



AGENDA
REGULAR MEETING OF THE MAYOR AND CITY COUNCIL
CITY OF GOLDSBORO
COUNCIL CHAMBERS – CITY HALL – 214 N. CENTER STREET
SEPTEMBER 5, 2017



(Please turn off, or mute, all cell phones and pagers upon entering the Council Chambers)

I. ADOPTION OF THE AGENDA

II. WORK SESSION–5:00 P.M. – CITY HALL ADDITION, 200 N. CENTER ST., ROOM 206

- a. Goldsboro Municipal Golf Course Committee Report (Byron Ash, Chairperson)
- b. Assistance to Firefighters Grant Program Application (Fire)
- c. Former W.A. Foster Discussion (City Manager)
- d. Herman Park Center Discussion (Parks and Recreation)

III. CALL TO ORDER – 7:00 P.M. – COUNCIL CHAMBERS, 214 N. CENTER ST.

Invocation (Bishop Anthony Slater, Tehillah Church Ministries)

Pledge to the Flag

IV. ROLL CALL

V. PRESENTATIONS

- A. Resolution Expressing Appreciation For Services Rendered By John A. Morton As An Employee Of The City Of Goldsboro For More Than 30 Years

VI. PUBLIC HEARINGS

VII. PUBLIC COMMENT PERIOD (TIME LIMIT OF 3 MINUTES PER SPEAKER)

- Request to Speak: George Williams (Law Enforcement Appreciation Dinner)

VIII. CONSENT AGENDA ITEMS (*Motion/Second--Roll Call)

- B. US Dept. Of Justice: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation (Police)
- C. United Way of Wayne County – 27th Annual Taste of Wayne Event – Temporary Street Closing Request (Downtown)
- D. CDBG-DR Disaster Recovery Grant Resolution – Hurricane Matthew (City Manager)
- E. Adoption of a Supplement to the Code of Ordinances of Goldsboro, North Carolina (City Manager)
- F. CU-11-17 Southern Current – North of Old Smithfield Road between Gin Road and NC 581 South (Planning)
- G. CU-13-17 Eli Wuest – West side of North John Street between East Ash Street and East Mulberry Street (Planning)
- H. Site and Landscape Plan- AAA Mini Storage (Addition of self-storage, mini-storage facility) (Planning)
- I. Site and Landscape Plan- Realo Drugs (Pharmacy) (Planning)
- J. Street Closings (Planning)
 - 1. Holly Street – From Claiborne St. to Terminus
 - 2. Beech Street – From Claiborne St. to Terminus
 - 3. Palm Street – From Claiborne St. to Terminus
- K. Donation of Right-of-way for Fallin Boulevard Extension (Planning)

IX. ITEMS REQUIRING INDIVIDUAL ACTION (*Motion/Second)

- L. Center Street Parking (Downtown)
- M. CU-17-16 Ismail Qandeel – Northwest corner of South Slocumb Street and Harrell Street (Planning)
- N. Deletion of Extraterritorial Jurisdiction – Properties accessed from Bryan Boulevard (Planning)

X. CITY MANAGER'S REPORT

XI. CITY ATTORNEY'S REPORT AND RECOMMENDATIONS

XII. MAYOR AND COUNCILMEMBERS' REPORTS AND RECOMMENDATIONS

O. Constitution Week Proclamation

XIII. CLOSED SESSION

XIV. ADJOURN



City of Goldsboro

P.O. Drawer A
North Carolina
27533-9701

RESOLUTION NO. 2017-53

RESOLUTION EXPRESSING APPRECIATION FOR SERVICES RENDERED BY JOHN A. MORTON AS AN EMPLOYEE OF THE CITY OF GOLDSBORO FOR MORE THAN 30 YEARS

WHEREAS, John Morton retired on September 1, 2017 as a Fire Marshal with the Goldsboro Fire Department of the City of Goldsboro with more than 30 years of service; and

WHEREAS, John began his career on July 8, 1987 as a Laborer I with the Public Works Department; and

WHEREAS, on January 8, 1990, John was promoted to Water Meter Reader with the Public Works Department; and

WHEREAS, on October 15, 1990, John was promoted to Firefighter with the Goldsboro Fire Department; and

WHEREAS, on April 2, 1997, John was promoted to Fire Engineer with the Goldsboro Fire Department; and

WHEREAS, on November 18, 1998, John was promoted to Fire Captain with the Goldsboro Fire Department; and

WHEREAS, on January 16, 2008, John's position was reclassified to Fire Inspector with the Goldsboro Fire Department; and

WHEREAS, on March 31, 2014, John was promoted to Fire Marshal with the Goldsboro Fire Department where he has served until his retirement; and

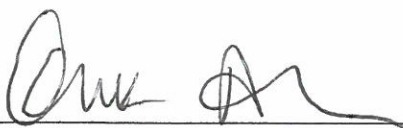
WHEREAS, John has proven himself to be a dedicated and efficient public servant who has gained the admiration and respect of his fellow workers and the citizens of the City of Goldsboro; and

WHEREAS, the Mayor and City Council of the City of Goldsboro are desirous, on behalf of themselves, employees and the citizens of the City of Goldsboro, of expressing to John Morton their deep appreciation and gratitude for the service rendered by him to the City over the years.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Goldsboro, North Carolina that:

1. We express to John our deep appreciation and gratitude for the dedicated service rendered during his tenure with the City of Goldsboro.
2. We offer John our very best wishes for success, happiness, prosperity and good health in his future endeavors.
3. This Resolution shall be incorporated into the official Minutes of the City of Goldsboro, and shall be in full force and effect from and after this 5th day of September, 2017.





Chuck Allen, Mayor

RESOLUTION NO. 2017-53

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AS AN EMPLOYEE OF THE CITY OF GOLDSBORO
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3. This Resolution shall be incorporated into the official Minutes of the City of Goldsboro, and shall be in full force and effect from and after this 5th day of September, 2017.

Approved as to Form Only:

Reviewed by:

City Attorney

City Manager

CITY OF GOLDSBORO
AGENDA MEMORANDUM
SEPTEMBER 5, 2017 COUNCIL MEETING

SUBJECT: US DEPT. OF JUSTICE: EDWARD BYRNE MEMORIAL
JUSTICE ASSISTANCE GRANT (JAG) FORMULA
PROGRAM: LOCAL SOLICITATION

BACKGROUND: The Goldsboro Police Department has been notified that Federal grant funds are available from the 2017 Edward Byrne Memorial Justice Assistance Grant (JAG). This is the same grant that we applied for in 2016 to purchase equipment to improve the department's ability to document citizen and officer interactions

DISCUSSION: The total amount of the grant is \$44,985.00. As in 2016, the Grant requires that the application be filed on behalf of both the Goldsboro Police Department and the Wayne County Sheriff's Office. Each agency would receive \$22,492.50.

The grant requires that a Memorandum of Understanding (MOU) is submitted with the application indicating the agreement between both agencies on the amount each agency will receive and how the grant will be administered. In addition, the MOU and grant Application are required to be distributed to the City Council for review only, no fewer than 30 days prior to the application submission, or before the grant will be awarded.

The Goldsboro Police Department has agreed to purchase patrol rifles to improve officer safety by having the ability to confront heavy-duty firepower situations that cannot be accomplished through the use of traditional sidearms and the Wayne County Sheriff's Office has agreed to purchase Conducted Electrical Weapons (tasers) as replacements for previously purchased tasers that have reached their life span and are no longer supported by current technology for maintenance.

RECOMMENDATIONS: It is recommended that the attached resolution be adopted supporting the Police Department applying for this grant.

DATE: 8-28-17


Michael West, Chief of Police

DATE: _____

Scott A Stevens, City Manager

RESOLUTION NO. 2017-

A RESOLUTION SUPPORTING THE 2017 EDWARD BYRNE MEMORIAL
JUSTICE ASSISTANCE GRANT APPLICATION

WHEREAS, the City of Goldsboro submitted an application for 2017 Justice Assistance Grant Funds on September 5, 2017; and

WHEREAS, The Goldsboro Police Department wishes to purchase patrol rifles to improve officer safety and better protect citizens by having the ability to confront heavy-duty firepower situations that cannot be accomplished through the use of traditional sidearms with the JAG Funds.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Goldsboro, North Carolina, that:

1. The Goldsboro Police Department is authorized to apply for the 2017 JAG Funds in the amount of \$44,985.00.
2. This resolution shall be in full force and effect from and after the _____ day of _____ 2017.

Approved as to form only:

Reviewed by:

City Attorney

City Manager

CITY OF GOLDSBORO
AGENDA MEMORANDUM
SEPTEMBER 5, 2017 COUNCIL MEETING

SUBJECT: United Way of Wayne County – 27th Annual Taste of Wayne Event – Temporary Street Closing Request

BACKGROUND: The United Way of Wayne County is requesting permission to close a portion of certain City streets beginning at 7:00 a.m. until 4:00 p.m. on Saturday, October 14, 2017 to hold their annual Taste of Wayne fundraiser with a rain date of Sunday, October 15, 2017.

DISCUSSION: The street closing request is for the 200 block of North Center Street (between Ash and Mulberry Streets), both north and southbound lanes.

Organizers are requesting the street be closed beginning at 7:00 a.m. on Saturday, October 14th to allow for setup of the event. The event itself begins at 12:00 a.m. on Saturday, October 14th and will run through 3:00 p.m. One additional hour of closure will allow them time to tear down and clear the street.

The Police, Fire, Public Works and DGDC offices have been notified of this request.

Staff recommends approval of this request subject to the following conditions:

1. All intersections remain open for Police Department traffic control.
2. A 14-foot fire lane is maintained in the center of the street to provide access for fire and emergency vehicles.
3. All activities, changes in plans, etc. will be coordinated with the Police Department.
4. The Police, Fire, Public Works and Downtown Goldsboro offices are to be involved in the logistical aspects of this event.

RECOMMENDATION: Staff recommends Council, by motion, grant the street closings for the 200 block of North Center Street from 7:00 a.m. until 4:00 p.m. on Saturday, October 14th for the United Way of Wayne County's Annual Taste of Wayne event, subject to the above conditions.

DATE: _____

DATE: 8-30-17_____
Downtown Goldsboro Staff

City Manager

CITY OF GOLDSBORO
SPECIAL EVENTS/PARADE/STREET CLOSING
PERMIT APPLICATION

****An application for this permit MUST be submitted at least 30 days prior to your special event.**

I. General Information

Type of Event: (please check all that apply)

Parade Run/Walk ☒ Festival ☒ Street Closure Other (explain): _____

Event Name: Taste of Wayne County

Event Date(s): 10/14/17 **Event Website:** _____

Inclement Weather/Rain Date(s): 10/15/17

Description of Event (Please briefly describe the event.)

Outdoor food festival to showcase local restaurants
and benefit United Way of Wayne County

Requested Event Location: Center Street, in front of City Hall

Event Start Time/End Time: 12pm - 3pm

Set-Up: Date & Time (start/end): 10/14 8:00am

Dismantle (Completion): Date & Time (start/end): 10/14 6:00pm

Estimated Daily Attendance: 800-1000

Will this event require street closures? ☒ Yes ☐ No **Closure Times** 7:00am - 4:00pm

If yes, please list the streets that you are requesting to be closed: Center Street

II. Applicant and Sponsoring Organization Information

Sponsoring Organization Name: United Way of Wayne County

Are you a non-profit? ☒ Yes ☐ No If yes, are you: ☒ 501c (3) ☐ 501c (6) ☐ Place of worship

Applicant Name: Stephen Parr **Title:** Executive Director

Address: 301 E. Ash St.

City: Goldsboro **State:** NC **Zip:** 27530 **Phone:** 919-735-3591

Cell Phone: _____ **Email:** sparr@unitedwaync.org

Day of Event Contact:

Name: Stephen Parr **Phone:** 919-735-3591

III. Event Map

For Run/Walk/Parades - FORMATION AREA LOCATION: N/A

For Run/Walk/Parades - STARTING POINT: N/A

For Run/Walk/Parades - ENDING POINT: N/A

***Please provide a detailed map of your event, including race/walk/parade route(s), stage(s), inflatables, booths, tents, parking, etc. (Please attach additional pages as needed)**

IV. RESTROOMS & SITE CLEANUP (Bathroom facilities are required for events lasting longer than two hours and must be ADA compliant.)

One Port-A-Jon is recommended per 100 people, and is based on event duration instead of number of participants.

How do you plan to handle restroom services? ☒ Portable Toilets ☐ Other

If portable toilets will be provided, please list the name/contact of the company:

Parks Portable Toilets

If no portable toilets will be provided, how will these requirements be handled?

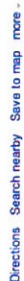
N/A

How do you plan to remove garbage and/or recycling? (City receptacles must be requested separately no less than 30 days prior to the event. Contact the Public Works Department at 919-750-7450.)

Waste Industries

31

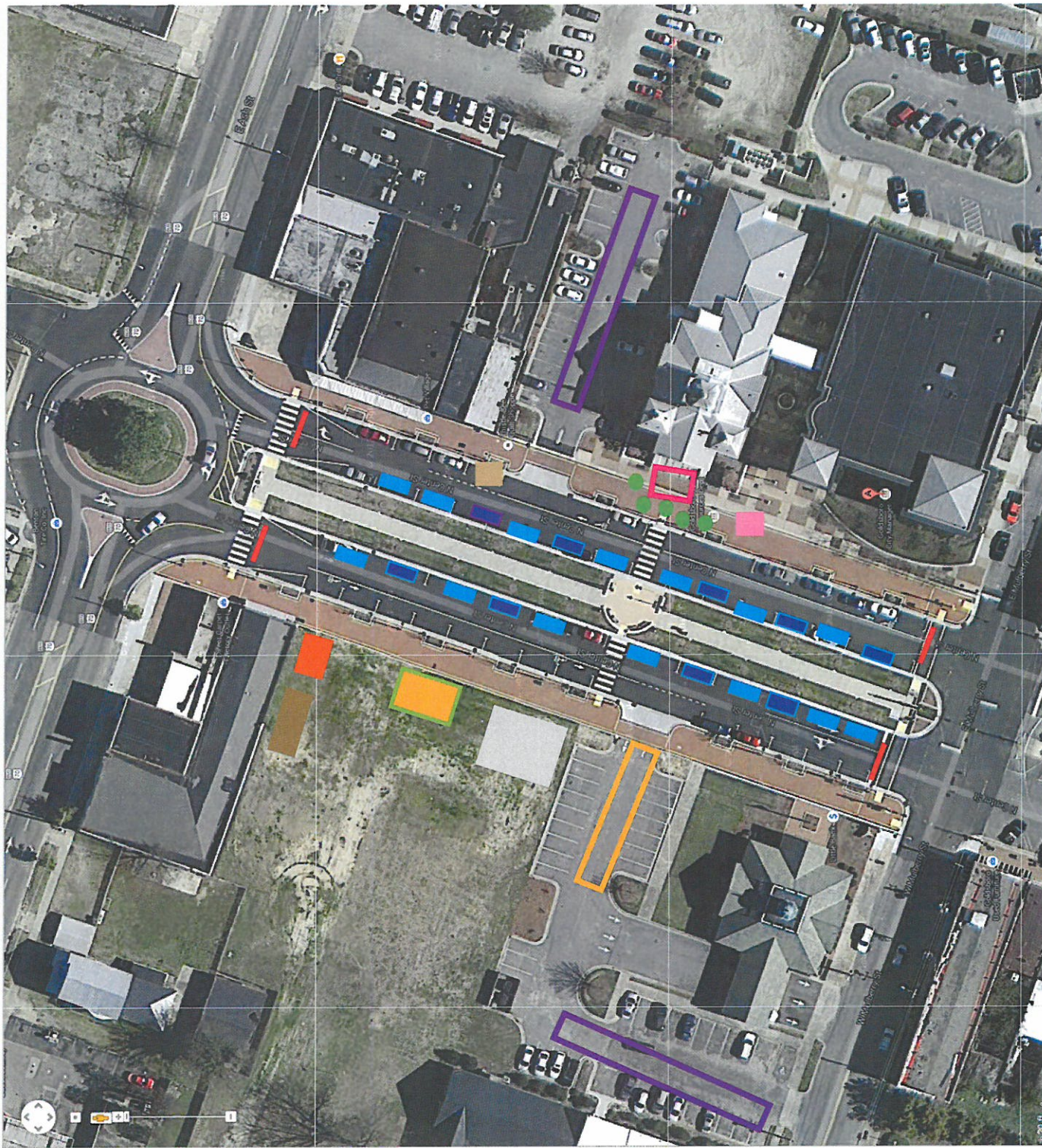
200 N Center St
Goldsboro, NC 27530



Google Maps - ©2014 Google - Terms of Use - Privacy

Legend:

- Road Blocks
- Handicap Parking
- Vendor Parking
- Restaurants
- DJ Area
- Tables
- Port-a-Potty
- Dumpster
- Restaurants Needing Electricity
- UWWC Tent
- WGWR Tent
- Kid Zone



V. Event Details: Please answer the following questions regarding your event.

- ☒ Yes ☐ No Does the event involve the sale of food?
☐ Yes ☒ No Does the event involve the sale of alcohol?
If "YES" has the health department been notified?
➤ For events with food, a letter from the health department must be submitted 30 days prior to the event.
○ Health Department: (919) 731-1000
➤ The ABC Permit, issued by the NC ABC Commission, must be submitted to the Downtown Goldsboro office prior to the event. The event permit will not be issued until the ABC Permit is submitted.
○ NC ABC Commission: (919) 779-0700
- ☒ Yes ☐ No Will there be **musical entertainment** at your event?
If "YES", please provide the following information:
➤ Amplification? ☒ Yes ☐ No
Note: Any Live or Loud Music cannot begin prior to 10am, must end by 10pm and is subject to all city noise ordinances, unless approved in advance by the Goldsboro City Council. Please contact the City of Goldsboro Planning Department at 919-580-4333 for questions regarding City Ordinances.
- ☒ Yes ☐ No Will there be any **tents or canopies** in the proposed event site? If "YES", please provide the following information:
➤ Approximate Number of tents: 25
➤ Approximate Sizes: 10 x 10
➤ Will any tent exceed 400 sq. feet in area? ☐ Yes ☒ No
Note: It is the renter's responsibility to contact the Inspections Department to arrange for all tent inspections that are required by City of Goldsboro ordinance. A permit is required when using any type of tent.
▪ City of Goldsboro Inspections Department (919) 580-4385
- ☒ Yes ☐ No Will you require **electrical hook-ups** for this event? (Please note that electrical availability is limited.)
- ☒ Yes ☐ No Will **admission fees** be charged to attend this event?
If "YES", provide the cost(s) of all tickets: \$15
- Yes ☒ No Will **fees be charged to vendors** to participate in this event?
If "YES", please provide the schedule of fees: _____
- ☒ Yes ☐ No If your event requires the closing of a street(s), have all property/business owners within 100 feet of the event space been notified via hand-delivered flyer or letter by applicant, stating time, place and description of event? **Please complete page 7 and submit with the application.**
*The temporary closing of a NC Department of Transportation street would be at the discretion of the NC Dept. of Transportation.
- ☒ Yes ☐ No Applicant has read, in its entirety, the City of Goldsboro Use of City-Owned Property for Special Events Policy. The Policy Regarding the Use of City-Owned Property for Special Events is available at <http://www.goldsboronc.gov/special-events/>.

VI. Miscellaneous:

Parking:

- How will overall patron parking be accommodated for this event? public parking

Note: You may be required to provide a shuttle if the event places undue demands on surrounding parking areas.

Special Information and Conditions of receiving a Special Event/Parade Permit:

Insurance:

General Liability Insurance coverage of at least \$1 million that holds the City and its taxpayers harmless from claims arising out of operation of the event. This Proof of insurance or applicable rider **MUST** be attached before submitting. Contact your insurance provider for assistance.

Event Cancellation:

At this time, we do not anticipate canceling any events already permitted, however with ongoing national security concerns and the possible unavailability of city and police resources, this could occur. If this action is necessary, applicants will be given notice in a timely manner. New requests may be denied or adjusted for the same reason.

Public Safety:

The City of Goldsboro reserves the right to require security and medical personnel for your event.

Police: The Goldsboro Police Department shall determine the number of police officers needed to appropriately manage security, as well as the time when such services shall commence. The Applicant may be responsible for hiring and paying off-duty law enforcement officers, or reimbursing the City of Goldsboro for the costs of providing on-duty law enforcement officers, to appropriately manage the event. Please contact the City of Goldsboro's Police Department Off-Duty Coordinator at 919-580-4253.

Prohibited Items:

Firearms and illegal drugs are not allowed.

Policy of Non-Discrimination:

City facilities are available on a non-discriminatory basis. Appropriate activities need to accommodate individuals regardless of age, sex, race, color, religion, national origin, physical or mental disabilities, affection preference or marital status. The City of Goldsboro does not discriminate on the basis of disability in admission, access, treatment or employment in its programs or activities.

Additional Rules Pertaining to Events:

1. Vehicles will only be in designated parking areas.
2. All animals must be leashed as outlined in COG Code of Ordinances 91.15;91.18.
3. Applicant will respect neighboring property/business owners with respect to noise.
4. Applicant understands that it will not be the responsibility of the Police Department to relocate vehicles parked along any portions of the streets to be closed prior to the event.
5. Applicant is required to ensure the areas used are clean and free of debris. Please note that there will be a fee charged if the area is not clean. A clean-up fee will be charged at the discretion of the City Manager's Office.

Alcoholic Beverages:

(If consumption of alcohol is planned on property for event, the following additional requirements **MUST** be met.)

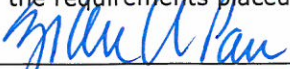
1. All necessary ABC permits must be issued by the State and copies are provided with this application.
2. Signs shall be posted and visible at all exit points at the special event stating that it is unlawful to remove alcoholic beverages in opened or sealed containers from the premises.
3. Areas where alcohol will be consumed, served or sold must clearly be defined and delineated on the premises by barricades, caution tape or other acceptable means.
4. All necessary ABC permits must be issued by the State and copies provided with this application. Follow steps outlined at www.abc.nc.gov/permits.
5. Off-duty law enforcement officers are required to be on-site if alcohol is present at the event. The number of officers required will be determined by the Goldsboro Police Department.

**** Submitting this Special Event/Parade Permit Application does not provide permission to conduct your planned event. Please do not send out publicity, flyers, or other media prior to receiving confirmation of approval. Your confirmation will be in the form of a Permit, issued to the organization and/or person responsible for conducting the event.**

****For street closing applications: applicant will be notified by the City Manager's Office when the Permit has been approved by the Goldsboro City Council.**

Agreement

I have read and understand this application and the requirements placed upon this applicant and organization. I agree to abide by the City of Goldsboro rules, regulations and ordinances should my permit application be approved. And I will fulfill the requirements placed upon this permit application.

Authorized Signature:  Date: 8-7-17

Organization: UNITED WAY OF WAYNE COUNTY

Please return this application and all supporting documentation by email, mail or in person to:

Downtown Goldsboro Dev. Office

Attn: Erin Fonseca

219 N. John Street

Goldsboro, NC 27530

eacree@goldsboronc.gov

CANCELLATION POLICY: Written notification of intent to cancel your event must be received in writing a minimum of 21 days prior to the scheduled event date to Erin Fonseca at eacree@goldsboronc.gov.

