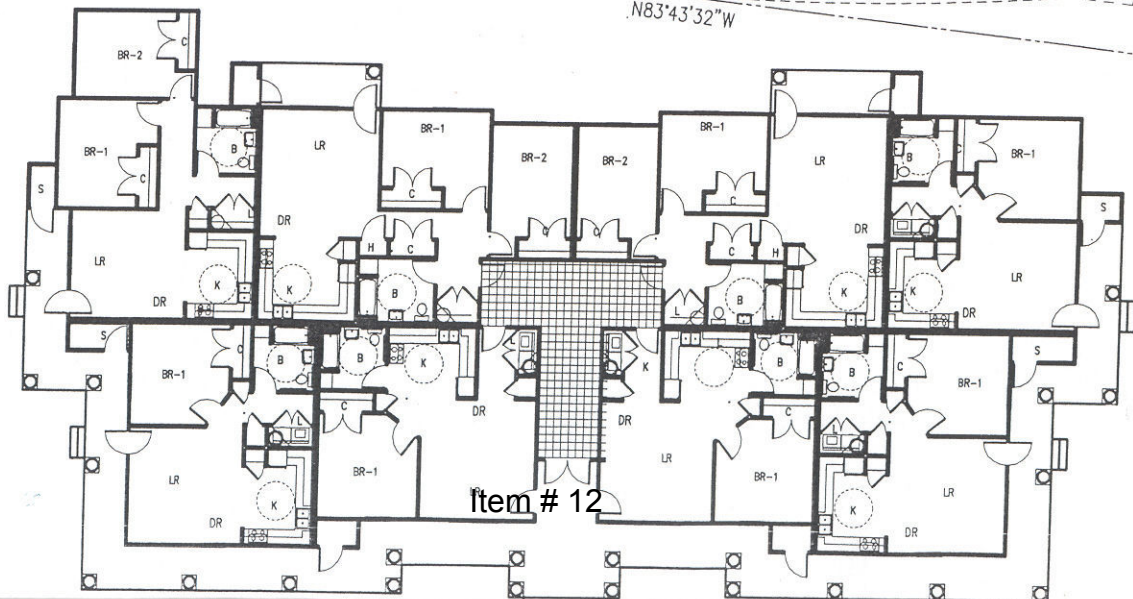
NOTE: THIS BLDG HAS 4-3 BR UNITS



S201 SITE PLAN

SCALE: 1" = 100'

AREA OF PLOT = 12.984 A.



NOT R
FO
CONST

Stogner Architecture, PA
ARCHITECTURE - CONSTRUCTION MANAGEMENT - DESIGN BUILD

GREENVILLE HOUSING
DEVELOPMENT CORPORATION
ELDERLY HOUSING

SITE PLAN	
2985\S01.DCS	
COMM. NO.	298
DRAWN BY	DA
CHECKED BY	AW



City of Greenville, North Carolina

Meeting Date: 6/12/2008
Time: 7:00 PM

-
- Title of Item:** 2008-2009 Annual Work Plan and Financial Plan for the Redevelopment Commission of Greenville
- Explanation:** Prior to the start of each fiscal year, the Redevelopment Commission of Greenville prepares and adopts an Annual Work Plan intended to guide the work of the Commission and staff throughout the coming year. Individual items within the work plan are either explicitly listed within the Center City – West Greenville Revitalization Plan, or represent strategies designed to achieve the broader goals of those plans. Items included in the 2008-2009 Work Plan of the Redevelopment Commission are outlined in Attachment “A”. The Redevelopment Commission approved these Plans on June 3, 2008.
- Fiscal Note:** As the Redevelopment Commission works under the budgetary authority of the City of Greenville as authorized by the City Council, all funds expended by the Redevelopment Commission in furtherance of the Center City – West Greenville Revitalization Plans must be appropriated by the City Council. To date, the City Council has appropriated funding in accordance with the figures outlined in Attachment “B”. The Redevelopment Commission is requesting additional funding for the completion of 2008-2009 work plan items as specified in Attachment “B”. Budget ordinance amendments covering the proposed allocations to the Redevelopment Commission will be forthcoming and provided as separate agenda items.
- Recommendation:** City Council adopt the 2008-2009 Annual Work Plan of the Redevelopment Commission of Greenville as well as the proposed Financial Plan for the 2008-2009 fiscal year.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [CC_06_08_attach_A_764548](#)

 [06_08_attach_B_764815](#)

Attachment “A”

2008 - 2009 Draft Redevelopment Commission Work Plan

1. Business Retention Program **

One of the key goals outlined in the Center City – West Greenville Revitalization Plan is to promote and expand employment within the revitalization areas. A strong small business retention and expansion program should be a key component of any plan aimed at increasing employment given that data suggests between 65% to 80% of all new jobs are created by existing, rather than relocating businesses (IEDC 2006). The retention of existing businesses has also been a key economic development goal for Greenville’s City Council as outlined in their Annual Goals Statement for the 2007 – 2008 fiscal year. In April of 2008, Uptown Greenville, a not-for-profit merchant’s association serving Greenville’s Center City adopted a similar initiative as a priority for the upcoming year. Hence development of a strong partnership between the City and Uptown Greenville may be the best way to accomplish this shared goal.

Fiscal Note: Use of previously allocated Center City bond funds to fund business retention and expansion programs

2. Center City Design Standards **

As specified in the Revitalization Plan, City staff has been leading a group of design professionals and other interested citizens in a process to develop and recommend a set of guidelines to address the design quality of public and private development projects within a defined section of the center city. To date, the group has developed a draft version of the guidelines and has held multiple public meetings, including an open house, a stakeholder workshop, and a Focus Group meeting.

Now nearing completion, the new design standards will compliment existing architectural styles, while serving to address the form, scale and visual character of preservation, renovation and new construction projects. It is hoped that such design standards will help to make the center city area a safe, accessible and inviting place to live, work and recreate.

Fiscal Note: Use of previously budgeted general funds for preparation and printing of guidelines document

3. Adaptive Re-use Projects for Historic Structures **

The Redevelopment Commission will solicit input and receive inquiries from interested parties including architectural and development firms intent on finding

new uses for unoccupied and underutilized historic structures within the Center City – West Greenville Revitalization Project area. The Redevelopment Commission will review any proposals, and where appropriate, may take action to partner with an interested developer and/or facilitate the redevelopment of these structures.

Fiscal Note: Potential use of West Greenville & Center City bond funds for activities including land acquisition, clearance, and infrastructure

4. West Greenville Building Block Grants**

To facilitate small business growth in appropriate locations within the West Greenville Redevelopment Project area, the Redevelopment Commission introduced the Building Blocks façade grant program during the 2006 - 2007 fiscal year. The Building Blocks program is intended to support and compliment other business and employment-creation programs that aim to maximize the potential for expansion or creation of business ventures in West Greenville. Under guidelines adopted by the Redevelopment Commission, the program directly grants funds of up to \$2,500 and provides a dollar for dollar match of up to an additional \$7,500 for eligible improvements projects.

Fiscal Note: Use of West Greenville bond funds for capitalization of grant program

5. West Greenville Business Plan Competition**

To facilitate the expansion of small business in appropriate locations within the West Greenville Redevelopment Project area, the Redevelopment Commission has developed and adopted a business plan competition program. The program has been developed in conjunction with the local office of the North Carolina Small Business Technology Development Center, EXCEED and the Pitt Community College Small Business Center and will utilize those training and assistance programs to help participants develop their plans. The program provides grants in the amount of \$15,000 to as many as four competition winners per year.

Fiscal Note: Use of West Greenville bond funds for capitalization of grant program

6. West Greenville Assisted Living Center**

In conjunction with a goal established by the Greenville City Council, the Redevelopment Commission will assess the feasibility of establishing an assisted living center in the West Greenville Redevelopment Project area. Assisted living facilities are typically designed for residents who might need assistance with their daily routines but still wish to live as independently as possible. These facilities

can bridge the gap between independent living and nursing homes while providing an intermediate level of long-term care appropriate for many seniors.

Assisted living centers represent enticing investment opportunities for developers of low-income projects who rely on tax credits to make projects feasible. State Financing Agencies tend to look favorably on assisted living centers, giving them higher scores in the competition among developers to land available low-income tax credits.

Fiscal Note: Potential use of West Greenville or Center City bond funds for activities including land acquisition, clearance, development financing and infrastructure

7. Streetscape Pilot Projects**

As part of its 2005 – 2006 Annual Work Plan, the Redevelopment Commission selected a consultant to develop a set of design guidelines for future streetscape improvement projects undertaken within the Revitalization Project area. The goal of the design process was to create a unique and distinctive vision for public spaces within the project area. Key factors considered in the process included, vehicular/pedestrian/bicycle access, public utility location and improvements, street and gateway character, and wayfinding.

Based on cost estimates and prioritization developed as part of the master planning process, the Redevelopment Commission and Greenville City Council have selected the Cotanche Street – Reade Circle and West Fifth Street Gateway as pilot projects. Those projects are currently under final design with the bidding and construction phases taking place during the 2008 – 2009 fiscal year.

Fiscal Note: Potential use of Center City, and West Greenville bond funds for construction

8. Comprehensive Wayfinding Project **

The design and installation of a comprehensive citywide wayfinding system will have an immediate positive impact on Greenville's urban core. Such a system was recommended as part of the Center City – West Greenville Streetscape Master Plan and has been given a high priority by both the Redevelopment Commission and the Greenville City Council. Once implemented, the wayfinding system will help visitors and residents to navigate throughout the city using all modes of transportation. Upon completion, the sign system will also help to "brand" Greenville's distinctive urban core and promote key civic, educational, commercial and transportation facilities. During the 2007 – 2008 fiscal year, both the Redevelopment Commission and the Greenville City Council signed off on

the design for the system. Bidding and construction phases for part or all of the system will take place during the 2008 – 2009 fiscal year.

Fiscal Note: Potential use of Center City and West Greenville bond funds for Project construction

9. Revitalization Area TIF District**

Project development financing was recently authorized in North Carolina. Also known as Tax increment financing (TIF), it allows cities to establish special districts and to leverage public improvements within those districts that are expected to generate private-sector investment. N.C. law requires collaboration with county government, the N.C. Local Government Commission, and equity investors; therefore planning is vital to establishing an effective TIF District. The location and size, and quality of development within the district can determine whether the project will be successful.

During the 2006-07 Fiscal Year, City staff dedicated considerable time and effort to investigating the suitability of creating a TIF district to assist with the financing of public projects. As TIF financing remains new to the State of North Carolina, implementation of a district will depend on the strength of the private development projects that are proposed for the district. Several private sector development projects may be nearing the stage in their planning processes that would make the creation of a TIF district feasible.

During the 2008-09 fiscal year, the Redevelopment Commission and City staff in consultation with the Greenville City Council will begin a process that could potentially lead to the creation of a TIF district. By performing fiscal due diligence and market analysis on all proposals and alternatives, the Redevelopment Commission will ensure that any new TIF District is viable.

Fiscal Note: Potential use of general funds for professional services and plan preparation

10. Restaurant Start-Up Initiative **

The Center City – West Greenville Revitalization Plan calls for a lively and diverse mix of restaurants and entertainment venues in the Center City business district. In recent years, the number and quality of restaurants in the area has experienced a significant upgrade. However, the potential for additional restaurant growth remains strong, given the number of downtown workers as well as East Carolina University students, faculty, and staff in close proximity to the Center City.

During the past fiscal year, City staff has evaluated restaurant incentive programs developed by Winston-Salem and other municipalities. In addition, City

staff has formed a working partnership with faculty members from the ECU School of Hospitality Management intended to make that academic and professional expertise available to current and prospective restaurateurs.

Fiscal Note: Potential use of West Greenville and Center City bond funds for capitalization of grant programs

11. Residential & Mixed Use Project Development**

The Center City – West Greenville Revitalization Plan calls for mixed use office, residential and retail development in the Uptown Central Business District. Toward this end, the Redevelopment Commission will explore redevelopment options for key business corridors. Redevelopment of important but underutilized corridors has the potential to jumpstart downtown office, residential, and retail sectors while creating a vital node for cultural activity. By introducing mixed-use office/residential development around relatively underutilized public and semi-public open spaces such as the Town Common, larger scale mixed-use redevelopment has the potential to energize the overlapping pedestrian, business, and entertainment zones while “pulling” commercial activity down the length of key commercial corridors. During the last fiscal year, the Redevelopment Commission received a market study that confirmed the latent demand within the Uptown Commercial District for mixed use development inclusive of residential, office and commercial uses.

Fiscal Note: Potential use of Center City bond funds for activities including land acquisition, clearance, development financing and infrastructure

12. West Greenville Business Incubator**

Development of a business incubator in West Greenville would support the creation and development of small, creative businesses in diverse industries by providing office space/amenities and technical assistance to fledgling companies and entrepreneurs. Amenities might include furnished office space; conference and training rooms; computer lab with high-speed Internet connection or wireless technology; office equipment; and reception services. Technical Assistance allows entrepreneurs to consult with business experts; to collaborate with other tenants on problem solving, lead generation, and new ideas; and to get referrals on training programs, workshops, and financing. Incubator participants also reach new clients through onsite networking resources.

In the past year, the Redevelopment Commission visited successful small business incubators in Durham, Raleigh, Chapel Hill, and Siler City, as part of its effort to complete a preliminary feasibility study of the project. Valuable lessons learned from that study will guide the RDC as well as the 11 member steering committee named by the City Council and Redevelopment Commission as they move toward completion and presentation of the study in December of 2008.

Fiscal Note: Potential use of West Greenville or center City bond funds for activities including land acquisition, clearance, design and construction; use of general funds to commission consulting work associated with completion of the feasibility study.

13. Open Air Market Initiative **

Historically, Greenville citizens have actively supported public events in the Center City such as Sunday in the Park, Greenville's International Festival and more recently, Uptown Art Walks and Freeboot Fridays. Such events not only bring Greenville's citizens together in a multicultural social atmosphere but also serve to promote commerce within the urban core. In addition to sponsoring festivals and events, many municipalities have established open air markets that serve an important social function and help build local economies by promoting area farmers, artisans and other cottage industries. Given the notable absence of fresh food sales in Greenville's urban core, an open air market would be a valuable, albeit partial alternative to supermarkets predominantly located in exurban areas. In April of 2008, the Uptown Greenville merchant's association prioritized the location and design of an area suitable to host a public market and other gatherings. During the 2008 – 2009 fiscal year, the Redevelopment Commission will partner with Uptown Greenville to study appropriate sites as well as explore design alternatives that lead to a multi-use space within the core of the Uptown Commercial District.

Fiscal Note: Potential use of Center City bond and general funds for feasibility and site preparation

14. Civic Art Initiative **

One of the key recommendations of the recently adopted Streetscape Master Plan was the creation of a civic art program. The Center City – West Greenville Revitalization Plan likewise calls for "creating and expanding cultural resources" within the Revitalization Project Area. Across the nation, some 350 jurisdictions have established civic art programs, including cities in North Carolina such as Cary, Chapel Hill and Raleigh (Americans for the Arts, 2003). Upcoming construction projects associated with two streetscape pilot projects provide opportunities to incorporate civic art into the public realm. In West Greenville, design is underway for a civic art site that will honor the late Dr. Eppes as well as the alumni and faculty associated with the school that once stood near the intersection of Memorial Drive and West Fifth Street. In the Uptown Commercial District, preparation is under way to provide a civic art venue at the intersection of Cotanche and Reade Streets that will host sculptural works by ECU students and faculty. It is hoped that such pilot projects may serve as a catalyst for implementing broader, city-wide approaches to civic art. It is expected that the

final planning will be complete for installation of civic art at the two sites described above during the 2008 – 2009 fiscal year.

Fiscal Note: Potential use of West Greenville and Center City bond funds for design, construction and purchase of civic art pieces

15. Revitalization Area Marketing Program **

City Council called for more extensive marketing programs to promote Center City revitalization as part of its 2007-08 Annual Goals Statement. The Revitalization Area Marketing Program aims to provide media services, property investors, business interests, and the public with timely revitalization events and stories as well as relevant statistics and background information. The Marketing Program utilizes a variety of media - including but not limited to press releases & feature articles; brochures/handbooks; targeted marketing pieces – to promote positive Center City revitalization stories and accomplishments. During the 2008 – 2009 fiscal year, the Redevelopment Commission will continue to market the assets of Greenville’s center city via the means described above. Much of the efforts of the Commission will be directed toward online marketing, via the development of a 30 second streaming video spot as well as rotating content on the City’s web site.

Fiscal Note: Potential use of general and Center City bond funds for marketing activities

16. Town Common Area Improvement Study

The Center City - West Greenville Revitalization Plan calls for “Improvement of the open space in the Town Common to leverage other adjacent residential and commercial projects”. In a similar manner as Central Park in New York City serves as a major attraction to commercial development around its boundaries, the Town Common can serve to attract development to Greenville’s center city, although at a much smaller scale than that of the Central Park example. Toward that end, the Redevelopment Commission will work with the Recreation and Parks Department as well as the Recreation and Parks Commission to complete visioning and preliminary design work that will provide a guide for future improvements to the Town Commons and other public spaces surrounding the park.

Fiscal Note: Potential use of general and Center City bond funds for planning and design activities

**Denotes carryover item

Attachment “B”

**Redevelopment Commission of Greenville
2008 – 2009 Financial Plan**

WEST GREENVILLE BOND FUNDS 2007 – 2008 BUDGET AUTHORITY

Activity	Authorized Budget	Expended	Notes
Construction	\$20,500.00	\$5,280.00	Nathaniel Village predevelopment financing
Infrastructure	\$700,050.00	\$95,605.00	Streetscape Master Plan & W.G. Gateway design
Business Relocation	\$150,000.00	\$51,889.00	Relocation expenses for 3 businesses
Development Financing	\$285,000.00	\$22,742.28	W.G. Building Blocks Grants
Demolition	\$250,000.00	\$0.00	
Acquisition	\$650,000.00	\$363,587.60	Acquisition commercial sites

WEST GREENVILLE BOND FUNDS 2008 – 2009 BUDGET REQUEST

Activity	Authorized Budget	Funds Remaining	Requested Funding	Notes
Construction	\$20,500.00	\$15,220.00	\$0.00	
Infrastructure	\$700,050.00	\$604,445.00	\$579,825.00	W.G. Gateway & Eppes Memorial
Business Relocation	\$150,000.00	\$98,111.00	\$0.00	
Development Financing	\$285,000	\$262,257.72	\$0.00	
Demolition	\$250,000.00	\$250,000.00	\$0.00	
Acquisition	\$650,000.00	\$286,412.40	\$0.00	

CENTER CITY BOND FUNDS 2007 – 2008 BUDGET AUTHORITY

Activity	Authorized Budget	Expended	Notes
Acquisition	\$450,000.00	\$10,975.00	Acquisition related due diligence
Demolition	\$150,000.00	\$0.00	
Infrastructure	\$914,950.00	\$171,390.79	Streetscape Master Plan, Wayfinding and Cotanche & Reade St. project design
Development Financing	\$150,000	\$0.00	

CENTER CITY BOND FUNDS 2008 – 2009 BUDGET REQUEST

Activity	Authorized Budget	Funds Remaining	Requested Funding	Notes
Acquisition	\$450,000.00	\$439,025.00	\$300,000.00	Rising Center City property values
Demolition	\$150,000.00	\$150,000.00	\$0.00	
Infrastructure	\$914,950.00	\$743,559.21	\$450,000.00	Wayfinding, Reade & Cotanche Street, Town Common
Development Financing	\$150,000	\$150,000.00	\$0.00	



City of Greenville, North Carolina

Meeting Date: 6/12/2008
Time: 7:00 PM

Title of Item: Resolution approving a lease agreement with Greenville Industrial-Eppes High School Alumni Heritage Society for space at the Eppes Recreation Center

Explanation: The attached lease will formalize the terms of use and expand from two to three the number of rooms utilized within the Eppes Recreation Center by the Greenville Industrial-Eppes High School Alumni Heritage Society for the C.M. Eppes Cultural Center. The request for the leased space submitted by Greenville Industrial-Eppes High School Alumni Heritage Society was approved by the City Council on May 8, 2008, and the City Manager was authorized to negotiate a lease agreement.

Fiscal Note: \$1 to be received as an annual lease payment. City staff will work with representatives of the Greenville Industrial-Eppes High School Alumni Heritage Society to identify renovations and improvements as part of the expansion; the exact costs will be determined at a later date.

Recommendation: Approval of the lease with the Greenville Industrial-Eppes High School Alumni Heritage Society for space at the C.M. Eppes Recreation Center for the C.M. Eppes Cultural Center.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

[Lease agreement for Eppes Alumni 760639](#)

[Resolution Lease Agreement for Greenville Industrial Eppes High School Alumni Heritage Society 766393](#)

**NORTH CAROLINA
COUNTY OF PITT**

**LEASE
AGREEMENT**

THIS LEASE AGREEMENT, made and entered into this the ____ day of June, 2008, by and between the City of Greenville, a North Carolina municipal corporation, Party of the First Part and hereinafter referred to as LESSOR, and Greenville Industrial-Eppes High School Alumni Heritage Society, a North Carolina non-profit corporation, Party of the Second Part and hereinafter referred to as LESSEE;

Subject to the terms and conditions of this Lease Agreement, LESSOR does hereby let and lease unto the LESSEE, and LESSEE does hereby lease from the LESSOR, the following described premises located in Greenville, North Carolina:

A portion of the C.M. Eppes Recreation Center consisting of three rooms as delineated on the attached map, labeled as Exhibit A, and herein incorporated by reference.

The terms and conditions of this Lease Agreement are as follows:

1. Term.

The term of this Lease Agreement is for three (3) years, commencing on the 1st day of July, 2008, and expiring on the 30th day of June, 2011.

2. Rent.

The annual rent shall be ONE DOLLAR, and shall be paid by the first day of July of each year. Rent payments shall be delivered to the Director of Financial Services of the City of Greenville, P.O. Box 7207, Greenville, NC 27835.

3. Use of Leased Premises.

The leased premises shall be used by LESSEE as a location to display, honor, and celebrate the history associated with the original use of the Eppes Recreation Center as an educational facility and the faculty and students associated with the educational facility. LESSEE shall make no other use of the leased premises without the prior written consent of the LESSOR. LESSEE shall be responsible, at its expense, for all costs associated with conducting its activities. LESSEE shall not use the leased premises between the hours of 11 p.m. and 7 a.m.

4. Activities Report.

LESSOR and LESSEE understand and agree that the leased premises will be actively used by the LESSEE. The LESSEE shall keep a daily log of the activities conducted on the leased premises. Within ten (10) days of a written notice from the LESSOR to the LESSEE requesting a copy of the daily log and a written summary of the activities, the LESSEE shall provide the LESSOR a copy of the daily log with a written summary of the activities conducted on the leased premises since the commencement of the term of this Lease Agreement.

5. Signage.

LESSEE may install identifying signage on the exterior and hallway doors of the leased premises with the approval by the LESSOR of the size, location, and installation method. Item # 14

6. Repairs and Maintenance.

LESSEE agrees to accept the leased premises in its current condition. LESSEE shall be responsible, at its expense, for all maintenance and repairs, both major and minor, to the leased premises except that the LESSOR shall be responsible for the maintenance and repair of the roof and the exterior walls of the leased premises. The LESSEE shall at its sole cost and expense, be responsible for keeping the leased premises in a good, clean, neat, attractive, pleasant and sanitary condition at all times.

7. Alterations And Improvements.

No alterations or improvements shall be made to the leased premises without the prior written consent of the LESSOR.

8. Utilities.

LESSOR shall be responsible for providing and paying for all electricity, lighting, heating, water, air conditioning, and sewer used by LESSEE in connection with the occupancy of the leased premises. The LESSEE shall be responsible for the telephone charges and all other charges for utilities used by LESSEE in connection with the occupancy of the leased premises.

9. Insurance.

The LESSEE will at all times during the term of this LEASE, at its own cost and expense, insure and keep in effect insurance on the leased premises against claims for personal injury or property damage under a policy of general liability insurance with a combined single limit of not less than \$1,000,000 with the LESSOR named as an additional named insured, written by an insurance company or companies authorized to do business in the State of North Carolina. The LESSEE shall provide the LESSOR with a certificate of insurance evidencing said coverage.

10. Damage or Destruction by Fire or Other Casualty.

In the event that the building located on the leased premises is destroyed by fire or other casualty or act of God, then this Lease Agreement shall terminate as of the time of such destruction without action on the part of either the LESSOR or the LESSEE. In the event that the building located on the leased premises is so damaged by fire, other casualty, or act of God that more than 50% of the floor space of the building cannot reasonably be used by LESSEE in the conduct of its business, or the building is so damaged by fire or other casualty or act of God that it cannot, in the LESSOR's opinion, be economically repaired, then either party shall have the option to terminate this LEASE by the provision of written notice to the other party.

12. Assignment and Subletting.

LESSEE may not assign or transfer this Lease Agreement or sublet the leased premises or any part of the leased premises without the prior written consent of the LESSOR.

13. Indemnity.

The LESSEE agrees to indemnify and save harmless the LESSOR and its officers and employees from and against any and all claims and demands whether from injury to person, loss of life, or damage to property, occurring on or within the demised premises.

14. Surrender on Termination.

Upon the termination of this Lease Agreement for any reason, the LESSEE shall yield and deliver peaceably to the LESSOR possession of the leased premises and any alterations, additions, and improvements made by LESSEE thereto, promptly and in good condition, order, and repair, except for reasonable wear and tear and acts of God.

15. Default.

If LESSEE shall neglect to pay any annual installment of rent when due, or shall neglect to do and perform any other matter agreed to be done, and shall remain in default for a period of thirty (30) days after receiving written notice from LESSOR calling attention to the non-payment or default, LESSOR may declare this Lease Agreement terminated and take possession of the leased premises without prejudice to any other legal remedy it may have on account of such default. If LESSOR neglects to do or perform any matter agreed to be done in this Lease Agreement and shall remain in default for a period of thirty (30) days after written notice from the LESSEE calling attention to such default, the LESSEE may declare this Lease Agreement terminated without prejudice to any other legal remedy it may have on account of such default.

16. Liens.

The LESSEE agrees that it will not permit the claim of any contractor, sub-contractor, mechanic, laborer or materialmen to become and remain a lien on the leased property or upon the right, title or interest of the LESSEE created by this Lease Agreement after the indebtedness secured by such lien shall become due unless the same is in the process of actually being contested in good faith on the part of the LESSEE and in any event the LESSEE will protect, indemnify and save harmless the LESSOR from and in respect of any and all such claims.

17. Access.

LESSEE will be able to secure and restrict access to the leased premises when not in use for its activities. Notwithstanding the foregoing, LESSOR and LESSOR's officers and employees shall have full access to enter the leased premises anytime to examine the condition thereof or make repairs, additions or alterations as may be necessary for the safety, preservation or improvement of the property which the LESSOR, in its sole discretion, determines to make or for any other purpose which the LESSOR deems appropriate as it relates to the physical facility and equipment.

18. Quiet Enjoyment.

LESSOR agrees that LESSEE, upon payment of rent and performing the agreements in this Lease Agreement may peacefully and quietly have, hold and enjoy the said leased premises on all the terms of this Lease Agreement.

19. Notices.

Any notice provided for herein shall be deemed to have been served sufficiently if mailed by first class mail to the City Manager, for notices to the LESSOR, or to the President, for notices to the LESSEE, at the addresses set forth below.

LESSOR:

City Manager
City of Greenville
P.O. Box 7207
Greenville, NC 27835

LESSEE:

President
Greenville Industrial- Eppes High School
Alumni Heritage Society
P.O. Box 93
Greenville, NC 27835

20. Legal and Regulatory Duties.

The LESSEE shall observe all applicable local, state, and federal laws and regulations as they pertain to LESSEE's use and occupation of the leased premises. LESSEE shall indemnify and hold harmless the LESSOR from and against any liability arising from such laws or regulations caused by LESSEE's use or occupation of the leased premises.

21. Entire Agreement.

This Lease Agreement is the only agreement between the parties hereto with respect to the subject matter hereof and contains all of the terms agreed upon, and there are no other agreements, oral or written, between the parties hereto with respect to the subject matter thereof.

IN WITNESS WHEREOF, the parties hereto have caused this Lease Agreement to be executed in duplicate originals as of the day and year first above written.

CITY OF GREENVILLE

GREENVILLE INDUSTRIAL-
EPPES HIGH SCHOOL
ALUMNI HERITAGE SOCIETY

BY: _____
Wayne Bowers, City Manager

BY: _____
Leslie Cox, President

**NORTH CAROLINA
PITT COUNTY**

I, _____, a Notary Public in and for the aforesaid County and State, do hereby certify that Wayne Bowers, City Manager for the City of Greenville, personally appeared before me on this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial Seal, this the _____ day of _____, 2008.

Notary Public

My Commission expires: _____.

**NORTH CAROLINA
PITT COUNTY**

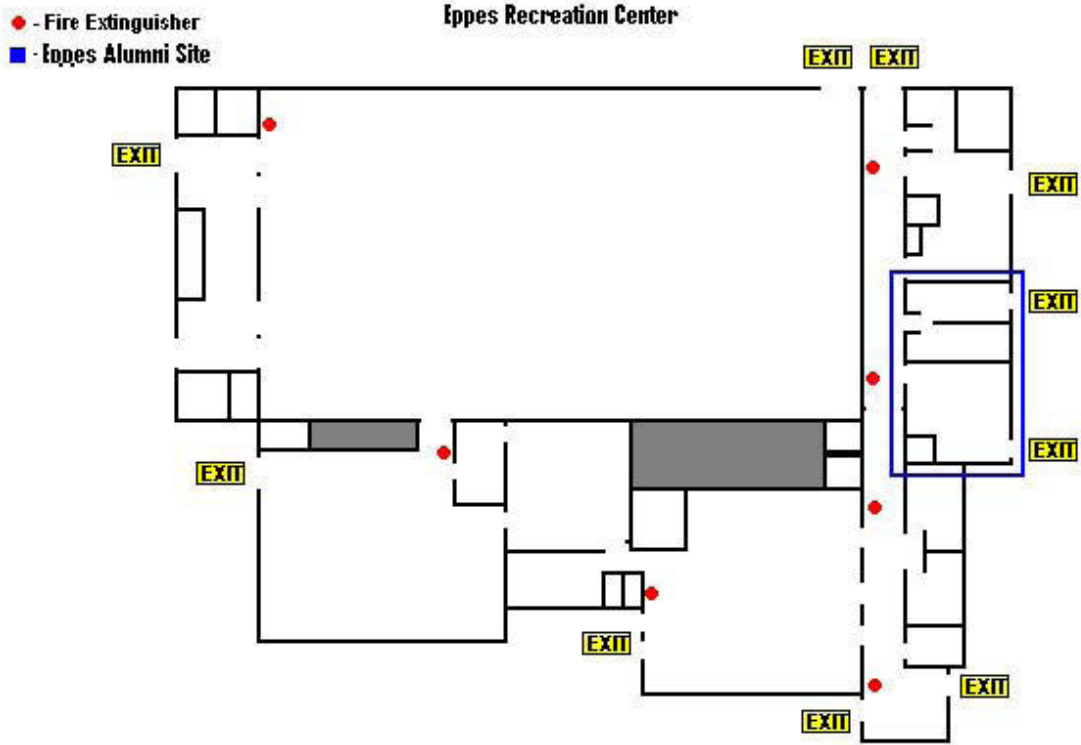
I, _____, a Notary Public in and for the aforesaid County and State, do hereby certify that Leslie Cox, President, for Greenville Industrial-Eppes High School Alumni Heritage Society, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and Notarial Seal, this the _____ day of _____, 2008.

Notary Public

My Commission expires: _____.

Exhibit A



RESOLUTION 08-
RESOLUTION APPROVING LEASE AGREEMENT WITH
GREENVILLE INDUSTRIAL-EPPES HIGH SCHOOL ALUMNI HERITAGE SOCIETY

WHEREAS, North Carolina General Statute 160A-272 authorizes the City Council of the City of Greenville to approve a lease of property for a term of less than ten (10) years for any property owned by the City for such terms and upon such conditions as City Council may determine; and

WHEREAS, City Council does hereby determine that the property herein described will not be needed by the City for the three (3) year term of the lease.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Greenville that it does hereby approve the Lease Agreement with the Greenville Industrial-Eppes High School Alumni Heritage Society, for a portion of the C.M. Eppes Center, consisting of three rooms, for a term of three (3) years commencing on July 1, 2008, and terminating on June 30, 2011, for the annual rental sum of one dollar, and does further authorize the City Manager to execute said Lease Agreement.

This the 12th day of June, 2008.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk



City of Greenville, North Carolina

Meeting Date: 6/12/2008
Time: 7:00 PM

Title of Item: Ordinance amending Title 6, Chapter 4 of the City Code entitled “Cemeteries”

Explanation: All aspects of Cemetery operations were transferred to Public Works in 2006. Residents and other customers purchase all permits, grave sites, and services for the City’s cemeteries at the Public Works Department. This amendment changes the City Code to reference the Public Works Department where the ordinance previously referred to either the Financial Services Department or the City Clerk’s office.

Section 6-4-9 (c) has been amended to propose allowing a flush foot marker for each grave when a central family marker is installed. Previously, only a central monument or head/foot marker were allowed but not both.

Section 6-4-13 has been amended to allow cemetery visitation during daylight hours year-round. Additionally, the gates will remain unlocked to provide the Police Department ready access, if necessary. Previously, the cemeteries were open from 8 a.m. to 5 p.m.

The proposed ordinance and a marked-up copy of the existing ordinance showing the recommended changes are attached.

Fiscal Note: No additional cost to the City of Greenville.

Recommendation: City Council approve the ordinance amending Title 6, Chapter 4 of the City Code entitled “Cemeteries.”

Attachments / click to download

 [Cemetery Ordinance](#)

 [Amending Chapter 4 of Title 6 of the Greenville City Code Cemeteries 765798](#)

ORDINANCE NO. 08-
ORDINANCE AMENDING CHAPTER 4 OF TITLE 6 OF THE
GREENVILLE CITY CODE BY REWRITING CERTAIN SECTIONS
WHICH RELATE TO CEMETERIES

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES HEREBY ORDAIN:

Section 1. That Section 6-4-2 of the Code of Ordinances, City of Greenville, be and is hereby amended by rewriting subsection (a) so that it will read as follows:

- (a) Lots shall be purchased from the public works department.

Section 2. That Section 6-4-3 of the Code of Ordinances, City of Greenville , be and is hereby amended by rewriting subsection (a) so that it will read as follows:

- (a) An owner of a lot in a city-owned or controlled cemetery may sell his lot to another individual only upon approval of the public works director or designee and for no more than the original purchase price of the lot plus the administrative fee set forth in the manual of fees. A notarized written request must be made by the lot owner or his heirs to the public works director or designee and an administrative fee paid as set forth in the manual of fees.

Section 3. That Section 6-4-4 of the Code of Ordinances, City of Greenville, be and is hereby amended by rewriting subsection (a) so that it will read as follows:

- (a) No person will be recognized as owner of a lot unless his name appears on the records located at the public works department.

Section 4. That Section 6-4-5 of the Code of Ordinances, City of Greenville, be and is hereby amended by rewriting said section so that it will read as follows:

Sec. 6-4-5. Opening and closing of graves.

- (a) All graves in city-owned or controlled cemeteries shall be opened and closed by city employees or contractors employed by the city, including the burial of cremated remains and bodies entombed in crypts and mausoleums.

- (b) The funeral home representative requesting the opening and closing of a grave shall provide the public works department an opening and closing request form along with the fee established by city council and maintained on file in the city clerk's office as a part of the manual of fees. This form is provided by the city and must be completed and signed by the funeral home representative. When the city cemetery staff has to wait to close a grave beyond the time specified on the opening and closing request form, a wait time fee will be assessed to the funeral provider in accordance with the manual of fees.

(c) The funeral home representative requesting the opening and closing of a grave on a site with more than one grave shall be responsible for scheduling a meeting with a public works official to determine which grave to have opened.

(d) All graves in city-owned or controlled cemeteries shall be at least four (4) feet in depth from grade.

(e) No grave excavated in the city-owned or controlled cemetery shall encroach on any adjacent lot.

(f) The public works director of the city is authorized to establish standards to provide for the performance of the service of opening and closing of graves, niches, mausoleums or crypts.

(g) The public works director or designee shall be responsible for the collection of fees for the opening and closing of graves.

Section 5. That Section 6-4-6 of the Code of Ordinances, City of Greenville, be and is hereby amended by rewriting subsections (a) and (b) of said section so that said subsections will read as follows:

(a) Prior to the placement of any cremated remains in a city-owned or controlled cemetery, an opening and closing of grave permit must be secured from the public works department and a fee paid as established in the manual of fees.

(b) The burial or placement of cremated remains shall be performed by city employees or contractors employed by the city.

Section 6. That Section 6-4-7 of the Code of Ordinances, City of Greenville, be and is hereby amended by rewriting subsection (a) so that it will read as follows

(a) No person shall bury or entomb any human body or cremation urn in a city-owned or controlled cemetery without first securing an opening and closing of grave permit from the public works department and paying a fee established in the manual of fees.

Section 7. That Section 6-4-9 of the Code of Ordinances, City of Greenville, be and is hereby amended by rewriting subsections (a) , (b) and (c) of said section so that said subsections will read as follows:

(a) It shall be unlawful for any person to erect any marker, monument or other memorial in the city-owned or controlled cemeteries without first obtaining a permit from the public works department and paying the appropriate fee as listed in the manual of fees. The permit shall be obtained within 10 working days of the actual installation. Failure to obtain the permit prior to installation shall subject the contractor responsible for the work to an additional administrative fee in the same amount as the permit fee.

(b) Government markers are allowed in city-owned or controlled cemeteries. A completed form supplied by the Veterans Administration is to be provided to the public works department in addition to the permit fee established in the manual of fees. The public works director or his designee is authorized to sign necessary government forms regarding government markers.

(c) One central or family monument and one flush foot marker per grave shall be allowed on a family lot in city owned or operated cemeteries. When a monument is not desired by the family, one head or foot marker per grave may be authorized.

Section 8. That Section 6-4-10 of the Code of Ordinances, City of Greenville, be and is hereby amended by rewriting subsection (a) so that it will read as follows:

(a) No private crypt, mausoleum, building or other structure of any kind shall be erected on any lot within Greenwood, Cherryhill or Brownhill Cemeteries without approval of the public works director or his designee, a permit from the public works department, and payment of a fee in accordance with the manual of fees. No above ground mausoleums shall be allowed at Homestead Memorial Gardens.

Section 9. That Section 6-4-13 of the Code of Ordinances, City of Greenville, be and is hereby amended by rewriting subsection (a) so that it will read as follows:

(a) All cemeteries are open daily during daylight hours.

Section 10. That Section 6-4-17 of the Code of Ordinances, City of Greenville, be and is hereby amended by rewriting said section so that it will read as follows:

Sec. 6-4-17. Damaging fences or locks.

It shall be unlawful for any person to break or damage the fences around any cemetery.

Section 11. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 12. Any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

Section 13. This ordinance shall become effective upon its adoption.

This the _____ day of June, 2008.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

CHAPTER 4. CEMETERIES

Editor's Note—Chapter 4 dealing with cemeteries dated 1971 was totally rewritten by Ordinance No. 04-52 dated May 13, 2004.

Related and local laws references—Removal of graves under council's authority, § 1-1 et seq.; cemetery purchase fund, §§ 8-1, 8-2.

State law references—Establishment and operation of cemeteries, G.S. 160A-341; regulation of city cemeteries, G.S. 160A-348.

- Sec. 6-4-1. Applicability of chapter.
- Sec. 6-4-2. Purchase of cemetery lots.
- Sec. 6-4-3. Resale of cemetery lots.
- Sec. 6-4-4. Ownership of cemetery lots.
- Sec. 6-4-5. Opening and closing of graves.
- Sec. 6-4-6. Cremations.
- Sec. 6-4-7. Interments.
- Sec. 6-4-8. Disinterments.
- Sec. 6-4-9. Markers, monuments and other memorials.
- Sec. 6-4-10. Crypts, mausoleums or other structures.
- Sec. 6-4-11. Trees, shrubs, flowers and other plants.
- Sec. 6-4-12. Care and improvements.
- Sec. 6-4-13. Hours of operation.
- Sec. 6-4-14. Trespassing.
- Sec. 6-4-15. Using as a short cut.
- Sec. 6-4-16. Deposit of filth.
- Sec. 6-4-17. Damaging fences or locks.
- Sec. 6-4-18. Alcoholic beverages and other controlled substances prohibited.
- Sec. 6-4-19. Animals.
- Sec. 6-4-20. Disturbing the peace.
- Sec. 6-4-21. Immoral acts.
- Sec. 6-4-22. Vehicles; use of roadways required; speed limit.
- Sec. 6-4-23. Removal of unused building materials.
- Sec. 6-4-24. City to restore property in case of violation.
- Sec. 6-4-25. Use of contractors by city.
- Sec. 6-4-26. Schedule of charges.
- Sec. 6-4-27. Compliance with chapter; penalty.

Sec. 6-4-1. Applicability of chapter.

All lots within city-owned or controlled cemeteries shall be subject to and regulated by this chapter.

Sec. 6-4-2. Purchase of cemetery lots.

(a) Lots shall be purchased from the public works department.

Deleted: financial services

(b) A deed signed by the mayor and attested by the city clerk and sealed with the legal seal of the city shall be mailed to the address of the purchaser.

(c) The price paid for a cemetery lot shall be based on the residency of the purchaser. This price shall be set by city council and maintained on file in the city clerk's office as a part of the manual of fees. A resident of the City of Greenville is one who has established permanent residence in the corporate limits of the City of Greenville.

Sec. 6-4-3. Resale of cemetery lots.

(a) An owner of a lot in a city-owned or controlled cemetery may sell his lot to another individual only upon approval of the public works director or designee and for no more than the original purchase price of the lot plus the administrative fee set forth in the manual of fees. A notarized written request must be made by the lot owner or his heirs to the public works director or designee, and an administrative fee paid as set forth in the manual of fees.

Deleted: city clerk

Deleted: city clerk

(b) No lots that have been used may be sold.

Sec. 6-4-4. Ownership of cemetery lots.

(a) No person will be recognized as owner of a lot unless his name appears on the records located at the public works department.

Deleted: in the city clerk's office

(b) In all deeds of conveyance by the city to any person for any lot in the city-owned or controlled cemeteries, the following provision shall be included as a covenant running with the land: "This conveyance is made subject to the provisions of Title 6, Chapter 4 of the Greenville City Code, providing rules and regulations for the control of the city's cemeteries and penalties for the violation thereof. The grantee herein, his heirs and assigns agree that, upon the breach of any such provision, the title to the property shall revert to the city."

Sec. 6-4-5. Opening and closing of graves.

(a) All graves in city-owned or controlled cemeteries shall be opened and closed by city employees or contractors employed by the city, including the burial of cremated remains and bodies entombed in crypts and mausoleums.

(b) The funeral home representative requesting the opening and closing of a grave shall provide the public works department, an opening and closing request form along with the fee established by city council and maintained on file in the city clerk's office as a part of the manual of fees. This form is provided by the city and must be completed and signed by the funeral home representative. When the city cemetery staff has to wait to close a grave beyond the time specified on the opening and closing request form, a wait time fee will be assessed to the funeral provider in accordance with the manual of fees.

Deleted: to the financial services department

(c) The funeral home representative requesting the opening and closing of a grave on a site with more than one grave shall be responsible for scheduling a meeting with a public works official to determine which grave to have opened.

Deleted: dug

(d) All graves in city-owned or controlled cemeteries shall be at least four (4) feet in depth from grade.

(e) No grave excavated in the city-owned or controlled cemetery shall encroach on any adjacent lot.

(f) The public works director of the city is authorized to establish standards to provide for the performance of the service of opening and closing of graves, niches, mausoleums or crypts.

(g) The public works director or designee, shall be responsible for the collection of fees for the opening and closing of graves.

Deleted: financial services director or representative of the financial services department

Sec. 6-4-6. Cremations.

(a) Prior to the placement of any cremated remains in a city-owned or controlled cemetery, an opening and closing of grave permit must be secured from the public works department and a fee paid as established in the manual of fees.

Deleted: financial services

(b) The burial or placement of cremated remains shall be performed by city employees or contractors employed by the city.

(c) Cremations shall have at least eighteen (18) inches of cover.

(d) Human remains that are cremated must be secured in a hard plastic urn or a type approved by the building and grounds superintendent or his designee which can be sealed or any other urn that is equal or better.

Sec. 6-4-7. Interments.

(a) No person shall bury or entomb any human body or cremation urn in a city-owned or controlled cemetery without first securing an opening and closing of grave permit from the public works department and paying a fee established in the manual of fees.

Deleted: financial services

(b) Only human remains may be buried or placed on city-owned or controlled cemetery properties.

(c) The usage of each burial lot or crypt shall be limited to the interment of one human body or no more than two cremation urns. The usage of each niche shall be limited to the interment of one hard plastic urn.

(d) No interment shall be made in city-owned or controlled cemeteries without necessary documentation from a certified funeral director or crematorium.

(e) The uppermost part of a burial vault shall be a minimum of eighteen (18) inches below the ground surface.

(f) With the exception of cremated remains which are addressed in Section 6-4-6 of this code, all burials in all city-owned or controlled cemeteries shall utilize either concrete grave liners or below ground vaults with a minimum of eighteen (18) inches of backfill over the top of the liner or vault.

Sec. 6-4-8. Disinterments.

(a) No body or remains shall be disinterred in city-owned or controlled cemeteries without lawful authority.

(b) No disinterment shall be made in city-owned or controlled cemeteries without necessary documentation from a certified funeral director.

(c) Unless otherwise required by a court order, all disinterments shall be performed by city cemetery staff or a contractor employed by the City of Greenville at the expense of the lot owner and only upon written consent of the lot owner or his heirs (if deceased), the city and the nearest living relative or relatives of the person or persons whose remains are to be disinterred from one location to another or from other cemeteries.

(d) Remains removed from other cemeteries must be accompanied by the proper papers as required by State law.

Sec. 6-4-9. Markers, Monuments and Other Memorials.

(a) It shall be unlawful for any person to erect any marker, monument or other memorial in the city-owned or controlled cemeteries without first obtaining a permit from the public works department and paying the appropriate fee as listed in the manual of fees. The permit shall be obtained within 10 working days of the actual installation. Failure to obtain the permit prior to installation shall subject the contractor responsible for the work to an additional administrative fee in the same amount as the permit fee.

Deleted: city clerk's office

(b) Government markers are allowed in city-owned or controlled cemeteries. A completed form supplied by the Veterans Administration is to be provided to the public works department in addition to the permit fee established in the manual of fees. The public works director or designee is authorized to sign necessary government forms regarding government markers.

Deleted: City Clerk's Office

Deleted: City Clerk or his designee

(c) One central or family monument and one flush foot marker per grave shall be allowed on a family lot in city owned or operated cemeteries. When a monument is not desired by the family, one head or foot marker per grave may be authorized.

Deleted: Only

Deleted: o

(d) When a head or foot marker is used in place of a monument, it shall not exceed two feet in length and one foot in width.

(e) Foundations for memorials and monuments shall be constructed in accordance with uniform standards and specifications as established by the public works director.

(f) Should a monument or marker in the city-owned or controlled cemeteries at any time become unsafe, unsightly or in need of repair or resetting, the building and grounds superintendent or his/her designee shall so notify the owner of the lot upon which such condition exists of any persons having an interest in such lot and shall request such person to make the needed repairs under the supervision of the building and grounds superintendent or his designee; and such person shall be required to make such repairs, under the direction of the building and grounds superintendent or his designee. The building and grounds superintendent or his designee shall make necessary improvements to eliminate unsafe conditions in city cemeteries until the lot owner may be contacted. In the event the building and grounds superintendent or his designee is unsuccessful at locating the lot owner, the city will make necessary temporary repairs at its discretion to alleviate the unsafe condition.

(g) It shall be unlawful for any person to remove any marker or monument which may have been erected at any grave or to deface, injure or destroy any such marker or monument in any manner.

(h) The city shall not be held liable for default of a contract agreement between the lot owner and the memorial contractor.

(i) The city shall not be responsible for replacing or restoring any monuments or markers.

Sec. 6-4-10. Crypts, mausoleums or other structures.

(a) No private crypt, mausoleum, building or other structure of any kind shall be erected on any lot within Greenwood, Cherryhill or Brownhill Cemeteries without approval of the public works director or his designee, a permit from the public works department, and payment of a fee in accordance with the manual of fees. No above ground mausoleums shall be allowed at Homestead Memorial Gardens.

Deleted: city clerk

(b) Definitions.

(1) A mausoleum shall be defined as an above ground burial vault. The overall height of the above ground burial vault shall not exceed two crypts in height nor shall it exceed one hundred eight (108) inches from the ground level measured at the center of the structure.