For Inner Office Use Only:


Downtown Goldsboro Representative

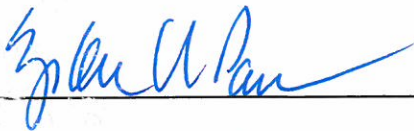

Goldsboro Police Department Representative



Special Event Release of Liability Waiver

The undersigned person is applying for Use of City-Owned Property for Special Event on behalf of UNITED WAY OF WAYNE COUNTY from the City of Goldsboro and hereby agrees to indemnify and hold the City of Goldsboro, its officers, agents and employees harmless from all claims, liabilities, demands, expenses, of any nature or kind, expresses or implied, whether sounding in tort or in contract that may be asserted against the City, its officials, agents and employees by any person, firm, or corporation, that may arise out of any acts or omissions, active or passive, related to operating an event on the city's property.

This the 7 day of AUGUST, 20 17.

A handwritten signature in blue ink, appearing to read "Zola A. Pan", is written over a horizontal line.

(SEAL)

(Applicant & Authorized Representative of Event)

This form must be completed, signed and returned with the completed application.



INSURANCE BINDER

OP ID: LR

DATE (MM/DD/YYYY)

8/22/2017

THIS BINDER IS A TEMPORARY INSURANCE CONTRACT, SUBJECT TO THE CONDITIONS SHOWN ON THE REVERSE SIDE OF THIS FORM.

AGENCY Crawford-Henderson, Inc. 202 N. Spence Avenue P.O. Box 10885 Goldsboro, NC 27532-0885 John L. Henderson		COMPANY The Cincinnati Insurance Co.		BINDER # 33687	
PHONE (A/C, No, Ext): 919-778-9400		FAX (A/C, No): 919-751-2142		EXPIRATION	
CODE: 32010		SUB CODE:		DATE TIME	
AGENCY CUSTOMER ID: UNITE-2		INSURED United Way of Wayne Co. Inc. P.O.Box 73 Goldsboro NC 27533 0073		DATE 10/14/17 TIME 12:01 AM	
				X NOON	
THIS BINDER IS ISSUED TO EXTEND COVERAGE IN THE ABOVE NAMED COMPANY PER EXPIRING POLICY # ECP0275963					
DESCRIPTION OF OPERATIONS/VEHICLES/PROPERTY (Including Location) One Day Event: Taste of Wayne County					

COVERAGES**LIMITS**

TYPE OF INSURANCE	COVERAGE/FORMS	DEDUCTIBLE	COINS %	AMOUNT
PROPERTY CAUSES OF LOSS <input type="checkbox"/> BASIC <input type="checkbox"/> BROAD <input checked="" type="checkbox"/> SPEC	Building Personal Property	1000		50000
GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR		EACH OCCURRENCE	\$	2000000
		DAMAGE TO RENTED PREMISES	\$	2000000
		MED EXP (Any one person)	\$	5000
		PERSONAL & ADV INJURY	\$	2000000
		GENERAL AGGREGATE	\$	4000000
		PRODUCTS - COMP/OP AGG	\$	4000000
AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS		COMBINED SINGLE LIMIT	\$	
		BODILY INJURY (Per person)	\$	
		BODILY INJURY (Per accident)	\$	
		PROPERTY DAMAGE	\$	
		MEDICAL PAYMENTS	\$	
		PERSONAL INJURY PROT	\$	
		UNINSURED MOTORIST	\$	
AUTO PHYSICAL DAMAGE DEDUCTIBLE <input type="checkbox"/> ALL VEHICLES <input type="checkbox"/> SCHEDULED VEHICLES		ACTUAL CASH VALUE		
<input type="checkbox"/> COLLISION: <input type="checkbox"/> OTHER THAN COL:		STATED AMOUNT	\$	
		OTHER		
GARAGE LIABILITY <input type="checkbox"/> ANY AUTO		AUTO ONLY - EA ACCIDENT	\$	
		OTHER THAN AUTO ONLY:		
		EACH ACCIDENT	\$	
		AGGREGATE	\$	
EXCESS LIABILITY <input type="checkbox"/> UMBRELLA FORM <input type="checkbox"/> OTHER THAN UMBRELLA FORM		EACH OCCURRENCE	\$	
		AGGREGATE	\$	
		SELF-INSURED RETENTION	\$	
WORKER'S COMPENSATION AND EMPLOYER'S LIABILITY		WC STATUTORY LIMITS		
		E.L. EACH ACCIDENT	\$	
		E.L. DISEASE - EA EMPLOYEE	\$	
		E.L. DISEASE - POLICY LIMIT	\$	
SPECIAL CONDITIONS/ OTHER COVERAGES Taste of Wayne County		FEES	\$	
		TAXES	\$	
		ESTIMATED TOTAL PREMIUM	\$	

NAME & ADDRESS

City of Goldsboro PO Drawer A Goldsboro NC 27533	<input type="checkbox"/> MORTGAGEE	<input checked="" type="checkbox"/> ADDITIONAL INSURED
	<input type="checkbox"/> LOSS PAYEE	
	LOAN #	
	AUTHORIZED REPRESENTATIVE John L. Henderson	

CITY OF GOLDSBORO
AGENDA MEMORANDUM
SEPTEMBER 5, 2017 COUNCIL MEETING

SUBJECT: CDBG-DR Disaster Recovery Grant Resolution – Hurricane Matthew

BACKGROUND: The NC Division of Emergency Management and the NC Department of Commerce have made Community Development Block Grant-Disaster Recovery (CDBG-DR) Grant Funds under Federal Public Law 117-223/254 available to impacted counties for Hurricane Matthew recovery activities.

Wayne County has prepared an application to submit to the NC Division of Emergency Management for 2017 CDBG-DR Funds in the amount of \$25,414,784 for community development programs and activities, including housing and public facility improvements.

DISCUSSION: The NC Division of Emergency Management requires that each municipality desiring to participate in the CDBG-DR Project adopt the project activities to be implemented in the County.

If CDBG-DR Funds are received, the City will undertake hurricane recovery activities with the primary objective of benefiting low to moderate persons in accordance with goals established by the NC Department of Commerce in the "State of North Carolina CDBG-DR Action Plan" dated April 21, 2017.

The City will enter into a Sub-Grantee Agreement with Wayne County for the administration of \$9,407,966 in CDBG-DR funds for hurricane recovery activities within the City's jurisdiction.

RECOMMENDATION: It is recommended that Council, by motion, adopt the attached resolution endorsing and participating with the County in its application to the CDBG-DR disaster recovery program.

Date: _____

Scott Stevens, City Manager

RESOLUTION 2017-

**RESOLUTION SUPPORTING THE FILING OF AN APPLICATION FOR
2017 COMMUNITY DEVELOPMENT BLOCK GRANT-
DISASTER RECOVERY FUNDS BY WAYNE COUNTY**

WHEREAS, the NC Division of Emergency Management and the NC Department of Commerce have made Community Development Block Grant-Disaster Recovery (CDBG-DR) Grant Funds under Federal Public Law 117-223/254 available to impacted counties for Hurricane Matthew recovery activities; and

WHEREAS, Wayne County has prepared an application to submit to the NC Division of Emergency Management for 2017 CDBG-DR Funds in the amount of \$25,414,784 for community development programs and activities, including housing and public facility improvements; and

WHEREAS, the NC Division of Emergency Management requires that each municipality desiring to participate in the CDBG-DR Project adopt the project activities to be implemented in the County;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Goldsboro,

THAT, the City desires to be a full and active partner in the planning and development of the Project activities and funding distribution plan and in the implementation of the CDBG-DR hurricane recovery activities; and

THAT, the City will enter into a Sub-Grantee Agreement with Wayne County for the administration of \$9,407,966 in CDBG-DR funds for hurricane recovery activities within the City's jurisdiction; and

THAT, the City adopts the project activities and funding distribution plan to be implemented as part of the County's CDBG-DR Project; and

THAT, if CDBG-DR Funds are received, the City will carry out eligible hurricane recovery-related activities throughout its jurisdiction in the following funding categories: Housing Recovery, including rehabilitation, reconstruction, repair, temporary rental assistance, flood insurance assistance, repair reimbursement, small rental unit repair; and single and multi-family project development; and Community Recovery involving public facilities, including stormwater pipe repair/replacement; and in any other CDBG-DR eligible recovery activity that may benefit the City; and

THAT, if CDBG-DR Funds are received, the City will undertake hurricane recovery activities with the primary objective of benefiting low to moderate persons in accordance with goals established by the NC Department of Commerce in the "State of North Carolina CDBG-DR Action Plan" dated April 21, 2017; and

THAT, the Mayor, City Manager and Finance Director is authorized and directed to act in connection with the County's application and to execute any and all documents related to said application as required; and

FINALLY THAT, the City of Goldsboro will comply with all applicable federal and state laws, regulations, rules, and executive orders related to the CDBG-DR Project, including the "State of North Carolina CDBG-DR Action Plan" and any subsequent amendments.

ADOPTED, this _____ day of _____, 2017, at Goldsboro, North Carolina

Mayor

ATTEST:

City Clerk

CITY OF GOLDSBORO
AGENDA MEMORANDUM
COUNCIL MEETING
SEPTEMBER 5, 2017

SUBJECT: Adoption of a Supplement to the Code of Ordinances of Goldsboro, North Carolina

BACKGROUND: In 1990, an agreement was reached between the North Carolina League of Municipalities and the City of Goldsboro to engage American Legal Publishing Company to revise the Code of Ordinances of Goldsboro. The revised Code was published in 1995.

DISCUSSION: The agreement stated that American Legal Publishing Company would prepare supplements for incorporation of new Ordinances to the City Code of Ordinances on a recurring basis. In compliance with this agreement, the City has received the S-40 Supplement. This Supplement contains all Ordinances of a general nature enacted since S-39 Code of Ordinances dated December 5, 2016.

RECOMMENDATION: By motion, adopt the attached Ordinance enacting and adopting the 2017 S-40 Supplement to the Code of Ordinances of the City of Goldsboro.

Date: _____
City Clerk

Date: _____
City Manager

ORDINANCE NO. 2017-

AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT
TO THE CODE OF ORDINANCES
OF THE CITY OF GOLDSBORO, NORTH CAROLINA

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio, has completed the 2017 S-40 Supplement to the Code of Ordinances of the City of Goldsboro; and

WHEREAS, said Supplement contains all Ordinances of a general nature enacted since the publication of the 2016 S-39 Supplement to the Code of Ordinances of said municipality; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on, or make reference to, sections of the North Carolina Code.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Goldsboro, North Carolina, that:

1. It is the intent of the City Council to accept the updated sections of the City Code of Ordinances in accordance with the changes of the law of the State of North Carolina.
2. The 2017-40 Supplement to the City Code of Ordinances, as prepared by the American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.
3. This Ordinance shall be in full force and effect from and after this 5th day of September, 2017.

Approved as to Form Only:

Reviewed by:

City Attorney

City Manager

CITY OF GOLDSBORO, NORTH CAROLINA

CODE OF ORDINANCES

2017 S-40 Supplement contains:
Local legislation current through Ordinance 2017-29, passed 6-5-17; and
State legislation current through North Carolina Legislative Service,
2017 Regular Session, Pamphlet No. 1

Published by:
AMERICAN LEGAL PUBLISHING CORPORATION
One West Fourth Street ✧ 3rd Floor ✧ Cincinnati, Ohio 45202
1-800-445-5588 ✧ www.amlegal.com

ORDINANCE NO. 2016-62

AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT
TO THE CODE OF ORDINANCES
OF THE CITY OF GOLDSBORO, NORTH CAROLINA

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio, has completed the 2016 S-39 Supplement to the Code of Ordinances of the City of Goldsboro; and

WHEREAS, said Supplement contains all Ordinances of a general nature enacted since the publication of the 2016 S-38 Supplement to the Code of Ordinances of said municipality; and

WHEREAS, American Legal Publishing Corporation has recommended the revision or addition of certain sections of the Code of Ordinances which are based on, or make reference to, sections of the North Carolina Code.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and City Council of the City of Goldsboro, North Carolina, that:

1. It is the intent of the City Council to accept the updated sections of the City Code of Ordinances in accordance with the changes of the law of the State of North Carolina.
2. The 2016-39 Supplement to the City Code of Ordinances, as prepared by the American Legal Publishing Corporation of Cincinnati, Ohio, and as attached hereto, be and the same is hereby adopted by reference as if set out in its entirety.
3. This Ordinance shall be in full force and effect from and after this 5th day of December, 2016.

Approved as to Form Only:

Reviewed by:

James D. Womble /s/
City Attorney

Scott Stevens /s/
City Manager

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thence with said arc to a point of intersection with another arc, having a radius of 5,280 feet and its center being a point of intersection of the eastern right-of-way of NCSR No. 1243 and the southern right-of-way of NC Highway No. 581, continuing approximately 1,920 feet along said arc to a point of intersection with the western right-of-way of North Martin Road; thence along said right-of-way line in a southwesterly direction as it meanders approximately 219 feet to the northern right-of-way line of US Highway 70 West; thence along said right-of-way line in a northwesterly direction approximately 262 feet to a point on said arc; thence with said arc to a point of intersection with another arc, having a radius of 5,280 feet and its center being a point, said point being located south 61 degrees, 59 minutes, 09 seconds West, 1,238.60 feet, South 44 degrees, 14 minutes, 09 seconds West, 683.45 feet from Concrete Monument No. 47, having N.C. Grid Coordinates of $Y = 598,556.74$ feet, $x = 2,286,712.29$ feet to a point of intersection with N.C. Northing Grid Line of 600,000.00; thence from said point along said grid line, in a due east direction, approximately 2,500 feet to a point of intersection with N.C. Easting Grid Line of 2,282,500.00; thence from said point along aforesaid easting grid line, in a due south direction approximately 8,000 feet to a point of intersection with an arc, having a radius of 5,280 feet and its center being a point on the southern right-of-way of NCSR No. 1008 and being the southwesternmost corner of property annexed to the City of Goldsboro as shown on a map recorded at Plat Cabinet 1, Slide 351, in the Wayne County Registry; thence with said arc to a point of intersection with another arc, having a radius of 5,280 feet and its center being a point located South 41 degrees, 36 minutes, 37 seconds East, 1,437.95 feet from Concrete Monument No. 48, having N.C. Grid Coordinates of $Y = 596,278.37$ feet, $x = 2,286,533.35$ feet; thence with said arc, to a point of intersection with another arc having a radius of 5,280 feet with its center being a point, shown as Point No. 17 on a map showing property annexed to the City of Goldsboro recorded at Plat Cabinet H, Slide 121 in the Wayne County Registry; thence with said arc to a point of intersection with another arc, said arc having a radius of 5,280 feet with its center being a point on the western right-of-way of Seaboard Coastline Railroad and being the southwesternmost point as shown on a map annexing property into the City of Goldsboro recorded at Plat Cabinet G, Slide 349 in the Wayne County Registry; thence with said arc to a point of intersection with the western right-of-way of U.S. Highway 117 South; thence from said intersection point along said right-of-way in a northeasterly direction across the Neuse River to a point of intersection with the high water line of the northern bank of said River; thence from said point in a southeasterly direction along said high water line to a point of intersection with aforesaid arc; thence with said arc to a point of intersection with a line which is 5,280 feet northwest of the centerline of the runway at Seymour Johnson Air Force Base and parallel to said centerline; thence from said intersection point, in a northeasterly direction along said parallel line, approximately 2,000 feet to a point of intersection with an arc of radius, 5,280 feet with its center in the centerline of Stoney Creek, 1,750 feet, more or less, upstream from the outlet of Stoney Creek at the Neuse River; thence continuing with said arc to a point of intersection with another arc of radius, 5,280 feet with its center in the centerline of Stoney Creek, 880 feet, more or less, upstream from the outlet of Stoney Creek at the Neuse River; thence continuing with said arc and crossing the Neuse River, 4,910 feet, more or less, upstream from the centerline of the Secondary Road 1915 (Arrington Bridge Road) bridge, to a point of intersection with another arc of radius, 5,280 feet with its center at the outlet of Stoney Creek at the Neuse River; thence continuing with said arc to its intersection with the northernmost property line of Case Farm Processing, Inc., recorded in Deed Book 2331, Page 610, at the Wayne County Registry; thence

continuing with said property line in a northeasterly direction a distance of 191 feet, more or less to a corner of said property; thence continuing in a southeasterly direction, 634 feet, more or less; thence continuing in a southeasterly direction, 330 feet, more or less; thence continuing southeasterly, 462 feet, more or less; thence continuing southeasterly, 205 feet, more or less; thence continuing southeasterly, 478 feet, more or less, to a point approximately 119 feet from the northern right-of-way of S.R. 1918 (Pecan Road); thence from said point approximately 130 feet in a northeasterly direction parallel to S.R. 1918 (Pecan Road) to the northwestern corner of New Hope Feed's 100 feet x 100 feet lot; thence, parallel with S. R. 1918 (Pecan Road) northeasterly 100 feet with and along New Hope Feed's northern property line to their northeastern property corner; thence perpendicular to S. R. 1918 (Pecan Road) in a southeasterly direction, 100 feet to their southeastern corner on the northern right-of-way of S. R. 1918 (Pecan Road); thence with the northern right-of-way line of S.R. 1918 (Pecan Road) and the southern property line of New Hope Feeds, 100 feet in a southwesterly direction to the southwestern corner of New Hope Feed's 100 feet x 100 feet lot; thence with the northern right-of-way line of S. R. 1918 (Pecan Road) and beyond New Hope Feed's 100 feet x 100 feet lot in a southwesterly direction approximately 80 feet to a point; thence continuing with said right-of-way line in a southwesterly direction approximately 620 feet to the aforesaid arc; thence continuing northeasterly 950 feet, more or less from its centerline intersection with S. R. 1928, to a point of intersection with a line extending parallel and 5,280 feet southwest of the eastern bank of the Neuse River, said point of intersection is located 5,280 feet southwesterly from a point on the eastern bank of the Neuse River, said point on the eastern bank of the Neuse River is located 4,570 feet, more or less, downstream from the centerline of the S. R. 1915 (Arrington Bridge Road) bridge; thence continuing with the line parallel and 5,280 feet southwest of the eastern bank of the Neuse River, said eastern bank being the southwestern boundary of Seymour Johnson Air Force Base and the existing city limits line to a point of intersection with another arc of radius, 5,280 feet with its center at the southernmost corner of Seymour Johnson Air Force Base, said corner being located on the eastern bank of the Neuse River, 10,770 feet, more or less, downstream from the centerline of the S. R. 1915 (Arrington Bridge Road) bridge; thence continuing with said arc and crossing S. R. 1917 (Casey's Mill Road), 2,600 feet, more or less, northwesterly from its centerline intersection with S. R. 1932 (Emmaus Church Road) and crossing S. R. 1915 (Arrington Bridge Road), 50 feet, more or less, northwesterly from its centerline intersection with S. R. 1932 (Emmaus Church Road), to a point of intersection with another arc of radius, 5,280 feet with its center at a corner of Seymour Johnson Air Force Base, said corner being located 640 feet, more or less, northeasterly from the eastern bank of the Neuse River and 3,250 feet, more or less, southwesterly from the centerline of the intersection of S. R. 1910 and S. R. 1973; thence continuing with said arc and crossing the Neuse River, 17,140 feet, more or less, downstream from the centerline of the S. R. 1915 (Arrington Bridge Road) bridge to a point of intersection with a line extending parallel and 5,280 feet southeast of the southeastern boundary of Seymour Johnson Air Force Base, said point of intersection located 5,280 feet southeasterly from a point on the southeastern boundary of Seymour Johnson Air Force Base, said point on the Seymour Johnson Air Force Base boundary located 1,420 feet, more or less, southwesterly from the centerline of S. R. 1961 where it terminates at the Seymour Johnson Air Force Base boundary and 1,440 feet, more or less, northeasterly from the centerline of S. R. 1909 where it terminates at the Seymour Johnson Air Force Base boundary; thence continuing with the line parallel and 5,280 feet southeast of the southeastern boundary of Seymour Johnson Air Force Base and crossing

S. R. 1710 (Old N.C. Highway 111), 3,280 feet, more or less, northwesterly from its centerline intersection with S. R. 1960 to a point of intersection with the eastern right-of-way of S. R. 1710; thence from said point, with the eastern right-of-way of S. R. 1710, in a southeasterly direction to the intersection of the eastern right-of-way of S. R. 1710 and the center of the run of Fellows Branch; thence leaving the eastern right-of-way of S. R. 1710 with the center of the run of Fellows Branch in an easterly direction to a point in said branch center, the most southwestern corner of Victoria Place, Section Two, as shown by map recorded in Plat Cabinet 1, Slide 201, in the Wayne County Registry; thence leaving the center of Fellows Branch with the line of Victoria Place, Section Two, in a northwestern direction to a point of intersection with a line parallel and 5,280 feet southeast of the southeastern boundary of Seymour Johnson Air Force Base; thence continuing with said line and crossing S. R. 1959, 1,920 feet, more or less, northwesterly from its centerline intersection with S. R. 1999; thence continuing from said point and running parallel and southeast of the southeastern boundary of Seymour Johnson Air Force Base a distance of approximately 2,270 feet, more or less, to a point on the northwestern property line of Lot no. 27 as shown on a site plan for Happy Valley Mobile Home Estates, prepared by Benton and Associates, and approved by the Goldsboro City Council on July 10, 1995, and running from said beginning point in a southwesterly direction along said lot line of Lot no. 27 of Happy Valley Mobile Home Estates, a distance of approximately 350 feet to the centerline of Fellows Branch; thence running in a northeasterly direction a distance of approximately 475 feet to a point on the southeasternmost property line of Lot no. 24 of the site plan for Happy Valley Mobile Home Estates to a point of intersection with another arc of radius, 5,280 feet with its center at the southeasternmost corner in the boundary of Seymour Johnson Air Force Base, said corner being located 5,030 feet, more or less, southwesterly from the centerline of the intersection of U.S. 70 East and N.C. Highway 111; thence continuing with said arc to a point in the centerline of N.C. Highway 111, the point of BEGINNING. ('70 Code, § 2-128) (Am. Ord. 1989-32, passed 6-5-89; Am. Ord. 1989-69, passed 11-6-89; Am. Ord. 1989-79, passed 12-4-89; Am. Ord. 1989-80, passed 12-4-89; Am. Ord. 1990-32, passed 6-4-90; Am. Ord. 1990-36, passed 6-18-90; Am. Ord. 1991-38, passed 6-30-91; Am. Ord. 1991-78, passed 11-4-91; Am. Ord. 1991-87, passed 12-2-91; Am. Ord. 1992-26, passed 6-1-92; Am. Ord. 1992-29, passed 6-15-92; Am. Ord. 1993-26, passed 5-17-93; Am. Ord. 1993-56, passed 9-13-93; Am. Ord. 1994-3, passed 1-24-94; Am. Ord. No. 1994-78, passed 11-7-94; Am. Ord. 1995-43, passed 7-10-95; Am. Ord. 1995-79, passed 11-6-95; Am. Ord. 1997-49, passed 6-2-97; Am. Ord. 2000-36, passed 5-1-00; Am. Ord. 2006-76, passed 10-2-06; Am. Ord. 2007-23, passed 3-5-07; Am. Ord. 2010-39, passed 6-7-10)

CHAPTER 34: TAXATION

Section

34.01 Gross receipts from retail short-term lease or vehicle rental

§ 34.01 GROSS RECEIPTS FROM RETAIL SHORT-TERM LEASE OR VEHICLE RENTAL.