(2) A crypt shall be defined as a burial chamber wholly or partly underground.

(c) Private crypts and mausoleums shall be installed in accordance with the standards and specifications established by the public works director.

(d) Should any mausoleum or crypt in the city-owned or controlled cemeteries at any time become unsafe, unsightly or in need of repair or resetting, the building and grounds superintendent or his designee shall so notify the owner of the lot upon which such condition exists and shall request such person to make the needed repairs under the supervision of the building and grounds superintendent or his designee; and such person shall be required to make such repairs, under the direction of the building and grounds superintendent or his designee. The building and grounds superintendent or his designee shall make necessary improvements to eliminate unsafe conditions in city cemeteries until the lot owner may be contacted. In the event the lot owner is unable to be contacted, the city will make necessary temporary repairs at its discretion to alleviate the unsafe condition.

(e) The city shall not be responsible for replacing or restoring any private mausoleums, crypts or other structures.

Sec. 6-4-11. Trees, shrubs, flowers and other plants.

(a) It shall be unlawful for any person to plant, deface, trim, prune, remove, disturb, injure or destroy any tree, shrub, flower or other plant in the city-owned or controlled cemeteries, whether on that person's lot or not, except in accordance with the provisions of this chapter.

(b) The city reserves the right to plant trees and shrubs in accordance with the general plan for landscape work on any part of the city-owned or controlled cemeteries that is desirable.

(c) Individual tree, flower, and shrub planting is not allowed in any city-owned or controlled cemetery.

(d) Should any tree or shrub become objectionable, for any reason whatsoever, the city reserves the right to remove said tree or shrub at its discretion.

(e) The building and grounds superintendent or his designee shall have the authority to remove floral designs,

flowers, plants and containers from the lots when, in his judgment, they become faded and unsightly and distract from the general appearance.

(f) Cut flowers, potted plants, memorial wreaths, sprays, baskets or vases may be placed on graves at any time, but must be placed at the headstone.

(g) Funeral designs, floral pieces and cut flowers shall be removed as soon as they become unsightly.

(h) All Christmas floral arrangements are to be removed by March 1. All Easter arrangements are to be removed by June 1.

(i) The City shall not be responsible for flower arrangements or other plants that are lost, damaged or stolen.

(j) No florist, funeral home or person other than members of the family of persons buried on the lot shall remove any flowers, floral designs, plants or containers from any lot without first obtaining permission from the building and grounds superintendent or his designee.

Sec. 6-4-12. Care and improvements.

(a) General maintenance provided by the city shall consist of cutting the grass when necessary, filling in graves when sunken, resodding, and otherwise beautifying and keeping said lots neat, clean, safe and in good order.

(b) All care and improvements of lots, including all grading and landscaping shall be done by cemetery employees of the city or contractors employed by the city.

(c) No lot or grave shall be defined by fence, railing, coping or edge.

(d) Boxes, shells, toys, wire screens, arbors, trellises, chairs, benches and objects of similar nature of any kind whatsoever, are not permitted on any lot or grave.

(e) No lot or grave shall be planted or seeded except by city cemetery personnel or by contractors employed by the city.

(f) The city shall not be responsible for the loss, damage or destruction of any article left on cemetery lots.

Sec. 6-4-13. Hours of operation.

(a) All cemeteries are open ~~daily during daylight hours.~~

(b) It shall be unlawful for any person, other than duly constituted officers of the law while engaged in the prosecution of their duties as such, to enter the city's cemeteries in the nighttime between one (1) hour after sunset and one (1) hour before sunrise without prior authority to do so from the director of public works or his designee.

Sec. 6-4-14. Trespassing.

(a) It shall be unlawful for any person to trespass within the city-owned or controlled cemeteries.

(b) Visitors must keep to the walks and drives and must not cross over or otherwise trespass on any lot other than their own.

Deleted: y
Deleted: gates
Deleted: ed
Deleted: at
Deleted: 8:00 a.m. and closed at 5:00 p.m. daily

Sec. 6-4-15. Using as a short cut.

It shall be unlawful for any person, either on foot or with vehicle, to enter, use, cross or recross any portion of the city-owned or controlled cemeteries for the purpose of using a cemetery as a way of ingress or egress to or from other property adjacent thereto.

Sec. 6-4-16. Deposit of filth.

It shall be unlawful for any person to deposit or cause to be deposited any filth or unclean or offensive substances in any city controlled or owned cemetery.

Sec. 6-4-17. Damaging fences or locks.

It shall be unlawful for any person to break or damage the fences around any cemetery.

Deleted: or the locks on the gates thereof

Sec. 6-4-18. Alcoholic beverages and other controlled substances prohibited.

No alcoholic beverages or other controlled substances are permitted in city-owned or controlled cemeteries and no consumption or use of such shall be allowed (except during any religious services conducted by ordained clergy when sacramental wine may be used).

Sec. 6-4-19. Animals.

Animals are allowed in city-owned or controlled cemeteries if the owner has control of the animal at all times by leash. All animal excrement must be removed immediately and disposed of properly.

Sec. 6-4-20. Disturbing the peace.

No person shall disturb the quiet, repose and good order of any city-owned or controlled cemetery.

Sec. 6-4-21. Immoral acts.

No person shall commit any immoral act in any city-owned or controlled cemetery.

Sec. 6-4-22. Vehicles; use of roadways required; speed limit.

(a) It shall be unlawful for any person to drive any vehicle within a city-owned or controlled cemetery except upon the roadways and at a rate of speed not in excess of fifteen (15) miles per hour.

(b) It shall be unlawful for any person driving a vehicle to enter any city-owned or controlled cemetery except for the purpose of attending funerals, visiting graves or some other lawful mission.

Sec. 6-4-23. Removal of unused building materials.

All materials carried within the city-owned or controlled cemeteries and not used in the erection of monuments, markers or other lawful structures authorized herein shall be promptly removed therefrom by the owner of the lot upon which such monument, marker or other structure shall be located.

Sec. 6-4-24. City to restore property in case of violation.

In the event of any violation of the provisions of this chapter, the city shall have authority to restore the property to its condition as authorized herein.

Sec. 6-4-25. Use of contractors by city.

The city may contract with individuals or companies to perform services relating to city-owned or controlled cemeteries.

Sec. 6-4-26. Schedule of charges.

The schedule of fees and charges for graves and services in city owned and controlled cemeteries shall be as fixed in the manual of fees.

Sec. 6-4-27. Compliance with chapter; penalty.

It shall be unlawful for any person to violate any of the provisions of this chapter. Any violation of this chapter shall subject the offender to a civil penalty in the amount of fifty dollars (\$50.00). In addition to or in lieu of the civil penalty remedy, a violation of the provisions of this chapter shall constitute a misdemeanor punishable upon conviction by a fine of fifty dollars (\$50.00).



City of Greenville, North Carolina

Meeting Date: 6/12/2008
Time: 7:00 PM

Title of Item: Ordinance amending Title 6, Chapter 3 of the City Code: "Garbage and Refuse Collection and Disposal."

Explanation: The purposes of the proposed amendments to the existing garbage and refuse collection and disposal ordinance are to update the existing ordinance, provide clarification of some collection methods, and provide additional provisions intended to enhance the aesthetics of the City.

The City presently collects building, renovation, and demolition debris from residences when generated and placed behind the curb by the homeowner or tenant. Based on current state regulations, construction and demolition debris must be segregated from other materials and disposed of separately. The Pitt County Transfer Station has a separate area for disposing of construction debris from bulky items/refuse while vegetation and other inert debris are delivered to the Highway 33 LCID Landfill. Due to this requirement, the Public Works Department is not able to service the City to collect this material with a separate truck for disposal. Due to these issues, the Public Works Department proposes to add Section 6-3-2 (d). The proposed addition to this section will eliminate collection of building, renovation, and demolition debris from any residence. The Public Works Department will provide notice to citizens through multiple means on how residents can dispose of these materials due to this requirement.

Presently, receptacles for backyard collection are required to be placed in a location that is accessible to a two-wheeled cart. A change to Section 6-3-4 (b) is proposed to clarify that the Public Works Director or designee will determine if the container is accessible. This proposed article amendment will also add "under carports" and "on porches" as locations that containers shall not be placed.

The City's goal is to increase the recycling and solid waste diversion rate. Section 6-3-4 (c) proposes an amendment to allow up to three (3) containers for recycling instead of the present maximum of two (2) containers. This will allow for a potential increase in recycling volume. This proposed amendment also clarifies that the container should have a City recycling decal attached in a

visible location.

An issue with curbside collection is that some citizens will remove the container from the curb but not move it to the back of the residence or to a place out of sight from the road. The proposed addition to 6-3-4 (e) clarifies that the roll-out cart should be removed from the curb and be placed in a location on the property that is not in the right-of-way or easement and not located in the front yard of the property at the residential dwelling. The object of this change is to improve community aesthetics.

Section 6-3-7 (a) (5) has been deleted in order to allow disposal of trash, cuttings, clippings, and other debris in plastic bags. This is not required but is at the option of the resident.

Another proposed addition is 6-3-7 (d) that addresses an aesthetic issue associated with residents placing bulky items at the curb for collection many days ahead of their service day. This impacts the community's aesthetics as bulky items are placed out for up to a week at a time. Proposed in this new section is a requirement for residents not to place bulky items at the curb for collection more than two (2) days in advance of their collection day.

Section 6-3-12 has been added to describe the Public Works Department's special services collection program. This program is designed to assist residents that have a medical condition which prevents the resident from being able to roll out a City-approved cart to the curb for collection.

A proposed amendment to Section 6-3-21 clarifies that the City does not collect industrial waste.

The proposed changes to Section 6-3-23 update the existing ordinance to reflect that the City utilizes six (6) and eight (8) yard containers and no longer sells two (2), three (3), or four (4) yard containers. An additional provision in this section will allow multi-family complexes with existing smaller containers to continue to utilize these containers as long as they are compatible with Public Works' front loader truck.

Most dumpster containers are now manufactured with heavy-duty plastic lids. The proposed addition to section 6-3-24 adds language that plastic lids designed for the container are allowed. Also in this section, language has been added to require proper maintenance of the lids such that the lid opens and closes easily. This will allow efficient collection and reduce garbage falling on the ground during collection.

Manufacturers of the dumpster containers sold by the City only provide a twelve (12) month warranty. The proposed amendment to section 6-3-25 and 6-3-34 (a) makes the City's warranty for the containers consistent with the manufacturer's warranty. The proposed change to these sections also removes language regarding maintenance of wheels since the dumpster containers now utilized do not have wheels. An addition to Section 6-3-34 (a) also requires repair of dumpsters by the owner to a serviceable condition within ten (10) days of notice

of needed repair.

The Public Works Department has a constant problem with businesses placing garbage in public receptacles. The receptacles are not placed in the community for this purpose. Section 6-3-35 adds language to make use of a public receptacle or dumpster for the purpose of disposing of garbage or refuse from a business unlawful.

The proposed ordinance and a marked up copy of the existing ordinance showing the recommended changes are attached.

Fiscal Note: No additional cost to the City of Greenville.

Recommendation: City Council approve the ordinance revisions and amendments to Title 6, Chapter 3 of the City Code: "Garbage and Refuse Collection and Disposal."

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [Garbage Ordinance](#)

 [Amending Chapter 3 of Title 6 of the Greenville City Code by rewriting Article A 765444](#)

ORDINANCE NO. 08-
ORDINANCE AMENDING CHAPTER 3 OF TITLE 6 OF THE GREENVILLE CITY CODE
BY REWRITING CERTAIN SECTIONS WHICH RELATE TO
GARBAGE AND REFUSE COLLECTION AND DISPOSAL

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES
HEREBY ORDAIN:

Section 1. That Section 6-3-1 of the Code of Ordinances, City of Greenville, be and is hereby amended by rewriting said section so that it will read as follows:

Sec. 6-3-1. Definitions.

The following words shall have the meanings ascribed to them here for the purpose of this article:

- (1) *Garbage.* The word “garbage” shall mean organic waste matter from residential area and it comprises chiefly waste food. Garbage does not include moisture that may be drained in the sewer.
- (2) *Industrial Byproduct Waste.* The phrase “Industrial Byproduct Waste” shall mean any garbage, refuse, bulky items, and other solid waste items accumulated as a result of industrial activities, processes, or product distribution for disposal.
- (3) *Refuse.* The word “refuse” shall mean ashes, tin cans, dirty rags, trash, house sweepings, paper, paper cups, shavings, bottles and other rubbish.
- (4) *Recyclables.* The word “recyclables” shall mean glass jars and bottles, aluminum beverage cans, steel cans, cardboard, plastic #1 and #2, newsprint, magazines and other material for which a post-consumer recycling market exists.
- (5) *Solid waste collection services.* The phrase “solid waste collection services” shall mean the collection of garbage, refuse, recyclables, trash or other solid waste items which are collected by the City of Greenville pursuant to the ordinances, rules and regulations established in this chapter or in rules and regulations adopted by the public works director or city manager pursuant to authority in this chapter.

Section 2. That Section 6-3-2 of the Code of Ordinances, City of Greenville, be and is hereby amended by rewriting said section so that it will read as follows:

Sec. 6-3-2. Unlawful deposits of refuse.

- (a) No person shall throw, place or deposit any garbage, refuse or recyclables of any kind, on or upon any of the public streets, sidewalks and other public places within the city,

unless it shall be placed or deposited in a receptacle provided and maintained for that purpose and in accord with the provisions of this chapter.

(b) No person shall throw, place or deposit any of the above material, including old furniture, tires, appliances and building materials into any city-owned and -maintained drainage ditch.

(c) The city will not collect solid waste items which cannot be deposited in a designated disposal site, including stumps, uncured paint, tires, car batteries, chemicals, oil drums, rubbish cleared from vacant lots, and logs more than four (4) inches in diameter, and petroleum, fuel oil or chemical storage tanks.

(d) The city will not collect any building, renovation or demolition debris from any residence created by a contractor, resident, or property owner.

Section 3. That Section 6-3-4 of the Code of Ordinances, City of Greenville be and is hereby amended by rewriting said section so that it will read as follows:

Sec. 6-3-4. Receptacles.

(a) All property owners, landlords or tenants of residential dwellings shall provide receptacles for all residential garbage, refuse and recyclables for removal by the city.

(b) Residential garbage, refuse and recyclables shall be stored in containers of not more than thirty-two (32) gallons and not less than twenty (20) gallons in nominal capacity. Containers shall be leakproof and fitted with a secure lid and shall be properly covered at all times except when depositing waste therein or removing the contents thereof. The containers shall have handles, bails, or other suitable lifting devices or features. Containers shall be made of galvanized metal or heavy duty plastic of a type originally manufactured for residential solid waste, and shall be of light weight and sturdy construction. Receptacles shall be above ground, visible and located where a two-wheeled refuse cart can gain access as determined by the public works director or designee. Specifically designed containers for recyclables can be used as approved by the public works director. Garbage, refuse and recyclable containers shall not be located behind closed fences, inside closed structures, under carports, on porches, or in any other inaccessible location.

(c) Each household may have up to three (3) garbage containers for once a week pickup. Each household may have up to three (3) containers for recyclables for once a week pickup. Recycling containers shall be labeled with a city recycling decal that is attached to the container in a visible location.

(d) In lieu of providing the receptacles described in subsection (b) above, the occupant of any residential dwelling unit may elect to use a roll-out cart for garbage and/or recyclables. If a roll-out cart for garbage is used under the election provided by this subsection, the cart must be approved by the director of public works. In approving carts

for use within the city, the director shall consider the compatibility of the cart with city collection equipment. When roll-out carts are used for garbage, they must be rolled out to the curb before 6:00 a.m. on the day designated for garbage collection service. When roll-out carts are used for garbage the occupant of said residential unit may use containers described in subsection (b) above for recyclables provided said recyclable containers are brought to the curb before 6:00 a.m. on the day designated for recyclable collection service. Employees of the public works department will neither roll nor relocate roll-out carts or recycling receptacles from any location on the property to the curb. Public works employees will leave all emptied carts or curbside recyclable receptacles at or near the front yard property line.

(e) No person shall place receptacles for residential garbage, refuse or recyclables for removal by the city at curb side of a residential dwelling any earlier than dusk on the evening prior to scheduled collection. No later than daybreak of the day following scheduled collection, and at all times when not placed at the curb side for collection in accordance with the provisions of this subsection, receptacles must be removed from curb side and placed on a location on the residential property which is outside of the street right-of-way or easement and which is not located in the front yard of the property of the residential dwelling. For the purpose of this subsection, the front yard shall mean a yard extending across the full length of a lot from side lot line to side lot line and lying between the abutting street right-of-way or easement line and the building line. There is a front yard between each street which a property abuts and the residential dwelling located upon the property.

(f) Any person, firm, or corporation violating this section shall be liable for a civil penalty in the amount of fifty dollars (\$50.00) for any violation, except that the public works director is authorized to issue one (1) warning prior to issuing a civil citation. Each day's continuing violation shall be a separate and distinct offense. The public works director and the city attorney are authorized to pursue collection and enforcement of civil penalties through the courts of North Carolina.

Section 4. That Section 6-3-7 of the Code of Ordinances, City of Greenville be and is hereby amended by rewriting said section so that it will read as follows:

Sec. 6-3-7. Bulky items, tree limbs, cuttings and shrubbery.

(a) Tree limbs, cuttings, and shrubbery, etc., of more than one-half load will be hauled at such time as trucks and personnel are available. Limbs, cuttings, shrubbery, etc. must be cut in six-foot lengths or less and placed directly behind the curb or the traveled portion of the street upon the owner or tenant's property in an accessible location for collection. Tree limbs, cuttings, shrubbery, fine vegetation, debris, and junk shall be separated from each other as follows for collection:

- (1) Limbs, cuttings, shrubbery, and hedges shall be placed together at curbside for collection;

- (2) Fine vegetation such as leaves, grass, and pine straw shall be placed together at curbside for collection;
- (3) All other junk, debris, discarded furniture, or boxes shall be placed together at curbside for collection;
- (4) No trash or debris shall be placed in the gutter, or on a public street;

(b) Any business contracted by a property owner to cut or trim trees and/or shrubbery shall be required to haul these cuttings to the designated disposal site.

(c) It shall be unlawful to dump tree limbs, cuttings, leaves, shrubbery, lawn clippings, junk, etc. into any city-owned and -maintained drainage ditch.

(d) No person shall place junk, discarded furniture, or white goods at the curbside of a residential dwelling for removal more than two (2) days in advance of the scheduled collection day.

Section 5. That the Code of Ordinances, City of Greenville, is hereby amended by adding a section to be numbered 6-3-12, which section reads as follows:

Section 6-3-12. Special Services.

Individuals that are unable to roll-out their city approved roll out cart to the curb due to a medical condition may submit an application provided by the public works department to request special services. The application shall require a physician to fill out a section of the application stating the condition that prevents the applicant from rolling out the cart and the term of the condition. The public works director or designee shall approve or disapprove all requests for special services. In considering a request, the public works director or designee shall consider if the application has been fully completed including physician's statement section, and shall meet with the applicant to verify the application and verify there are no other residents residing at the address that can roll out the cart. If an application for special services is approved, the applicant must purchase a city approved roll out cart to receive the special services and allow the public works department to install a special services placard on the purchased cart. The approved applicant will be charged the curbside fee. The public works department collection crews will go to the location in the backyard that is accessible to a two wheeled cart, roll out the cart to dump into the refuse truck, and return the cart to the designated location. This service if approved is effective for the term noted by the physician on the application form. This service is available to single-family and multi-family residents.

Section 6. That Section 6-3-21 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting said section so that it will read as follows:

Sec. 6-3-21. Industrial byproduct waste.

No industrial byproduct waste will be accepted or collected for disposal by the city.

Section 7. That Section 6-3-23 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting said section so that it will read as follows:

Sec. 6-3-23. Containers--Required equal to need; concrete pickup platform.

Multifamily dwellings will be serviced by the city by a container-type refuse truck; therefore, these locations will be required to store their garbage, trash, recyclables or other waste in container sizes of six (6) or eight (8) cubic yards equivalent to their needs. Multifamily dwellings with existing three (3) or four (4) cubic yard dumpsters will be allowed to be serviced with existing three (3) or four (4) cubic yard dumpsters as long as they are compatible with front loader refuse trucks. All multifamily dwellings will be required to install their own concrete platform for these containers. The location of these containers will be chosen with regard to the best interest of public safety and to where the city refuse trucks can service them with the least maneuvering. Final approval as to the location will be made by the public works director or designee.

Section 8 That Section 6-3-24 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting said section so that it will read as follows:

Sec. 6-3-24. Same--Design and capacity.

Containers will be of an approved design, as provided by the public works department, and of six (6) or eight (8) cubic yards capacity. Containers must be made of twelve-gauge steel, with the exception of the lid which may be fourteen- or sixteen-gauge or heavy duty plastic designed for the container. The lid must be maintained by the owner in a manner such that the lid opens and closes easily

Section 9 That Section 6-3-25 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting said section so that it will read as follows:

Sec. 6-3-25. Same--Purchase and maintenance.

(a) It will be the responsibility of the owner to make the original purchase of these containers, and if purchased new, the sanitation division will provide a twelve-month warranty if purchased from the city. During such twelve month period, the department will perform all necessary repairs to such containers at the city's expense.

(b) The city will repair any container damaged by its refuse trucks and/or employees. It shall be the responsibility of the owner at the expiration of said twelve month period, to bear all costs of replacement of siding, bottoms, lids and necessary patching of any holes developing in such containers.

Section 10. That Section 6-3-31 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting said section so that it will read as follows:

Sec. 6-3-31. Developers and owners to provide containers; container capacity required.

(a) Developers and owners of multifamily dwellings, or duplexes that have ten (10) or more units, must provide containers as follows:

- (1) Three (3) to twenty-four (24) living units: One six-cubic yard container;
- (2) More than twenty-four (24) living units: One six-cubic yard container for each twenty (24) units or fraction thereof.

(b) Owners and developers of mobile home parks, as defined in Title 9, Chapter 4 of the City Code with ten (10) or more mobile homes, must provide containers on the same ratio of units to containers as prescribed in subsection (a) above.

(c) Notwithstanding the provisions of subsections (a) and (b), developers and owners of multifamily units, duplexes, or mobile home parks may elect to provide each unit with roll-out carts in lieu of meeting the requirements of subsections (a) or (b). If roll-out carts are used under the election provided by this subsection, the carts and the proposed site plan for locating carts must be approved by the director of public works. The director shall consider the accessibility of the proposed locations, the protection of public health, and compatibility of the carts with city collection equipment when approving or disapproving plans for cart use. If roll out carts are approved by the director of public works, curbside recycling will be collected in 64 or 96 gallon city approved roll out carts. Recycling carts shall be labeled with a city recycling decal that is attached to the container in a visible location.

(d) Notwithstanding the provisions of subsections (a) through (c) above, the city council may authorize tests, trials or experimental arrangements for solid waste collection.

Section 11. That Section 6-3-32 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting said section so that it will read as follows:

Sec. 6-3-32. Location of containers--Inclusion in site plan.

Developers of condominiums and multifamily dwelling developments, including such developments which also have duplex houses, will include in the site plan the location for containers to be serviced by the city for approval by the director of public works. Containers shall be provided by the developer on site before a certificate of occupancy for the structure shall be issued by the city. (Code 1971, § 16-20; Ord. No. 892, 9-13-79)

Section 12. That Section 6-3-34 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting said section so that it will read as follows:

Sec. 6-3-34. Purchase and maintenance of containers.

(a) It will be the responsibility of the owner to make the original purchase of these containers and the sanitation division will thereafter for a period of twelve (12) months maintain such containers. During such twelve-month period, if the container is purchased from the city, the department will perform all necessary repairs to such containers at the city's expense, except for repairs necessitated by deliberate acts of the owner or any other person. The city will also repair any container damaged by its refuse trucks and/or employees. Specifically, it shall be the responsibility of the owner, at the expiration of such twelve (12)-month period, to bear all costs of replacement of siding, bottoms, lids and necessary patching of any holes developing in such containers. It shall be the responsibility of the owner to maintain the container in a serviceable condition and to make necessary repair or replacement of the container within ten (10) days of notice of needed repair.

(b) The twelve-month warranty is only applicable to the containers that meet the specifications outlined in section 6-3-24.

Section 13. That Section 6-3-35 of the Code of Ordinances, City of Greenville, is hereby amended by rewriting said section so that it will read as follows:

Sec. 6-3-35. Unauthorized use of receptacle prohibited.