(A) *Definitions.* Unless the context specifically indicates otherwise, the following terms and phrases, as used in this section, shall have the meanings hereinafter designated:

CUSTOMER. Any person that leases or rents a vehicle on a short-term lease or rental basis.

GENERAL STATUTES. Refers to the North Carolina General Statutes and any reference to a particular section thereof shall include the same as may be from time to time amended, modified, supplemented, revised or superseded.

GROSS RECEIPTS. The amount that is or would be reported as gross receipts on a business's state income tax return, or on the federal income tax return filed with the state income tax return if the state return does not separately state gross receipts for the most recently completed tax year. Taxes collected hereunder are not subject to the tax herein imposed and are not included in gross receipts.

LEASE or RENTAL. A transfer of possession or control of tangible personal property for a fixed or indeterminate term for consideration. The term does not include any of the following:

(1) A transfer of possession or control of property under a security agreement or deferred payment plan that requires the transfer of title upon completion of the required payments.

(2) A transfer of possession or control of property under an agreement that requires the transfer of title upon completion of required payments and payment of a option price that does not exceed the greater of \$100 or 1 % of the total required payments.

(3) The providing of tangible personal property along with an operator for a fixed or indeterminate period of time if the operator is necessary for the equipment to perform as designed. For the purpose of this division, an operator must do more than maintain, inspect, or set up the tangible personal property.

(G.S. § 105-164.3(17))

LONG-TERM LEASE or RENTAL. A lease or rental made under a written agreement to lease or rent property to the same person a for period of at least 365 continuous days. (G.S. § 105-187.1(3))

PERSON. Any individual, trustee, executor, other fiduciary, corporation, unincorporated association, partnership, sole proprietorship, company, firm, or other legal entity.

SHORT-TERM LEASE. Any lease or rental that is not a long-term lease or rental. (G.S. § 160A-215.1(e)(2) and G.S. § 105-187.1(8))

TAX COLLECTOR. That individual appointed by the governing body pursuant to G.S. § 105-349 (the provisions of the municipal charter), to collect taxes on behalf of the city and any other person authorized to carry out the duties and functions of such individual.

TAXPAYER. Any person liable for the taxes imposed by this section.

VEHICLE. Includes any of the following:

(1) A motor vehicle of the private passenger type, including a passenger van, minivan, or sport utility vehicle;

(2) A motor vehicle of the cargo type, including a cargo van, pickup truck, or truck with a gross vehicle weight rating of 26,000 pounds or less used predominantly in the transportation of property for other than commercial freight, and that does not require the operator to possess a commercial drivers license; or

(3) A trailer or semitrailer with a gross vehicle weight of 6,000 pounds or less. (G.S. § 160A-215.1(e)(1)).

(B) *Levy of tax.* A tax is hereby imposed and levied in an amount equal to one and one-half percent (1.5%) of the gross receipts derived from the short-term lease or rental of vehicles at retail to the general public. This tax on gross receipts is in addition to the privilege taxes authorized by G.S. § 160A-211.

(C) *Collection of the tax.* Every person engaged in the business of the short-term lease or rental of vehicles at retail to the general public shall collect at the time of the lease or rental the tax herein levied, place the tax so collected in a segregated account, and thereafter remit such tax to the Tax Collector in accordance with the provisions of this section. The taxpayer shall include a provision in each retail short-term lease or rental agreement stating that the percentage amount enacted by this section of the total lease or rental price, excluding sales tax, is being charged as a tax on gross receipts. The amount of the tax shall be stated separately from the lease or rental and shown separately on the taxpayer's records. The tax shall be paid by the customer to the taxpayer as trustee for and on account of the City. The taxpayer shall be liable for the collection thereof and for its payment to the Tax Collector and the taxpayer's failure to charge or to collect said tax from the customer shall not affect such liability.

(D) *Report and payment of tax.* Taxes levied under this section are due and payable when a return is required to be filed. Every taxpayer shall, within the time specified, submit a return to the Tax Collector on the form prescribed by the Tax Collector. A return must be signed by the taxpayer or the taxpayer's agent. Returns of taxpayers are due to the Tax Collector each month on or before the 15th day

TITLE V: PUBLIC UTILITIES

Chapter

- 50. SOLID WASTE**
- 51. SEWER REGULATIONS**
- 52. WATER REGULATIONS**
- 53. WATER AND SEWER SYSTEMS**
- 54. STORMWATER MANAGEMENT UTILITY**

CHAPTER 54: STORMWATER MANAGEMENT UTILITY

Section

- 54.01 Authority
- 54.02 Definitions
- 54.03 Stormwater management utility established; administration; powers and duties
- 54.04 Boundaries and jurisdiction
- 54.05 Stormwater utility service fees, rates and fee schedule
- 54.06 Reserved
- 54.07 Billing method; responsible parties
- 54.08 Backbilling
- 54.09 Complaints regarding a bill
- 54.10 Reserved
- 54.11 Use of revenue; investment of funds; borrowing

§ 54.01 AUTHORITY.

Pursuant to G.S. Ch.160A, Art. 16, the city hereby creates a stormwater utility and establishes a schedule of stormwater utility service fees to fund a stormwater management program, and a structural and natural stormwater and drainage system.
(Ord. 2017-29, passed 6-5-17)

§ 54.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

DEVELOPED PROPERTY. Real property that has been altered from its natural state by the addition and attachment of any improvements such as buildings, structures or other impervious area. For new construction, property shall be considered **DEVELOPED PROPERTY** upon final approval of site improvements by the city.

EQUIVALENT RESIDENTIAL UNIT (ERU). The total impervious area of a typical single-family residential property, which is determined as the median impervious area of a representative sample, as determined by the city, of all developed residential properties in the single-family residential category.

IMPERVIOUS SURFACE AREA. A surface that, because of its composition or compacted nature, impedes or prevents natural infiltration of water into the soil, including but not limited to, roofs, decks, driveways, patios, sidewalks, parking areas, tennis courts, streets, or compacted gravel surfaces.

PROPERTY OWNER OF RECORD. The person identified as the owner by county tax records.

REVENUES. All fees, assessments or other income received by the stormwater utility, including but not limited to, amounts received from the investment or deposit of monies in any fund or account, and all amounts received as gifts or donations, and the proceeds from the sale of bonds to finance the stormwater management program, or any other type of funds derived from grants, fees or loans that by purpose or effect relate to stormwater management activities.

SINGLE-FAMILY RESIDENTIAL PROPERTY. Developed property that serves the primary purpose of providing a permanent dwelling unit, regardless of the zoning district in which it is located, for single-family detached units, and that may or may not have accessory uses related to the purpose of providing permanent dwelling facilities.

STORMWATER UTILITY SERVICE FEE. The monthly monetary amount charged each parcel of real property for the services provided by the stormwater utility system and program as set forth in the city schedule of rates and fees, a copy of which is located in the office of the City Clerk and is incorporated by reference herein.
(Ord. 2017-29, passed 6-5-17)

§ 54.03 STORMWATER MANAGEMENT UTILITY ESTABLISHED; ADMINISTRATION; POWERS AND DUTIES.

(A) The City Council hereby establishes a stormwater management utility to carry out the purposes, functions and responsibilities set forth in this section. The governing body of the stormwater management utility shall be the City Council. The City Manager shall administer the stormwater management utility through the Public Works Department or such other departments and divisions as the City Manager shall designate.

(B) The stormwater management utility shall have the following powers and duties, subject to available revenues, which powers and duties are not necessarily exclusive to the stormwater management utility.

(1) Stormwater management planning and preparation of comprehensive watershed master plans for stormwater management.

(2) Regular inspections and maintenance of public stormwater management facilities, and measures for the construction thereof, as well as regular inspections of private stormwater management facilities.

(3) Maintenance and improvement of stormwater management facilities that have been accepted by the city for purposes of stormwater management.

(4) Plan review and inspection of sediment control and stormwater management plans, measures and practices.

(5) Retrofitting designated watersheds to reduce existing flooding problems or to improve water quality.

(6) Acquisition of interests in land, including easements, upon prior approval by City Council,

(7) Design and construction of stormwater management facilities and measures, and acquisition of equipment.

(8) Water quantity and water quality management, including monitoring activities.

(9) Compliance with state and federal regulations for stormwater management, and submission of mandatory and non-mandatory reports related thereto, except for those regulations that require approval by City Council.

(10) Any and all powers and duties delegated or granted to it as a local government implementing agency under the laws and regulations of the state and the ordinances of the city.
(Ord. 2017-29, passed 6-5-17)

§ 54.04 BOUNDARIES AND JURISDICTION.

The boundaries and jurisdiction of the stormwater management utility shall extend to the corporate limits of the city, as they may exist from time to time, and such areas lying outside the corporate limits of the city as shall be approved by the City Council.
(Ord. 2017-29, passed 6-5-17)

§ 54.05 STORMWATER UTILITY SERVICE FEES, RATES AND FEE SCHEDULE.

(A) Stormwater utility service fees will be determined and modified from time to time by the City Council, so that the total revenues generated by these fees will be used to pay such expenses as are reasonably necessary or convenient in the management, administration, planning, regulatory compliance, public education, construction, operation, and maintenance of the stormwater system, and to pay principal of and interest on the debt incurred for stormwater purposes.

(B) The fee system must be reasonable and equitable so that users pay to the extent they contribute to the need for the stormwater management utility, and so that fees bear a substantial relationship to the

cost of service. The City Council recognizes that these benefits, while substantial, in many cases cannot be measured directly.

(1) Stormwater utility service fees shall accrue on the date determined by City Council and set forth in the city schedule of rates and fees. Stormwater utility service fees shall apply to all land as presented in § 54.04, whether public or private. Exemptions shall not be allowed based on age, tax exemption, or other status of an individual or organization, except as set forth in § 54.06.

(2) Stormwater utility service fees shall be based on a commonly accepted rate unit for stormwater utilities, the equivalent residential unit (ERU). The ERU is used to relate a base rate fee charged to a single-family residential property to that charged to a non-single-family residential property. The city's ERU is 3,000 square feet of impervious surface area. The ERU is determined by analyzing digital photographs and, for verification purposes, performing field checks of a representative sample of single-family residences within the city limits.

(3) The base rate fee shall be contained in the city schedule of rates and fees, a copy of which is located in the office of the City Clerk, and is incorporated by reference herein.
(Ord. 2017-29, passed 6-5-17)

§ 54.06 RESERVED.

§ 54.07 BILLING METHOD; RESPONSIBLE PARTIES.

(A) Bills for stormwater utility service fees shall be sent at regular, periodic intervals. Stormwater utility service fees may be billed on a combined utility bill that also contains fees for other utilities. Stormwater utility service fees that are shown on a combined utility bill may be for a different service period than that used for other utilities. For properties not having otherwise active utility accounts, the fee for only stormwater utility service accounts shall be billed to the owners or other persons listed on the real property tax records. These accounts may be billed at different intervals than the accounts receiving combined utility billings.

(B) As the general rule, stormwater utility bills for a property that receives other city-provided utilities shall be sent to the customer receiving such service. However, where multiple utility accounts exist for a single parcel and boundaries between impervious areas for individual accounts cannot be identified, or the impervious area of a single account equates to less than one ERU, the stormwater utility bill will be sent to the property owner.

(C) Townhouse and condominium developments and other similar properties billed through individual utility accounts and not the property owner, but containing impervious surface greater than one ERU in common ownership areas, shall be charged a stormwater utility service fee for the total impervious surface of all commonly-owned property within the development. The stormwater utility bill for the commonly-owned areas shall be sent to the homeowners' association.

(D) Stormwater utility service fees shall be due and payable as set forth in the city schedule of rates and fees, a copy of which is located in the office of the City Clerk, and is incorporated by reference herein.

(Ord. 2017-29, passed 6-5-17)

§ 54.08 BACKBILLING.

Failure to receive a stormwater utility service fee bill is not justification for nonpayment. The owner of each parcel of land shall be ultimately obligated to pay such fee. If a customer is under-billed or if no bill is sent, the city may backbill for up to two years.

(Ord. 2017-29, passed 6-5-17)

§ 54.09 COMPLAINTS REGARDING A BILL.

(A) A customer having a grievance or complaint that a bill is excessive must file written notice with the city's finance office. If it is determined that the bill is in error, an adjustment will be made according to the schedule of rates and fees.

(B) No adjustment will be made for more than a three-year period.

(Ord. 2017-29, passed 6-5-17)

§ 54.10 RESERVED.

§ 54.11 USE OF REVENUE; INVESTMENT OF FUNDS; BORROWING.

Funds generated for the stormwater management utility from fees, bond issues, other borrowing and other sources shall be utilized only for those purposes for which the stormwater management utility has been established. Such funds shall be invested and reinvested pursuant to the same procedures and practices established by the city for investment and reinvestment of funds. The City Council may use any form of borrowing authorized by law to fund capital acquisitions or expenditures for the stormwater management utility.

(Ord. 2017-29, passed 6-5-17)

(C) Appropriate signs and other markings shall be placed in and about fire lanes to notify the public of prohibition and restriction against the parking of motor vehicles or the placing of other obstructions in fire lanes.

(D) Signs and other markings are hereby designated as shown on Exhibit B, attached to Ordinance 1998-44.

(E) The property owner is responsible for purchasing and installing all signs and properly marking the parking lot as stated in Exhibited B of Ordinance 1998-44.

(F) The parking of motor vehicles or placement of other obstructions in designated fire lanes shall be unlawful and a violation of the laws of the City and the owners and/or operators of said vehicles shall be punished in accordance with the provisions of G.S. 20-162.
(Ord. 1998-44, passed 6-1-98)

§ 70.99 PENALTY.

If any person shall violate any provision of this title regulating the operation of vehicles, he or she shall be responsible for an infraction and shall be required to pay a penalty of not more than \$50.
(Am. Ord. 2016-52, passed 10-5-16)

CHAPTER 72: STOPPING, STANDING AND PARKING

Section

Parking Generally

- 72.01 When stopping permitted
- 72.02 Obstructing passage of vehicles
- 72.03 Parallel parking
- 72.04 Angle parking
- 72.05 Leaving vehicle backed up to curb prohibited
- 72.06 Left side parking prohibited in business district
- 72.07 Straddling of parking lines prohibited
- 72.08 Standing or parking for certain purposes prohibited
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- 72.10 Standing or parking of vehicle for advertising
- 72.11 Parking and storing of trucks and trailers
- 72.12 Stopping, standing or parking in certain place prohibited
- 72.13 Parking prohibited at all times when signed erected
- 72.14 Lights on parked vehicle

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- 72.25 No parking during specified time
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- 72.55 Parking Commission created
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PARKING GENERALLY**§ 72.01 WHEN STOPPING PERMITTED.**

No vehicle shall stop in any street except for the purpose of parking as prescribed in this chapter, unless such stop is made necessary by the approach of fire apparatus, by the approach of a funeral or other procession which is given the right-of-way, by stopping of a public conveyance, by the lowering of railway gates, by the giving of traffic signals, the passing of some other vehicle, or a pedestrian, or by some emergency; and in any case covered by these exceptions such vehicles shall not stop so as to obstruct any footway, pedestrian aisle, safety zone, crossing or street intersection if the same can be avoided.

('70 Code, § 23-42) (Ord. 1972-18, passed 8-15-72) Penalty, see § 72.99

§ 72.02 OBSTRUCTING PASSAGE OF VEHICLES.

No vehicles shall so stand on any street as to interrupt or interfere with the passage of public conveyances or other vehicles.

('70 Code, § 23-43) (Ord. 1972-18, passed 8-15-72) Penalty, see § 72.99

§ 72.03 PARALLEL PARKING.

Where not otherwise indicated by this chapter, or other ordinances in effect and where the street is not marked to show how vehicles shall park, all vehicles shall park parallel to the curb and not more than 12 inches therefrom.

('70 Code, § 23-44) (Ord. 1972-18, passed 8-15-72) Penalty, see § 72.99

§ 72.04 ANGLE PARKING.

Automobiles and other vehicles shall be parked at an angle with the curb on those streets or parts of streets described in Chapter 75.

('70 Code, § 23-45) (Ord. 1972-18, passed 8-15-72) Penalty, see § 72.99

§ 72.05 LEAVING VEHICLE BACKED UP TO CURB PROHIBITED.

In no case shall a vehicle remain backed up to curb except when actually loading or unloading. If the vehicle be horse-drawn, the horses shall stand parallel to the curb and face the direction of traffic.

('70 Code, § 23-46) (Ord. 1972-18, passed 8-15-72) Penalty, see § 72.99

§ 72.06 LEFT SIDE PARKING PROHIBITED IN BUSINESS DISTRICT.

No vehicle shall stop with its left side to the curb in the business district, except on one-way streets where vehicles shall stop headed in the direction of traffic.

('70 Code, § 23-47) (Ord. 1972-18, passed 8-15-72) Penalty, see § 72.99

§ 72.07 STRADDLING OF PARKING LINES PROHIBITED.

On any street which is marked off with lines indicating the parking spaces for cars the same shall be parked between such lines.

('70 Code, § 23-48) (Ord. 1972-18, passed 8-15-72)

§ 72.08 STANDING OR PARKING FOR CERTAIN PURPOSES PROHIBITED.

No person shall park, place or leave on the streets of the city any vehicle for the purpose of display, sale, exchange, storage or repair, other than those necessitated by an emergency, painting, servicing, washing, greasing, transferring merchandise from one vehicle to another, or other like purpose or intention.

('70 Code, § 23-49) (Ord. 1972-18, passed 8-15-72; Am. Ord. 2016-52, passed 10-5-16) Penalty, see § 72.99

§ 72.09 SHOWING OF EXHIBITIONS.

No person shall park any vehicle on the streets of the city for the purpose of showing therein or thereabouts any side show or exhibition, whether or not any admission is charged therefor.

('70 Code, § 23-50) (Ord. 1972-18, passed 8-15-72; Am. Ord. 2016-52, passed 10-5-16) Penalty, see § 72.99

§ 72.10 STANDING OR PARKING OF VEHICLE FOR ADVERTISING.

No person shall park any vehicle on any street for the primary purpose of advertising.
(‘70 Code, § 23-51) (Ord. 1972-18, passed 8-15-72; Am. Ord. 2016-52, passed 10-5-16) Penalty, see § 72.99

§ 72.11 PARKING AND STORING OF TRUCKS AND TRAILERS.

All operators of motor truck carriers operating as either common or contract carriers over regular or irregular routes, all passenger bus carriers, and all other owners of motor trucks or trailers of any kind, including house trailers, whose trucks, truck-tractors, trailers, semi-trailers, horse trailers, or buses at any time are operated into, out of, through, or within the city, shall use private property for parking and storing such vehicles within the city. They are hereby prohibited from using the public streets in the residential sections of the city except for the purpose of travel and transportation, loading and unloading passengers and freight, and except for temporary parking in case of emergency involving a mechanical breakdown necessitating repairs to any such vehicle.

(‘70 Code, § 23-52) (Ord. 1972-18, passed 8-15-72) Penalty, see § 72.99

§ 72.12 STOPPING, STANDING OR PARKING IN CERTAIN PLACE PROHIBITED.

No person shall stop, stand or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic control device in any of the following places:

(A) On a sidewalk.

(B) Within an intersection.

(C) On a crosswalk.

(D) Within 30 feet of any flashing beacon, stop sign, or traffic control signal, located at the side of a street or a roadway.

(E) On either side of any street approaching a railroad underpass or overhead bridge within 50 feet in any direction of the outer edge of such underpass or overhead bridge.

(F) On either side of any street approaching a grade crossing within 50 feet of the closest rail; provided, where existing permanent structures are located along the street and closer than 50 feet, parking may be permitted in front of such structures, unless otherwise prohibited, if the parking does not interfere with the view in either direction of an approaching railroad locomotive or train.

(G) Alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic.

(H) Upon any bridge or other elevated structure or within any underpass structure.

(I) Within 15 feet in either direction of the entrance to a hotel, theater, hospital, sanitarium or any public building.

(J) On the roadway side of any vehicle stopped, standing or parked at the edge or curb of a street.

(K) Within 15 feet of a fire hydrant.

(L) Within 25 feet of any intersection.

('70 Code, § 23-53) (Ord. 1972-18, passed 8-15-72) Penalty, see § 72.99

§ 72.13 PARKING PROHIBITED AT ALL TIMES WHEN SIGNED ERECTED.

When signs are placed, erected or installed, giving notice thereof or the curbing has been painted yellow in lieu of such signs, no person shall park a vehicle at any time upon any of the streets described in Chapter 75.

('70 Code, § 23-55) (Ord. 1972-18, passed 8-15-72) Penalty, see § 72.99

§ 72.14 LIGHTS ON PARKED VEHICLE.

The displaying of lights upon a vehicle when lawfully parked at night upon a street of the city in accordance with this chapter shall not be required when there is sufficient light to reveal any person within a distance of 200 feet upon such street.

('70 Code, § 23-60) (Ord. 1972-18, passed 8-15-72) Penalty, see § 72.99

RESTRICTED OR PROHIBITED PARKING ON CERTAIN STREETS

§ 72.25 NO PARKING DURING SPECIFIED TIME.

When signs are placed, erected or installed in each block, giving notice thereof, no person shall park a vehicle between the hours of 1:00 a.m. and 6:00 a.m., upon any of the streets as may be so indicated unless other hours are designated in such section, provided this section shall not apply to automobiles or other vehicles parked on such streets between the hours of 1:00 a.m. and 6:00 a.m., when the owners thereof are at work in the building or on the premises, in front of or near which such vehicle is parked.

('70 Code, § 23-56) (Ord. 1972-18, passed 8-15-72) Penalty, see § 72.99

§ 72.26 TWO-HOUR PARKING LIMIT.

When signs are placed, erected or installed in each block giving notice thereof, no person shall park a vehicle for longer than two hours at any time between the hours of 8:30 a.m. and 5:30 p.m. unless other hours are designated of any days except Sundays and public holidays, upon any of the streets described in Chapter 75 and the changing of the position of a vehicle from one point to another point within the same block shall be deemed one continuous parking period. Each two-hour period, or a portion thereof, in which the vehicle remains in the limited parking space after the two hours permitted has expired constitutes a separate violation of this section, and each such violation shall constitute and be punishable as a separate offense.

('70 Code, § 23-57) (Ord. 1972-18, passed 8-15-72) Penalty, see § 72.99

§ 72.27 ONE-HOUR PARKING LIMIT.

When signs are placed, erected or installed in each block giving notice thereof, no person shall park a vehicle for longer than one hour at any time between the hours of 8:30 a.m. and 5:00 p.m., of any day except Sunday and public holidays upon any of the streets as may be so indicated, and the changing of the position of a vehicle from one point to another within the same block shall be deemed one continuous parking period. Each one-hour period, or a portion thereof, in which the vehicle remains in the limited parking space after the one hour permitted has expired constitutes a separate violation of this section, and each such violation shall constitute and be punishable as a separate offense. ('70 Code, § 23-58) (Ord. 1972-18, passed 8-15-72) Penalty, see § 72.99

§ 72.28 FIFTEEN-MINUTE PARKING LIMIT DURING SPECIFIED TIME.

When signs are placed, erected or installed in each block giving notice thereof, no person shall park a vehicle for longer than fifteen 15 minutes at any time upon any streets described in Chapter 75 between the hours of 8:30 a.m. and 5:30 p.m., and the changing of the position of a vehicle from one point to another point within the same block shall be deemed as one continuous parking period. Each 15-minute parking period, or a portion thereof, in which the vehicle remains in the limited parking space after the 15 minutes permitted has expired constitutes a separate violation of this section, and each such violation shall constitute and be punishable as a separate offense.

('70 Code, § 23-59) (Ord. 1972-18, passed 8-15-72) Penalty, see § 72.99

LOADING AND UNLOADING

§ 72.40 LOADING AND UNLOADING MERCHANDISE.

(A) No person shall stop or leave standing any motor vehicle, except upon the streets designated in Chapter 74, for the purpose of loading or unloading passengers, goods or merchandise.

(B) Loading and unloading shall be done with the vehicle parked parallel to the curb only, except as provided in this section, either in a zone specifically marked for loading and unloading or in a parallel parking space which may be available. If parking is prohibited, parking for loading and unloading is also prohibited. Where loading and unloading is done from space not specifically set aside for loading and unloading, parking time limits in force in those spaces shall apply also to the vehicles loading or unloading. Where loading and unloading is carried on from spaces set aside specifically for loading and unloading the operations must be continuous and the vehicle shall be in violation of overtime parking when the operations have been terminated for 15 minutes or more.

(C) Loading and unloading operations on streets with angle parking shall be done only from those vehicles which may park at the angle that is laid off on the streets without protruding into traffic lane or lanes except that loading and unloading operations may be carried on along these streets while parked parallel to the curb before 9:00 a.m. and after 5:00 p.m. Monday through Friday inclusive. ('70 Code, § 23-59.1) (Ord. 1972-18, passed 8-15-72; Am. Ord. 2016-52, passed 10-5-16) Penalty, see § 70.99

PARKING COMMISSION

§ 72.55 PARKING COMMISSION CREATED.

There is hereby created an advisory commission in the city to be known as the "Goldsboro Parking Commission." The Commission shall consist of all four members of the Traffic Advisory Commission. (Ord. 2016-52, passed 10-5-16; Am. Ord. 2017-25, passed 6-5-17)

§ 72.56 APPOINTMENT OF MEMBERS; TERMS.

The Parking Commission shall consist of four members, including the Assistant City Manager, the City Engineer, the Public Works Director and the Police Chief. (Ord. 2016-52, passed 10-5-16; Am. Ord. 2017-25, passed 6-5-17)

§ 72.57 MEETINGS.

The Parking Commission shall meet at least quarterly, or more often if the Commission deems it appropriate.

(Ord. 2016-52, passed 10-5-16)

§ 72.58 RECOMMENDATIONS AND REPORTS TO CITY COUNCIL.

The Parking Commission shall study the parking needs of the city and shall periodically make recommendations and give reports to City Council and the City Manager concerning parking needs, regulations and other matters in the city.

(Ord. 2016-52, passed 10-5-16)

§ 72.59 CONTINUATION OF FUNCTIONS.

The Parking Commission may continue to perform such functions as deemed appropriate.

(Ord. 2016-52, passed 10-5-16)

ENFORCEMENT**§ 72.90 MARKING VEHICLES.**

(A) It shall be lawful for a police officer, code enforcement officer, parking lot attendant, or any other appropriate agent of the city to apply a visible mark using chalk, crayon or other nonpermanent material to any tire of any vehicle parked in a time-restricted or other parking space under control of the city for the purpose of recording the presence or duration of that vehicle in that space.

(B) No person may remove, attempt to remove or to obscure any markings applied pursuant to this section so as to interfere with the determination of the prior presence or duration of parking of a vehicle in a time-restricted or other parking space.

(Ord. 2016-52, passed 10-5-16) Penalty, see § 72.99

§ 72.91 REMOVAL OR ALTERATION OF A TRAFFIC TICKET.

(A) No person shall remove a traffic ticket from a vehicle or permit it to be removed from a vehicle, except for the purpose of answering the charge for which it was issued.

(B) No person shall alter a traffic ticket and no person may have in his or her possession an unlawfully altered ticket.

(Ord. 2016-52, passed 10-5-16) Penalty, see § 72.99

§ 72.92 PRESUMPTION OF VIOLATION.

The registered owner of a vehicle found in violation of this chapter shall be held prima facie responsible for any such violation.

(Ord. 2016-52, passed 10-5-16)

Statutory reference:

Prima facie rule of evidence for enforcement of parking regulations, see G.S. 20-162.1

§ 72.93 APPEALS.

If the owner of the vehicle, or the owner's representative, believes that the current violation is improper, he or she may appeal the actions by requesting a hearing before the City Parking Commission. The request for a hearing shall be in writing and must be received by the Parking Commission within 14 days of the current violation being appealed. The Parking Commission shall hear the appeal at its next regularly scheduled meeting.

(Ord. 2016-52, passed 10-5-16; Am. Ord. 2017-25, passed 6-5-17)

§ 72.99 PENALTY.

(A) All offenses set out in this chapter shall be punished as a civil offense pursuant to G.S. 160A-175. Violations shall not be misdemeanors or infractions pursuant to G.S. 14-4.

(B) Whenever a member of the Police Department or Code Enforcement Division of the city, charged by ordinance or charter with the enforcement of the provisions of this chapter regulating the parking of vehicles, shall find that any of these provisions are being, or have been, violated by the owner or operator of any vehicle, that officer or person shall notify the owner or operator of the vehicle of the violation by conspicuously attaching to it a parking violation notice or citation, in such form as the City Manager may direct.

(C) Among other things, the parking violation notice or citation shall:

(1) State upon its face the amount of the penalty for the specific violation if it is to be paid within 15 days from and after the violation.

(2) Notify the offender that a failure to pay the penalty within 15 days from the violation shall subject the offender to an additional late penalty in the amount of \$25.

(3) Notify the offender that a failure to pay the penalty and late penalty within 30 days from the violation shall subject the offender to a civil action in the nature of a debt for the stated penalty, plus an additional penalty in the amount of \$100, in addition to the penalty imposed for failure to pay within 15 days of the penalty, together with the cost of the action to be taxed by the court.

(4) Provide that the offender may answer to the city parking citation by mailing it and the stated penalty to P.O. Drawer A, Goldsboro, North Carolina 27530, or by delivering it and the stated penalty to The Revenue Office on the first floor of the City Hall Annex Building, 200 North Center Street, Goldsboro, North Carolina; and that upon payment, the case of claim and right of action by the city will be deemed compromised and settled.

(5) State that the penalty must either be paid or failure to pay must be cleared with the Police Department or the Code Enforcement Division within 15 days of the issuance of the citation.

(6) State that, if the parking violation citation is not cleared within 30 days, court action by the filing of a civil complaint for collection of the penalty may be taken. As used upon a parking violation citation, the word **CLEARED** shall mean either:

(a) Payment,

(b) Arrangement for payment to be made, or

(c) A prima facie showing that the parking citation was received as a result of mistake, inadvertence or excusable neglect.

(D) The Revenue Office of the city is authorized to accept such payments in full and final settlement of the claim or right of action that the city may have to enforce such penalty by civil action in the nature of debt. Acceptance of such penalty shall be deemed a full and final release of any and all such claims, or right of action arising out of the contended violation.

(E) The following fines or penalties shall be imposed for violations in those cases in which payment is made within the prescribed 15-day period:

(1) Parking in a space properly designated by the R7-8 or R7-8a sign, as described in the federal and/or state manual on uniform traffic control devices, for physically handicapped persons, when the vehicle does not display the distinguishing license plate or placard, or in front of any handicap access ramp \$50.

(2) Violations of this chapter involving unauthorized parking, standing or stopping within a bus stop, within 15 feet of a fire hydrant, loading zone, traffic lane, intersection or 25-foot distance from an

intersection, 30-foot distance from any flashing beacon, stop sign or traffic control signal, or other prohibited zone, or in front of a driveway, or on the left-hand side of a two-way street in a business district, or on a sidewalk or sidewalk area, or for double parking, or on any street longer than seven days, or for any prohibited purpose \$25.

(3) For violations of the provisions of § 72.90, Marking vehicles, there shall be a civil penalty of \$50.

(F) In addition to the penalties prescribed in division (E) above, a \$25 penalty shall be imposed in all those cases in which the above penalties have not been paid within the authorized seven-day period. Should it become necessary to institute a civil action to collect any fees or penalties hereunder, then the violation shall also be subject to an additional penalty of \$100.

(G) Nothing herein is intended nor shall be construed to provide that illegally parked vehicles may not be towed away. All such ordinances shall remain enforceable, by towing or by civil action in the nature of debt, or by either remedy.

(H) All penalties paid to the city or as may be recovered in a civil action in the nature of debt, as herein provided, shall be paid into the General Fund of the city.

(I) All citations issued for parking violations within the city will be added to the DMV system that links the vehicle to its owner.

(J) *Continuous violations.* Each hour's continuing violation shall constitute a separate and distinct offense, and the penalties imposed hereunder shall be cumulative.

(Ord. 2016-52, passed 10-5-16)

22F

Goldsboro - Traffic Code

CHAPTER 74: TRAFFIC SCHEDULES

Section

74.01 Traffic schedules adopted by reference

§ 74.01 TRAFFIC SCHEDULES ADOPTED BY REFERENCE.

The city's traffic schedules and any amendments thereto, are hereby adopted by reference and incorporated as if set out at length herein. Copies of the schedules are on file in the office of the City Clerk for public inspection.

(Am. Ord. 2006-80, passed 10-23-06; Am. Ord. 2009-16, passed 2-16-09; Am. Ord. 2009-34, passed 5-4-09; Am. Ord. 2010-21, passed 4-5-10; Am. Ord. 2010-67, passed 10-18-10; Am. Ord. 2011-46, passed 7-5-11; Am. Ord. 2012-1, passed 1-9-12; Am. Ord. 2013-19, passed 3-18-13; Am. Ord. 2013-61, passed 11-18-13; Am. Ord. 2013-65, passed 12-16-13; Am. Ord. 2014-41, passed 9-2-14; Am. Ord. 2016-58, passed 11-21-16)

CHAPTER 153: UNIFIED DEVELOPMENT CODE; ZONING

Section

153.01 Unified Development Code and Official Zoning Maps adopted by reference

§ 153.01 UNIFIED DEVELOPMENT CODE AND OFFICIAL ZONING MAPS ADOPTED BY REFERENCE.

The Unified Development Code and Official Zoning Maps for the City of Goldsboro, North Carolina, and its extraterritorial jurisdiction, and dated April 4, 2005, as on file in the office of the City Clerk, are hereby adopted by reference as if set out in full herein.

(Ord. 2005-37, passed 4-4-05; Am. Ord. 2006-95, passed 12-18-06; Am. Ord. 2007-17, passed 2-19-07; Am. Ord. 2007-23, passed 3-5-07; Am. Ord. 2007-48, passed 6-4-07; Am. Ord. 2007-59, passed 7-9-07; Am. Ord. 2007-62, passed 7-23-07; Am. Ord. 207-68, passed 8-6-07; Am. Ord. 2007-73, passed 9-4-07; Am. Ord. 2007-74, passed 9-4-07; Am. Ord. 2007-85, passed 10-1-07; Am. Ord. 2007-94, passed 11-5-07; Am. Ord. 2007-98, passed 12-3-07; Am. Ord. 2008-91, passed 10-6-08; Am. Ord. 2008-102, passed 11-3-08; Am. Ord. 2009-14, passed 2-16-09; Am. Ord. 2010-39, passed 6-7-10; Am. Ord. 2010-46, passed 6-21-10; Am. Ord. 2010-57, passed 8-16-10; Am. Ord. 2010-65, passed 10-4-10; Am. Ord. 2011-6, passed 1-3-11; Am. Ord. 2011-7, passed 1-3-11; Am. Ord. 2011-17, passed 4-4-11; Am. Ord. 2011-18, passed 4-4-11; Am. Ord. 2011-27, passed 5-2-11; Am. Ord. 2011-29, passed 5-2-11; Am. Ord. 2011-30, passed 5-2-11; Am. Ord. 2011-45, passed 7-5-11; Am. Ord. 2012-10, passed 2-6-12; Am. Ord. 2012-26, passed 4-2-12; Am. Ord. 2012-34, passed 5-7-12; Am. Ord. 2012-35, passed 5-7-12; Am. Ord. 2012-59, passed 7-23-12; Am. Ord. 2012-67, passed 10-1-12; Am. Ord. 2012-68, passed 10-1-12; Am. Ord. 2013-2, passed 1-7-13; Am. Ord. 2013-15, passed 3-4-13; Am. Ord. 2013-21, passed 4-1-13; Am. Ord. 2015-18, passed 5-4-15; Am. Ord. 2015-26, passed 7-6-15; Am. Ord. 2015-33, passed 9-8-15; Am. Ord. 2015-45, passed 11-2-15; Am. Ord. 2015-46, passed 11-2-15; Am. Ord. 2016-17, passed 4-4-16; Am. Ord. 2016-28, passed 5-2-16; Am. Ord. 2016-56, passed 11-21-16; Am. Ord. 2017-23, passed 5-8-17)

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
2017-4	1-17-17	Annexing certain noncontiguous real property, being property of Ample Storage Goldsboro, LLC.
2017-20	4-17-17	Annexing certain contiguous real property, being the property of Mills Goldsboro Properties, LLC.

Street Closings

12C

<i>Ord. No.</i>	<i>Effective Date</i>	<i>Description</i>
1999-75	8-2-99	<p>Closing of a portion of certain streets being:</p> <p>Dortch Street running from the east side of the right-of-way of North Herman Street an average distance of 283 feet. to its intersection with Argo Street.</p> <p>Argo Street running from its intersection with Dortch Street an average distance of 131 feet.</p>
2000-17	3-6-00	<p>Alley running from northern right-of-way of West Walnut Street in a northerly direction to the southern right-of-way of West Mullberry Street a distance of 440 feet and having a right-of-way width of 20 feet.</p>
2001-44	4-2-01	<p>Crawford Street, running from the eastern side of Clingman Street in an easterly direction an average distance of 618 feet to its terminus and having a right-of-way width of 60 feet.</p>
2006-77	10-2-06	<p>Poplar Street, running from its terminus north of Newsome Street in a southerly direction a distance of approximately 162 feet and having a right-of-way width of 50 feet.</p>
2017-26	6-5-17	<p>Closing the following described street sections:</p> <p>Bruce Street, running from the southern right-of-way of Colonial Terrace Drive to the northern right-of-way of Vann Street, a distance of approximately 260 feet, and having a right-of-way width of 30 feet.</p>

Goldsboro - Table of Special Ordinances

<i>Ord. No.</i>	<i>Effective Date</i>	<i>Description</i>
2017-26 (Cont'd)		<p>Corney Street, running from the eastern right-of-way of Gulley Street in an easterly direction, a distance of approximately 250 feet to its terminus, and having a right-of-way width of 50 feet.</p> <p>Juniper Street, running from the eastern right-of-way of South Best Street in an easterly direction, a distance of approximately 89 feet to its terminus, and having a right-of-way width of 50 feet.</p> <p>Spruce Street, running from the western right-of-way of Leslie Street in a westerly direction, a distance of approximately 180 feet to its terminus, and having a right-of-way width of 50 feet.</p> <p>South Road, running from the southern right-of-way of Ridgecrest Drive, a distance of approximately 400 feet to the northern right-of-way of Langston Drive, and having a right-of-way width of 60 feet.</p> <p>Easements shall be retained over the entire closed right-of-ways for the sections described above for Corney Street and Juniper Street to allow for future maintenance of existing utility lines.</p>

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
2016-57	11-21-16	Rezoning certain property, being Z-8-16, Cornerstone Church of Goldsboro, north side of Harden Scott Lane, between Patetown Road and North William Street, from R-16 Residential to Office and Institutional-1 Conditional District.
2017-1	1-3-17	Rezoning certain property, being Z-11-16 MADP Goldsboro, LLC, west side of Wayne Memorial Drive, between Fourth and Sixth Streets, from Neighborhood Business to General Business Conditional District.
2017-2	1-3-17	Rezoning certain property, being Z-12-16 Classic Goldsboro, LLC, south side of Gateway Drive, between Commerce Court and North Oak Forest Road, from Industrial and Business Park-1 to General Business Conditional District.
2017-9	3-6-17	Rezoning certain property, being Z-2-17 Gospel Light Temple, south side of Atlantic Avenue, between Herman Street and Pineview Avenue, from R-9 Residential to Office and Institutional-1 Conditional District.
2017-10	3-6-17	Rezoning certain property, being Z-3-17 Hutton Team, LLC, east side of North Berkeley Boulevard, between Langston Drive and Ridgecrest Drive, from Office-Residence and R-16 Residential to General Business Conditional District.

Goldsboro - Table of Special Ordinances

<i>Ord. No.</i>	<i>Date Passed</i>	<i>Description</i>
2017-11	3-6-17	Rezoning certain property, being Z-4-17 John R. Best, south side of Graves Drive, between Berkeley Boulevard and Malloy Street, from Shopping Center to General Business Conditional District.
2017-12	3-6-17	Rezoning certain property, being Z-5-17 Charles Ginn, west side of Central Heights Road, between Tommy's Road and Courtney Road, from R-16 Residential and RM-NC to RM-9 Residential Manufactured Home.
2017-24	6-5-17	Rezoning certain property, being Z-7-17 Redco Properties, LLC, northwest corner of Wayne Memorial Drive and Tommy's Road, from RM-9 Residential Manufactured Home, R-20A Residential and Neighborhood Business to Highway Business.

REFERENCES TO NORTH CAROLINA GENERAL STATUTES

<i>G.S. Cite</i>	<i>Code Section</i>
1-597	52.17, 52.18
Ch. 7A	151.24
12-2	10.16
12-3	10.05
14-4	10.99, 72.99, 90.99, 96.09, 96.35, 116.99, 152.42
Ch. 14, Art. 27A	131.01
14-177 - 14-202.1	112.15
14-203 - 14-208	112.15
14-204	112.15
14-205.1 - 14-206	112.15
14-208.18	131.03
14-208.18(a)(1)	131.03
14-208.18(a)(2)	131.03
14-208.18(a)(3)	131.03
14-288.4	97.09
14-304 - 14-309	110.20
14-410 - 14-415	95.04
15A-1340.20 et seq.	131.99
18B-101	118.05, 130.03
18B-300	130.03
19-1(b)	116.01
20-4.01(27)d1	70.01
20-162	70.32
20-162.1	72.92
67-4.1 et seq.	91.17
69-4	33.19
Ch. 93B	110.20
105-33	110.01, 110.02
105-53	110.22, 113.01
105-64 - 105-187	34.01
105-90	110.23
105-164.3(17)	34.01
105-187.1(3)	34.01
105-187.1(8)	34.01
105-228.90 - 105-269.15	34.01

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<i>G.S. Cite</i>	<i>Code Section</i>
105-349	34.01
105-463 - 105-549	34.01
106-65.22 et seq.	91.01
113-274	91.01
113-300.1 - 113-300.3	91.01
130A-184 et seq.	91.22
130A-290 et seq.	151.05
130A-290(a)(6)	151.05
130A-290(a)(35)	151.05
130A-290(a)(36)	151.05
136-103 - 136-121.1	Chtr., § 12.1
Ch. 143	51.051
Ch. 143, Art. 33C	131.01
143-143.15	151.31(3)
143-213(18)	51.002
143-215.1	51.002, 51.051
143-215.3	51.002
143-215.6B	51.102
143-215.6B(f)	51.102
143-215.6B(g)	51.102
143-215.6B(h)	51.102
143-215.6B(i)	51.102
143-215.51 et seq.	151.01
143-434 et seq.	91.01
157-5	32.220
160-272	10.01
Ch. 160A, Art. 16	54.01
160A-79	10.05
160A-146	31.01
160A-168(c)	31.05, 115.01
160A-174 et seq.	151.01
160A-175	72.99, 96.35
160A-175(g)	96.35
160A-179	96.12
160A-187	91.17
160A-193	96.08
160A-208.1	34.01
160A-211	34.01
160A-215.1	34.01
160A-215.1(b)	34.01
160A-215.1(d)	34.01

<i>G.S. Cite</i>	<i>Code Section</i>
160A-215.1(e)(2)	34.01
160A-215.1(f)	34.01
160A-216 - 160A-239	150.77, 152.41
160A-291	33.15
160A-292	33.15, 33.19
160A-299	98.15
160A-303	90.05
160A-360	32.125
160A-381 et seq.	151.01
160A-411 et seq.	151.01
160A-441	150.70, 152.01
160A-441 - 160A-450	152.01
160A-443	150.74, 150.76, 152.38, 152.40
160A-444	152.01
160A-446	150.74, 150.77, 152.38, 152.41
160A-456 et seq.	151.01

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2006-80	10-23-06	74.01
2006-88	11-6-06	T.S.O., Table IV
2006-93	12-4-06	T.S.O., Table IV
2006-95	12-18-06	153.01
2007-05	1-8-07	T.S.O., Table IV
2007-12	2-5-07	T.S.O., Table IV
2007-13	2-5-07	T.S.O., Table IV
2007-14	2-5-07	T.S.O., Table IV
2007-17	2-19-07	153.01
2007-20	3-5-07	T.S.O., Table IV
2007-21	3-5-07	T.S.O., Table IV
2007-22	3-5-07	T.S.O., Table IV
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2007-25	3-19-07	116.01 - 116.05, 116.99
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2007-34	5-7-07	71.50
2007-35	5-7-07	96.03
2007-39	5-7-07	T.S.O., Table IV
2007-45	6-4-07	51.002, 51.010, 51.012, 51.018, 51.019, 51.051, 51.060, 51.063 - 51.065, 51.067, 51.070, 51.073, 51.100, 51.101, 51.103, 51.133
2007-48	6-4-07	153.01
2007-50	6-4-07	T.S.O., Table IV
2007-51	6-4-07	T.S.O., Table IV
2007-55	7-9-07	T.S.O., Table IV
2007-56	7-9-07	T.S.O., Table IV
2007-57	7-9-07	T.S.O., Table IV
2007-58	7-9-07	T.S.O., Table IV
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2007-62	7-23-07	153.01
2007-68	8-6-07	153.01
2007-73	9-4-07	153.01
2007-74	9-4-07	153.01
2007-85	10-1-07	153.01
2007-91	10-25-07	52.15 - 52.29, Ch. 52, Addendums 1-4
2007-94	11-5-07	153.01
2007-98	12-3-07	153.01
2008-10	1-17-08	97.32

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<i>Ord. No.</i>	<i>Date Passed</i>	<i>Code Section</i>
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2008-26	3-3-08	153.01
2008-35	4-7-08	153.01
2008-36	4-7-08	153.01
2008-37	4-7-08	153.01
2008-40	4-21-08	130.03
2008-41	4-21-08	118.01 - 118.09
2008-47	5-5-08	153.01
2008-48	5-5-08	50.06
2008-53	5-19-08	150.02
2008-57	6-2-08	153.01
2008-58	6-2-08	153.01
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2008-79	9-2-08	T.S.O., Table IV
2008-80	9-2-08	T.S.O., Table IV
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2008-102	11-3-08	153.01
2008-103	11-3-08	T.S.O., Table IV
2008-104	11-3-08	T.S.O., Table IV
2008-108	12-1-08	91.02
2009-7	1-5-09	T.S.O., Table IV
Res. 2009-9	eff. 2-2-09	32.220
2009-13	2-16-09	T.S.O., Table IV
2009-14	2-16-09	153.01
2009-16	2-16-09	74.01
2009-22	3-2-09	T.S.O., Table IV
2009-29	4-6-09	T.S.O., Table IV
2009-34	5-4-09	74.01
2009-36	5-4-09	T.S.O., Table IV
2009-41	6-1-09	T.S.O., Table IV
2009-42	6-1-09	T.S.O., Table IV
2009-43	6-1-09	T.S.O., Table IV
2009-54	7-6-09	T.S.O., Table IV
2009-55	7-6-09	T.S.O., Table IV
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2009-68	9-8-09	116.02
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2009-70	9-8-09	T.S.O., Table IV
2009-71	9-8-09	T.S.O., Table IV
2009-75	10-5-09	T.S.O., Table IV