It shall be unlawful for any person to place, or allow to be placed, any garbage or refuse in any receptacle, at any refuse collection point, or in any refuse container used in the commercial or multi-family garbage collection service unless the garbage or refuse is from the premise(s) served by such container or from the premise(s) at which the receptacle is located. It shall also be unlawful for any person to utilize a public dumpster or trash receptacle as a means to dispose of garbage or refuse from the premises of a commercial or industrial business. Any unauthorized use of a receptacle shall subject the offender(s) to a civil penalty in the amount of fifty dollars (\$50.00) and the public works department is authorized to issue citations.

Section 14. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 15. Any part or provision of this ordinance found by a court of competent jurisdiction to be in violation of the Constitution or laws of the United States or North Carolina is hereby deemed severable and shall not affect the validity of the remaining provisions of the ordinance.

Section 16. This ordinance shall become effective August 1, 2008.

This the 12th day of June, 2008.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

PUBLIC WORKS

**CHAPTER 3. GARBAGE AND REFUSE
COLLECTION AND DISPOSAL***

***Cross reference(s)**--Outdoor burning inside and outside fire district, §§ 5-2-51, 5-2-52; litter control in parking lots, § 11-9-1 et seq.

State law reference(s)--Regulation of solid waste disposal. G.S. 160A-192.

Article A. General Provisions

- Sec. 6-3-1. Definitions.
- Sec. 6-3-2. Unlawful deposits of refuse.
- Sec. 6-3-3. Removal of garbage and refuse.
- Sec. 6-3-4. Receptacles.
- Sec. 6-3-5. Interference with contents of receptacles.
- Sec. 6-3-6. Duties of property owners, landlords and tenants.
- Sec. 6-3-7. Bulky items, tree limbs, cuttings and shrubbery.
- Sec. 6-3-8. Cardboard to be flattened for pickup service.
- Sec. 6-3-9. Receptacles: placement prohibited in right-of-way.
- Sec. 6-3-10. Collection or storage of used beverage cans, bottles or cartons.
- Sec. 6-3-11. Vehicles used for collecting used beverage bottles or cans.
- Sec. 6-3-12. Special Services
- Sec. 6-3-13-6-3-20. Reserved.

Deleted: 1

Deleted: 2

Article B. Container Policy

Division 1. Industrial, Commercial and Institutional

- Sec. 6-3-21. Industrial byproduct waste.
- Sec. 6-3-22. Pickup schedules.
- Sec. 6-3-23. Containers--Required equal to need; concrete pickup platform.
- Sec. 6-3-24. Same--Design and capacity.
- Sec. 6-3-25. Same--Purchase and maintenance.
- Sec. 6-3-26--6-3-30. Reserved.

Division 2. Condominiums and Multifamily Dwellings

- Sec. 6-3-31. Developers and owners to provide containers; container capacity required.
- Sec. 6-3-32. Location of containers--Inclusion in site plan.
- Sec. 6-3-33. Same--Pickup accessibility.
- Sec. 6-3-34. Purchase and maintenance of containers.
- Sec. 6-3-35. Unauthorized use of receptacle prohibited.
- Sec. 6-3-36. Commercial/industrial refuse collection.
- Sec. 6-3-37--6-3-39. Reserved.

Article C. Fees and Charges for Solid Waste Collection Services

- Sec. 6-3-40. Definitions.
- Sec. 6-3-41. Fees and charges for solid waste collection services.
- Sec. 6-3-42. Presumption of service.
- Sec. 6-3-43. Penalties.

Article A. General Provisions

Sec. 6-3-1. Definitions.

The following words shall have the meanings ascribed to them here for the purpose of this article:

- (1) *Garbage*. The word "garbage" shall mean organic waste matter from residential area and it comprises chiefly waste food. Garbage does not include moisture that may be drained in the sewer.

GREENVILLE CITY CODE

(2) Industrial Byproduct Waste. The phrase “Industrial Byproduct Waste” shall mean any garbage, refuse, bulky items, and other solid waste items accumulated as a result of industrial activities, processes, or product distribution for disposal.

Formatted: Font: Italic

(3) Refuse. The word “refuse” shall be taken to mean ashes, tin cans, dirty rags, trash, house sweepings, paper, paper cups, shavings, bottles and other rubbish.

(4) Recyclables. The word “recyclables” shall mean glass jars and bottles, aluminum beverage cans, steel cans, cardboard, plastic #1 and #2, newsprint, magazines and other material for which a post-consumer recycling market exists.

Deleted: 3

(5) Solid waste collection services. The phrase “solid waste collection services” shall mean the collection of garbage, refuse, recyclables, trash or other solid waste items which are collected by the City of Greenville pursuant to the ordinances, rules and regulations established in this chapter or in rules and regulations adopted by the public works director or city manager pursuant to authority in this chapter. (Ord. No. 2339, § 1, 6-13-91; Ord. No. 2685, § 1, 7-8-93)

Deleted: 4

Sec. 6-3-2. Unlawful deposits of refuse.

(a) No person shall throw, place or deposit any garbage, refuse or recyclables of any kind, on or upon any of the public streets, sidewalks and other public places within the city, unless it shall be placed or deposited in a receptacle provided and maintained for that purpose and in accord with the provisions of this chapter.

(b) No person shall throw, place or deposit any of the above material, including old furniture, tires, appliances and building materials into any city-owned and -maintained drainage ditch.

(c) The city will not collect solid waste items which cannot be deposited in a designated disposal area, including stumps, uncured paint, tires, car batteries, chemicals, oil drums, rubbish cleared from vacant lots, and logs more than four (4) inches in diameter, and petroleum, fuel oil or chemical storage tanks. (Ord. No. 2059, § 1, 8-21-89; Ord. No. 2685, § 2, 7-8-93)

Deleted: the county landfill

Deleted: building materials.

(d) The city will not collect any building, renovation or demolition debris from any residence created by a contractor, resident, or property owner.

Formatted: Bullets and Numbering

Sec. 6-3-3. Removal of garbage and refuse.

No person other than those under the direction of the city manager shall haul away or remove any garbage, refuse or recyclables set out for collection at residential units as in this chapter provided, except by the written consent of the city manager. Owners or occupants for all nonresidential units are responsible for hauling, contracting for the hauling of, or otherwise disposing of garbage, refuse and recyclables in a lawful and sanitary manner, and in all respects in accord with the provisions of this chapter. (Code 1971, § 16-3; Ord. No. 2339, § 2, 6-13-91; Ord. No. 2685, § 3, 7-8-93)

Sec. 6-3-4. Receptacles.

(a) All property owners, landlords or tenants of residential dwellings shall provide receptacles for all residential garbage, refuse and recyclables for removal by the city.

(b) Residential garbage, refuse and recyclables shall be stored in containers of not more than thirty-two (32) gallons and not less than twenty (20) gallons in nominal capacity. Containers shall be leakproof and fitted with a secure lid and shall be properly covered at all times except when depositing waste therein or removing the contents thereof. The containers shall have handles, bails, or other suitable lifting devices or features. Containers shall be made of galvanized metal or heavy duty plastic of a type originally manufactured for residential solid waste, and shall be of light weight and sturdy construction. Receptacles shall be above ground, visible and located where a two-wheeled refuse cart can gain access as determined by the public works director or designee. Specifically designed containers for recyclables can be used as approved by the public works director. Garbage, refuse and recyclable containers shall not be located behind closed fences, inside closed structures, under carports, on porches, or in any other inaccessible location.

PUBLIC WORKS

(c) Each household may have up to three (3) garbage containers for once a week pickup. Each household may have up to ~~three (3)~~ containers for recyclables for once a week pickup. Recycling containers shall be labeled with a city recycling decal ~~that is attached to the container in a visible location.~~

- Deleted: t
- Deleted: wo
- Deleted: 2
- Deleted: seal

(d) In lieu of providing the receptacles described in subsection (b) above, the occupant of any residential dwelling unit may elect to use a roll-out cart for garbage and/or recyclables. If a roll-out cart for garbage is used under the election provided by this subsection, the cart must be approved by the director of public works. In approving carts for use within the city, the director shall consider the compatibility of the cart with city collection equipment. When roll-out carts are used for garbage, they must be rolled out to the curb before 6:00 a.m. on the day designated for garbage collection service. When roll-out carts are used for garbage the occupant of said residential unit may use containers described in subsection (b) above for recyclables provided said recyclable containers are brought to the curb before 6:00 a.m. on the day designated for recyclable collection service. Employees of the public works department will neither roll nor relocate roll-out carts or recycling receptacles from any location on the property to the curb. Public works employees will leave all emptied carts or curbside recyclable receptacles at or near the front yard property line.

(e) No person shall place receptacles for residential garbage, refuse or recyclables for removal by the city at curb side of a residential dwelling any earlier than dusk on the evening prior to scheduled collection. ~~No later than daybreak of the day following scheduled collection, and at all times when not placed at the curb side for collection in accordance with the provisions of this subsection, receptacles must be removed from curb side and placed on a location on the residential property which is outside of the street right-of-way or easement and which is not located in the front yard of the property of the residential dwelling. For the purpose of this subsection, the front yard shall mean a yard extending across the full length of a lot from side lot line to side lot line and lying between the abutting street right-of-way or easement line and the building line. There is a front yard between each street which a property abuts and the residential dwelling located upon the property.~~

- Deleted: Emptied receptacles must be removed
- Deleted: n
- Deleted: .

(f) Any person, firm, or corporation violating this section shall be liable for a civil penalty in the amount of fifty dollars (\$50.00) for any violation, except that the public works director is authorized to issue one (1) warning prior to issuing a civil citation. Each day's continuing violation shall be a separate and distinct offense. The public works director and the city attorney are authorized to pursue collection and enforcement of civil penalties through the courts of North Carolina. (Ord. No. 1255, §§ 1, 2, 3-10-83; Ord. No. 2685, § 4, 7-8-93; Ord. No. 95-20, §§ 1, 2, 2-9-95)

Sec. 6-3-5. Interference with contents of receptacles.

No person shall disturb, remove from containers or interfere with the contents of any garbage, refuse or recyclables set out for removal by the city, unless by permission of the public works director. (Ord. No. 2685, § 5, 7-8-93)

Sec. 6-3-6. Duties of property owners, landlords and tenants.

(a) It shall be the duty of each property owner, landlord or tenants to see that all garbage, refuse and recyclable containers, and the contents as in this chapter provided for, are set out for collection at such a location and time as may be fixed by the public works director.

(b) All owners of real property within the city are required at all times to remove therefrom all garbage, debris, refuse and recyclables which pose a public health or safety hazard.

(c) It shall be the duty of the public works director or designee to serve written notice by personal service or certified mail at the last known address of every property owner, landlord or tenant who shall fail to comply with the provisions of section 6-3-6(b) requiring the property owner to remove all garbage, debris, refuse matter and recyclables which may pose a public health or safety hazard from the property within five (5) days from the date of the notice. If any property owner served with the notice shall fail or refuse to remove all garbage, debris, refuse matter, and recyclables within five (5) days after such notice shall have been given, the public works director or a designee shall have the garbage, debris, refuse matter or recyclables removed from the property.

(d) The owner of any lot from which any garbage, debris, refuse matter, or recyclables are removed pursuant to subsection (c) above shall, after the required notice has been given, be liable to the city for actual costs incurred by the city in such removal, plus an administrative charge as established in the Manual of Fees. The public works director or a designee shall make a written report of the actual costs incurred by the city, plus an administrative fee, in the removal of garbage, debris, refuse matter and recyclables which pose a public health or safety hazard from any lot pursuant to this section, and shall deliver such report to the revenue supervisor. Such cost shall be charged against the property owner

GREENVILLE CITY CODE

and shall be collected in the same manner as the ad valorem taxes, and such costs shall be a lien on the real property subject only to the lien of the city and county ad valorem taxes thereon, if not paid. (Ord. No. 2330, § 1, 5-9-91; Ord. No. 2685, § 6, 7-8-93)

Sec. 6-3-7. Bulky items, tree limbs, cuttings and shrubbery.

(a) Tree limbs, cuttings, and shrubbery, etc., of more than one-half load will be hauled at such time as trucks and personnel are available. Limbs, cuttings, shrubbery, etc. must be cut in six-foot lengths or less and placed directly behind the curb or the traveled portion of the street upon the owner or tenant's property in an accessible location for collection. Tree limbs, cuttings, shrubbery, fine vegetation, debris, and junk shall be separated from each other as follows for collection:

- (1) Limbs, cuttings, shrubbery, and hedges shall be placed together at curbside for collection;
- (2) Fine vegetation such as leaves, grass, and pine straw shall be placed together at curbside for collection;
- (3) All other junk, debris, discarded furniture, or boxes shall be placed together at curbside for collection;
- (4) No trash or debris shall be placed in the gutter, or on a public street;

(b) Any business contracted by a property owner to cut or trim trees and/or shrubbery shall be required to haul these cuttings to a designated disposal area.

(c) It shall be unlawful to dump tree limbs, cuttings, leaves, shrubbery, lawn clippings, junk, etc. into any city-owned and -maintained drainage ditch. (Code 1971, § 16-7; Ord. No. 2059, § 2, 8-21-89; Ord. No. 2685, § 7, 7-8-93; Ord. No. 95-20, § 3, 2-9-95)

(d) No person shall place junk, discarded furniture, or white goods at the curbside of a residential dwelling for removal more than two (2) days in advance of the scheduled collection day.

Sec. 6-3-8. Cardboard to be flattened for pickup service.

Empty corrugated boxes, cartons or containers shall be flattened before they are set out for removal. Flattened cardboard may be recycled by placing it in the resident's recycling container, or large amounts of cardboard may be placed on the front corner of the resident's property nearest the public street or alley for recyclable collection. The sanitation division shall not collect any box, carton or container that has not been flattened for recyclable collection. (Ord. No. 2685, § 8, 7-8-93; Ord. No. 95-20, § 4, 2-9-95)

Sec. 6-3-9. Receptacles; placement prohibited in right-of-way.

It shall be unlawful for any person to place any garbage, refuse or recyclable container of any kind within any portion of the right-of-way of any street, thoroughfare or other public way for any reason other than for pickup by the public works department as stated in this chapter. (Ord. No. 2685, § 9, 7-8-93)

Sec. 6-3-10. Collection or storage of used beverage cans, bottles or cartons.

Except as provided in section 6-3-6, no used beverage cans, bottles, or cartons may be collected or stored outside in drums, cans or any container other than authorized commercial refuse containers, for a period of more than twenty-four (24) hours, whether the purpose of such collection or storage be for recycling or any other reason. Any receptacle, other than an authorized commercial container, used for collecting or storing such cans, bottles or cartons shall have its contents emptied and removed from the premises at least daily and the receptacle thoroughly cleaned after each emptying. (Ord. No. 1034, 12-11-80; Ord. No. 2685, § 10, 7-8-93)

Sec. 6-3-11. Vehicles used for collecting used beverage bottles or cans.

Properly constructed vehicles may be used for the collection and immediate disposal of used beverage bottles or cans, but not for their storage until disposal.

- (1) *Type of vehicle.* Any vehicle used for collecting used beverage bottles or cans must be constructed and kept clean so as to prevent any leakage of waste or odor from its contents.

Deleted: T

Formatted: Indent: Left: 0", First line: 0.25"

Deleted: on the front corner

Deleted: of the

Deleted: nearest the street or public alley.

Deleted: ¶

Deleted: .

Formatted: Indent: Left: 0.5", First line: 0"

Deleted: -----Page Break-----

Formatted: Indent: Left: 0", First line: 0"

Deleted: ¶

Deleted: (5) - No trash, cuttings, clippings, or other debris may be left for collection in a plastic or paper bag of any sort.¶

Deleted: the landfill

PUBLIC WORKS

(2) *Standing.* No vehicle used for collecting used beverage bottles or cans may be parked or left standing long enough to create an odor. (Ord. No. 1035, 12-11-80)

Formatted: Indent: Left: 0", Hanging: 0.5"

Section 6-3-12. Special Services

Individuals that are unable to roll-out their city approved roll out cart to the curb due to a medical condition may submit an application provided by the public works department to request special services. The application shall require a physician to fill out a section of the application stating the condition that prevents the applicant from rolling out the cart and the term of the condition. The public works director or designee shall approve or disapprove all requests for special services. In considering a request, the public works director or designee shall consider if the application has been fully completed including physician's statement section, and shall meet with the applicant to verify the application and verify there are no other residents residing at the address that can roll out the cart. If an application for special services is approved, the applicant must purchase a city approved roll out cart to receive the special services and allow the public works department to install a special services placard on the purchased cart. The approved applicant will be charged the curbside fee. The public works department collection crews will go to the location in the backyard that is accessible to a two wheeled cart, roll out the cart to dump into the refuse truck, and return the cart to the designated location. This service if approved is effective for the term noted by the physician on the application form. This service is available to single-family and multi-family residents.

Formatted: Indent: Left: 0.5"

Formatted: Indent: Left: 0.75"

~~Secs. 6-3-13, 6-3-20. Reserved.~~

Deleted: 2

GREENVILLE CITY CODE

Article B. Container Policy

Division 1. Industrial, Commercial and Institutional

Sec. 6-3-21. Industrial byproduct waste.

No industrial byproduct waste will be accepted or collected for disposal by the city. (Ord. No. 2685, § 11, 7-8-93)

Deleted: pickup facilities
Deleted: The City of Greenville will not collect any item which the county landfill refuses to accept, specifically including: building materials, stumps, uncured paint, tires, car batteries, chemicals, oil drums, rubbish cleared from vacant lots, logs more than four (4) inches in diameter, and petroleum, fuel oil or chemical storage tanks.

Sec. 6-3-22. Pickup schedules.

Garbage, trash and recyclables will be picked up from residential property on a regular schedule as established by the director of public works. (Code 1971, § 16-15; Ord. No. 2685, § 12, 7-8-93)

Sec. 6-3-23. Containers--Required equal to need; concrete pickup platform.

Multifamily dwellings will be serviced by the city by a container-type refuse truck; therefore, these locations will be required to store their garbage, trash, recyclables or other waste in container sizes of six (6) or eight (8) cubic yards equivalent to their needs. Multifamily dwellings with existing three (3) or four (4) cubic yard dumpsters will be allowed to be serviced with existing three (3) or four (4) cubic yard dumpsters as long as they are compatible with front loader refuse trucks. All multifamily dwellings will be required to install their own concrete platform for these containers. The location of these containers will be chosen with regard to the best interest of public safety and to where the city refuse trucks can service them with the least maneuvering. Final approval as to the location will be made by the public works director or designee. (Ord. No. 1639, § 3, 8-14-86; Ord. No. 2339, §§ 4, 5, 6-13- 91; Ord. No. 2685, § 13, 7-8-93)

Deleted: of two (2),
Deleted:
Deleted: three
Deleted: 3
Deleted: four
Deleted: 4
Deleted: and/or sanitation superintendent

Sec. 6-3-24. Same--Design and capacity.

Containers will be of an approved design, as provided by the public works department, and of six (6) or eight (8) cubic yards capacity. Containers must be made of twelve-gauge steel, with the exception of the lid which may be fourteen- or sixteen-gauge or heavy duty plastic designed for the container. The lid must be maintained by the owner in a manner such that the lid opens and closes easily.

Deleted: one
Deleted: 1
Deleted: to
Deleted: four
Deleted: 4

Sec. 6-3-25. Same--Purchase and maintenance.

(a) It will be the responsibility of the owner to make the original purchase of these containers, and if purchased new, the sanitation division will provide a twelve-month warranty if purchased from the city. During such twelve month period, the department will perform all necessary repairs to such containers at the city's expense, except for repairs necessitated by deliberate acts of owner or any other person.

Deleted: The casters must be at least six (6) inches (heavy-duty type) on the two (2), three (3) and four (4) cubic yard containers. The one (1) cubic yard container may have five-inch casters. (Code 1971, § 16-17)

(b) The city will repair any container damaged by its refuse trucks and/or employees. It shall be the responsibility of the owner at the expiration of said twelve-month period, to bear all costs of replacement of siding, bottoms, lids and necessary patching of any holes developing in such containers.

Deleted: thirty-six
Deleted: y
Deleted: thirty-six-month

Secs. 6-3-26--6-3-30. Reserved.

Deleted: After the expiration of such thirty-six-month period, the city's responsibility will be limited to periodic repainting.
Deleted: also
Deleted: and replace any wheels damaged
Deleted: Specifically
Deleted: i
Deleted: t
Deleted: thirty-six-

PUBLIC WORKS

Division 2. Condominiums and Multifamily
Dwellings

Sec. 6-3-31. Developers and owners to provide containers; container capacity required.

(a) Developers and owners of multifamily dwellings, or duplexes that have ten (10) or more units must provide containers as follows:

- (1) Three (3) to twenty-four (24) living units: One six-cubic yard container;
- (2) More than twenty-four (24) living units: One six-cubic yard container for each twenty (24) units or fraction thereof.

(b) Owners and developers of mobile home parks, as defined in Title 9, Chapter 4 of the City Code with ten (10) or more mobile homes, must provide containers on the same ratio of units to containers as prescribed in subsection (a) above.

(c) Notwithstanding the provisions of subsections (a) and (b), developers and owners of multifamily units, duplexes, or mobile home parks may elect to provide each unit with roll-out carts in lieu of meeting the requirements of subsections (a) or (b). If roll-out carts are used under the election provided by this subsection, the carts and the proposed site plan for locating carts must be approved by the director of public works. The director shall consider the accessibility of the proposed locations, the protection of public health, and compatibility of the carts with city collection equipment when approving or disapproving plans for cart use. If roll out carts are approved by the director of public works, curbside recycling will be collected in 64 or 96 gallon city approved roll out carts. Recycling carts shall be labeled with a city recycling decal that is attached to the container in a visible location.

(d) Notwithstanding the provisions of subsections (a) through (c) above, the city council may authorize tests, trials or experimental arrangements for solid waste collection. (Code 1971, § 16-19; Ord. No. 892, 9-13-79; Ord. No. 1218, § 1, 10-14-82; Ord. No. 2685, § 14, 7-8-93)

Editor's note--Ordinance No. 1218, § 2, adopted Oct. 14, 1982 provided that:

"Section 2. This ordinance shall be effective upon adoption. However, owners or existing multifamily units, duplexes covered by subsection (a) of Section 1 or mobile home parks covered by subsection (b) of Section 1, which are not served by containers on the date of adoption of this ordinance shall have until June 9, 1983, to provide containers or roll-out carts in accordance with Title 6 of the Code of the City of Greenville."

Sec. 6-3-32. Location of containers--Inclusion in site plan.

Developers of condominiums and multifamily dwelling developments, including such developments which also have duplex houses, will include in the site plan the location for containers to be serviced by the city for approval by the director of public works. Containers shall be provided by the developer on site before a certificate of occupancy for the structure shall be issued by the city. (Code 1971, § 16-20; Ord. No. 892, 9-13-79)

Sec. 6-3-33. Same--Pickup accessibility.

Containers must be located for accessibility by sanitation division pickup equipment. (Code 1971, § 16-21)

Sec. 6-3-34. Purchase and maintenance of containers.

(a) It will be the responsibility of the owner to make the original purchase of these containers and the sanitation division will thereafter for a period of twelve (12) months maintain such containers. During such twelve month period, if the container is purchased from the city, the department will perform all necessary repairs to such containers at the city's expense, except for repairs necessitated by deliberate acts of the owner or any other person. The city will also repair any container damaged by its refuse trucks and/or employees. Specifically, it shall be the responsibility of the owner, at the expiration of such twelve (12)-month period, to bear all costs of replacement of siding, bottoms, lids and necessary patching of any holes developing in such containers. It shall be the responsibility of the owner to maintain the container in a serviceable condition and to make necessary repair or replacement of the container within ten (10) days of notice of needed repair.

- Deleted: where
- Deleted: are in unified ownership
- Deleted:
- Deleted: elve
- Deleted: 12
- Deleted: three
- Deleted: lve
- Deleted: 12
- Deleted: three
- Deleted: lve
- Deleted: 12
- Deleted: major

- Deleted: thirty-six (36)
- Deleted: thirty-six-
- Deleted: .
- Deleted: After the expiration of such thirty-six-month period, the city's responsibility will be limited to periodic repainting.
- Deleted: damage and replace any wheels
- Deleted: thirty-six

GREENVILLE CITY CODE

(b) The twelve month warranty is only applicable to the containers that meet the specifications outlined in section 6-3-24. (Code 1971, § 16-22)

Deleted: thirty-six-

Sec. 6-3-35. Unauthorized use of receptacle prohibited.

It shall be unlawful for any person to place, or allow to be placed, any garbage or refuse in any receptacle, at any refuse collection point, or in any refuse container used in the commercial or multi-family garbage collection service unless the garbage or refuse is from the premise(s) served by such container or from the premise(s) at which the receptacle is located. It shall also be unlawful for any person to utilize a public dumpster or trash receptacle as a means to dispose of garbage or refuse from the premises of a commercial or industrial business. Any unauthorized use of a receptacle shall subject the offender(s) to a civil penalty in the amount of fifty dollars (\$50.00) and the public works department is authorized to issue citations. (Ord. No. 2369, § 1, 9-12-91; Ord. No. 95-20, § 5, 2-9-95)

Sec. 6-3-36. Commercial/industrial refuse collection.

It shall be the responsibility of all commercial/industrial businesses to provide refuse collection and disposal service equivalent to their needs. It shall also be the responsibility of each business to contract with an approved hauler of their choice for service arrangements. Any firm or corporation violating this section shall be liable for a civil penalty in the amount of fifty dollars (\$50.00). Each day's continuing violation shall constitute a separate offense. The public works director and the city attorney are authorized to pursue collection and enforcement of civil penalties through the courts of North Carolina. (Ord. No. 95-20, § 6, 2-9-95)

Secs. 6-3-37--6-3-39. Reserved.

Article C. Fees and Charges for Solid Waste Collection Services

Sec. 6-3-40. Definitions.

For the purposes of this article, the following words shall have the meanings stated below:

- (1) *Nonresidential unit*: Any room or group of rooms used for business, commercial, educational, religious, or other nonresidential use.
- (2) *Occupant*: Any person who, alone or jointly with others, is in actual possession of any residential unit or of any other improved real property, either as owner or tenant.
- (3) *Solid waste collection*: The collection of solid wastes, including garbage, recyclables, and refuse, without regard to whether such collection is from trash cans, roll-out carts, containerized service, trash collection or any combination of these services.
- (4) *Residential unit*: Any room or group of rooms forming a single habitable unit, including houses, apartment units, mobile homes, condominium units and townhouses, but not including hotel or motel living quarters. (Ord. No. 1639, § 1, 8-14-86; Ord. No. 1678, § 1, 1-8-87; Ord. No. 2685, § 16, 7-8-93)

Sec. 6-3-41. Fees and charges for solid waste collection services.

(a) The person or organization in whose name utility service is listed shall be liable for, and shall pay, the charges for solid waste collection service provided for under this article.

(b) All residential units shall be charged a monthly fee as established in the City of Greenville Manual of Fees.

(c) The monthly charge for solid waste collection service shall be billed by the Greenville Utilities Commission to each residential unit on a monthly basis, and shall be payable with utility charges within the time limit fixed for the payment of utility bills by the Greenville Utilities Commission.

PUBLIC WORKS

(d) The charge for solid waste collection service for a residential unit shall accrue on the first day of the individual billing cycle for that unit under the billing system of the Greenville Utilities Commission. For billing cycles between twenty-six (26) days and thirty-five (35) days inclusive, charges will not be prorated. For billing cycles of twenty-five (25) days or less and for billing cycles thirty-six (36) days and above, charges shall be prorated on a daily basis of 1/30th of the normal monthly charge.

(e) Nonresidential units shall be responsible for obtaining solid waste collection services from private haulers, or making other lawful and satisfactory arrangements for disposal of solid wastes.

(f) Residential units owned, utilized, or occupied by any federal, state or local governmental body, institution or agency located wholly or partially in the City of Greenville may receive an exemption from the payment of fees and charges for solid waste collection upon satisfactory showing to the city manager that the governmental body, institution or agency can remove and dispose of all solid waste at the subject location in a safe and sanitary manner.

(g) The city manager is authorized to establish, and to change as needed, whatever rules, regulations, interpretations and policies as are necessary to implement and effectively administer the collection and enforcement of the fees and charges in this article. In establishing or amending the rules, regulations, interpretations and policies authorized by this subsection the manager shall be guided by the following principles:

- (1) Rules, regulations, interpretations, and policies shall be consistent with applicable state, federal and local law;
- (2) Rules, regulations, interpretations and policies shall be consistent with generally accepted accounting principles, effective management oversight and control, and efficient operation; and
- (3) Rules, regulations, interpretations and policies shall not allow termination of electric, water, sewer or gas service. (Ord. No. 2685, § 17, 7-8-93)

Sec. 6-3-42. Presumption of service.

(a) It is presumed that all residential units in the city receive service. This presumption may be rebutted, and the fee for service released or refunded in accordance with rules, regulations, interpretations and policies established by the city manager.

(b) The director of public works of the City of Greenville, or a designee, shall hear and decide appeals on presumption of service questions. The director of public works may release or refund fees for service charged or collected under circumstances described in subsection (a) of this section, and in other circumstances as defined by rules, regulations, interpretations and policies adopted by the city manager pursuant to authority granted by section 6-3-41(g) of this article.

(c) Residential and nonresidential units unoccupied for more than thirty (30) consecutive days will be allowed an exemption from fees and charges. The burden of proof for showing that a unit has been unoccupied for more than thirty (30) consecutive days shall be upon the party responsible for paying the fees and charges established in this article, and shall be done on a month-to-month basis on forms provided or approved by the city.

(Ord. No. 2685, § 18, 7-8-93)

Formatted: Indent: First line: 0.25"

Formatted: Indent: First line: 0"

Formatted: Indent: First line: 0.25"

Sec. 6-3-43. Penalties.

(a) Any willful and knowing refusal to pay fees assessed for solid waste collection services shall subject the offender to a civil penalty in the amount of fifty dollars (\$50.00). It is presumed that payment of the total utility bill, minus the amount of the solid waste collection fee, is a willful and knowing refusal to pay.

(b) Unpaid accounts for fees or charges under this article may be enforced by appropriate civil actions for the collection of amounts due, or by other appropriate relief.

(c) Unpaid solid waste collection fees shall be included in the fees and charges which must be repaid before utility service is resumed in those cases where failure to pay utility charges has resulted in discontinuance of utility service. (Ord. No. 1639, § 1, 8-14-86; Ord. No. 2339, § 8, 6-13-91; Ord. No. 2685, § 19, 7-8-93)



City of Greenville, North Carolina

Meeting Date: 6/12/2008
Time: 7:00 PM

Title of Item: Contract award for EMS Unit without formal bid process

Explanation: Request is to award a contract for the purchase of one EMS unit (ambulance) and to waive the formal bid process for this unit. This purchase will be made via a "piggyback" option based upon City of Greenville Formal Bid #2007/08-07 dated 4/28/08.

This recommendation is made to take advantage of the favorable bid price and purchase the replacement units for the current and next fiscal years using the bid process recently completed for the 2007-2008 replacement unit.

Fiscal Note: The cost would be \$231,027 as per the previous formal bid. Funds for this purchase are available in the Vehicle Replacement Fund.

Recommendation: Approve a contract award to Southeastern Specialty Vehicles, Inc. of Wake Forest, NC, in the amount of \$231,027 as per the previous City of Greenville Bid #2007/08-07.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / [click to download](#)



City of Greenville, North Carolina

Meeting Date: 6/12/2008
Time: 7:00 PM

Title of Item: Cable Television Government Access Channel Ad Hoc Advisory Committee

Explanation: On June 11, 2007, the City Council at a regular City Council meeting passed an ordinance dissolving the Citizens Advisory Commission on Cable Television and the concomitant references in the Code of Ordinances. This action was taken in recognition of the recently implemented state law creating state cable franchises; thereby, the law significantly reduced this body's historical role and its need.

At the above City Council meeting, Councilmember Spell requested some form of citizens advisory commission on cable television and two versions of a proposed ordinance were considered by the City Council. After much Council discussion, a consensus was reached that there was some benefit to seeking citizen input on government access channel programming. While a move to create a permanent commission failed, Councilmember Dunn proposed a motion directing staff to return to the City Council a proposal to create an ad hoc committee. That motion was approved by the City Council.

This proposed plan accomplishes the City Council's directive. It was drafted by staff with the collective input from the Public Information Officer, City Manager, City Attorney, and Assistant City Manager.

Fiscal Note: Minimal direct expenses of \$250 and up to 100 staff hours or approximately 5% of a FTE.

Recommendation: Approve creation of the Cable Television Government Access Channel Ad Hoc Advisory Committee and direct the City Attorney to prepare a resolution formalizing the creation for City Council consideration at the August 14, 2008 City Council meeting.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [Government Access Channel Ad Hoc Committee 749029](#)

City of Greenville

Cable Television Government Access Channel Ad Hoc Advisory Committee

Article I – Government Access Channel Purpose

Section 1. Purpose

The City of Greenville Government Access Channel (GTV-9) exists chiefly to achieve the following objectives:

- 1) Provide information about programs and services offered by City departments, agencies, boards, commissions, and the government’s partner agencies.
- 2) Expand citizen awareness of government and its decision-making processes by exposing citizens to live and tape-delayed government meetings.
- 3) Enhance existing public information materials and use cable television as a public information tool.
- 4) Provide a convenient means for citizens to remain informed of City Council, boards, and commissions actions.
- 5) Provide and distribute programming of interest to residents that will inform, educate, and enlighten, as well as encourage participation in government services, programs, activities, employment opportunities, and decision-making.

Article II – Ad Hoc Advisory Committee Purpose, Qualifications, and Appointments

Section 1. Purpose

The City of Greenville City Council finds it beneficial to receive public comment and advice on a periodic basis from persons who reside in Greenville and subscribe to Suddenlink Cable service about the general programming of the Government Access Channel.

Section 2. Membership Qualifications

Members of the Government Access Channel Ad Hoc Advisory Committee shall:

- 1) Be residents of the City of Greenville
- 2) Be and remain subscribers to SuddenLink Cable service during the term of service.

- 3) Serve only while the Committee is convened by the City Council and serve only for the term set forth herein in Article III, Section 2.

Section 3. Appointments

In September of each even numbered year, the Mayor and each member of the City Council shall appoint one member. The total membership of the committee shall be seven (7).

Article III – Ad Hoc Advisory Committee Organization

Section 1. Organization

To help facilitate the efficient and orderly functioning of the Committee, the members of the Committee shall elect from its membership two (2) individuals to serve as Co-Chairs and one (1) person to serve as Secretary.

Section 2. Convening and Term

The Committee shall convene in October following appointment for a term of ninety (90) days and shall submit its report to the City Council no later than December 31.

Section 3. Co-Chairs and Secretary Responsibilities

Co-Chairs shall preside over all meetings of the Ad Hoc Advisory Committee and shall prepare the meeting agendas. The Secretary shall keep a record of actions taken during each meeting and coordinate with the Staff Liaison to ensure all meetings comply with the North Carolina open meetings law.

Article IV – Ad Hoc Advisory Committee Responsibilities and Meetings

Section 1. Responsibilities

The responsibilities of the Ad Hoc Advisory Committee shall be to:

- 1) Review and comment on the reports provided by the Staff Liaison.
- 2) Gather and collect input from a diversity of citizens and resources about the Greenville Government Access Channel.
- 3) Provide a report to the City Council.

Section 2. Meetings

The Committee may schedule meetings as it deems necessary to complete its work within the allotted time frame. All meetings shall be open to the public and adhere to the North Carolina open meetings law. To the fullest extent possible, meetings will be broadcast on the Government Access Channel.

Article V – Staff Liaison and Responsibilities

Section 1. Staff Liaison

The Public Information Officer or City Manager's designee shall serve as the Staff Liaison and shall assist the Ad Hoc Advisory Committee in the conduction of its role.

Section 2. Responsibilities

The responsibilities of the Staff Liaison to the Ad Hoc Advisory Committee will be to:

- 1) Provide a comprehensive report on the Government Access Channel's programming
 - a) By category (e.g., boards and commissions, public information, news/events, origination programming, public service announcements) and content focus by City department or service area
 - b) By target audience
 - Residents
 - Older adults
 - Teens and young adults
 - Elementary school aged children
 - University community
 - Business community
 - Visitors
- 2) Provide an overview of the Public Information Office division, including the mission of the Government Access Channel, so members are able to clearly distinguish the roles of a public access channel and a government access channel.
- 3) Provide Public Information Office division staffing plan that reflects the proportion of staff time devoted to videotaping, editing, and producing each category of program content.

- 4) Provide other relevant local information as requested by the Ad Hoc Advisory Committee.
- 5) Coordinate with the Secretary to ensure all meetings adhere to the North Carolina open meetings law.



City of Greenville, North Carolina

Meeting Date: 6/12/2008
Time: 7:00 PM

Title of Item: Resolution authorizing condemnation to acquire certain property of Charles Gregory Edwards and Sheila B. Edwards

Explanation: The City has been unsuccessful in the efforts to negotiate the purchase of the main parcel of land located within the property necessary for the construction of the Greenville Connection Project. This project involves an improvement to the street and the railroad track connection at the CSX Transportation/Carolina Coastal Railway railroad crossing near Fourteenth Street and Beatty Street, thereby significantly reducing the blockage of vehicle traffic at railroad crossings at Fourteenth Street, Howell Street, and Arlington Boulevard.

The property is located at 509 W. 14th Street. Charles Gregory Edwards and Sheila B. Edwards are the owners of the property. An appraisal has determined that the value of this property is \$240,000. The owners and the City could not agree upon the purchase price to be paid by the City to the owners for the acquisition. Because of this, the use of the City's power of eminent domain to acquire the property and have a court determine the amount of just compensation is necessary.

Fiscal Note: Upon the filing of the complaint, the amount estimated by the City, as a result of an appraisal, to be just compensation for the property will be required to be deposited with the court. In addition to this amount, there will be legal and surveying expenses incurred as the action proceeds. Funds to pay for the property acquisition and related expenses are available in a designated capital project account.

Recommendation: It is recommended that City Council approve the attached resolution.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

 [RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE CERTAIN PROPERTY OF CHARLES AND SHEILA EDWARDS 766400](#)

RESOLUTION NO. 08-
RESOLUTION AUTHORIZING CONDEMNATION TO ACQUIRE CERTAIN PROPERTY
OF CHARLES GREGORY EDWARDS AND SHEILA B. EDWARDS

WHEREAS, the City Council of the City of Greenville hereby determines that it is necessary and in the public interest to acquire certain property owned by Charles Gregory Edwards and Sheila B. Edwards for the public purpose described below; and

WHEREAS, the proper officials or representatives of the City of Greenville have been unable to acquire the needed interest in this property by negotiated conveyance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENVILLE THAT:

1. The City of Greenville shall acquire by condemnation, for the purposes stated below, the property and interest described as follows:

A fee simple interest in that parcel of land located at the southeast corner of the intersection of 14th Street and the CSX railroad right-of-way, having an address of 509 W. 14th Street, Greenville, North Carolina 27834, and as described in Deed Book Z-50, Page 302, and consisting of Pitt County Tax Parcel Numbers 018831, 018065, 019806, and 004373.

2. The purpose for which the property is being condemned is for public street purposes in order to promote the public safety and welfare, to provide means of convenient transportation for the general public, to facilitate the orderly flow of traffic through the City, to facilitate the movement of ambulances and police, fire and rescue vehicles, and to provide means of public passage, specifically, to make an improvement to the street and the railroad track connection at the CSX Transportation/Carolina Coastal Railway railroad crossing near Fourteenth Street and Beatty Street thereby significantly reducing the blockage of vehicle traffic at railroad crossings at Fourteenth Street, Howell Street, and Arlington Boulevard.

3. The necessary proceedings under Chapter 40A of the North Carolina General Statutes to acquire the property herein described are hereby directed to be instituted.

This the 12th day of June, 2008.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk



City of Greenville, North Carolina

Meeting Date: 6/12/2008
Time: 7:00 PM

- Title of Item:** Ordinances adopting budgets for the 2008-2009 Fiscal Year and Operating Plans for 2009-2010:
- a. City of Greenville including Sheppard Memorial Library and Greenville-Pitt County Convention & Visitors Authority
 - b. Greenville Utilities Commission

Explanation: Attached are the fiscal year 2008-2009 budget ordinances for the City of Greenville (including Sheppard Memorial Library and Greenville-Pitt County Convention & Visitors Authority) and Greenville Utilities Commission. These ordinances are being submitted for consideration at the June 12, 2008 City Council meeting. This request is to establish the 2008-2009 budgets and approve the 2009-2010 operating plans.

Also attached and referenced in the City of Greenville ordinance are the Manual of Fees dated July 1, 2008, and the Assignment of Classes to Salary Grades and Salary Ranges dated June 21, 2008.

Fiscal Note: The 2008-2009 ordinances provide revenues and appropriations for the following funds:

General Fund	\$70,393,080
Debt Service Fund	5,180,560
Public Transportation Fund	1,358,313
Sanitation Fund	5,872,651
Bradford Creek Golf Course Fund	953,097
Stormwater Utility Fund	5,038,421
Community Development Housing Fund	1,836,184

Dental Reimbursement Fund	235,357
Capital Reserve Fund	705,000
Vehicle Replacement Fund	2,611,160
Sheppard Memorial Library	2,279,423
Convention & Visitors Authority	873,377
Greenville Utilities Commission	246,797,366

Recommendation: Approval of budget ordinances for the 2008-2009 fiscal year and financial plans for 2009-2010.

Viewing Attachments Requires Adobe Acrobat. [Click here](#) to download.

Attachments / click to download

- [Budget Ordinance for Budget Book 618822](#)
 - [GUC Ordinance 2008 2009 765479](#)
 - [Manual of Fees 08 PDF Cleaned 700646](#)
 - [Assignment of Classes to Salary Grades and Ranges 765440](#)
-

ORDINANCE NO.

CITY OF GREENVILLE, NORTH CAROLINA
2008-09 BUDGET ORDINANCE

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES ORDAIN:

Section I: Estimated Revenue. It is estimated that the following revenues will be available for the City of Greenville during the fiscal year beginning July 1, 2008 and ending June 30, 2009:

GENERAL FUND

Unrestricted Intergovernmental Revenues:

Ad Valorem Taxes;

Current Year Taxes - Operations	\$ 27,767,471	
Prior Year's Taxes and Penalties	367,082	
Subtotal		\$ 28,134,553

Sales Tax	\$ 14,368,152	
Video Prog. & Tele. Comm. Svcs Tax	784,773	
Rental Vehicle Gross Receipts	108,120	
Utilities Franchise Tax	4,779,067	
Motor Vehicle Tax	843,259	
Other Unrestricted Intergovernmental Revenues	694,627	
Subtotal		\$ 21,577,998

Restricted Intergovernmental Revenues:

Restricted Intergovernmental Revenues	\$ 1,398,613	
Powell Bill - State allocation payment	2,092,056	
Subtotal		\$ 3,490,669

Licenses, Permits, & Fees:

Privilege Licenses	\$ 597,443	
Other Licenses, Permits & Fees	3,197,479	
Subtotal		\$ 3,794,922

Sales and Services:

Rescue Service Transport	\$ 2,362,976	
Parking Violation Penalties, Leases, and Meters	370,873	
Other Sales and Services	1,431,002	
Subtotal		\$ 4,164,851

Other Revenues:

Other Revenue Sources	252,455	
Subtotal		\$ 252,455

Investment Earnings:

Interest on Investments	\$ 1,631,956	
Subtotal		\$ 1,631,956

Other Financing Sources:

Transfer in Greenville Utilities Commission	\$ 5,267,962	
Appropriated Fund Balance General Fund	993,109	
Other Transfers	1,233,486	
Subtotal		\$ 7,494,557

TOTAL GENERAL FUND REVENUES

	\$ 70,541,961
--	---------------

DEBT SERVICE FUND

Powell Bill Fund	\$	127,600	
Occupancy Tax		535,415	
Transfer from General Fund		4,517,545	
			<u>\$ 5,180,560</u>
TOTAL DEBT SERVICE FUND			<u>\$ 5,180,560</u>

PUBLIC TRANSPORTATION FUND

Operating Grant 2008-2009	\$	512,916	
Capital Grant 2008-2009		215,560	
Planning Grant 2008-2009		28,100	
Elderly/Handicap Grant		-	
State Maintenance Assistant Program		150,000	
Hammock Source		818	
Miscellaneous		75	
Pitt Community College Bus Fare		4,092	
East Carolina Vocational Center Service Contract		1,488	
Bus Fares		100,000	
Bus Ticket Sales		50,000	
Parking Tickets		4,185	
Interest on Checking		2,710	
Trans from Gen Fund-Operating		391,441	
			<u>\$ 1,461,385</u>
TOTAL PUBLIC TRANSPORTATION FUND			<u>\$ 1,461,385</u>

SANITATION FUND

Refuse Fees	\$	5,357,897	
NC Mosquito Control		10,000	
Recycling Revenue		3,000	
Cart and Dumpster		20,000	
Investment Earnings		91,000	
Landfill Charges		30,000	
Transfer for General Fund		27,000	
Capital Lease		125,000	
			<u>\$ 5,663,897</u>
TOTAL SANITATION FUND			<u>\$ 5,663,897</u>

BRADFORD CREEK GOLF COURSE FUND

Green Fees	\$	666,837	
Cart Fees		13,200	
Driving Range		120,000	
Concessions (Food & Beverage)		78,000	
Other (Tournaments, Rentals)		39,960	
Pro Shop Sales		35,100	
			<u>\$ 953,097</u>
TOTAL BRADFORD CREEK GOLF COURSE FUND			<u>\$ 953,097</u>

STORMWATER MANAGEMENT UTILITY FUND

Utility Fee	\$	2,914,236	
Interest on Checking		58,284	
Appropriated Fund Balance		2,306,896	
			<u>\$ 5,279,416</u>
TOTAL STORMWATER MANAGEMENT UTILITY FUND			<u>\$ 5,279,416</u>

COMMUNITY DEVELOPMENT HOUSING FUND (GRANT PROJECT FUND)

Annual CDBG Grant Funding	\$	797,533	
HUD City of Greenville		830,172	
Transfer from General Fund		<u>208,479</u>	
TOTAL COMMUNITY DEVELOPMENT HOUSING FUND			<u><u>\$ 1,836,184</u></u>

DENTAL REIMBURSEMENT FUND

Employer Contributions - City of Greenville	\$	172,180	
Employee Contributions - City of Greenville		<u>63,177</u>	
TOTAL CAPITAL RESERVE FUND			<u><u>\$ 235,357</u></u>

CAPITAL RESERVE FUND

Appropriated Fund Balance	\$	<u>705,000</u>	
TOTAL CAPITAL RESERVE FUND			<u><u>\$ 705,000</u></u>

VEHICLE REPLACEMENT FUND

Interest on checking	\$	50,000	
Transfer from other funds		2,561,160	
Appropriated Fund Balance		<u>9,000</u>	
TOTAL VEHICLE REPLACEMENT FUND			<u><u>\$ 2,620,160</u></u>
TOTAL ESTIMATED CITY OF GREENVILLE REVENUES			<u><u>\$ 94,477,017</u></u>

SHEPPARD MEMORIAL LIBRARY FUND

City of Greenville	\$	1,080,416	
Town of Bethel		25,528	
Town of Winterville		124,809	
Pitt County		540,208	
Copier Receipts		4,224	
Interest		16,000	
Miscellaneous Revenues		42,702	
Greenville Housing Authority		10,692	
Winterville Branch Project		-	
Federal Grants		-	
Federal Grants		-	
Appropriated Fund Balance		<u>117,846</u>	
TOTAL SHEPPARD MEMORIAL LIBRARY FUND			<u><u>\$ 2,279,423</u></u>

PITT-GREENVILLE CONVENTION AND VISITORS AUTHORITY

Occupancy Tax (2%)	\$	494,667	
Occupancy Tax (1%)		247,333	
Interest on Checking		38,000	
Appropriated Fund Balance		<u>93,377</u>	
TOTAL PITT-GREENVILLE CONVENTION AND VISITORS AUTHORITY FUND			<u><u>\$ 873,377</u></u>

Section II: Appropriations. The following amounts are hereby appropriated for the operation of the City of Greenville and its activities for

GENERAL FUND

Mayor & City Council	\$	372,111
City Manager		1,049,772
City Clerk		271,601
City Attorney		430,412
Human Resources		2,083,463
Information Technology		3,004,666
Fire/Rescue		11,363,791
Financial Services		2,176,852
Contingency		233,639
Police		19,932,918
Recreation & Parks		6,053,083
Public Works		9,666,705
Community Development		2,233,156
Capital Improvement		5,009,310
Transfers to Other Funds		6,660,482
TOTAL GENERAL FUND	\$	<u>70,541,961</u>

DEBT SERVICE FUND

Debt Service	\$	5,180,560
--------------	----	-----------

PUBLIC TRANSPORTATION FUND

Transit	\$	1,461,385
---------	----	-----------

SANITATION FUND

Sanitation Service	\$	5,663,897
--------------------	----	-----------

BRADFORD CREEK GOLF COURSE FUND

Bradford Creek Golf Course	\$	953,097
----------------------------	----	---------

STORMWATER MANAGEMENT UTILITY FUND

Stormwater Management Utility	\$	5,279,416
-------------------------------	----	-----------

COMMUNITY DEVELOPMENT HOUSING PROGRAM FUND

Community Development Housing/CDBG	\$	1,836,184
------------------------------------	----	-----------

DENTAL REIMBURSEMENT FUND

Dental Reimbursement Fund \$ 235,357

CAPITAL RESERVE FUND

Capital Reserve Fund \$ 705,000

VEHICLE REPLACEMENT FUND

Vehicle Replacement Fund \$ 2,620,160

TOTAL CITY OF GREENVILLE APPROPRIATIONS \$ 94,477,017

SHEPPARD MEMORIAL LIBRARY FUND

Sheppard Memorial Library \$ 2,279,423

PITT-GREENVILLE CONVENTION AND VISITORS AUTHORITY

Pitt-Greenville Convention and Visitors Authority \$ 873,377

Section III: Encumbrances. Appropriations herein authorized and made shall have the amount of outstanding purchase orders as of June 30, 2008, added to each appropriation as it appears in order to account for the expenditures in the fiscal year in which it was paid.