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2009-81	11-2-09	T.S.O., Table IV
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2009-89	12-27-09	T.S.O., Table IV
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2010-3	1-4-10	T.S.O., Table IV
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2010-15	3-1-10	91.26
2010-21	4-5-10	74.01
2010-22	4-5-10	53.01, 53.18, 53.20
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2010-27	5-3-10	T.S.O., Table I
2010-28	5-3-10	T.S.O., Table I
2010-29	5-3-10	T.S.O., Table I
2010-32	5-17-10	T.S.O., Table I
2010-34	6-7-10	T.S.O., Table I
2010-38	7-1-10	91.15, 91.25
2010-39	6-7-10	11.01, 153.01
2010-42	6-7-10	T.S.O., Table IV
2010-46	6-21-10	153.01
2010-48	7-6-10	T.S.O., Table IV
2010-49	7-19-10	T.S.O., Table I
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2010-54	8-16-10	T.S.O., Table I
2010-57	8-16-10	153.01
2010-59	9-7-10	Adopting Ordinance
2010-60	9-7-10	T.S.O., Table IV
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2010-62	9-7-10	97.01
2010-65	10-4-10	153.01
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2010-67	10-18-10	74.01
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2010-81	12-6-10	T.S.O., Table IV
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2011-7	1-3-11	153.01
2011-8	2-7-11	31.05

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2011-10	2-21-11	T.S.O., Table I
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2011-24	4-18-11	T.S.O., Table I
2011-25	4-18-11	T.S.O., Table I
2011-27	5-2-11	153.01
2011-29	5-2-11	153.01
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2011-33	5-16-11	T.S.O., Table I
2011-34	5-16-11	T.S.O., Table I
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2011-82	11-21-11	T.S.O., Table I
2011-86	12-19-11	T.S.O., Table I
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2012-7	1-9-12	T.S.O., Table IV
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2012-23	3-19-12	151.07
2012-24	3-19-12	131.01 - 131.05, 131.99
2012-26	4-2-12	153.01
2012-30	4-2-12	Adopting Ordinance
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2012-35	5-7-12	153.01
2012-37	5-7-12	53.04
2012-45	5-21-12	75.01
2012-59	7-23-12	153.01
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2012-67	10-1-12	153.01
2012-68	10-1-12	153.01
2012-70	10-15-12	T.S.O., Table I
2012-71	10-15-12	T.S.O., Table I
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2013-16	3-4-13	T.S.O., Table IV
2013-18	3-4-13	T.S.O., Table IV
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2013-30	6-3-13	T.S.O., Table IV
2013-31	6-3-13	T.S.O., Table IV
2013-33	6-17-13	T.S.O., Table I
2013-38	7-15-13	T.S.O., Table I
2013-39	7-15-13	T.S.O., Table IV
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2013-50	10-7-13	T.S.O., Table IV
2013-51	10-21-13	T.S.O., Table I
2013-54	11-4-13	T.S.O., Table IV
2013-55	11-4-13	T.S.O., Table IV
2013-61	11-18-13	74.01
2013-62	11-18-13	T.S.O., Table IV
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2014-26	6-2-14	T.S.O., Table IV
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2014-36	8-4-14	T.S.O., Table IV
2014-41	9-2-14	74.01
2014-45	10-6-14	T.S.O., Table IV
2014-46	10-6-14	T.S.O., Table IV
2014-50	10-6-14	Adopting Ordinance
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2015-6	2-16-15	91.50
2015-18	5-4-15	153.01
2015-26	7-6-15	153.01
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2015-39	10-5-15	50.01
2015-42	10-5-15	30.11
2015-45	11-2-15	153.01
2015-46	11-2-15	153.01
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2016-40	7-18-16	92.05
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CITY OF GOLDSBORO

AGENDA MEMORANDUM

SEPTEMBER 5, 2017 COUNCIL MEETING

SUBJECT: CU-11-17 Southern Current – North of Old Smithfield Road
between Gin Road and NC 581 South

BACKGROUND: Applicant requests a Conditional Use Permit to allow the
development and operation of a solar farm facility.

The property is zoned R-20A Residential. Solar farm
operations are a permitted use within this district only after
the issuance of a Conditional Use Permit approved by City
Council.

Area: 1,001,880 sq. ft. or 23 acres
Frontage: Approx. 1650 ft.

A small portion of the property is located within Wayne
County's jurisdiction, however, that portion is not included
within the proposed solar farm development plans.

Existing Use: The property is currently vacant farmland.

Land-Use Recommendation: The City's Comprehensive
Land Use Plan designates this property for Medium-Density
Residential Development.

Engineering: City water and sewer are not available to the
property. The property is not located in a Special Flood
Hazard Area.

DISCUSSION: The submitted site plan indicates a private 20 ft. wide gated
access and gravel drive extending from Old Smithfield Road
1,700 ft. north to a 3-point turn around located at the rear of
the site. This drive will provide access to the eastern half of
the solar farm.

Another 20 ft. wide gravel drive is shown adjacent to the
facility access point. This drive is part of a shared access
easement to an existing cell tower located at the rear of the
property. It will extend approximately 450 ft. north, 600 ft.
west and 450 ft. north to a 3-point turn around. This drive
will provide access to the western half of the solar farm.

The solar panels will be installed within an area to be
surrounded by a 6 ft. high chain-link with barbed wire
security fence.

Landscaping: A Type C, 20 ft. wide landscape buffer has been proposed surrounding the entire solar farm just outside a six-ft. tall chain link fence which will be slatted for additional screening.

An adjacent 50 ft. wide underground utility easement runs through a portion of the proposed solar development. Panels are not to encroach within this easement.

At the public hearing held on July 17, 2017, four people spoke in opposition to the Conditional Use Permit. A representative of the applicant spoke in favor.

The applicant has requested that this matter be deferred in order to allow them to hold a workshop/meeting with the adjacent owners who opposed the request.

On August 7, 2017, the Council deferred action on this request.

The applicant has held two workshops in order to address concerns raised at the public hearing.

The Planning Commission, at their meeting on August 28, 2017, recommended approval of the Conditional Use Permit and submitted site and landscape plans detailing the development.

RECOMMENDATION: By motion, accept the recommendation of the Planning Commission and:

1. Approve the Conditional Use Permit to allow the operation of a solar farm facility; and
2. Approve the submitted site and landscape plan detailing the operation.

Date: 8-28-2017


Planning Director

Date: _____

City Manager

CITY OF GOLDSBORO

STATE OF NORTH CAROLINA

ORDER APPROVING A CONDITIONAL USE PERMIT

The City Council of the City of Goldsboro, North Carolina, having held a public hearing on August 21, 2017 to consider Conditional Use Permit application number:

CU-11-17 Southern Current – North of Old Smithfield Road
between Gin Road and NC 581 South

to allow the development and operation of a solar facility, having heard all of the evidence and arguments presented and reports from City officials, makes the following:

FINDINGS OF FACT

1. The City Council finds that there are certain uses that exist which may be constructed, continued and/or expanded if they meet certain mitigating conditions specific to their design and/or operation. Such conditions ensure compatibility among uses and building types so that different uses may be located in proximity to one another without adverse effects to either.
2. Even if the permit-issuing body finds that the application complies with all the other provision of the City's Unified Development Ordinance, it may still deny the permit if it concludes, based upon information submitted at the hearing that, if completed as proposed, the development:
 - a. Will materially endanger the public health or welfare; or
 - b. Will substantially injure the beneficial use of adjoining or abutting property; or
 - c. Will not be in harmony with existing development and uses within the area in which it is located; or
 - d. Will not be in general conformity with the Comprehensive Plan, Thoroughfare Plan or other plan officially adopted by the Council.

The property is zoned R-20A Residential. Development plans have been submitted detailing the operation and are included as a part of this Order by reference.

Based upon the foregoing FINDINGS OF FACT, the City Council makes the CONCLUSION that the proposed use, **does** satisfy the general conditions imposed on the Council in its deliberations for issuing a Conditional Use Permit under Section 2.2.8 of the City of Goldsboro Zoning Ordinance.

Upon motion made by Councilmember _____ and seconded by Councilmember _____, the Council approved the applicant's request for a Conditional Use Permit to allow the development and operation of a solar facility.

Therefore, because the City Council concludes that the general conditions precedent to the issuance of a CONDITIONAL USE PERMIT **HAVE BEEN** satisfied, IT IS ORDERED that the application for the issuance of a CONDITIONAL USE PERMIT to allow the development and operation of a solar facility be **APPROVED**.

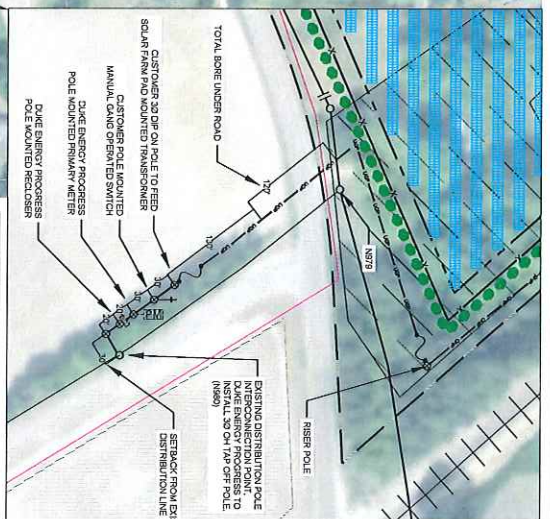
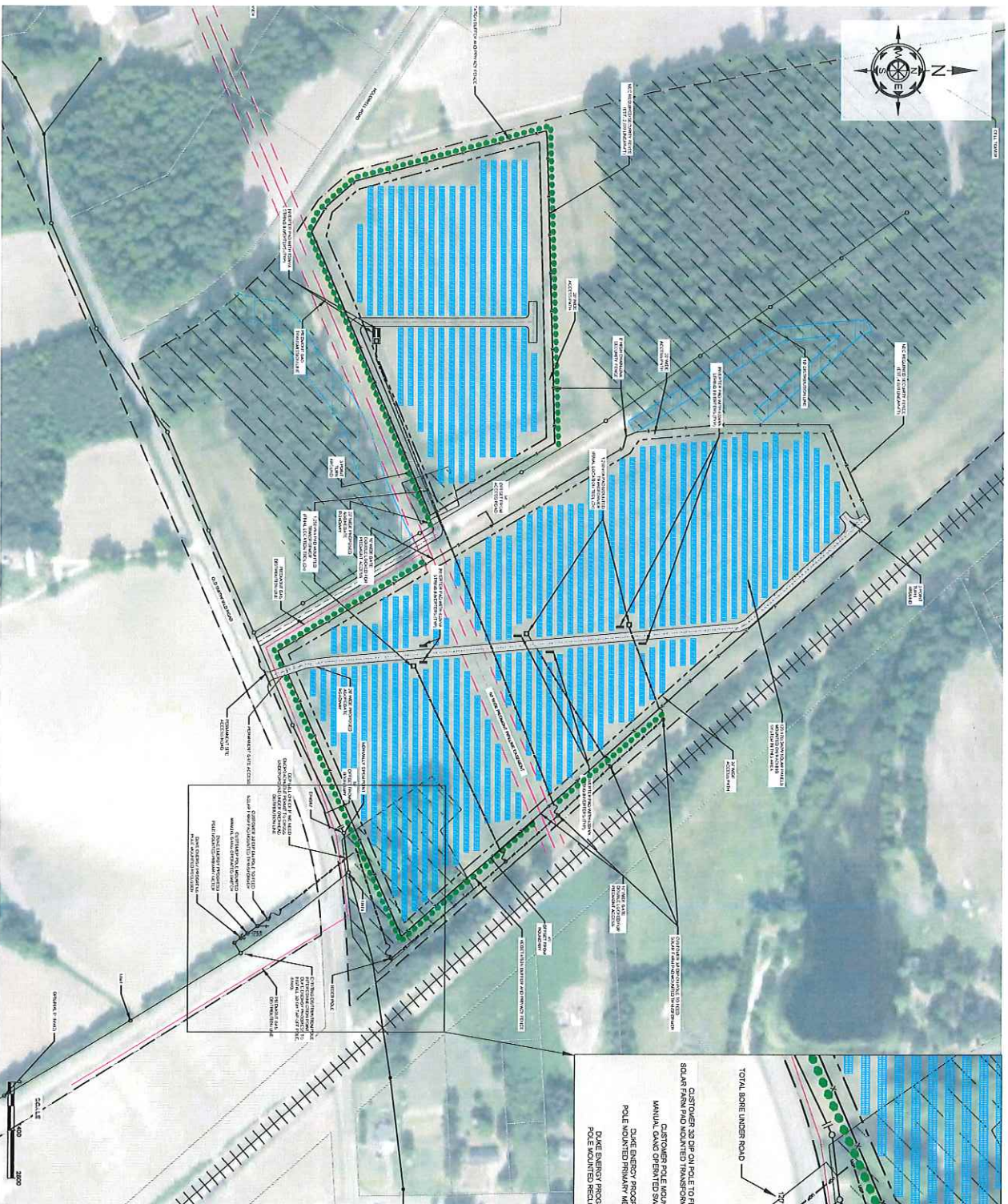
Thus ordered this _____ day of _____, 2017.

Chuck Allen, Mayor

James D. Womble, City Attorney

CU - 11 - 17
SOUTHERN CURRENT
SOLAR FARM






**LANE SOLAR FARM SITE
GENERAL INFORMATION**

LAND USE:	SOLAR SITE
PARCELS GROSS ACREAGE:	69 ACRES
PROPOSED FENCED ACREAGE:	28.6 ACRES
TOTAL FENCE LENGTH:	6,745 LINEAL-FT
SERVICE ROAD (20' WIDE):	2,440 LINEAL-FT
SERVICE ROAD & TURN	
AROUND TOTAL AREA:	48,800 SQ.-FT
TOTAL DISTANCE OF UGP:	1,972 LINEAL-FT
TOTAL DISTANCE OF OHP:	825 LINEAL-FT

SOLAR PV SYSTEM OVERVIEW

Model Name:	340V
# of Modules:	20,976
Power to Row Spacing:	25
# of Modules in Rack:	19
# of Strings:	1,104
Inverter Name:	Schneider Electric XPS30-VA
# of Inverters:	8
System Size (DC):	7.13 MW
System Size (AC):	5.04 MVA
AC size limited to:	5.00 MW
Array Azimuth:	180°

 STATE OF GEORGIA DEPARTMENT OF REVENUE DIVISION OF TAX SERVICES SALES AND USE TAX SECTION		TAXPAYER LANE SOLAR FARM, LLC 35°24'10.36" N 78°03'14.31" W OLD SMITHFIELD ROAD GOLDSBORO, NC 27533 5 MW AC Ground Mount CONSTRUCTION SITE PLAN
PROJECT Add Branch, P.E. NO LICENSE # 038653 Certified MABCEP PV Installer# 04201-17 DRAWN BY Matthew Bath		
REVISION D-2016-01 001		
SHEET 1=1, 400		
DATE 05/25/2017		
DESCRIPTION UPDATED DESIGN - MODULE COUNT INCREASED CONSTRUCTION SITE PLAN		

CITY OF GOLDSBORO

AGENDA MEMORANDUM

SEPTEMBER 5, 2017 COUNCIL MEETING

- SUBJECT:** CU-13-17 Eli Wuest – West side of North John Street
between East Ash Street and East Mulberry Street
- BACKGROUND:** The applicant requests a Conditional Use Permit to allow
the operation of a place of entertainment with ABC permits
(wine bar and restaurant).
- Frontage: 25 ft.
Depth: 105 ft.
Area: 2,625 sq. ft., or 0.06 acres
Zoning: Central Business District
- DISCUSSION:** There is an existing two-story building on the site which is to
be renovated for the proposed business.
- Hours and Days of Operation
- 11:00 a. m. to 12:00 Midnight (Monday through Thursday)
11:00 a. m. to 1:00 a. m. (Friday and Saturday)
11:00 a. m. to 9:00 p. m. (Sunday)
- The actual hours may change slightly depending upon the
business but should not exceed those listed.
- The applicant intends to provide food for most of the time
the wine bar is open and plans to have lunch available.
Depending upon demand, the kitchen may close at 10:00
p. m. some evenings.
- The submitted floor plan indicates that both floors of the
building are to be utilized. The downstairs will have tables,
restrooms, kitchen, mechanical room, a bar and wine cellars.
The upstairs will have a restroom, tables, bar and raised
stage for occasional small-scale musical acts up to two times

per week. The applicant indicates that he envisions the operation to have a "speakeasy" atmosphere.

At the public hearing held on August 21, 2017, the applicant spoke in favor of the request. No one appeared in opposition.

The Planning Commission, at their meeting held on August 28, 2017, recommended approval of the Conditional Use Permit and site/floor plan detailing the operation.

RECOMMENDATION: By motion, accept the recommendation of the Planning Commission and:

1. Adopt an Order approving the Conditional Use Permit to allow the operation of a place of entertainment with ABC permits (wine bar and restaurant); and
2. Approve the submitted site and floor plans detailing the operation.

Date: 8-28-2017

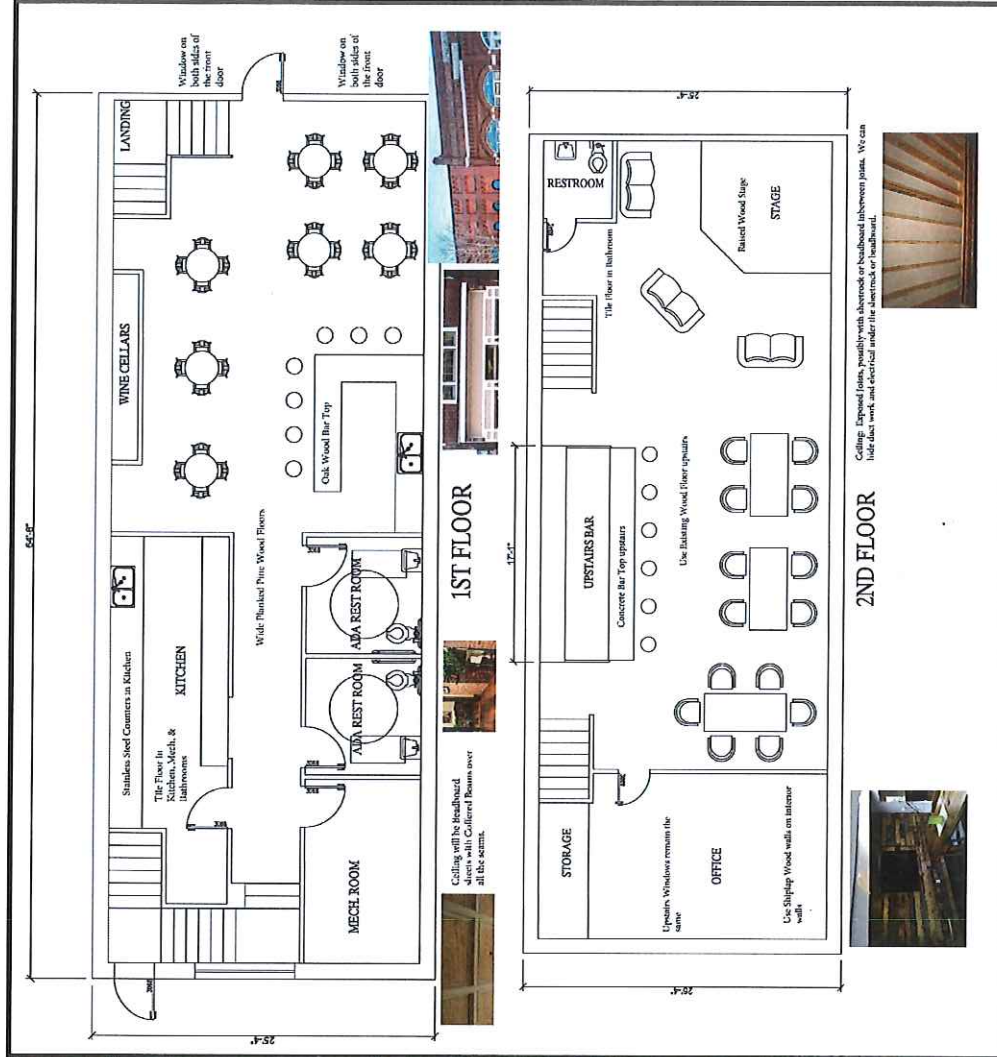
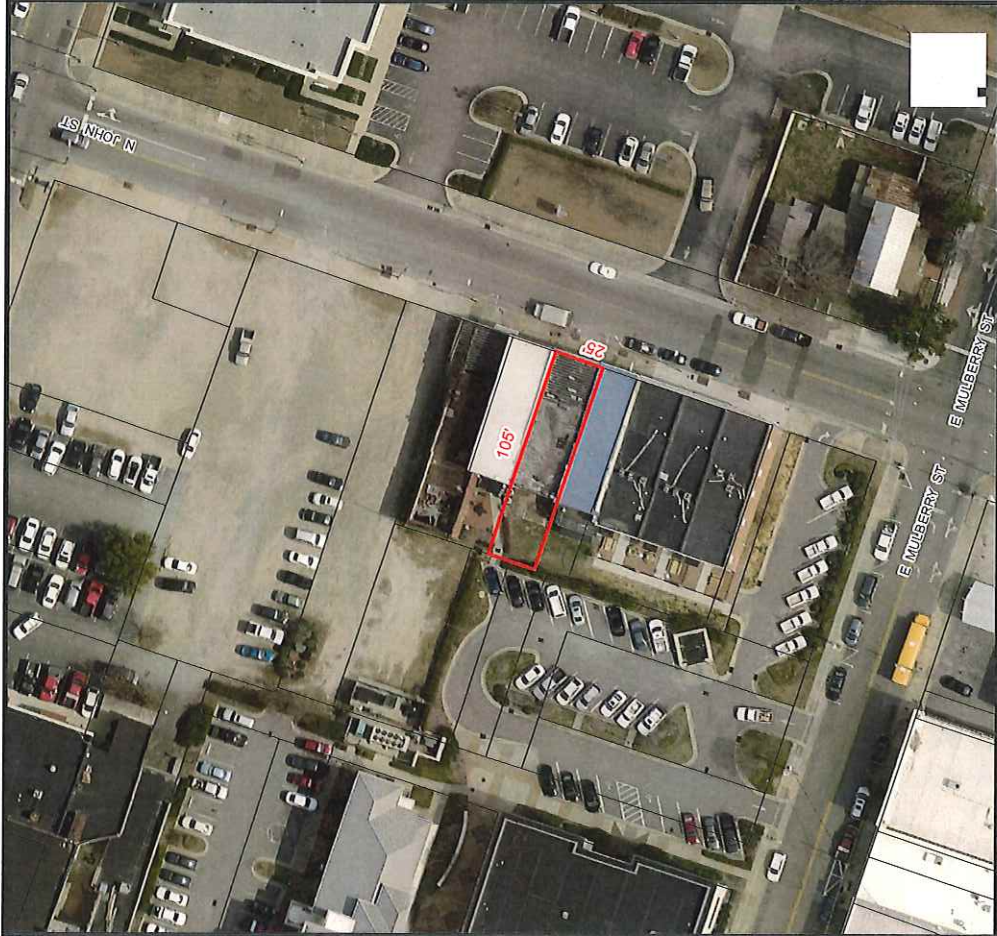


Planning Director

Date: _____

City Manager

ssj



Site Plan

CU - 13 - 17
Eli Wuest
Barique Wine Bar

Hours of Operation:

11:00 am to 12 Midnight (Monday - Friday)
11:00 am to 1:00 am (Friday and Saturday)
11:00 am to 9:00 pm (Sunday)



The data represented on this map has been compiled by the local methods available. Accuracy is contingent upon the information as compiled by various agencies and departments both internal and external to the City of Goldsboro, NC. Users of the data represented on this map should be aware that the data is not guaranteed to be accurate and should be consulted for verification of the information contained herein. The City of Goldsboro and the companies contracted to develop these data representations do not warrant the accuracy or reliability of these maps or data for any reason without the written consent of the City of Goldsboro.