Section IV: Revenue Neutral Tax Rate. A general reappraisal of real property was conducted and is effective January 1, 2008. In accordance with General Statutes 159-11, the revenue-neutral property tax rate was calculated to be 51.91 cents per one hundred dollars (\$100) valuation.

Section V: Taxes Levied. There is hereby levied a tax rate of 52 cents per one hundred dollars (\$100) valuation of taxable properties, as listed for taxes as of January 1, 2008, for the purpose of raising the revenue from current year's property tax, as set forth in the foregoing estimates of revenue, and in order to finance the foregoing appropriations.

Section VI: Salaries.

(a) Salaries of Elected Officials. The annual salaries of the Mayor, Mayor Pro-Tem, and other members of the City Council shall be as follows:

Mayor	\$ 11,500
Mayor Pro-Tem	\$ 7,800
Council Members	\$ 7,500

(b) Salary Cap of Greenville Utilities Commission Members. Pursuant to Section 4 of the Charter of the Greenville Utilities

Chair	\$ 350
Member	\$ 200

Section VII: Amendments.

(a) Pursuant to General Statutes 159-15, this budget may be amended by submission of proposed changes to the City Council.

(b) Notwithstanding Subsection (a) above, the City Manager is authorized to transfer funds from one appropriation to another within the same fund in an amount not to exceed \$10,000. Any such transfers shall be reported to the City Council at its regular meeting and shall be entered in the minutes.

(c) In case of emergency which threatens the lives, health, or safety of the public, the City Manager may authorize expenditures in an amount necessary to meet the emergency so long as such amount does not exceed the amount in contingency accounts and the expenditure is reported to the City Council as soon as possible, and the appropriate budget amendments are submitted at the next regular meeting.

Section VIII: The Manual of Fees, dated July 1, 2008, and the Assignment of Classes to Salary Grades and Salary Ranges dated June 21, 2008, are adopted herein by reference.

Section IX: Community Development. The City Council does hereby authorize grant project funds for the operation of FY 2008-2009 CDBG Entitlement and Community Development Home Consortium programs under the Community Development Block Grant Program and Home Consortium Program for the primary purpose of housing rehabilitation and other stated expenditures.

Section X: Greenville Utilities Commission. The City Council adopts a separate ordinance for the budget of the Greenville Utilities Commission. Copies of the ordinance are on file with the City Clerk's office.

Section XI: Distribution. Copies of this ordinance shall be furnished to the City Manager and the Director of Financial Services of the City of Greenville to be kept on file by them for their direction in the disbursement of funds.

ADOPTED this the 12th day of June, 2008.

Patricia C. Dunn, Mayor

ATTEST:

Wanda T. Elks, City Clerk

ORDINANCE NO. _____
CITY OF GREENVILLE, NORTH CAROLINA
2008-09 GREENVILLE UTILITIES COMMISSION BUDGET ORDINANCE

THE CITY COUNCIL OF THE CITY OF GREENVILLE, NORTH CAROLINA, DOES ORDAIN:

Section I. Estimated Net Revenues and Fund Balances. It is estimated that the following non-tax revenues and fund balances will be available during the fiscal year beginning July 1, 2008 and ending June 30, 2009 to meet the subsequent expenditures, according to the following schedules:

	<u>REVENUE</u>	<u>BUDGET</u>
A.	<u>Electric</u>	
	Rates & Charges	\$169,370,166
	Fees & Charges	675,000
	U.G. Temp. Service Charges	470,000
	Miscellaneous	485,423
	Interest on Investments	1,650,000
	Bond Proceeds	4,000,000
	Total Electric Revenue	\$176,650,589
B.	<u>Water</u>	
	Rates & Charges	\$12,721,221
	Fees & Charges	1,071,760
	Capacity Fees	956,000
	Miscellaneous	127,923
	Interest on Investments	120,000
	Total Water Revenue	\$14,996,904
C.	<u>Sewer</u>	
	Rates & Charges	\$12,909,990
	Fees & Charges	817,769
	Capacity Fees	1,218,733
	Pitt County	430,437
	Miscellaneous	76,923
	Interest on Investments	300,000
	Total Sewer Revenue	\$15,753,852
D.	<u>Gas</u>	
	Rates & Charges	\$38,909,793
	Fees & Charges	297,805
	Miscellaneous	88,423
	Interest on Investments	100,000
	Total Gas Revenue	\$39,396,021
	TOTAL REVENUE	\$246,797,366

Section II. Expenditures. The following amounts are hereby estimated for the Greenville Utilities Commission to be expended for managing, operating, improving, maintaining, and extending electric, water, sewer and gas utilities during the fiscal year beginning July 1, 2008 and ending on June 30, 2009, according to the following schedules:

BUDGET

Governing Body Department	\$4,089,334
Finance Department	\$16,169,715
Human Resources Department	\$3,278,000
Information Technology Department	\$3,401,262
Customer Relations Department	\$4,557,604
Electric Department	\$160,269,275
Meter Department	\$2,969,221
Water Department	\$8,330,076
Sewer Department	\$8,350,363
Gas Department	\$34,876,612
Utility Locating Services	<u>\$505,904</u>
TOTAL EXPENDITURES	<u><u>\$246,797,366</u></u>

Section III: Amendments. (a) Pursuant to General Statutes 159-15, this budget may be amended by submission of proposed changes to the City Council.

(b) Notwithstanding Subsection (a) above, the General Manager/CEO of Greenville Utilities Commission is authorized to transfer funds from one appropriation to another within the same fund in an amount not to exceed \$10,000. Any such transfers shall be reported to the Greenville Utilities Commission and the City Council at their next regular meeting and shall be entered in the minutes.

(c) In case of emergency which threatens the lives, health, or safety of the public, the General Manager/CEO may authorize expenditures in an amount necessary to meet the the emergency so long as such amount does not exceed the amount in contingency accounts and the expenditure is reported to the Greenville Utilities Commission as soon as possible, and appropriate budget amendments are submitted to the City Council, if necessary, at its next regular meeting.

Section IV: Distribution. Copies of this ordinance shall be furnished to the General Manager/CEO and the Chief Financial Officer of the Greenville Utilities Commission, and the Director of Financial Services of the City of Greenville to be kept on file by them for their direction in the disbursement of funds.

Adopted this the _____ day of June, 2008.

Patricia C. Dunn, Mayor

Attest:

Wanda T. Elks, City Clerk

CITY OF GREENVILLE NORTH CAROLINA



JULY 1, 2008
Revised June 2008
Document Number 700646

MANUAL OF FEES

INTRODUCTION

The Manual of Fees represents the compilation into one document the fees and charges established by the City Council.

Revisions may be made in this Manual as fees and charges are subsequently amended, established, or altered. All changes and amendments shall be filed with the City Clerk, and such changes shall become effective when filed.

The Manual of Fees was adopted by the City Council and first printed on March 12, 1981. The second printing of the Manual of fees was amended by the City Council on June 9, 1983.

The third printing of the Manual of Fees was amended and revised by the City Council on June 24, 1991, by Ordinance No. 2341.

The fourth printing of the Manual of Fees was amended and revised by the City Council on June 8, 1992, by Ordinance No. 2471.

The fifth printing of the Manual of Fees was amended and revised by the City Council on June 10, 1993, by Ordinance No. 2653.

The sixth printing of the Manual of Fees was amended and revised by the City Council on June 9, 1994, by Ordinance 94-87.

The seventh printing of the Manual of Fees was amended and revised by the City Council on June 8, 1995, by Ordinance 95-67.

The eighth printing of the Manual of Fees was amended and revised by the City Council on June 13, 1996, by Ordinance 96-49.

The ninth printing of the Manual of Fees was amended and revised by the City Council on June 12, 1997, by Ordinance 97-61.

The tenth printing of the Manual of Fees was amended and revised by the City Council on August 14, 1997, by Ordinance 97-72.

The eleventh printing of the Manual of Fees was amended and revised by the City Council on June 15, 1998, by Ordinance 98-85.

The twelfth printing of the Manual of Fees was amended and revised by the City Council on June 10, 1999, by Ordinance 99-77.

The thirteenth printing of the Manual of Fees was amended and revised by the City Council on June 8, 2000, by Ordinance 00-83.

The fourteenth printing of the Manual of Fees was amended and revised by the City Council on June 14, 2001, by Ordinance 01- 82.

The fifteenth printing of the Manual of Fees was amended and revised by the City Council On June 15, 2002 by Ordinance 02-64.

INTRODUCTION Continued

The sixteenth printing of the Manual of Fees was amended and revised by the City Council On June 12, 2003 by Ordinance 03-54.

The seventeenth printing of the Manual of Fees was amended and revised by the City Council June 10, 2004 Ordinance 04-70.

The eighteenth printing of the Manual of Fees was amended and revised by the City Council June 9, 2005 Ordinance 05-66

The nineteenth printing of the Manual of Fees was amended and revised by the City Council June 8, 2006 Ordinance 06-58.

The twentieth printing of the Manual of Fees was amended and revised by the City Council September 25, 2006 Ordinance # 06-100 and on September 14, 2006 by Ordinance # 06-96

The twenty-first printing of the Manual of Fees was amended and revised by the City Council September 25, 2006 Ordinance # 07-14.

The twenty-second printing of the Manual of Fees was amended and revised by the City Council June 14, 2007 Ordinance # 07-93.

The twenty-third printing of the Manual of Fees was amended and revised by the City Council June 12, 2008 Ordinance # 07-XX

Table of Contents

INTRODUCTION	2
CERTIFICATION, COPY FEES AND MISCELLANEOUS FEES.....	5
Publications	5
Copies	5
Miscellaneous	5
INFORMATION TECHNOLOGY FEES	6
MISCELLANEOUS PUBLICATIONS	7
PUBLIC WORKS FEES.....	8
Administration	8
Sanitation	8
Buildings and Grounds	8
Garage	9
Streets	9
Transit	10
Building Permit Fees	13
Inspections	14
Other Permit Fees	14
Electrical Permits	15
Engineering	16
Color CAD/GIS Maps	17
Blueprint/Photocopy	17
Publications	18
Printing/Misc. Photocopies	18
POLICE FEES	19
ANIMAL CONTROL FEES.....	21
PARKING FEES	22
Leased Parking	22
Parking Penalties	23
Parking Fees Meters	24
PRIVILEGE LICENSE FEES	25
TAXICAB FARES.....	26
FIRE/RESCUE FEES	27
PLANNING FEES	29
RECREATION AND PARKS FEES	32
Greenville Aquatics and Fitness Center Membership Fees	38
Bradford Creek Golf Course	39
COMMUNITY DEVELOPMENT FEES	40
Code Enforcement	40

CERTIFICATION, COPY FEES AND MISCELLANEOUS FEES

Account Number	Code	Service	Fee
010-0000-340-12-01	MR	Notary - 1 Signature	3.00
		2 Signatures	4.00
		3 Signatures	5.00
010-0000-340-12-01	MR	Rental of Council Chambers by Outside Groups (3 Hr Minimum)	Actual Staff cost but minimum \$150
010-0000-340-12-01	MR	Citizens Academy Fee	\$25.00
Publications			
010-0000-340-12-01	MR	For cemetery lot ownership when original deeds are lost	10.00
010-0000-340-12-01	MR	For reports, manuals, and other official documents	10.00
010-0000-340-12-01	MR	Schedule of Traffic Regulations	30.00
Copies			
010-0000-340-12-01	MR	General Ordinances (unless specifically listed on page 3)	.25/page over seven pages
010-0000-340-12-01	MR	Resolutions	.25/page
010-0000-340-12-01	MR	Minutes	.25/page
010-0000-340-12-01	MR	North Carolina General Statutes	.25/page
010-0000-340-12-01	MR	Requiring research of Council, Board, or Commission minutes twenty years old and older	2.00/page
010-0000-340-12-01	MR	Any Information not specifically listed	.25/page
010-0000-340-12-01	MR	Video Copy Fee	15.00
010-0000-340-12-01	MR	Video Mailing Fee (to cover postage & envelope)	3.00
010-0000-330-03-00	MT	Motor Vehicle Fee	20.00
Miscellaneous			
010-0000-101-00-00	MR	Returned Check Fee	25.00
010-0000-340-12-01	MR	Indoor Flag	Varies/Cost plus 10% plus Tax

INFORMATION TECHNOLOGY FEES

Account Number	Code	Service	Fee
Provide Existing Database Information			
010-0000-340-12-01	MR	8mm Tape Cartridge	\$20.00
010-0000-340-12-01	MR	CD	2.00
010-0000-340-12-01	MR	DLT 4 Tape Cartridge	75.00
010-0000-340-12-01	MR	4mm Tape Cartridge	15.00
010-0000-340-12-01	MR	14.875" x 11" Computer Paper	.25/page
010-0000-340-12-01	MR	8.5" x 11" Computer Paper	.25/page over seven pages
010-0000-340-12-01	MR	Digital GIS – Non-Profit/Public User Per Layer (CDROM)	25.00
		Citywide Layers (CDROM)	25.00
010-0000-340-12-01	MR	Digital GIS – Commercial User Per Layer (CDROM)	100.00
		Citywide Layers (CDROM)	500.00
010-0000-340-12-01	MR	AS400 Magstar Tape Cartridge	80.00
010-0000-340-12-01	MR	Service Charge for Research Labor	25.00

***No charge if less than one hour of research; \$25 for research requiring from 1 to 5 hours
Additional Charge of \$25 for research exceeding 5 hours for a maximum of \$50***

MISCELLANEOUS PUBLICATIONS

Account Number	Code	Service	Fee
010-0000-340-12-01	MR	Audit	25.00
010-0000-340-12-01	MR	Budget	25.00
010-0000-340-12-01	MR	Capital Improvement Program	15.00
010-0000-340-12-01	MR	City Code	125.00
010-0000-340-12-01	MR	City Code Supplement	30.00
010-0000-330-18-12	LL	Comprehensive Plan (on disk)	40.00
010-0000-330-18-12	LL	Economic Base Report	15.00
010-0000-330-18-12	LL	Landscape Ordinance	5.00
010-0000-330-18-12	LL	Land Development Ordinance (on disk)	10.00
010-0000-340-12-01	MR	Manual of Fees	10.00
010-0000-340-12-01	MR	Manual of Standard Design and Detail	15.00
010-0000-340-12-01	MR	M/WBE Directory (Minority/Women Business Enterprise)	25.00
010-0000-340-12-01	MR	Noise Ordinance	5.00
010-0000-340-12-01	MR	Parking Ordinance	5.00
010-0000-330-02-00	OL & OR	Privilege License (see Privilege License Section)	
010-0000-340-12-01	MR	Pay Plan	5.00
010-0000-340-12-01	MR	Peat Marwick Convention Center Report	10.00
010-0000-340-12-01	MR	Personnel Policies Manual	10.00
010-0000-340-12-01	MR	Purchasing Procedures Manual	10.00
010-0000-340-12-01	MR	Special District Report	5.00
010-0000-340-12-01	MR	Subdivision Ordinance	10.00
010-0000-340-12-01	MR	Zoning Ordinance	40.00
010-0000-340-12-01	MR	Zoning Ordinance Supplements	10.00

PUBLIC WORKS FEES

Account Number	Code	Service	Fee
Administration			
010-0000-340-10-00	BC	Charter Bus Rates (1 hr. Minimum):	
		*City Tour Bus	70.00/hr.
		Waiting Time	40.00/hr.

***Note: City Tour Bus Guidelines**

1. The rate charged is \$60 per hour with a \$30 per hour waiting time charge when the vehicles cannot return to the Public Works Department.
2. Please make your request in writing for use of the bus to the Public Works Department a minimum of two weeks in advance if possible. Include all the pertinent information in your request. You will be advised of the availability of the bus promptly.
3. The bus will be reserved on a "first come-first serve" basis.
4. The driver will be provided by the Public Works Department except as specified by the City Manager. (CDL Required)
5. Any damages occurring to the bus through the negligence of the passengers will be the responsibility of the individual requesting the vehicle.
6. The bus seats 25 passengers plus the driver. There are overhead compartments for storage.
7. The City Manager may waive or reduce the hourly charter for City sponsored activities and actual costs will be absorbed by the City. If you are requesting that the \$60 per hour be waived or reduced, please submit your request in writing to the City Manager for his approval. Once approved by the City Manager, a copy will be forwarded to the Public Works Department. Specify that you are requesting **NOT** to pay the \$60 per hour for use of the bus. However, when the \$60 per hour is waived or reduced, other expenses such as fuel, driver's fee, etc. must be paid.
8. No overnight or out-of-state trips unless sponsored by the City of Greenville.
9. Call 329-4532 if you have questions or need further information.

Sanitation

032-0000-330-16-00		Refuse Fee-Backyard	19.45 /per month
		Refuse Fee-Curbside (City-specified roll out cart and container (used by multi-family)	9.15/per month
		Containers 6 or 8 yards	\$100 over cost
		Roll Out Carts 64 or 96 Gallon	\$15 over cost

Buildings and Grounds

010-0000-340-07-00	C3	Grave/Crypt Openings & Closings	450.00
010-0000-340-07-00	C3	Cremation Niche Openings & Closings	150.00
010-0000-340-07-00	C3	Wait Time Per Hour	50.00
010-0000-340-07-00	C3	Tree Removal	50.00
010-0000-340-07-00	C3	Shrubbery Removal Per Lot	50.00
010-0000-340-06-00	C2	Crypt/Mausoleum Installation Permit	100.00
010-0000-340-06-00	C2	Monument Permit	40.00
010-0000-340-06-00	C2	Certification of Cemetery Lots	10.00
010-0000-340-06-00	C2	Trading or Resale of Cemetery Lots	25.00

PUBLIC WORKS FEES continued

Account Number	Code	Service	Fee	
Buildings and Grounds Cont.				
		Sale of Cemetery Spaces	City – Resident	Non-Resident
010-0000-340-06-00	C2	Single Grave Lot	550.00	750.00
010-0000-340-06-00	C2	Four Grave Lot	2200.00	3000.00
010-0000-340-06-00	C2	Eight Grave Lot	4400.00	6000.00
010-0000-340-06-00	C2	Inside Mausoleum Space	5000.00	5200.00
010-0000-340-06-00	C2	Outside Mausoleum Space	2500.00	2700.00
010-0000-340-06-00	C2	Outside Cremation Niche Space	1750.00	1950.00
010-0000-340-06-00	C2	Hillside West Mausoleum Space	2000.00	2200.00
<i>Prices are for Monday through Friday, 8AM-5PM. Grave opening/closing before 8AM and after 5PM Monday through Friday, holidays, Saturdays, and Sundays; add \$50 per grave. Wait Time will be billed at the rate of \$50 per hour when the funeral director does not comply with the scheduled closing time as indicated on the "Request for Opening/Closing Grave". Grave lots are no longer available in Cherry Hill and Brownhill Cemeteries.</i>				
Garage				
010-0000-340-09-00	TE	Labor/ECU		67.50
010-0000-340-09-00	TE	Fuel Overhead		.25
010-0000-340-09-00	TE	Parts Overhead		.12
Streets				
010-0000-340-03-01	USC	Utility Cuts		See Tables
010-0000-340-03-02	USC1	Other Cuts		See Tables

ASPHALT CUTS:

1-25 Sq Ft	Minimum	240.76
26-50 Sq Ft	(Per Sq Ft)	8.90
51-100 Sq Ft	(Per Sq Ft)	6.02
101-200 Sq Ft	(Per Sq Ft)	5.07
200+	(Per Sq Ft)	3.65

Note: The above table is based on 2 inch thickness of asphalt. The fees will be increased 30% per 2 inches of additional thickness.

PUBLIC WORKS FEES continued

CURB & GUTTER CUTS:

1-10	(Per Lin Ft)	419.83
11-50	(Per Lin Ft)	33.10
51-100	(Per Lin Ft)	32.35
101-200	(Per Lin Ft)	24.83
200+	(Per Lin Ft)	21.07

CONCRETE CUTS:

1-25	(Per Sq Ft)	195.62
26-50	(Per Sq Ft)	7.53
51-100	(Per Sq Ft)	4.90
101-200	(Per Sq Ft)	4.00
200+	(Per Sq Ft)	3.17

Note: The above table is based on 4 inch thickness of cement. The fees will be increased 20% per 2 inches of additional thickness.

Note: For repair work outside of the City limits, there is a \$5.00 per mile additional charge.

Account Number	Code	Service	Fee
Transit			
030-0000-340-15-00	TF	Bus Fares:	
		Elderly & Handicap	.50
		Regular	1.00
		Transfers	Free
		(Bus passes/ticket books transfer free of charge)	
030-0000-340-16-00	TS	Bus Passes:	
		44 Rides (E & H)	20.00
		22 Rides (E & H)	10.00
		44 Rides (Regular)	40.00
		22 Rides (Regular)	20.00
		Day Pass (Regular)	2.00
		Day Pass (E & H)	1.00
		Kid's Summer Pass (Ages 6 to 16)	15.00
	NA	*Paratransit Per Trip	2.00

*** Note: These riders must be unable to access the Great Bus due to disability.**

PUBLIC WORKS FEES continued

Various	Equipment Rentals/Hourly		See Table
	STATE*	FEDERAL	OTHER
Truck, Pickup	\$2.30	\$2.53	\$2.76
Truck, 10,000 GVW Utility Body	4.62	5.08	5.54
Truck, 10,000 GVW w/Crew Cab	3.60	3.96	4.32
Truck, 24,000 GVW, LWB	4.49	4.93	5.38
Truck, 24,000 GVW, SWB, Dump	10.74	11.81	12.88
Truck, 50,000 GVW, Tandem Dump	12.04	13.24	14.44
Tractor, Wheel 30 to 40 DBHP	9.47	10.41	11.36
Tractor, Wheel 41 to 50 DBHP	5.75	6.32	6.90
Tractor, Wheel 51 to 80 DBHP	9.27	10.19	11.12
Tractor, Backhoe & Loader	10.44	11.48	12.52
Tractor, Crawler	4.02	4.42	4.82
Tractor, Crawler w/loader & Backhoe	27.88	30.66	33.45
Grader, Motorized 25,000 lb & up	18.99	20.88	22.78
Street Sweeper, Dual Vacuum	39.68	43.64	47.61
Air Compressor 750 CFM	17.95	19.74	21.54
Grain Drill	5.30	5.83	6.36
Pavement Breaker	7.48	8.22	8.97
Bucket Truck, 37 Feet	2.45	2.69	2.94
Bucket Truck	2.65	2.91	3.18

PUBLIC WORKS FEES continued

Account Number	Code	Service	Fee		
Various Continued	NA	Equipment Rentals/Hourly	See Table		
DESCRIPTION		STATE*	FEDERAL	OTHER	
Excavator HYD Backhoe		\$27.54	\$30.29	\$33.04	
Loader, Wheel		14.28	15.70	17.13	
Mixer, Concrete		21.94	24.13	26.32	
Mower, Rotary Flail		5.14	5.65	6.16	
Mower, Flail Boom		17.30	19.03	20.76	
Mower, Riding		5.53	6.08	6.63	
Roller, Tandem 5-8 Ton		18.82	20.70	22.58	
Roller, Tandem Patch		7.52	8.27	9.02	
Asphalt Kettle 165 Gal Trailer MTD		2.01	2.21	2.41	
Trailer 15 Ton Low Bed		6.38	7.01	7.65	
Pump, Water 3" Centrifugal		3.29	3.61	3.94	
Pump, Water 2" Piston		.55	.60	.66	
Brush Chipper		14.12	15.53	16.94	
Sprayer, 3PT Hitch		2.05	2.25	2.46	
Stump Cutter		10.75	11.82	12.90	
Welder		1.31	1.44	1.57	
Spreader Body 5 CY		7.95	8.74	9.54	
Snow Plow		8.98	9.87	10.77	
Concrete Saw		13.73	15.10	16.47	
Disc Harrow		3.45	3.79	4.14	
Fork Lift		.44	.48	.52	
Soil Compactor Hand Held		6.16	6.77	7.39	
Chain Saw w/12" to 16" Bar		2.56	2.81	3.07	
Chain Saw w/17" to 26" Bar		4.19	4.60	5.02	
Traffic Barrier, Trailer MTD		4.54	4.99	5.44	
Cutoff Saw		2.61	2.87	3.13	
Brush Cutter, Hand Held		3.00	3.30	3.60	
Sand Blaster		1.61	1.77	1.93	
Curb Dresser w/HYD Brush		1.34	1.47	1.60	
Centerline Paint Machine		20.60	22.66	24.72	
Hand Spray, Paint Machine		8.12	8.93	9.74	
Traffic Line Paint Remover		35.63	39.19	42.75	

*** Based on NCDOT Rates 5/1/89. The above rental rates do not include operator or fuel.**

PUBLIC WORKS FEES continued

Account Number	Code	Service	Fee
Square Footage Costs of Construction			
Type Construction			Rate: \$/Sq.Ft.
Commercial			78.00
General:			
Multi-family (apartments., townhouses, condos)			66.00
Shell (exterior walls, roof, floor slab or some combination thereof)			36.00
Residential			
Single-family and/or duplex			60.00
Additions (commercial or residential)			54.00
Storage buildings			24.00

Example: (Actual square footage) x (square footage cost) = Computed construction cost;
 1970 square feet x \$50.00 per square foot = \$98,500

Building Permit Fees

Service: Single-family, multi-family, multi-family additions, multi-family alterations, commercial, commercial additions, commercial alterations, industry, industry additions, industry alterations, church, Hotel/motel and roofing.