GOLDSBORO PLANNING

CITY CLERK _____ DATE _____
CITY ENGINEER _____ DATE _____
PLANNING DIRECTOR _____ DATE _____
OWNER _____ DATE _____

CITY OF GOLDSBORO

STATE OF NORTH CAROLINA

ORDER APPROVING A CONDITIONAL USE PERMIT

The City Council of the City of Goldsboro, North Carolina, having held a public hearing on August 21 2016 to consider Conditional Use Permit application number:

CU-13-17 Eli Wuest – West side of North John Street between East Ash Street and East Mulberry Street

to operate a place of entertainment with ABC permits (Wine Bar and Restaurant), having heard all of the evidence and arguments presented and reports from City officials and having received a recommendation for **approval** from the Goldsboro Planning Commission pertaining to said application, makes the following:

FINDINGS OF FACT

1. The City Council finds that there are certain uses that exist which may be constructed, continued and/or expanded if they meet certain mitigating conditions specific to their design and/or operation. Such conditions ensure compatibility among uses and building types so that different uses may be located in proximity to one another without adverse effects to either.
2. Even if the permit-issuing body finds that the application complies with all the other provision of the City's Unified Development Ordinance, it may still deny the permit if it concludes, based upon information submitted at the hearing that, if completed as proposed, the development:
 - a. Will materially endanger the public health or welfare; or
 - b. Will substantially injure the beneficial use of adjoining or abutting property; or
 - c. Will not be in harmony with existing development and uses within the area in which it is located; or
 - d. Will not be in general conformity with the Comprehensive Plan, Thoroughfare Plan or other plan officially adopted by the Council.

3. The City of Goldsboro's Unified Development Ordinance provides the following regulations which are specific to the applicant's request for a place of entertainment with ABC permits.

Chapter 5.5 Supplemental Use Regulations

5.5.4 Special and Conditional Use Specific Regulations

Bars, Nightclubs, Pool Halls, Places of Entertainment (both public and private and for profit - ABC Permit)

- a. Permitted Districts: Central Business District, General Business, Shopping Center, Highway Business.

The subject property is zoned Central Business District.

- b. Approval Criteria:

Distance Requirement: There is no church or school use within a distance of 100 ft. of the subject property.

- d. Upon complaint from any person, a public hearing may be scheduled by the City Council to determine what additional conditions, if any, may be needed to protect the public health, safety and welfare. Upon a finding that there has been an increase in the volume, intensity or frequency of the use different than set forth in the conditional use permit, the City Council after public hearing may modify, suspend or revoke the conditional use permit.

- e. Site Plan Information

1. Floor plan indicating the proposed uses within and adjacent to the structure;
2. Maximum number of persons occupying the structure or premises at one time; and
3. Attached to the site plan shall be written statement setting for the frequency and method of maintenance, repair, refuse/recycling collection and disposal.

**A floor plan has been properly submitted
indicating the above information.**

Based upon the foregoing FINDINGS OF FACT, the City Council makes the CONCLUSION that the proposed use **does** satisfy the general conditions imposed on the Council in its deliberations for issuing a Conditional Use Permit under Section 2.2.8 of the City of Goldsboro Unified Development Ordinance.

Upon motion made by Councilmember _____ and seconded by Councilmember _____, the Council accepted the recommendation of the Planning Commission and approved the applicant's request for a Conditional Use Permit to operate a place of entertainment with ABC permits (Wine Bar and Restaurant).

Therefore, because the City Council concludes that the general conditions precedent to the issuance of a **CONDITIONAL USE PERMIT HAVE BEEN** satisfied, **IT IS ORDERED** that the application for the issuance of a **CONDITIONAL USE PERMIT** to allow the operation of a place of entertainment with ABC permits (Wine Bar and Restaurant) be **APPROVED**.

Thus ordered this _____ day of _____, 2017.

Chuck Allen, Mayor

James D. Womble, City Attorney

CITY OF GOLDSBORO

AGENDA MEMORANDUM

SEPTEMBER 5, 2017 COUNCIL MEETING

SUBJECT: Site and Landscape Plan- AAA Mini Storage
(Addition of self-storage, mini-storage facility)

BACKGROUND: The property is located on the north side of Industry Court
between Patetown Road and William Street.

Area: 127,543 sq. ft. or 2.92 acres
Zoning: I-2 General Industry

The site is located to the rear of an existing mini-storage facility owned by the applicant. Construction of additional storage capacity and climate-controlled facilities is proposed.

The subject site is currently located outside the corporate city limits. The applicant will be required to petition for annexation before a Certificate of Occupancy can be issued.

DISCUSSION: The submitted site plan indicates a proposed 9,000 sq. ft. mini-storage building to be located behind seven existing mini-storage buildings.

Hours of Operation: 24 hours/7 days a week
Number of Employees: 1

Access: Two existing 35 ft. wide paved driveways are provided for both ingress and egress from Industry Court.

A 25 ft. wide gravel driveway aisle is shown surrounding the new proposed storage building. A modification of the City's requirement that all vehicular traffic surface areas be paved has been requested. The existing mini-storage operation contains graveled driveway aisles.

Parking: A total of eight parking spaces have been provided which will meet the City's requirement of one space per employee plus 3 customer spaces.

Sidewalks and Pedestrian Access: According to the City's Pedestrian Plan Map, sidewalks will not be required along either Patetown Road or Industry Court.

Landscaping: Street trees, buffer yards and vehicular surface buffers are required for the proposed site but are not shown on the submitted site plan. The developer feels that required landscaping would create a safety and security concern for customers of his business. A modification of the landscaping requirements has been requested. There is an existing wooded area near the rear of the site which is adjacent to Builders Discount Center on the east.

Fencing: A 6 ft. tall chain-link security fence has been proposed surrounding the perimeter of the new development as an extension of the existing 6 ft. tall chain-link fence on the original site.

Commercial Lighting Plan: Applicant has submitted a lighting plan for the new development which will have to be approved by staff. Light poles on the property will be mounted to a height no greater than 25 ft.

A small portion of the property at the rear of the site is located within a 100-year flood hazard area. No development is proposed within that area.

At their meeting held on August 28, 2017, the Planning Commission recommended approval of the site and landscape plans with a modification of the paving requirement to allow the applicant to continue the use of graveled drive aisles. They did not approve the requested modification of the landscape requirements.

RECOMMENDATION: By motion, accept the recommendation of the Planning Commission and approve the site and landscape plan with a modification of the paving requirement as requested.

Date: 8-28-2017



Planning Director

Date: _____

City Manager

ssj

**SITE PLAN
AAA MINI STORAGE
117 INDUSTRY COURT - BUILDING ADDITION**



CITY OF GOLDSBORO

AGENDA MEMORANDUM

SEPTEMBER 5, 2017 COUNCIL MEETING

SUBJECT: Site and Landscape Plan- Realo Drugs (Pharmacy)

BACKGROUND: The property is located on the northeast corner of East New Hope Road and Central Heights Road.

Area: 74,052 sq. ft. or 1.7 acres
Zoning: General Business

The site was previously operated as a convenience store and gas station.

DISCUSSION: The submitted site plan indicates an existing 3,000 sq. ft. building to be renovated for use as a pharmacy.

Hours of Operation: 9 a.m.-6 p.m. (Mon.-Fri.)
9 a.m.-2p.m. (Saturday)
Closed (Sunday)

Number of Employees: 5

Access: One existing 50 ft. wide paved driveway is shown extending from Central Heights Road and another 50 ft. wide paved driveway is shown extending from East New Hope Road. Applicant has received approval for a new 16 ft. wide "entrance only" paved driveway from NCDOT since drive-thru and pick up services are being provided for customers of the business.

Parking: Twelve parking spaces are required and shown to be provided for the site. Four spaces are shown as required stacking for the drive-thru.

Sidewalks and Pedestrian Access: The City's Pedestrian Plan Map will require the installation of sidewalks along Central Heights Road. The developer will be required to either install sidewalks or pay a fee in lieu of installation in the amount of \$3,580.

Landscaping: A Type A, 10 ft. wide landscape buffer is required along the southeastern property line. Applicant has proposed a six ft. opaque privacy fence for approximately 80 ft. from East New Hope Road since there is not enough room for required plantings between the existing parking lot and the property line.

A Type C, 20 ft. wide landscape buffer is required along the northeastern property line adjacent to residential property. Applicant has proposed a modification of the required buffer yard for approximately 50 ft. from Central Heights Road since there is not enough room for required plantings between the existing parking lot and the property line.

Street trees are shown on the submitted site plan along Central Heights Road and East New Hope Road. Applicant will install additional trees and shrubs within the grassed area at the intersection of the two streets.

Commercial Dumpster: If a commercial dumpster is utilized, the corral will be required to be constructed and screened according to City standards.

Modifications: The following modifications are requested:

1. Modification of a Type A landscape buffer approximately eighty feet from East New Hope Road.
2. Modification of a Type C landscape buffer approximately 50 ft. from Central Heights Road.

At their meeting held on August 28, 2017, the Planning Commission recommended approval of the site and landscape plans with the requested landscape buffer modifications.

RECOMMENDATION:

By motion, accept the recommendation of the Planning Commission and approve the site and landscape plan for Realo Drugs with the following modifications:

1. Modification of a Type A landscape buffer approximately eighty feet from East New Hope Road.

2. Modification of a Type C landscape buffer approximately 50 ft. from Central Heights Road.

Date: 8-28-2017



Planning Director

Date: _____

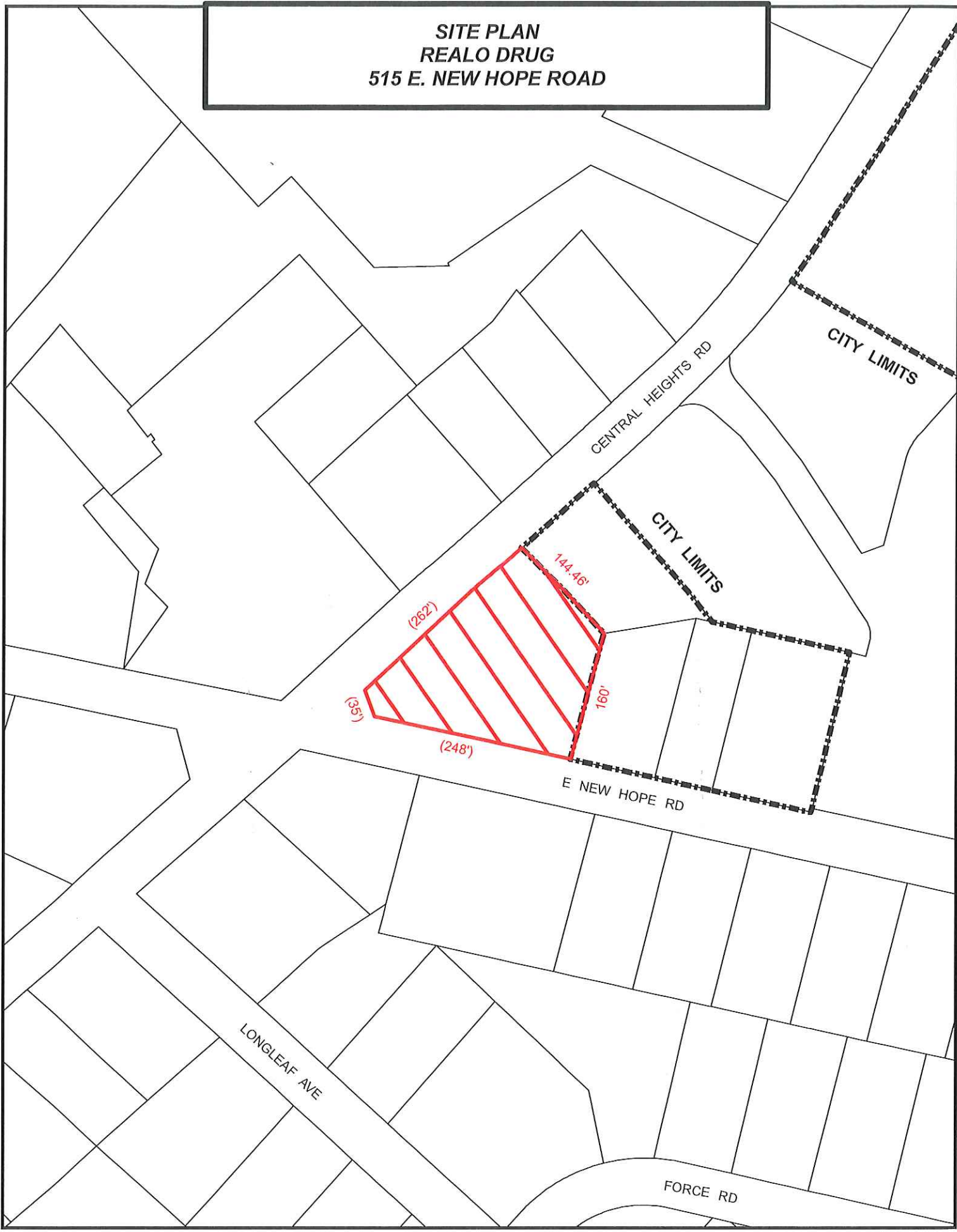
City Manager

ssj

**SITE PLAN
REALO DRUG
515 E. NEW HOPE ROAD**



**SITE PLAN
REALO DRUG
515 E. NEW HOPE ROAD**



[illegible]

PROPOSED 8" PROTECTED STREET YARD TREES
12 AUTUMN FANTASY MAPLE
MINIMUM HEIGHT AT PLANTING 10 FEET
MINIMUM 2" CALIPER

SECONDARY ROAD NO. 1007
(NEW HOPE ROAD)

1708

XXXXX

CITY OF GOLDSBORO

AGENDA MEMORANDUM

SEPTEMBER 5, 2017 COUNCIL MEETING

SUBJECT:

Street Closings

1. Holly Street – From Claiborne St. to Terminus
2. Beech Street – From Claiborne St. to Terminus
3. Palm Street – From Claiborne St. to Terminus

BACKGROUND:

On March 6, 2017, the City Council asked the staff to investigate closing a number of unimproved street sections within the City Limits.

The referenced street sections were included within that list and none are improved or open.

Each street section has been identified on the attached map indicating the length and right-of-way width of each.

DISCUSSION:

The petitioned street closings have been forwarded to the Fire, Police, Engineering and Public Works Departments for their review. No objections have been received.

If the street is closed, ownership of each right-of-way would be split equally between the adjoining property owners.

At the public hearing held on August 21, 2017, two people appeared to question the effect the street closings would have on their adjacent property.

The Planning Commission, at their meeting on August 28, 2017, recommended approval of the street closings.

RECOMMENDATION:

By motion, accept the recommendation of the Planning Commission and adopt an Ordinance officially closing portions of Holly, Beech and Palm Streets.

Date: 8-28-2017


Planning Director

Date: _____

City Manager

ORDINANCE NO. 2017 -

AN ORDINANCE ORDERING
THE CLOSING OF PORTIONS OF CERTAIN STREETS
WITHIN THE CITY OF GOLDSBORO, NORTH CAROLINA

WHEREAS, after notice duly given in compliance with the provisions of General Statute 160A-299, public hearings were held at a regular meeting of the City Council of the City of Goldsboro, North Carolina, on Monday, August 21, 2017; and

WHEREAS, after due and careful consideration, the City Council of the City of Goldsboro deems it in the best interest of the City and its citizens, and of no harmful effect to the adjoining property owners, that certain portions of certain streets be closed.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, North Carolina, that it be and is hereby ordered:

1. That the following described street sections be closed:
 - a. Holly Street: From the eastern right-of-way of North Claiborne Street and running easterly an average distance of 176 ft. to its terminus;
 - b. Beech Street: From the eastern right-of-way of North Claiborne Street and running easterly a distance of 167 ft. to its terminus;
 - c. Palm Street: From the eastern right-of-way of North Claiborne Street and running easterly a distance of 167 ft. to its terminus;
2. That a utility easement shall be retained over the entire closed right-of-way for the Holly Street section described above.
3. That a certified copy of this Ordinance be filed in the Office of the Register of Deeds of Wayne County.

Adopted this _____ day of _____, 2017.

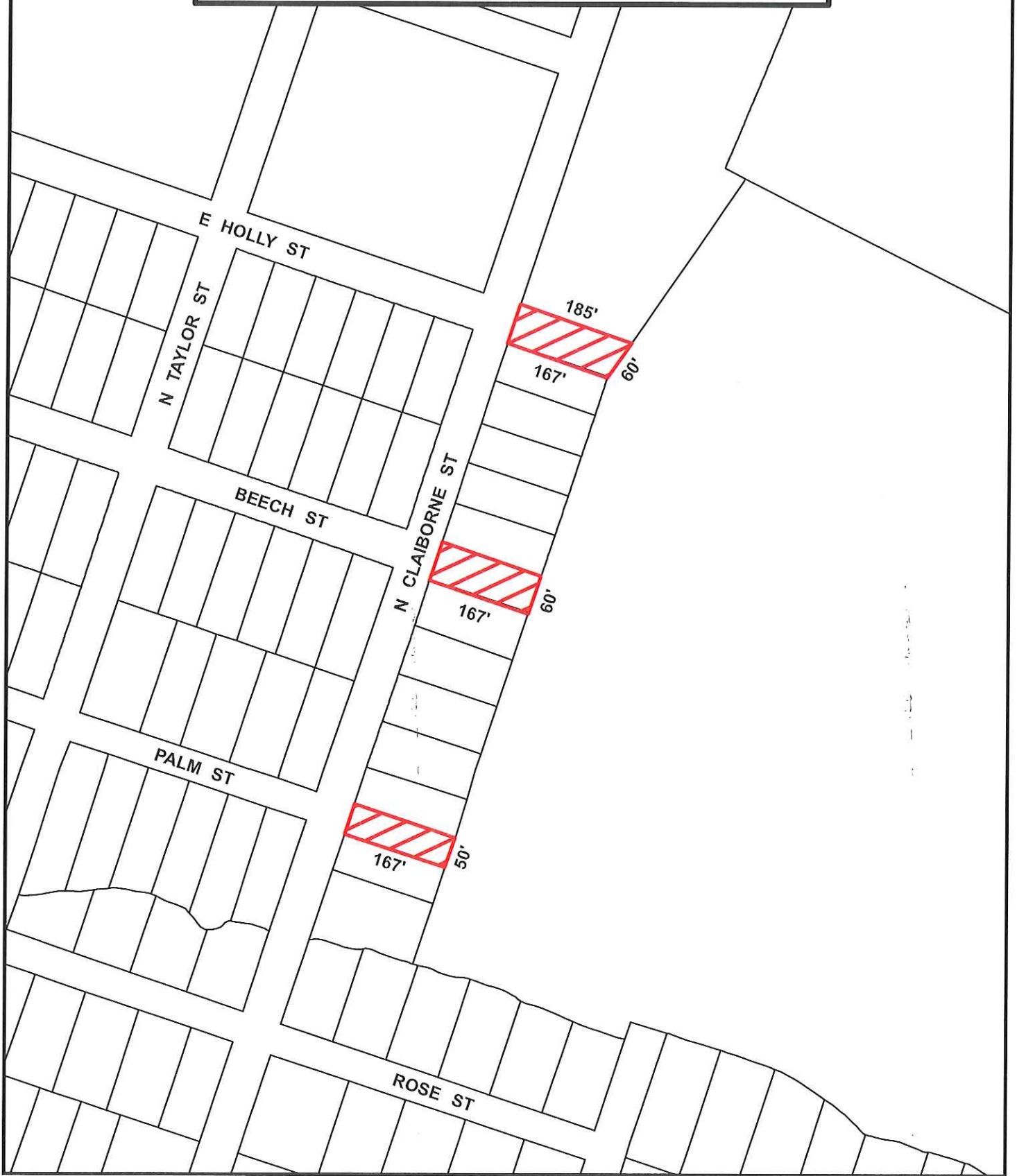
Approved as to Form Only:

Reviewed by:

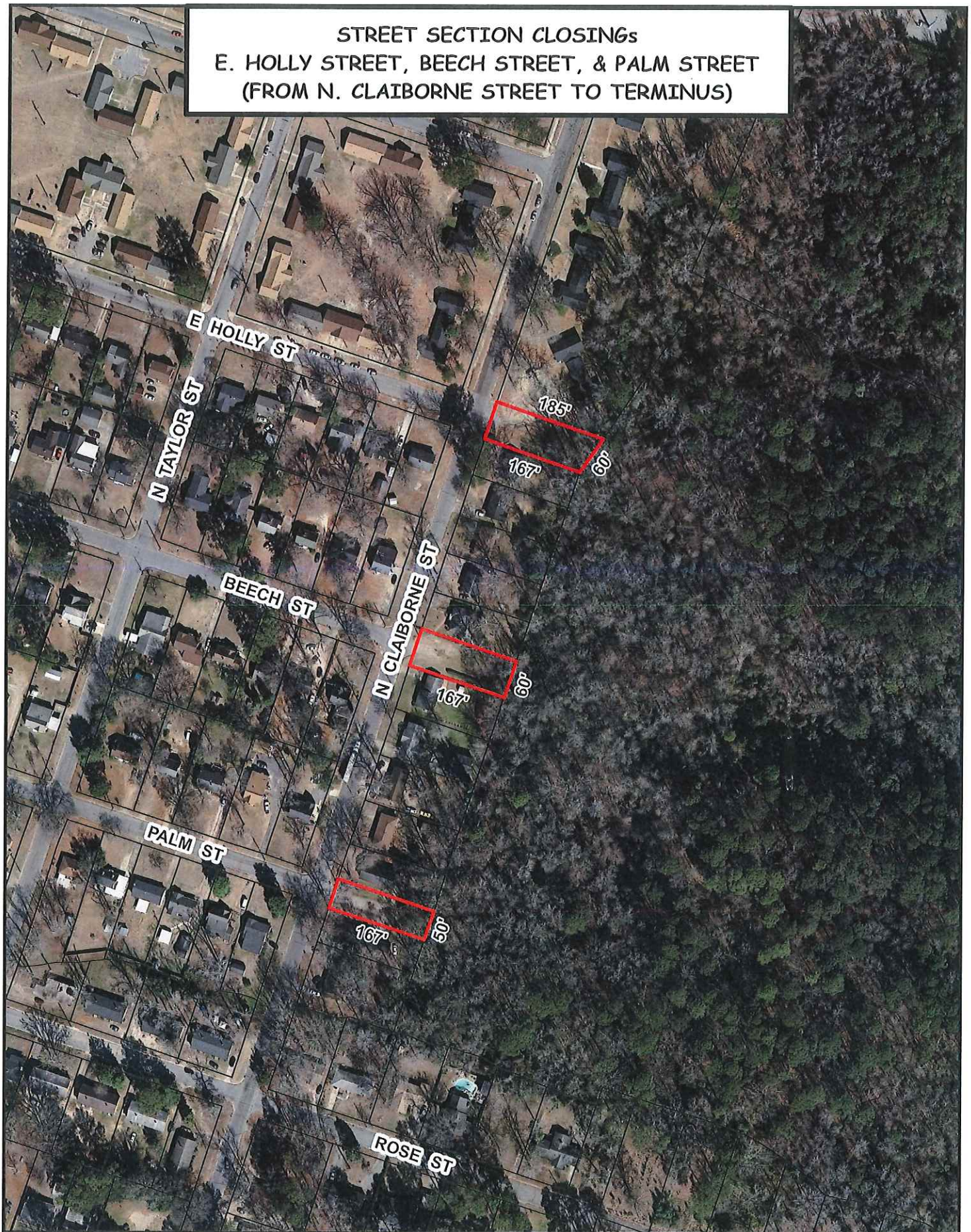
City Attorney

City Manager

STREET SECTION CLOSINGS
E. HOLLY STREET, BEECH STREET, & PALM STREET
(FROM N. CLAIBORNE STREET TO TERMINUS)



STREET SECTION CLOSINGS
E. HOLLY STREET, BEECH STREET, & PALM STREET
(FROM N. CLAIBORNE STREET TO TERMINUS)



CITY OF GOLDSBORO

AGENDA MEMORANDUM

SEPTEMBER 5, 2017 COUNCIL MEETING

SUBJECT: Donation of Right-of-way for Fallin Boulevard Extension

BACKGROUND: The realignment of Central Heights Road at Berkeley Boulevard is a funded transportation highway project with right-of-way currently in progress and construction scheduled for FY 2019. This project will align Central Heights Road with Royall Avenue at Berkeley Boulevard.