(Computed costs of construction)			
010-0000-330-10-01	IB	\$100.00 to 5,000.00	50.00
010-0000-330-10-01	IB	5,001.00 to 15,000.00	60.00
010-0000-330-10-01	IB	15,001.00 to 30,000.00	75.00
010-0000-330-10-01	IB	30,001.00 to 50,000.00	110.00
010-0000-330-10-01	IB	50,001.00 to 75,000.00	150.00
010-0000-330-10-01	IB	75,001.00 to 100,000.00	200.00
010-0000-330-10-01	IB	100,001.00 & over	200.00 + \$3.00/\$1,000 over \$100,000

Example: Computed cost = \$98,500; Permit Fee = \$200

PUBLIC WORKS FEES continued

Account Number	Code	Service	Fee
Inspections			
Service: New duplex, duplex additions, duplex alterations, residential additions, residential alterations, new storage additions, storage alterations, new garage/carports, garage/carport additions, garage/carport alterations, swimming pools and signs.			
(Computed costs of construction)			
010-0000-330-10-01	IB	\$ 100.00 to 5,000.00	50.00
010-0000-330-10-01		5,001.00 to 15,000.00	65.00
010-0000-330-10-01		15,001.00 to 30,000.00	100.00
010-0000-330-10-01		30,001.00 to 50,000.00	135.00
010-0000-330-10-01		50,001.00 to 75,000.00	170.00
010-0000-330-10-01		75,001.00 to 100,000.00	245.00
010-0000-330-10-01		100,001.00 & over	245.00 + 3.00/1,000
Other Permit Fees			
010-0000-330-10-02	IP	Sewer, septic tank, gas and water	25.00
010-0000-330-10-01	IB	Insulation (insulation work only)	35.00
010-0000-330-10-01	IB	Demolition	100.00
010-0000-330-10-04	ID	Driveway (single-family and duplex)	30.00
010-0000-330-10-04	ID	Driveway (multi-family and commercial)	45.00
010-0000-330-10-02	IP	Plumbing (per fixture)	For 1 st , plus \$20.00 each additional \$6.00 each w/minimum of \$50.00
010-0000-330-10-02	IP	Lawn Irrigation w/new construction (considered a per fixture)	6.00
010-0000-330-10-03	IM	Lawn Irrigation existing property	25.00
010-0000-330-10-03	IM	Mechanical (per unit)	50.00
010-0000-330-10-01	IB	Mobile Home	50.00
010-0000-330-10-01	IB	House moving	125.00
010-0000-330-10-01	IB	Tent	35.00
010-0000-330-10-02	IP	Sprinkler Systems	150.00
010-0000-330-10-03	IM	Refrigeration, Installation & Repair	50.00/unit
010-0000-330-10-03	IM	Off Six Months Minimum Housing	35.00
010-0000-330-10-03	IM	Off Six Months Gas	25.00

PUBLIC WORKS FEES continued

Account Number	Code	Service	Fee
Electrical Permits			
010-0000-330-11-00	IE	Commercial: General: Hospitals, hotel/motel, business occupancies, industrial, and manufacturing (Service Equipment Included)	\$.08/sq.ft. for 1 st 6,000 sq.ft. plus .04/sq.ft. over 6,000 sq.ft. each floor
010-0000-330-11-00	IE	Commercial storage and warehouse, farm buildings (Up to 75 outlets) (Service Equipment Included)	65.00 Flat Fee
010-0000-330-11-00	IE	Residential: General: Single-family, duplex, multi-family (apts., townhomes, and condominiums) (Service Equipment Included)	\$.06/sq.ft. each floor
Example: (Actual square footage) x (square footage cost) = Permit fee; 1970 square feet x \$.06 square feet = \$118.20 Actual Permit Cost			
010-0000-330-11-00	IE	Mobile homes/office trailer services	50.00
010-0000-330-11-00	IE	Change of electrical service	50.00
010-0000-330-11-00	IE	Temporary construction service	50.00
010-0000-330-11-00	IE	Signs (electrical)	50.00
010-0000-330-11-00	IE	Pole service	50.00
010-0000-330-11-00	IE	Swimming pool	50.00
010-0000-330-11-00	IE	Mobile Home Park Pedestal Minimum: Up to 20 outlets (storage buildings, additions, additional circuits, dryers, HVAC, etc.)	50.00 50.00

NOTE: Over 20 outlets, use appropriate square footage rate.

NOTE: Service Fees below apply to all Inspection Division Fee areas:

010-0000-330-10-05	IR	Re-inspection	50.00 for 1 st time, \$100 each time after
010-0000-330-10-10	MR	Temporary Utility Permit	50.00
010-0000-330-24-00	MR	Penalty Fee (Minimum)	100.00

NOTE: Will be assessed on anyone who actually begins construction without securing all proper permits pursuant to the North Carolina State Building Code.

PUBLIC WORKS FEES continued

Account Number	Code	Service	Fee
Engineering			
010-0000-330-21-01	EE	Erosion control plan (Grading Permit)	100.00 per acre of land disturbing activity
010-0000-330-21-02	ES	Street closings (right of way abandonments)	600.00 per street plus \$100/ each additional street or portion thereof
010-0000-330-21-03	ER	Right of way Encroachment Agreements	500.00
010-0000-340-12-13	SB	Handicapped Signs	18.00
010-0000-340-12-13	SB	Maximum Penalty Signs	8.00
010-0000-340-12-13	SB	Maximum Penalty Stickers	3.00
010-0000-340-12-13	SB	Van Accessible Signs	8.00

PUBLIC WORKS FEES continued

Account Number	Code	Service	Fee	
Engineering cont.				
010-0000-340-12-13	SB	Barricade Delineator (Left or Right)		13.00
010-0000-340-12-13	SB	2-Way Street Name Signs	For 9"	For 6"
		(Under 36")	58.00	50.00
		(36" – 48")	74.00	60.00
		(49" – 60")	90.00	75.00
010-0000-340-12-13	SB	4 Way Street Name Signs	For 9"	For 6"
		(Under 36")	91.00	75.00
		(36" – 48")	123.00	99.00
		(49" – 60")	156.00	118.00
		(Over 60")	188.00	132.00
010-0000-340-12-13	SB	No Parking-Fire Lane		18.00
010-0000-340-12-13	SB	Community Watch		20.00
010-0000-340-12-13	SB	11' Channel Posts		23.00
		12'		26.00
		14'		38.00
010-0000-340-12-13	SB	10' Aluminum Pole		36.00
010-0000-340-12-13	SB	Hardware (1 set)		2.00
Color CAD/GIS Maps				
010-0000-330-21-04	EP	City map (1" = 1000')		30.00
010-0000-330-21-04	EP	City map (1" = 1500')		25.00
010-0000-330-21-04	EP	City map (1" = 2000')		20.00
010-0000-330-21-04	EP	GIS (8 ½" x 11")		5.00
010-0000-330-21-04	EP	GIS (11" x 17")		17.00
010-0000-330-21-04	EP	GIS (30" x 42")		30.00
010-0000-330-21-04	EP	Special Map Requests		20.00
Blueprint/Photocopy Maps				
010-0000-330-21-04	EP	Planimetric (1" = 100')		10.00
010-0000-330-21-04	EP	Topos, (1" = 100')		10.00
010-0000-330-21-04	EP	Topos, (1" = 200')		15.00
010-0000-330-21-04	EP	City Map (1' – 1000')		10.00
010-0000-330-21-04	EP	City Map (1' – 2000')		5.00

PUBLIC WORKS FEES continued

Account Number	Code	Service	Fee
Publications			
010-0000-330-21-04	EP	Storm Drainage Ordinance	1.50
010-0000-330-21-04	EP	Erosion Control Ordinance	3.00
010-0000-330-21-04	EP	Flood Damage Prevention Ordinance	3.00
010-0000-330-21-04	EP	Driveway Ordinance	3.00
010-0000-330-21-04	EP	Street List	3.00
010-0000-330-21-04	EP	Subdivision List	3.00
010-0000-330-21-04	EP	MSDD	25.00
010-0000-330-21-04	EP	MSDD (shipping)	5.00
<u>Printing/Misc.</u>			
<u>Photocopies</u>			
010-0000-330-21-04	EP	Bond (20" x 24") small	3.00
010-0000-330-21-04	EP	Vellum (20" x 24") small	4.00
010-0000-330-21-04	EP	Film mylar (20" x 24") small	8.00
010-0000-330-21-04	EP	Bond (24" x 36") medium	4.00
010-0000-330-21-04	EP	Vellum (24" x 36") medium	5.00
010-0000-330-21-04	EP	Film mylar (24" x 36") medium	10.00
010-0000-330-21-04	EP	Bond (30" x 42") large	5.00
010-0000-330-21-04	EP	Vellum (30" x 42") large	8.00
010-0000-330-21-04	EP	Film mylar (30" x 42") large	15.00
010-0000-330-21-04	EP	Small photo copies (8 ½" x 11", 8 ½" x 14")	.25/page over seven pages \$2.00 minimum
010-0000-330-21-04	EP	Photo copies (11" x 17")	1.00
010-0000-330-21-04	EP	Shipping	3.00
037-0000-331-00-00		Stormwater Utility Fees - For each equivalent rate unit, as defined by Section 8-3-2 of the Greenville City Code, there shall be a service charge per month for the purposes of supporting stormwater management programs and structural and natural stormwater and drainage systems, said charge to be effective on and after July 1, 2003. One Unit equals 2,000 square feet.	2.85/ per unit/per month

POLICE FEES

Account Number	Code	Service	Fee
010-0000-330-20-05	PT	Accident Report First Copy Only for Driver/Individual involved Additional Accident Copies and all Incident Copies Mail Order Requests (fee to cover postage, envelope stationery & storage)	No Charge 5.00 Additional 2.00
010-0000-330-20-06	PU	Fingerprinting	15.00
010-0000-330-20-07	PV	Photographs 8 X 10 5 X 7 3 X 5	15.00 10.00 7.00
010-0000-330-20-08	PW	Police Fees/Miscellaneous House Moving Demolition Security Application for Street Blocking	50.00* 50.00 25.00
010-0000-330-20-09	PX	Parade Permits	50.00
010-0000-330-20-10	PY	Solicitation Permits	30.00
010-0000-330-20-11	PZ	Outdoor Amplified Sound Permits	50.00
010-0000-330-20-12	TI	Annual Taxicab Inspection	20.00
010-0000-330-20-14	T2	Taxi License Renewal Application	19.00
010-0000-330-20-15	T3	Taxi License Initial Application	30.00
010-0000-330-20-08	PW1	Administrative Tow Fee	30.00
010-0000-330-20-17	LF	Peddler's License Application Fee	45.00
010-0000-330-20-17	I6	Itinerant Merchant License	374.00
010-0000-330-20-18	I6	Itinerant Merchant License Renewal	219.00
010-0000-330-20-08	PW	Towing Operator Inspection Fee	25.00

* ***This fee will be collected by the Engineering Department.***

POLICE FEES continued

Account Number	Code	Service	Fee
010-0000-330-20-08	PW	Wrecker	20.00
010-0000-340-12-16		Off-Duty Fee	Employee Pay
			\$27.00
010-0000-330-2019		Alarm Permit Fee	\$15/first Yr \$ 5/subsequent yrs

Revised 6/07

ANIMAL CONTROL FEES

Account Number	Code	Service	Fee
010-0000-330-08-00	AP	Animal Control Civil Penalties:	
		Public Nuisance	25.00
		Failure to acquire Rabies Vaccination	50 /1 st Offense 100 2 nd /150 3 rd
		Cruelty to Animals	50 /1 st Offense 100 2 nd /150 3 rd
		Unkept Kennels or Pens	25 /1 st Offense 50 2 nd / 75 3 rd
		Lack of restraint by chain or leash (Leash Law Violation)	50.00/1 st Offense 100 2 nd /150 3 rd
		All other sections	15.00
010-0000-330-08-00	AP	Exotic Animal Fees:	
		Circus, exhibitions, shows	250.00
		Pet store permit	150.00
		Individual permit	75.00

PARKING FEES

Account Number	Code	Service	Fee
Leased Parking			
* Refer to Account Number and Revenue Codes listed below		<u>Monthly Rates:</u> Single space in paved lot Single space in un paved lot Contractor (maximum 4 spaces/month)	According to Lease Agreement
010-0000-340-04-30	LP# 1	Merchant Lot # 1	
010-0000-340-04-39	LP#10	Harris Lot # 10	
010-0000-340-04-32	LP# 3	Moseley Lot # 3	
010-0000-340-04-33	LP# 4	Texaco Lot # 4	
010-0000-340-04-34	LP# 5	Crepe Myrtle Lot # 5	
010-0000-340-04-35	LP# 6	Blount Harvey Lot # 6	
010-0000-340-04-36	LP# 7	Edwards Lot # 7	
010-0000-340-04-37	LP# 8	Holiday Lot # 8	
010-0000-340-04-38	LP# 9	Hooker Lot # 9	
042-0000-120-00-00	LCD	Community Development Lot	

PARKING FEES – PENALTIES

Account Number	Code	Service	Fee
Parking Penalties			
010-0000-360-09-00	PB	Overtime Parking Downtown:	
		If paid within 10 calendar days	\$ 5.00
010-0000-360-09-00	PB	If paid between the 11 th calendar day after issuance and the 30 th day	10.00
010-0000-360-09-00	PB	If paid after 30 days	15.00
Overtime Parking Residential & All Areas Not Otherwise Designated:			
010-0000-360-09-00	PB	If paid within 10 calendar days	20.00
010-0000-360-09-00	PB	If paid between the 11 th calendar day after issuance and the 30 th day	35.00
010-0000-360-09-00	PB	If paid after 30 days	50.00
Illegal Parking Downtown:			
010-0000-360-09-00	PB	If paid within 10 calendar days	15.00
010-0000-360-09-00	PB	If paid between the 11 th calendar day after issuance and the 30 th day	20.00
010-0000-360-09-00	PB	If paid after 30 days	25.00
Illegal Parking Residential & All Areas Not Otherwise Designated:			
010-0000-360-09-00	PB	If paid within 10 calendar days	20.00
010-0000-360-09-00	PB	If paid between the 11 th calendar day after issuance and the 30 th day	35.00
010-0000-360-09-00	PB	If paid after 30 days	50.00
010-0000-360-05-00	RX	Residential Parking Permit Decals	5.00 per decal per year
010-0000-360-05-00	RX	Duplicate Residential Parking Permit Decals	5.00
Parking in a Fire Lane:			
010-0000-360-09-00	PB	If paid within 10 calendar days	50.00
010-0000-360-09-00	PB	If paid between the 11 th calendar day after issuance and the 30 th day	65.00
010-0000-360-09-00	PB	If paid after 30 days	80.00
Designated Handicap Spaces:			
010-0000-360-09-01	HP	If paid within 10 calendar days	100.00
010-0000-360-09-01	HP	If paid between the 11 th calendar day after issuance and the 30 th day	150.00
010-0000-360-09-01	HP	If paid after 30 days	200.00
010-0000-360-09-01	HP	If paid after 60days	250.00
010-0000-360-26-00	UP	Parking on Unimproved Surfaces	25.00 per occurrence

PARKING FEES – PENALTIES continued

The following lots are subject to penalties as described in the previous section.

Account Number	Code	Service	Fee
010-0000-340-19-08	PC	Harris Lot #10	
010-0000-340-19-05	PD	Blount Harvey Lot #6	
010-0000-340-19-04	PE	Moseley Lot #3	
010-0000-340-19-03	PF	Hodges Lot #2	
010-0000-340-19-03	PF	Hodges Lot #2	
010-0000-340-19-06	PG	Edwards Lot #7	
010-0000-340-19-07	PH	Hooker Lot #9	
010-0000-340-19-11	PJ	Georgetown Lot #13	
010-0000-340-19-02	PM	Merchants Lot #1	
010-0000-340-19-01	PO	On Street Parking	
010-0000-340-19-09	PR	Roses Lot #11	
 Parking Fees Meters			
		Meters	
010-0000-340-04-20		City Meters 30 minutes	\$.25
010-0000-340-04-23		Georgetown Lot: 2 Hour Limit w/ \$.25 for 1 hour (1 hour minimum) \$.50 for 2 hours (2 hours maximum) (Nickels, Dimes, and Quarters)	.50

PRIVILEGE LICENSE FEES

Account Number	Code	Service	Fee
010-0000-330-01-00		The annual privilege license tax for business activity not otherwise set forth in the schedule of fees or by state statute shall be as follows: Annual gross receipts not exceeding \$25,000 Annual gross receipts exceeding \$25,000 annually	50.00 50.00 Plus \$.50 for each additional \$1,000 or fraction thereof of gross receipts, provided the maximum tax for each separate location shall be \$2,000.
		A schedule of privilege license taxes shall be maintained in the office of the Collections Supervisor and shall be open for public inspection (Ordinance No. 963, 5-8-80; Ordinance No. 1494, § 2, 5-13-85)	

TAXICAB FARES

The following rates shall be applicable for each standard zone fare:

ZONES	1	2	3	4	5	6	7	8
1	4.00	4.35	4.70	5.05	5.40	5.75	6.10	6.50
2	4.35	4.35	4.70	5.05	5.40	5.75	6.10	6.50
3	4.70	4.70	4.70	5.05	5.40	5.75	6.10	6.50
4	5.05	5.05	5.05	5.05	5.40	5.75	6.10	6.50
5	5.40	5.40	5.40	5.40	5.40	5.75	6.10	6.50
6	5.75	5.75	5.75	5.75	5.75	5.75	6.10	6.50
7	6.10	6.10	6.10	6.10	6.10	6.10	6.10	6.50
8	6.50	6.50	6.50	6.50	6.50	6.50	6.50	6.50

The fare charged shall be the amount of the highest zone which is traveled through.
Only one fare shall be charged for one or two persons traveling from the same point of origin to the same point of destination

The following rates are for fares across town:

ZONES	1	2	3	4	5	6	7	8
1	4.00	4.60	5.20	5.80	6.40	7.00	7.60	8.20
2	4.60	5.20	5.80	6.40	7.00	7.60	8.20	8.80
3	5.20	5.80	6.40	7.00	7.60	8.20	8.80	9.40
4	5.80	6.40	7.00	7.60	8.20	8.80	9.40	10.00
5	6.40	7.00	7.60	8.20	8.80	9.40	10.00	10.60
6	7.00	7.60	8.20	8.80	9.40	10.00	10.60	11.20
7	7.60	8.20	8.80	9.40	10.00	10.60	11.20	11.80
8	8.20	8.80	9.40	10.00	10.60	11.20	11.80	12.50

Ironwood/Bradford Creek	Standard Fare	6.50
	Across Town	12.50
Over two persons (per person extra)		1.50
Stops en route to destination		1.50
Waiting time (per hour)		16.50
Trunks or footlockers (each)		2.00
Baggage (each)		1.25
Rates outside zones unless previously specified (per mile)		2.00

FIRE/RESCUE FEES

Account Number	Code	Service	Fee
010-0000-330-22-07	FR	EMS/Call Reports Pursuant to G.S. 90-411 Walk-In Requests Mail Order Requests (fee to cover postage, envelope, stationery & storage)	10.00 .25/page over seven pages 2.00+ .25/page over seven pages
010-0000-330-22-07	FR	Extraction Tank Permit	100.00/tank
010-0000-330-22-07	FR	Installation Tank Permit	125.00/tank
010-0000-330-22-07	FR	Re-piping Permit	50.00
010-0000-330-22-07	FR	Tank Abandonment	50.00/tank
010-0000-330-22-07	FR	Follow-up Tank Inspection	50.00
010-0000-330-22-09	FM	Burn Permit: Burning	50.00
010-0000-330-22-07	FR	Permits: Fair/Carnival, Tents, Explosives, Pyrotechnics Fumigate/Fogging , Exhibits, Trade Shows	50.00
010-0000-330-22-07	FR	Permits: Mall Displays, Private Fire Hydrant	30.00
010-0000-340-01-00	RI	EMS Basic Transport Fee: BLS BLS – Emergency ALS ALS – Emergency ALS 2 Oxygen Delivery No transport/treatment fee Head Immobilization Ground Mileage, Per Statute Mile	300.00 340.00 360.00 400.00 535.00 26.00 50.00 25.00 8.00
010-0000-340-25-00	EM	EMS Dedicated Standby	75.00/hr.
010-0000-330-22-10	FE	ETJ Business Inspections: Minimum Hourly	60.00 30.00
010-0000-330-22-11	FL	State Required Inspection for Licenses: City ETJ	50.00 80.00

FIRE/RESCUE FEES continued

Account Number	Code	Service	Fee
010-0000-330-22-09	FB	Special Requested Business Inspections: City	30.00
		ETJ	60.00
010-0000-330-22-11	FL	Special Requested Business Inspections w/plan reviews City	60.00 /per building
		ETJ	90.00 /per building
010-0000-330-22-11	FL	Sprinkler Review and Field Test City	100.00/per building
		ETJ	130.00/per building
010-0000-330-22-11	FL	Sprinkler Review and Field Test Follow Up (Reinspection) City	50.00
		ETJ	65.00
010-0000-330-22-09	FM	Hazardous Materials Spills	30.00 per man-hour
010-0000-330-22-09	FM	Fire Inspection Follow Up (Reinspections)	50.00

Fire Protection Service: The following formula is hereby established for determining the extraterritorial fire protection fee each fiscal year: Total property value divided by 100 multiplied by 10% equals the billed amount. In no event shall the annual cost of service under this agreement exceed the sum of \$50,000.

PLANNING FEES

Account Number	Code	Service	Fee
010-0000-330-18-01	AA	Preliminary Plat	\$550 base fee plus \$50 per acre or additional major fraction thereof
010-0000-330-18-02	BB	Final Plats (including minor subdivisions)	\$440 base fee plus \$50 per acre or additional major fraction thereof
010-0000-330-18-03	AB	Rezoning	\$550 base fee plus \$50 per acre or additional major fraction thereof
010-0000-330-18-04	AE	Board of Adjustment Cases	\$385 flat fee for residential related special use permits included under Sec 9-4-78 (f)(2) & (3);\$50 flat fee for an appeal of an administrative decision to issue a citation for parking on an unimproved surface as a violation of a parking area surface material requirement as set forth in Section 9-4-248 (a) : All other cases \$500 flat fee; refund of Appeals of Administrative Decisions or Interpretation case fee where the Board of Adjustment finds in favor of the applicant
010-0000-330-18-04	AE	Board of Adjustment Renewal Cases – Special Use Permit Renewals for public or private clubs and billiard parlors or pool halls in any zoning district	\$275
010-0000-330-18-05	AF	Site Plans	\$495 base fee plus \$50 per acre or additional major fraction thereof
010-0000-330-18-09	JJ	Landscape Plans	1st Inspection: \$110 base fee plus \$25 per acre or additional major fraction thereof (\$150 minimum) not to exceed \$500; Each Additional Inspection, \$75 flat fee

PLANNING FEES continued

Account Number	Code	Service	Fee
010-0000-330-18-06	FF	Preliminary Plat Minor Alterations	\$ 330.00 Flat fee
010-0000-330-18-07	GG	Final Plat Minor Alterations	330.00 plus 30/sheet
010-0000-330-18-08	HH	Site Plan Minor Alterations	330.00 Flat fee
010-0000-330-18-09	II	Landscape Plan Minor Alterations	165.00 Flat fee
	JJ		
010-0000-330-18-10		Landscape Plan Inspection	210.00
010-0000-330-18-11	KK	Street Name Change	440.00 base fee +\$10/ certified notice
010-0000-330-18-14	AM	Amendments (Zoning/Subdivision Text, Comprehensive Plan)	495.00 flat fee
010-0000-330-18-13	AX	Annexation; Petition (voluntary)	440.00 flat fee
010-0000-330-18-15	SU	Planning & Zoning Commission Special Use Permit (Planned Unit Development-PUD; Land Use Intensity-LUI)	880.00 flat fee

Maps from the Planning Department:

010-0000-330-18-12 LL

- 8 1/2" x 11" (color)
- 11" x 17" (color)
- 17" x 24" (color)
- 24" x 36" (color)
- 34" x 48" (color)

Readily Available Maps: (All maps include property lines unless otherwise indicated.)

Hydric Soils:

1. \$ 25.00; 2. \$30.00

PLANNING FEES continued

Account Number	Code	Service	Fee
Black and White Laser Printer:			
City Limits, ETJ, and Industrial Area			
			\$ 5.00
			\$ 17.00
			\$ 22.00
			\$ 27.00
			\$ 30.00
Historic District:			
			\$ 7.50
			\$ 10.00
			\$ 12.50
			\$ 15.00
			\$ 17.50
Special Area Plans:			
			\$ 15.00
			\$ 20.00
			\$ 25.00
			\$ 30.00
Special Request: (May require multiple data layers)			
(Black and White)			\$ 10.00
(Color)			\$ 20.00
(Color)			\$25.00
(Color)			\$30.00
(Color)			\$35.00

If the time exceeds 30 minutes in designing a special request map, then a programming fee of \$25 per hour will be applied and \$25 for each subsequent hour. Any maps produced for display, public hearing, and City Council meetings will follow the same prices as the Special Area Plans.

RECREATION AND PARKS FEES

NOTE: As a result of the diversity of programs, programs may be added or dropped at any time and, therefore, the fees are subject to change as approved by the Recreations and Parks Commission. Additionally, the Recreation and Parks Commission may waive, in whole or in part, fees which are related to programs conducted in cooperation with another organization or individual which is assuming all or a portion of the expense of the program. NR means Non-City Resident, NCR means Non-County Resident, and NM means Non-Members. Non Resident Fees equal 150% of Resident Fees unless otherwise indicated. All Recreation and Parks programs listed are examples and may not be inclusive of all offerings at all times. Similar programs may be offered or substituted at staff discretion.

Revenue Account	Code	Service	Fee
010-0000-340-02-02	RP	Pedal Boat Rental / Group	\$3 /30 min
		Rental	\$15/hour
		Science & Nature Center	\$1.00 Under 12 / \$2.00 12& Over
		Boat Launch Fees	\$2/3NR
		Camping Fee	\$4/6 NR
		Jon Boat Rental	\$5 1/2day/ \$8 full day
		Fishing Permits	\$1.50/ \$2.25 NR
		Large Shelter Reservation	1/2 day/ full day \$30/60 Resident \$45NR/90 NR
		Small Shelter Reservation	1/2 day/ full day \$20/40 Resident \$30NR/\$60 NR
		Cleanup Fee	\$50
010-0000-340-02-01	RR	Adult Recreation and Fitness	\$0 - \$200/\$0 - \$300 NR
		Karate/Self Defense	
		Weightlifting	
		Ladies Exercise	
		Adult Dance	
		Men's Exercise	
		Tennis Lessons	
010-0000-340-02-01	RR	Sports Connection	\$0.50 - \$100
		Entrance Fee/Individual Gym	
		Fee	
		Tokens for batting Cage (1-12 rounds)	
		Packages	
		Concessions	
		Birthday Parties	
Pitching/Hitting Lessons			
010-0000-321-32-16	RL	Pal Program	\$0 - \$25

RECREATION AND PARKS FEES continued

Revenue Account	Code	Service	Fee
010-0000-340-02-10	R4	Arts Classes Youth Arts & Crafts Ceramics Classes Potters Club Drawing & Painting Decorative Arts Fiber Arts	\$20 - \$250 Residents/ \$30-\$375 Non-Residents
010-0000-340-02-11	R5	Public Outdoor Pool (City Pool) Admission Swimming Lessons Guard Start	\$1.50 - \$2.00 Daily \$10 - \$50 Season \$20 - \$25 Resident / \$30 - \$38 Non-resident \$25 - \$30 Resident / \$38 - \$50 Non-resident
010-0000-340-02-00& 0212	R7 & R7	Youth Sports Youth Tennis Lessons Tennis Leagues Greenville Jr. Champ Youth Basketball Youth Indoor Soccer Future Stars Soccer Youth Flag Football Extreme Park Small Fry/Big Fry Baseball Mini Fry Baseball Challenger Baseball Babe Ruth Transitional League Karate/Self Defense Youth Dance Cheerleading Youth Weightlifting Gymnastics	\$0 - \$50 Residents/ \$0 - \$75 Non-Residents

RECREATION AND PARKS FEES continued

Revenue Account	Code	Service	Fee
010-0000-340-02-00	R7	Adult Sports Adult Basketball Leagues Adult Whiffle Ball Leagues Adult Softball Leagues Adult Summer Basketball	\$75-\$550 Team Fee
010-0000-340-02-10	R4	Special Events Kid's Dog Show Fourth of July International Festival KidsFest Sunday in The Park MLK Day Celebration Black History Month Celebration	\$0 - \$15
010-0000-340-21-00	R8	Special Populations: Special Olympics	\$0 - \$75 Residents/ \$0 - \$113/ Non-Residents
010-0000-340-21-00	R8	Summer Camps Camp Sunshine Extended Care Tot Lot Outdoor Living Skills / Nature Aqua Explorers Camp Baseball, Basketball, Soccer & Football Camps Creative writing Sports Mini Camp CIT	\$0 -\$150/per week Residents \$0 – 225/per week Non-Resident
010-0000-340-02-16	RI	Senior Recreational Programs Bridge Classes Senior Olympics Senior Clubs Gone Fishing Senior Trips	\$0-\$35/Resident \$0 - \$53/Non-Resident \$10 - \$800

RECREATION AND PARKS FEES continued

Account Number	Code	Service	Fee
010-0000-340-04-01	RT	Amphitheater Call 329-4567	\$100 - \$500 per event; Plus \$50-\$250 Cleanup fee; \$10 per hour staff fee
		Ball field Rentals Call 329-4550	\$20 per field per hour; \$100 per day; Lights \$15 per field per hour; \$50 one time marking fee—(NO HOLIDAYS OR SUNDAYS); Staff may be required
		Bradford Creek Clubhouse Call 329-GOLF	\$150 per hour; \$10 per hour staff fee
		City Pool Rental, Myrtle Avenue Call 329-4041	\$50 up to 30 people (2 lifeguards) minimum 2 hour rental; Groups of 30-50 - \$10 per hour extra for additional lifeguard
		Elm Street Center Call 329-4542	\$20 per hour; \$10 per hour staff fee
		Elm Street Gym Call 329-4550	\$50 per hour; \$10 per hour staff fee
		Eppes Gym Call 329-4548	\$50 per hour; \$10 per hour staff fee
		Elm Street Gym Meeting Room Call 329-4550	\$20 per hour; (When gym is open) 25 maximum
		Elm Street Lawn Games Area Call 329-4550	\$50 per hour; Staff may be required
		Eppes Center Call 329-4548	\$30 per hour; \$10 per hour staff fee

RECREATION AND PARKS FEES continued

Account Number	Code	Service	Fee
		Eppes Center Game Room Call 329-4548	\$ 20 per hour; \$10 per hour staff fee
		Greenville Aquatics & Fitness Center (Gym, Gym & Pool, Pool, Entire Facility) Call 329-4041 for details	Varies
010-0000-340-04-01	RT	Guy Smith Stadium Call 329-4567	\$250 per day; \$10 per hour staff fee; \$250 cleanup fee
		H. Boyd Lee Gym Call 329-4550	\$50 per hour; \$10 per hour staff fee
		H. Boyd Lee Meeting Room Call Athletic Office 329-4550	\$20 per hour; \$10 per hour staff fee
		Jaycee Park Auditorium Call 329-4567	\$30 per hour; \$10 per hour staff fee
		Jaycee Park Activity Room Call 329-4567	\$20 per hour; \$10 per hour staff fee
		Jaycee Park Meeting Room A / B Call 329-4546	\$20 per hour; \$10 per hour staff fee
		Jaycee Park Kitchen Call 329-4567	\$10 per hour with other facility rental
		River Birch Tennis Center Call 329-4559	\$50 per hour; \$10 per hour staff fee
		Skatepark or Inline Hockey Rink Call 329-4550	\$50 per hour; \$10 per hour staff fee; Maximum 50 people
		South Greenville Center Call 329-4549	\$20 per hour; \$10 per hour staff fee
		South Greenville Gym Call 329-4549	\$50 per hour; \$10 per hour staff fee
		Teen Center Call 329-4542	\$30 per hour per room; \$10 per hour staff fee
		Tennis Courts Call 329-4559	\$50 per count per hour
		Soccer Complex Call 329-4550	5 fields; \$20 per field per hour; \$100 per day; \$15 light fee per hour; \$100 one time marking fee— (NO HOLIDAYS OR SUNDAYS)

RECREATION AND PARKS FEES continued

Account Number	Code	Service	Fee
010-0000-340-04-01	RT	River Park North Large Picnic Shelter, Thomas Foreman Park Large Picnic Shelter Call 329-4562	Half Day Rentals: \$30 for residents; \$45 for non- residents Full Day Rentals: \$60 for residents; \$90 for non-residents ½ day is 4 hours maximum 250 maximum capacity; groups of 75 or more pay \$50 cleanup fee
	RT	Matthew Lewis, Boyd Lee Park Shelters	Half Day Rentals: \$30 for residents; \$45 for non- residents Full Day Rentals: \$60 for residents; \$90 for non- residents ½ day is 4 hours maximum 250 maximum capacity; groups of 75 or more pay \$50 cleanup fee
		All other Shelters Call 329-4562	Half Day Rentals: \$20 for residents; \$30 for non-residents Full Day Rentals: \$40 for residents; \$60 for non-residents ½ day is 4 hours maximum 250 maximum capacity; groups of 75 or more pay \$50 cleanup fee
Extras:		Press box; Scoreboard/Panel Box Call 329-4550 Staging Call 329-4539	\$50 (up to 4 hours); 10 per hour staff fee \$35 for 4x8 section
		Bleachers Call 329-4539	\$50; portable (30 seat capacity) \$75 per set deliver and pickup
		Bingo Game Call 329-4542	\$25 per day
		Bunny Suit Call 329-4542	\$25 per day

Greenville Aquatics and Fitness Center Membership Fees

Revenue Account	Code	Service	Fee
010-0000-340-02-06	Q4	Family Membership (City Employee)	13.00/Mthly
010-0000-340-02-07	Q5	Family Membership (GUC Employee)	13.00/Mthly
010-0000-340-02-09	Q7	GAFC Recreational Programming Strength and Conditioning Resistance Training Senior Strength Karate at GAFC Tai Chi at GAFC Womens Self Defense Workshop Bench Press Competition Chair Aerobics Water Aerobics Swim Lessons Dolphin Swim Club Master Swim Pool Parties Concession Sales	\$0-\$100/ Members \$0-\$150/Non-Members
010-0000-340-02-03	Q1	Memberships	

Membership Type	Yearly Fees	Quarterly Fees	Monthly Draft Fee
Family, Individual, Student, Senior,Corporate	\$220-\$550	\$60-\$250	\$19-\$200

Quarterly Memberships – application fee included in first three months; Bank Draft Memberships pay 3 months in advance plus application fee.

Bradford Creek Golf Course

Revenue Account	Code	Service	Fee
036-0000-340-30-00	GF	Golf Green and Ball Fees All Range Ball and Range Fees Various Play Offerings	\$5 to \$45
036-0000-340-34-01	B1	Golf Classes and Tournaments Golf Clinics Summer Youth Golf Camp Spring Youth Camp Junior Golf Team Coastal Plains Tournament	\$10 to \$150

COMMUNITY DEVELOPMENT FEES

Code Enforcement

Revenue Account	Code	Violation	Fee
N/A		Abandoned vehicles	50.00 + cost of towing and storage
N/A		Public Nuisance	50.00 + cost of mowing

CITY OF GREENVILLE



ASSIGNMENT OF CLASSES TO SALARY GRADES AND RANGES

Adopted June 12, 2008
Effective June 21, 2008

ASSIGNMENT OF CLASSES TO SALARY GRADES AND RANGES

June 21, 2008

<u>Grade</u>	<u>Salary Range</u>	<u>Position Title</u>
15	20,488.00 – 25,584.00 – 30,492.80	
16	21,860.80 – 27,248.00 – 32,656.00	Custodian I
17	23,628.80 – 29,494.40 – 35,360.00	Auto Service Worker Custodian II Equipment Operator I Laborer Library Clerk Parking Control Officer Refuse Collector
18	25,584.00 – 31,969.60 – 38,396.80	Animal Control Officer Clerk-Typist Collections Clerk Community Services Clerk Custodial Crew Leader I Equipment Operator II Recreation Program Assistant
19	27,934.40 – 34,902.40 – 41,891.20	Administrative Assistant (CVB) Custodial Crew Leader II Equipment Operator III Family Services Victims Advocate Library Assistant Parks Crew Leader Secretary I Stores Clerk
20	30,492.80 – 38,147.20 – 45,801.60	Booking/Property & Evidence Technician Cement Finisher Collections Technician Equipment Operator IV Fire/Rescue Trainee Park Ranger Secretary II Telecommunicator Traffic Control Worker Transit Driver Tree Trimmer I
21	33,425.60 – 41,787.20 – 50,086.40	Accounting Technician I Animal Control Supervisor Assistant Greens Supervisor Code Enforcement Officer Communications Technician Engineering Assistant I Fire/Rescue Officer I Lead Telecommunicator Librarian I Maintenance Technician I Permit Officer Pesticide Control Officer Police Officer Trainee Purchasing Technician Services Manager (CVB) Traffic Control Crew Leader Traffic Signal Technician I Tree Trimmer II

22	36,920.00 – 46,176.00 – 55,390.40	Accounting Technician II Administrative Secretary Buildings & Grounds Crew Leader Collections Officer Equipment Operator V Housing Rehabilitation Specialist IT Support Specialist I Loan Administrator – CD Mechanic I Parks Program Assistant Police Property & Evidence Custodian Welder
23	40,872.00 – 51,084.80 – 61,360.00	Accounting Specialist Administrative Services Specialist Community Projects Coordinator Deputy City Clerk Engineering Assistant II Fire/Rescue Officer II GIS Technician I IT Support Specialist II Librarian II Library Business Manager Maintenance Technician II Neighborhood Liaison/Community Ombudsman Police Officer Sanitation Supervisor I Streets Supervisor I Systems Analyst I Traffic Signal Technician II
24	43,804.80 – 54,704.00 – 65,624.00	Building Inspector Cemetery Supervisor Collections Supervisor Community Relations Officer Electrical Inspector EMS Specialist Fire Prevention Specialist Greens Supervisor Landscape Supervisor Librarian III Master Police Officer Mechanic II MWBE Coordinator Paint/Body Technician Parts Manager Plan Reviewer/Code Consultant Planner I Police Corporal Public Works Coordinator Recreation Supervisor Recycling Coordinator Safety Specialist Streets Supervisor II Surveyor Systems Analyst II Traffic Services Supervisor

25	48,318.40 – 60,320.00 – 72,384.00	Accounting Supervisor Benefits Administrator Buildings & Grounds Supervisor Civil Engineer I Community Services Supervisor F/R Administrative Assistant F/R Lieutenant Financial Analyst GIS Technician II Mechanic Supervisor Parks Coordinator Planner II Police Sergeant Sales Manager (CVB) Sanitation Route Supervisor Systems Analyst III Training Officer
26	53,352.00 – 66,747.20 – 80,163.20	Assistant Street Superintendent GIS Systems Coordinator Librarian IV Parks Facilities Manager Parks Planner Communications Manager/PIO Recreation Manager Senior Fire Codes Official Systems Analyst IV Web Systems Analyst
27	59,196.80 – 73,985.60 – 88,712.00	Civil Engineer II Code Enforcement Coordinator Database Administrator F/R Captain Network Analyst Police Lieutenant Purchasing Manager Safety/Risk Manager Senior Planner Server/Security Analyst Telecommunications Analyst Transit Manager Transportation Planner
28	65,977.60 – 82,409.60 – 98,820.80	Buildings & Grounds Superintendent CEO/Executive Director (CVB) Chief Building Inspector Chief Planner Civil Engineer III EMS Manager Fleet Superintendent Human Resources Manager Parks Superintendent Recreation Superintendent Sanitation Superintendent Street Superintendent
29	73,736.00 – 92,185.60 – 110,635.20	Application Development Manager Battalion Chief IT Infrastructure Manager Police Captain Public Works Operations Manager Senior Financial Services Manager

30	82,846.40 – 103,584.00 – 124,259.20	Assistant City Attorney City Engineer Deputy F/R Chief Director of Libraries Police Major
31	85,779.20 – 107,265.60 – 128,752.00	Director of Community Development Director of Financial Services Director of Human Resources Director of Information Technology
32	94,224.00 – 117,728.00 – 141,252.80	Director of Recreation & Parks
33	104,769.60 – 131,019.20 – 157,268.80	Chief of Police Director of Public Works Fire/Rescue Chief
34	115,169.60 – 143,998.40 – 172,764.80	Assistant City Manager
35	128,169.60 – 160,284.80 – 192,379.20	

CITY OF GREENVILLE

2008/2009 PAYPLAN

EFFECTIVE 06-21-08

Grade		Minimum Step 10	5% Above Step 20	Midpoint Step 30	Maximum Step 40
15	Annual	20,488.00	21,507.20	25,584.00	30,492.80
	Biweekly	788.00	827.20	984.00	1,172.80
	Hourly	9.85	10.34	12.30	14.66
16	Annual	21,860.80	22,963.20	27,248.00	32,656.00
	Biweekly	840.80	883.20	1,048.00	1,256.00
	Hourly	10.51	11.04	13.10	15.70
17	Annual	23,628.80	24,814.40	29,494.40	35,360.00
	Biweekly	908.80	954.40	1,134.40	1,360.00
	Hourly	11.36	11.93	14.18	17.00
18	Annual	25,584.00	26,873.60	31,969.60	38,396.80
	Biweekly	984.00	1,033.60	1,229.60	1,476.80
	Hourly	12.30	12.92	15.37	18.46
19	Annual	27,934.40	29,328.00	34,902.40	41,891.20
	Biweekly	1,074.40	1,128.00	1,342.40	1,611.20
	Hourly	13.43	14.10	16.78	20.14
20	Annual	30,492.80	32,011.20	38,147.20	45,801.60
	Biweekly	1,172.80	1,231.20	1,467.20	1,761.60
	Hourly	14.66	15.39	18.34	22.02
21	Annual	33,425.60	35,089.60	41,787.20	50,086.40
	Biweekly	1,285.60	1,349.60	1,607.20	1,926.40
	Hourly	16.07	16.87	20.09	24.08
22	Annual	36,920.00	38,771.20	46,176.00	55,390.40
	Biweekly	1,420.00	1,491.20	1,776.00	2,130.40
	Hourly	17.75	18.64	22.20	26.63
23	Annual	40,872.00	42,910.40	51,084.80	61,360.00
	Biweekly	1,572.00	1,650.40	1,964.80	2,360.00
	Hourly	19.65	20.63	24.56	29.50

24	Annual	43,804.80	45,988.80	54,704.00	65,624.00
	Biweekly	1,684.80	1,768.80	2,104.00	2,524.00
	Hourly	21.06	22.11	26.30	31.55
25	Annual	48,318.40	50,731.20	60,320.00	72,384.00
	Biweekly	1,858.40	1,951.20	2,320.00	2,784.00
	Hourly	23.23	24.39	29.00	34.80
26	Annual	53,352.00	56,014.40	66,747.20	80,163.20
	Biweekly	2,052.00	2,154.40	2,567.20	3,083.20
	Hourly	25.65	26.93	32.09	38.54
27	Annual	59,196.80	62,150.40	73,985.60	88,712.00
	Biweekly	2,276.80	2,390.40	2,845.60	3,412.00
	Hourly	28.46	29.88	35.57	42.65
28	Annual	65,977.60	69,284.80	82,409.60	98,820.80
	Biweekly	2,537.60	2,664.80	3,169.60	3,800.80
	Hourly	31.72	33.31	39.62	47.51
29	Annual	73,736.00	77,417.60	92,185.60	110,635.20
	Biweekly	2,836.00	2,977.60	3,545.60	4,255.20
	Hourly	35.45	37.22	44.32	53.19
30	Annual	82,846.40	86,985.60	103,584.00	124,259.20
	Biweekly	3,186.40	3,345.60	3,984.00	4,779.20
	Hourly	39.83	41.82	49.80	59.74
31	Annual	85,779.20	90,064.00	107,265.60	128,752.00
	Biweekly	3,299.20	3,464.00	4,125.60	4,952.00
	Hourly	41.24	43.30	51.57	61.90
32	Annual	94,224.00	98,945.60	117,728.00	141,252.80
	Biweekly	3,624.00	3,805.60	4,528.00	5,432.80
	Hourly	45.30	47.57	56.60	67.91
33	Annual	104,769.60	110,011.20	131,019.20	157,268.80
	Biweekly	4,029.60	4,231.20	5,039.20	6,048.80
	Hourly	50.37	52.89	62.99	75.61
34	Annual	115,169.60	120,931.20	143,998.40	172,764.80
	Biweekly	4,429.60	4,651.20	5,538.40	6,644.80
	Hourly	55.37	58.14	69.23	83.06
35	Annual	128,169.60	134,576.00	160,284.80	192,379.20
	Biweekly	4,929.60	5,176.00	6,164.80	7,399.20
	Hourly	61.62	64.70	77.06	92.49

FIRE/RESCUE

06/21/08

Grade		Minimum Step 10	5% Above Step 20	Midpoint Step 30	Maximum Step 40
20	Annual	30,546.88	32,061.12	38,147.20	45,805.76
	Biweekly	1,174.88	1,233.12	1,467.20	1,761.76
	Hourly	10.49	11.01	13.10	15.73
21	Annual	33,429.76	35,089.60	41,787.20	50,086.40
	Biweekly	1,285.76	1,349.60	1,607.20	1,926.40
	Hourly	11.48	12.05	14.35	17.20
23	Annual	40,884.48	42,922.88	51,105.60	61,384.96
	Biweekly	1,572.48	1,650.88	1,965.60	2,360.96
	Hourly	14.04	14.74	17.55	21.08
24	Annual	43,796.48	45,980.48	54,716.48	65,636.48
	Biweekly	1,684.48	1,768.48	2,104.48	2,524.48
	Hourly	15.04	15.79	18.79	22.54
25	Annual	48,310.08	50,727.04	60,336.64	72,363.20
	Biweekly	1,858.08	1,951.04	2,320.64	2,783.20
	Hourly	16.59	17.42	20.72	24.85
27	Annual	59,230.08	62,200.32	73,964.80	88,728.64
	Biweekly	2,278.08	2,392.32	2,844.80	3,412.64
	Hourly	20.34	21.36	25.40	30.47
29	Annual	73,790.08	77,488.32	92,193.92	110,626.88
	Biweekly	2,838.08	2,980.32	3,545.92	4,254.88
	Hourly	25.34	26.61	31.66	37.99