The project will include the extension of Fallin Boulevard at Berkeley Boulevard to Central Heights Road. The existing 80 ft. right-of-way for Fallin Boulevard has been dedicated and the plat was recorded in 2004. NCDOT has not finalized design plans at this time but anticipates following the alignment as recorded in 2004 for the extension of Fallin Boulevard.

Ms. Sue Fallin is the owner of the six parcels which will front on the extension of Fallin Boulevard once the project is complete.

DISCUSSION: A Memorandum of Option has been prepared which gives and grants the right and option for the right-of-way of Fallin Boulevard to be donated to the City of Goldsboro in the event the alignment of the existing right-of-way shifts or construction easements are necessary once final plans have been prepared by NCDOT.

NCDOT has indicated 80 ft. is the recommended right-of-way needed for construction of the extension. The 80 ft. of right-of-way would allow for future sidewalks as well as proper utility and easements.

RECOMMENDATION: By motion, accept the Memorandum of Option which gives and grants the right and option for the right-of-way of Fallin

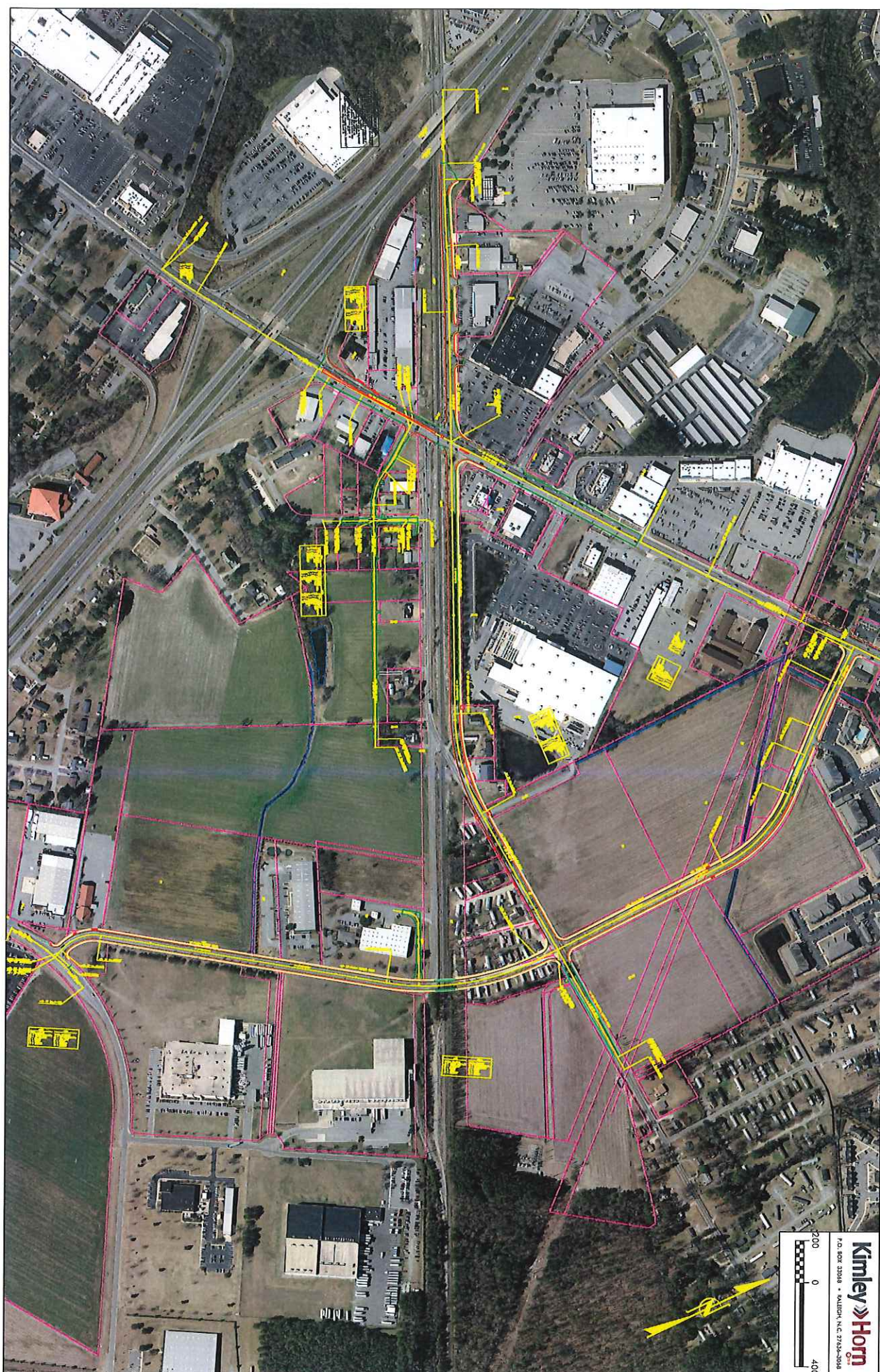
Boulevard to be donated to the City of Goldsboro as described in the attached Option.

Date: 8-30-2017


Planning Director

Date: _____

City Manager



NORTH CAROLINA

MEMORANDUM OF OPTION

WAYNE COUNTY

In consideration of Ten Dollars (\$10.00), the receipt of which is hereby acknowledged, MARY SUE FALLIN, MARY SUE FALLIN, Executor of the Estate of Kenneth N. Fallin and MARY SUE FALLIN, Trustee of The Kenneth N. Fallin Living Trust, at 433 Dogwood Trail, Goldsboro, NC 27534 does hereby give and grant to THE CITY OF GOLDSBORO, or its Assigns, P. O. Box A, Goldsboro, NC 27533, the right and option to purchase the following property:

Right-of-way of Fallin Boulevard, as shown on the attached map after it has been surveyed for its actual location.

This Option shall expire on the July 17, 2027.

The provisions set forth in a written Option Agreement between the parties dated the 17th day of July, 2017, are hereby incorporated in this Memorandum.

IN WITNESS WHEREOF, the parties above have caused this memorandum of Option to be duly executed as of the day and year first above written.

_____(SEAL)
MARY SUE FALLIN

_____(SEAL)
MARY SUE FALLIN, Executor of the
Estate of Kenneth N. Fallin

_____(SEAL)
MARY SUE FALLIN, Trustee of The
Kenneth N. Fallin Living Trust

STATE OF NORTH CAROLINA
COUNTY OF WAYNE

I, _____, a Notary Public in and for the aforesaid State and County, do hereby certify that MARY SUE FALLIN, Individually, as Executor and as Trustee personally appeared before me this day, [] personally known to me -OR- [] proved to me by satisfactory evidence, and acknowledged to me that she signed it voluntarily for its stated purpose.

WITNESS my hand and notarial seal, this the _____ day of _____, 2017.

_____, Notary Public
Printed Name of Notary

My Commission Expires:

STATE OF NORTH CAROLINA
COUNTY OF WAYNE

_____(SEAL)
KENNETH N. FALLIN, II, Trustee of The
Kenneth N. Fallin Living Trust

I, _____, a Notary Public in and for the aforesaid State and County, do hereby certify that KENNETH N. FALLIN, II, as Trustee of The Kenneth N. Fallin Living Trust personally appeared before me this day, [] personally known to me -OR- [] proved to me by satisfactory evidence, and acknowledged to me that she signed it voluntarily for its stated purpose.

WITNESS my hand and notarial seal, this the _____ day of _____, 2017.

_____, Notary Public
Printed Name of Notary

My Commission Expires:

STATE OF NORTH CAROLINA
COUNTY OF WAYNE

_____(SEAL)
CYNTHIA FALLIN DUPUY, Trustee of The
Kenneth N. Fallin Living Trust

I, _____, a Notary Public in and for the aforesaid State and County, do hereby certify that CYNTHIA FALLIN DUPUY, as Trustee of The Kenneth N. Fallin Living Trust, personally appeared before me this day, [] personally known to me -OR- [] proved to me by satisfactory evidence, and acknowledged to me that she signed it voluntarily for its stated purpose.

WITNESS my hand and notarial seal, this the _____ day of _____, 2017.

_____, Notary Public
Printed Name of Notary

My Commission Expires:

CITY OF GOLDSBORO

BY: _____
Chuck Allen, Mayor

ATTEST:

Melissa Corser, Clerk

STATE OF NORTH CAROLINA
COUNTY OF WAYNE

This the _____ day of _____, 2017, personally came before me, _____, a Notary Public in and for said State and County, MELISSA C. CORSER, who by me duly sworn, says that she knows the common seal of the CITY OF GOLDSBORO and is acquainted with CHUCK ALLEN, who is the Mayor of said municipal corporation; that she, the said MELISSA C. CORSER, is its Clerk; and that she saw the Mayor sign the foregoing instrument; and that she, the said Clerk, saw the said common seal of said corporation affixed thereto, and that she, the said Clerk, signed her name in attestation of said instrument in the presence of said Mayor of said municipal corporation.

WITNESS my hand and official seal or stamp this the _____ day of _____, 2017.

_____, Notary Public
Printed Name of Notary

My Commission Expires: _____

NORTH CAROLINA

OPTION

WAYNE COUNTY

THIS OPTION AGREEMENT made and entered into this the 17th day of July, 2017, by and between MARY SUE FALLIN, MARY SUE FALLIN, Executor of the Estate of Kenneth N. Fallin and THE KENNETH N. FALLIN LIVING TRUST, (Sellers), and THE CITY OF GOLDSBORO or its Assigns, (Buyer);

WITNESSETH:

THAT FOR AND IN CONSIDERATION of the sum of \$10.00 to her in hand paid, the receipt of which is hereby acknowledged, said Sellers do hereby give and grant unto said Buyer the right and option for the right-of-way of Fallin Boulevard, as described hereinafter (the Property), lying and being in Wayne County, North Carolina, and more particularly described in Exhibit A attached hereto and incorporated herein.

The terms and conditions of this Option are as follows:

1. This Option shall begin on the date of the last signature to the Option, and end at 12:00 midnight, July 17, 2027.

2. The Sellers hereby agree to grant and convey to the Buyer the right-of-way of Fallin Boulevard and a temporary construction easement at no cost to the Buyer.

3. At any time during this ten (10) year period that the Buyer requests, the Sellers agree to convey to the Buyer the right-of-way as surveyed, along with any temporary construction easement for the construction and installation of said Fallin Boulevard. The map attached hereto and marked Exhibit "A" setting forth Fallin Boulevard is in the approximate location for said right-of-way. However, that the final location of said right-of-way will be determined after it has been surveyed by Buyer at the time of the exercise of this Option.

4. The actual construction and improvements for the building of Fallin Boulevard shall be paid for by the City of Goldsboro or its assigns at no cost to the Sellers.

5. If the Buyer exercises its Option for the right-of-way described herein, the closing for the right-of-way shall take place within thirty (30) days after notice of the exercise of the Option is conveyed to the Sellers.

6. If Buyer purchases the property, Buyer will provide to Sellers a letter acknowledging a gift of the land and will sign a Form 8283 Part IV, "Donee Acknowledgment".

7. In the event this Option is not exercised during the initial Option period or any

extension thereof, all rights of the Buyer in said property shall cease and terminate.

IN TESTIMONY WHEREOF, said Sellers have hereunto set their hands and seals the day above first written, and the Buyer has caused said agreement to be signed on its behalf the day and year first above written.

_____(SEAL)
MARY SUE FALLIN

_____(SEAL)
MARY SUE FALLIN, Executor of the
Estate of Kenneth N. Fallin

_____(SEAL)
MARY SUE FALLIN, Trustee of The
Kenneth N. Fallin Living Trust

STATE OF NORTH CAROLINA
COUNTY OF WAYNE

I, _____, a Notary Public in and for the aforesaid State and County, do hereby certify that MARY SUE FALLIN, Individually, as Executor and as Trustee personally appeared before me this day, [] personally known to me -OR- [] proved to me by satisfactory evidence, and acknowledged to me that she signed it voluntarily for its stated purpose.

WITNESS my hand and notarial seal, this the _____ day of _____, 2017.

_____, Notary Public
Printed Name of Notary

My Commission Expires:

_____(SEAL)
KENNETH N. FALLIN, II, Trustee of The
Kenneth N. Fallin Living Trust

STATE OF NORTH CAROLINA
COUNTY OF WAYNE

I, _____, a Notary Public in and for the aforesaid State and County, do hereby certify that KENNETH N. FALLIN, II, as Trustee of The Kenneth N. Fallin Living Trust personally appeared before me this day, [] personally known to me -OR- [] proved to me by satisfactory evidence, and acknowledged to me that she signed it voluntarily for its stated purpose.

WITNESS my hand and notarial seal, this the _____ day of _____, 2017.

_____, Notary Public
Printed Name of Notary

My Commission Expires:

_____(SEAL)
CYNTHIA FALLIN DUPUY, Trustee of The
Kenneth N. Fallin Living Trust

STATE OF NORTH CAROLINA
COUNTY OF WAYNE

I, _____, a Notary Public in and for the aforesaid State and
County, do hereby certify that CYNTHIA FALLIN DUPUY, as Trustee of The Kenneth N.
Fallin Living Trust, personally appeared before me this day, [] personally known to me
-OR- [] proved to me by satisfactory evidence, and acknowledged to me that she signed
it voluntarily for its stated purpose.

WITNESS my hand and notarial seal, this the _____ day of _____, 2017.

_____, Notary Public
Printed Name of Notary

My Commission Expires:

CITY OF GOLDSBORO

BY: _____
Chuck Allen, Mayor

ATTEST:

Melissa Corser, Clerk

STATE OF NORTH CAROLINA
COUNTY OF WAYNE

This the _____ day of _____, 2017, personally came before me,
_____, a Notary Public in and for said State and County,
MELISSA C. CORSER, who by me duly sworn, says that she knows the common seal of
the CITY OF GOLDSBORO and is acquainted with CHUCK ALLEN, who is the Mayor of
said municipal corporation; that she, the said MELISSA C. CORSER, is its Clerk; and that
she saw the Mayor sign the foregoing instrument; and that she, the said Clerk, saw the said
common seal of said corporation affixed thereto, and that she, the said Clerk, signed her
name in attestation of said instrument in the presence of said Mayor of said municipal
corporation.

WITNESS my hand and official seal or stamp this the _____ day of _____,
2017.

_____, Notary Public

My Commission Expires:

Printed Name of Notary

EXHIBIT A

CITY OF GOLDSBORO
AGENDA MEMORANDUM
SEPTEMBER 5, 2017 COUNCIL MEETING

SUBJECT: Center Street Parking

BACKGROUND: Center Street serves as the main thoroughfare into downtown by function and design. Since its redesign, the corridor's attraction has grown and there has been an increase in commercial businesses and consumers.

Beginning in 2015, the City hired VHB, a parking and traffic consulting firm, to examine current downtown parking conditions and provide recommendations to address current and forecasted parking issues, if realized. This plan, the Goldsboro Parking & Traffic Analysis, was adopted on August 15, 2016 by the Goldsboro City Council after numerous public input opportunities, including stakeholder meetings and public surveys and meetings.

DISCUSSION: At the time of the VHB study, Center Street was noted to have current supply challenges in meeting demands at peak times. During meetings between the consultants and the study's steering committee it was noted that this problem could be resolved, at least in part, by managing the supply with time-restricted parking to eliminate issues where persons park their vehicle within this corridor for lengthy periods.

On July 27, 2017, the Downtown Merchants' Association, a group of downtown business owners, submitted a letter to the Mayor and City Council requesting action to mitigate Center Street's parking issues specifically requesting time-limited parking on Center Street from Ash Street to Chestnut Street from 8 am to 5 pm.

The Traffic & Parking Analysis recommended strategies to address parking issues within four categories: Educational, Encouragement, Enforcement, and Evaluations. A time-limited, free parking strategy would be consistent with the recommendations of the study, addressing Educational, Encouragement and Enforcement strategies.

Given the desire to create a strong downtown economic climate and support our growing downtown business environment, the City's downtown development staff is in support of the Downtown Merchants' Association request.

RECOMMENDATION: By motion, adopt the attached ordinance amending Chapter 75: Parking Schedules of the Code of Ordinances that:

1. Rescinds all past parking policies and regulations pertaining to Center Street, and

- 2) Adopts a time-limited parking strategy for Center Street from Ash Street to Chestnut Street, Monday through Friday, from 8:00 am to 5:00 pm.

Date: _____

Downtown Development Director

Date: _____

City Manager

ORDINANCE NO. 2017 –

AN ORDINANCE AMENDING CHAPTER 75: PARKING SCHEDULES
OF THE CODE OF ORDINANCES
OF THE CITY OF GOLDSBORO, NORTH CAROLINA

BE IT ORDAINED, by the City Council of the City of Goldsboro, North Carolina:

1. That Chapter 75: Parking Schedules, Section 75.01 Parking schedules adopted by reference, be and the same is hereby amended as follows:
 - a. Two-Hour parking limits between the hours of 8:00 a. m. and 5:00 p. m. shall be implemented along all parking spaces, both angled and parallel, on both sides of Center Street between Ash Street and Chestnut Street;
2. That the specified two-hour parking limit on Center Street between Ash Street and Chestnut Street shall be shown on the Official Parking Map for the City of Goldsboro, North Carolina.
3. That this Ordinance shall rescind any previously-adopted Ordinances pertaining to Center Street.
4. That this Ordinance shall be in full force and effect from and after its adoption this the _____ day of _____, 2017.

Approved as to Form Only:

Reviewed by:

City Attorney

City Manager

Letter to City Council

July 27, 2017

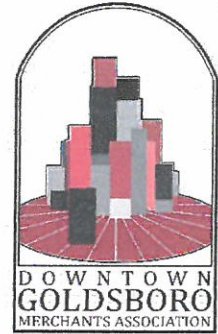
Mayor Chuck Allen

Council Members

Dear Mayor Allen and Members of the Goldsboro City Council,

My name is Dustin Pike, and I am both a business owner in Downtown Goldsboro, as well as the President of the Downtown Goldsboro Merchants Association, or the DGMA. I am writing on behalf of the DGMA, regarding our longstanding concern about the availability of parking for customers on Center Street.

As Downtown Goldsboro has grown, bringing increased businesses, residents, and commerce, parking on Center Street has become problematic for our Center Street Merchants. While ample parking is provided on Center Street, these valuable parking spaces are consistently occupied by tenants, whose vehicles are not moved daily, and by some employees of businesses who's owners do not make their employees park in our municipal lots but allow them instead to tie up valuable parking spaces all day long! These tenants and employees are monopolizing customer parking during the peak hours our businesses are open! Did you know that certain studies show that a parking space



*File
Merchants
association
AK*

directly in front of a business is valued at \$30,000 in potential sales per year? By having these spaces occupied by tenants and employees, our merchants are potentially losing out on sales, and are inconveniencing those who choose to shop downtown. We have diligently approached these merchants and residents for several years requesting that they and their employees park in any one of the three free public lots on or just off Center Street, however the problem persists.

In response to this, the DGMA requests, that two-hour parking signage be installed and monitored from the round-about at Ash and Center, to the round-about at Center Street and Chestnut Street from the hours of 8AM – 5PM and that these signs and their enforcement be put in place as soon as possible. Let's make shopping, dining, and doing business downtown easy for everyone!

Sincerely,

A handwritten signature in black ink, appearing to read 'Dustin Pike', with a long horizontal flourish extending to the right.

Dustin Pike – President DGMA

On behalf of the Downtown Goldsboro Merchant
Association

CC: Scott Stevens, City Manager

CITY OF GOLDSBORO

AGENDA MEMORANDUM

SEPTEMBER 5, 2017 COUNCIL MEETING

SUBJECT: CU-17-16 Ismail Qandeel – Northwest corner of South Slocumb Street and Harrell Street

BACKGROUND: The applicant requests amendment of a previously-issued Conditional Use Permit to allow the operation of a convenience store within the Neighborhood Business zoning district by increasing the hours of operation.

Frontage: 146 ft.

Depth: 225 ft.

Area: 32,850 sq. ft., or 0.75 acres

Zoning: Neighborhood Business

The property was formerly operated as Bob's Supermarket.

DISCUSSION: On January 17, 2017, Council approved a Conditional Use Permit to allow the operation of a convenience store within the Neighborhood Business district.

The adopted Order specified a number of stipulations which were included as conditions for approval as follows:

1. All existing signage at the subject location shall be repaired in a sightly manner in accordance with the City's Sign Ordinance;
2. Existing 20 parking spaces on the site shall be striped appropriately and bumper stops will be installed if necessary;
3. The structure on the site shall meet all State of North Carolina Building Code requirements prior to any business being conducted at this location.
4. Loitering at the subject location will not be permitted or tolerated and it shall be incumbent upon the owner or operator of the business to insure that loitering does not take place at any time on the site.
5. The owner or operator of the business at the subject location will be required to police the premises daily to insure that the site, including the area of the adjacent street rights-of-way, are free of trash and litter.
6. The hours of operation for the convenience store shall be limited to 6:00 a. m. to 9:00 p. m.
7. The owner or operator of the business shall make a diligent effort to work with the City staff to install landscaping on the site where appropriate.
8. Upon complaint regarding this operation, the Council may schedule a public

hearing to determine what additional conditions, if any, may be needed to protect the public health, safety and welfare.

9. After public hearing and upon determination that any of the above stipulations have not been upheld, the City Council may modify, suspend or revoke the Conditional Use Permit for the operation of a convenience store within the Neighborhood Business zoning district.

The applicant contends that he has been operating the convenience store for more than six months while meeting the previous stipulations. He has now requested that the hours of operation for the site be extended to 6:00 a. m. to 11:00 p. m.

At the public hearing held on August 21, 2017, one person appeared to speak in favor of the request. Councilmember Foster expressed his opposition.

The Planning Commission, at their meeting held on August 28, 2017, recommended approval of the request.

RECOMMENDATION: By motion, accept the recommendation of the Planning Commission and adopt an Order approving the amendment to the Conditional Use Permit by allowing an extension of the hours of operation for the convenience store to 11:00 p. m.

Date: 8-28-2017



Planning Director

Date: _____

City Manager

ssj

CITY OF GOLDSBORO

STATE OF NORTH CAROLINA

ORDER AMENDING AN APPROVED CONDITIONAL USE PERMIT

The City Council of the City of Goldsboro, North Carolina, having held a public hearing on August 21, 2017 to consider Conditional Use Permit application number:

CU-17-16 Ismail Qandeel – Northwest corner of South Slocumb
Street and Harrell Street

to amend a previously-approved Conditional Use Permit to allow the operation of a convenience store within the Neighborhood Business zoning district by extending the hours of operation from 6:00 a. m. to 11:00 p. m. having heard all of the evidence and arguments presented and reports from City officials, makes the following:

FINDINGS OF FACT

1. The City Council finds that there are certain uses that exist which may be constructed, continued and/or expanded if they meet certain mitigating conditions specific to their design and/or operation. Such conditions ensure compatibility among uses and building types so that different uses may be located in proximity to one another without adverse effects to either.
2. Even if the permit-issuing body finds that the application complies with all the other provision of the City's Unified Development Ordinance, it may still deny the permit if it concludes, based upon information submitted at the hearing, that, if completed as proposed, the development:
 - a. Will materially endanger the public health or welfare; or
 - b. Will substantially injure the beneficial use of adjoining or abutting property; or
 - c. Will not be in harmony with existing development and uses within the area in which it is located; or
 - d. Will not be in general conformity with the Comprehensive Plan, Thoroughfare Plan or other plan officially adopted by the Council.

The Goldsboro City Council finds that development of a convenience store within the Neighborhood Business zoning district at this location, if developed according to plans submitted, may meet all of the above.

Further, the City's Unified Development Ordinance sets forth regulations as they pertain to parking, paving, buffers and landscaping. If the site is developed according to submitted plans, modifications of those requirements would be necessary as follow:

1. **Class B (15 ft. wide) buffer yards along the northern and western property lines;**
2. **Number of required off-street parking spaces from 45 to 20.**

Based upon the foregoing FINDINGS OF FACT, the City Council makes the CONCLUSION that the proposed use **does** satisfy the general conditions imposed on the Council in its deliberations for issuing a Conditional Use Permit under Section 2.2.8 of the City of Goldsboro Zoning Ordinance with the following stipulations:

1. All existing signage at the subject location shall be repaired in a sightly manner in accordance with the City's Sign Ordinance;
2. Existing 20 parking spaces on the site shall be striped appropriately and bumper stops will be installed if necessary;
3. The structure on the site shall meet all State of North Carolina Building Code requirements prior to any business being conducted at this location.
4. Loitering at the subject location will not be permitted or tolerated and it shall be incumbent upon the owner or operator of the business to insure that loitering does not take place at any time on the site.
5. The owner or operator of the business at the subject location will be required to police the premises daily to insure that the site, including the area of the adjacent street rights-of-way, are free of trash and litter.
6. The hours of operation for the convenience store shall be limited to 6:00 a. m. to **11:00 p. m.**
7. The owner or operator of the business shall make a diligent effort to work with the City staff to install landscaping on the site where appropriate.
8. Upon complaint regarding this operation, the Council may schedule a public hearing to determine what additional conditions, if any, may be needed to protect the public health, safety and welfare.
9. After public hearing and upon determination that any of the above stipulations have not been upheld, the City Council may modify, suspend or revoke the Conditional Use Permit for the operation of a convenience store within the Neighborhood Business zoning district.

Upon motion made by Councilmember _____ and seconded by Councilmember _____, the Council approves the applicant's request for amendment to a Conditional Use Permit to allow the extension of the convenience store operating hours to 11:00 p. m. Amendment will include the previously-approved stipulations enumerated above.

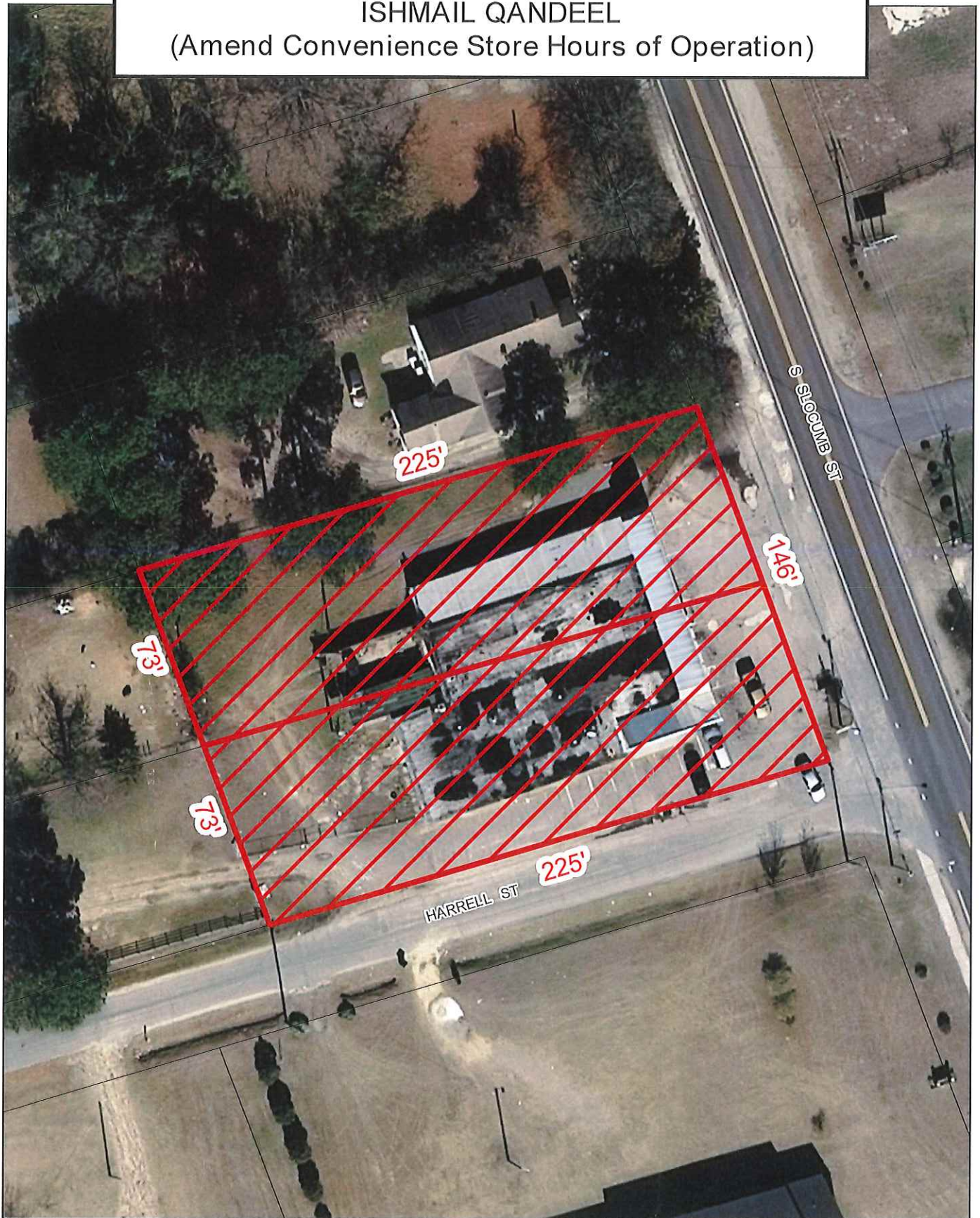
Therefore, because the City Council concludes that the general conditions precedent to the issuance of a CONDITIONAL USE PERMIT **HAVE BEEN** satisfied, IT IS ORDERED that the application for the issuance of an amendment to a previously-issued CONDITIONAL USE PERMIT to allow the development of a convenience store within the Neighborhood Business zoning district be **APPROVED to allow the extension of the hours of operation to 11:00 p. m.** subject to the above listed stipulations.

Thus ordered this _____ day of _____, 2017.

Chuck Allen, Mayor

James D. Womble, City Attorney

CU-17-16
ISHMAIL QANDEEL
(Amend Convenience Store Hours of Operation)



CITY OF GOLDSBORO

AGENDA MEMORANDUM

SEPTEMBER 5, 2017 COUNCIL MEETING

SUBJECT: Deletion of Extraterritorial Jurisdiction – Properties accessed from Bryan Boulevard

BACKGROUND: The subject property is located west of US 117 South and includes a total of 78 lots containing 845.81 acres.

The City’s extraterritorial jurisdiction arcs around the area and includes lots utilized for Busco Beach, a four-unit recreational camping area, a private cemetery, small corner portions of three privately-owned residential lots as well as vacant or wooded land. More than half of the vacant or wooded lots are owned by the City of Goldsboro or Wayne County.

DISCUSSION: Exclusion of the subject lots would result in the City’s ETJ boundary following the eastern bank of the Neuse River.

In accordance with General Statutes, properties within the extraterritorial jurisdiction are subject to City zoning, subdivision and building code regulations. The City is unable to enforce its ordinances relative to nuisances within its extraterritorial jurisdiction and maintains no police powers within that area.

A Notice of Public Hearing was prepared and advertised in the newspaper for two weeks. All owners and adjacent owners were notified of the hearing by mail and the property was posted indicating that a public hearing was to be held.

At the public hearing held on August 21, 2017, one person appeared to express her concerns about enforcement of ordinances and laws pertaining to a portion of the property which is occupied by Busco Beach.

The Planning Commission, at their meeting held on August 28, 2017, recommended approval of the deletion of the subject properties from the City’s extraterritorial jurisdiction.

RECOMMENDATION: By motion, accept the recommendation of the Planning Commission and adopt an Ordinance deleting properties accessed from Bryan Boulevard from the City's Extraterritorial Jurisdiction.

Date: 8-28-2017



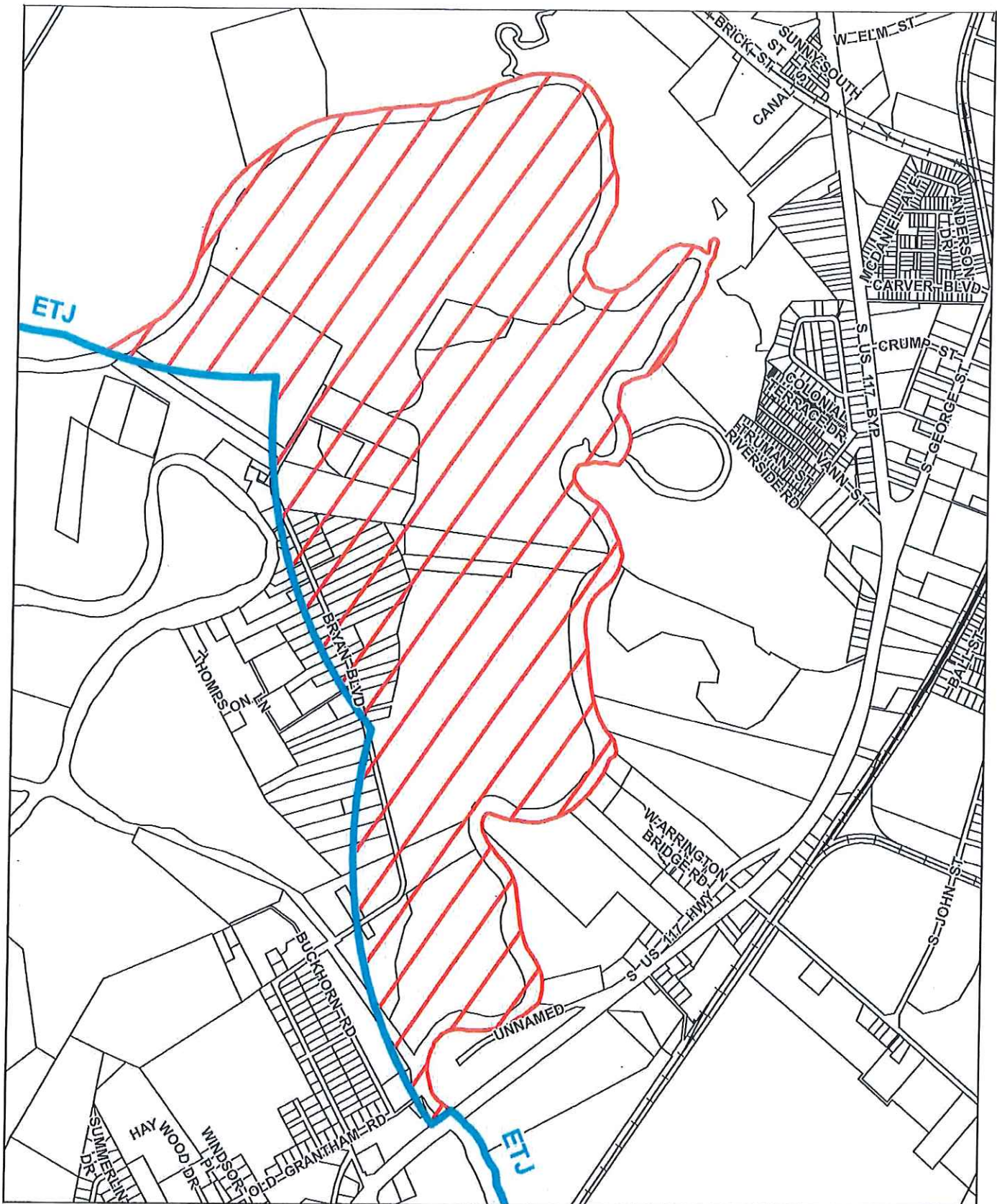
Planning Director

Date: _____

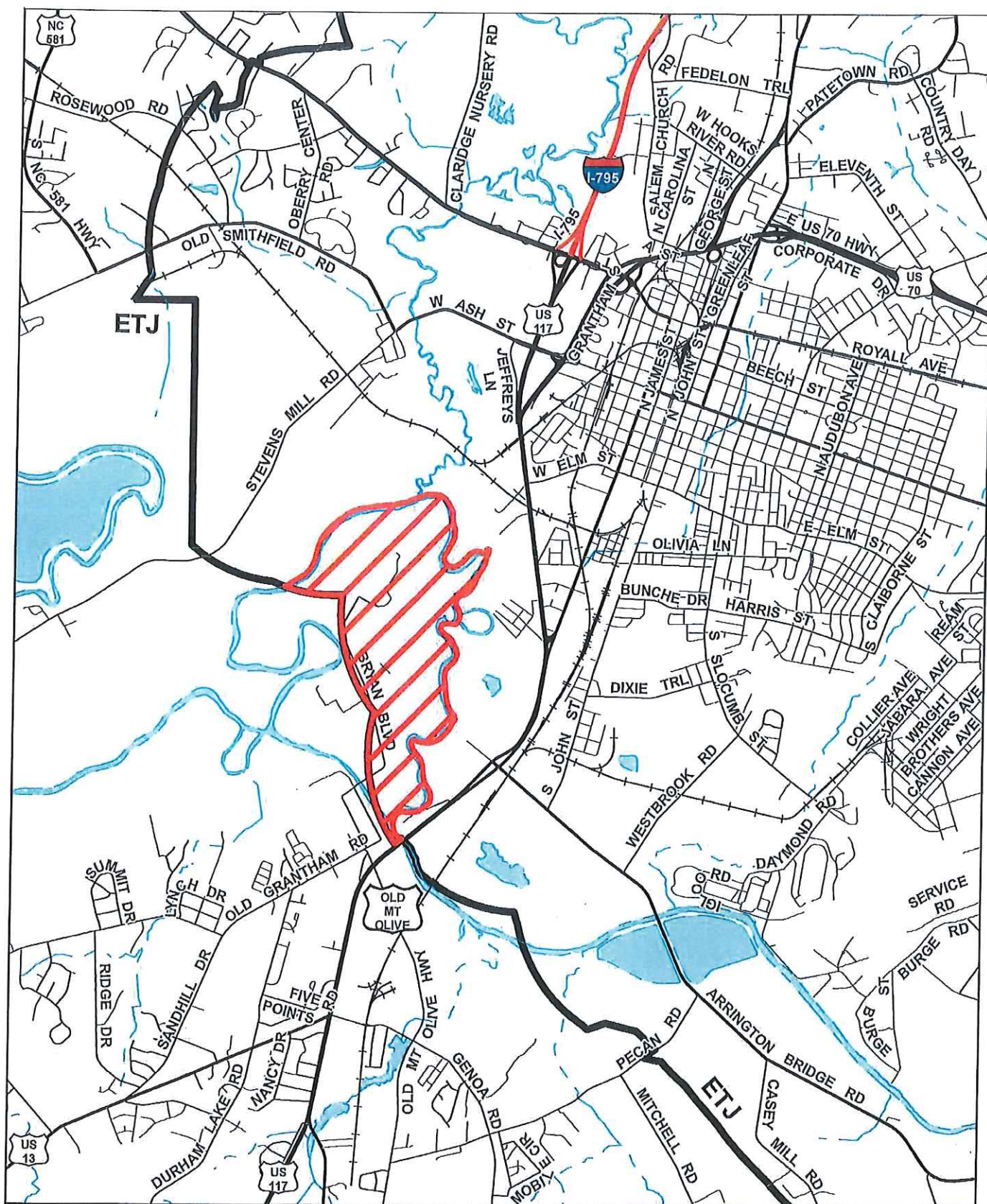
City Manager

ssj

Deletion of Extraterritorial Jurisdiction



Deletion of Extraterritorial Jurisdiction



ORDINANCE NO. 2017 -

AN ORDINANCE AMENDING CHAPTER 11: CITY STANDARDS AND
CHAPTER 153: UNIFIED DEVELOPMENT ORDINANCE
OF THE CITY OF GOLDSBORO CODE OF ORDINANCES

WHEREAS, after notice duly given according to law, a public hearing was held before the City Council and the Planning Commission of the City of Goldsboro, North Carolina, at a regular meeting held in the Council Chambers, City Hall, on Monday, August 21, 2017, at 7:00 p. m.; and

WHEREAS, after completion of said public hearing and after receiving a recommendation from the Planning Commission, the City Council of the City of Goldsboro deems it advisable and for the best interest of the City of Goldsboro and those residing within its zoning jurisdiction that Chapter 11 entitled "City Standards" and Chapter 153 entitled "Unified Development Ordinance" be amended as herein below set forth:

1. Amend Chapter 11 and Chapter 153 of the Unified Development Ordinance by rewriting the Extraterritorial Jurisdiction description to exclude the below indicated properties which constitutes a total of 845.81 acres.

PIN	Property Owner	Property Address	Acreage
2588789323	BUCKHORN MEMORIAL GARDEN TRUSTEES	BRYAN BLVD	0.096074271
2588979970	CITY OF GOLDSBORO	BRYAN BLVD	4.650283348
2588960690	CITY OF GOLDSBORO	949 BRYAN BLVD	1.266181773
2588930727	CITY OF GOLDSBORO	723 BRYAN BLVD	0.384407886
2588878839	CITY OF GOLDSBORO	BRYAN BLVD	2.562822954
2588878769	CITY OF GOLDSBORO	BRYAN BLVD	2.543817368
2588877089	CITY OF GOLDSBORO	991 BRYAN BLVD	0.927765728
2588868937	CITY OF GOLDSBORO	981 BRYAN BLVD	0.434615285
2588960885	CITY OF GOLDSBORO	963 BRYAN BLVD	1.755565039
2588829843	COUNTY OF WAYNE	BUCKHORN RD	10.31314016
2588961214	COUNTY OF WAYNE	923 BRYAN	0.719392377

		BLVD	
2588961404	COUNTY OF WAYNE	943 BRYAN BLVD	1.902971417
2588887238	COUNTY OF WAYNE	BRYAN BLVD	2.086744319
2588864158	COUNTY OF WAYNE	THOMPSON LN	2.707529115
2588853681	COUNTY OF WAYNE	890 BRYAN BLVD	4.312081906
2588849625	COUNTY OF WAYNE	806 BRYAN BLVD	4.675859391
2588855330	COUNTY OF WAYNE	874 BRYAN BLVD	4.818904782
2588846997	COUNTY OF WAYNE	848 BRYAN BLVD	3.957726067
2588854446	COUNTY OF WAYNE	888 BRYAN BLVD	5.021497378
2588859243	COUNTY OF WAYNE	BRYAN BLVD	1.79689653
2588848803	COUNTY OF WAYNE	834 BRYAN BLVD	3.667789991
2588914918	COUNTY OF WAYNE	401 BUCKHORN RD	2.583572357
2588879578	COUNTY OF WAYNE	BRYAN BLVD	3.493690094
2588779697	COUNTY OF WAYNE	1052 BRYAN BLVD	1.167661635
2588870787	COUNTY OF WAYNE	BRYAN BLVD	0.393581158
2588888021	COUNTY OF WAYNE	BRYAN BLVD	2.778536217
2588865592	COUNTY OF WAYNE	966 BRYAN BLVD	3.516031164
2588874908	COUNTY OF WAYNE	1071 BRYAN BLVD	0.726322067
2588779731	COUNTY OF WAYNE	BRYAN BLVD	0.755571131
2588879388	COUNTY OF WAYNE	112 SMITTY LN	2.583861968
2588871299	COUNTY OF WAYNE	BRYAN BLVD	1.57305424
2588871680	COUNTY OF WAYNE	1046 BRYAN BLVD	0.82008211
2588883058	COUNTY OF WAYNE	1079 BRYAN BLVD	0.714140131
2588778248	COUNTY OF WAYNE	1032 BRYAN BLVD	4.757363379
2588872147	COUNTY OF WAYNE	1020 BRYAN BLVD	1.546237452

2588873007	COUNTY OF WAYNE	1010 BRYAN BLVD	1.481777895
2588879700	COUNTY OF WAYNE	1029 BRYAN BLVD	2.486564408
2588864845	COUNTY OF WAYNE	990 BRYAN BLVD	1.307744282
2588865705	COUNTY OF WAYNE	982 BRYAN BLVD	2.037467874
2588882287	COUNTY OF WAYNE	1087 BRYAN BLVD	0.740308766
2588865655	COUNTY OF WAYNE	972 BRYAN BLVD	1.189498153
2588867323	COUNTY OF WAYNE	BRYAN BLVD	1.780348409
2588863987	COUNTY OF WAYNE	998 BRYAN BLVD	1.435139764
2588864043	DICKERSON TOMMY CECIL & WIFE RUTH	924 BRYAN BLVD	1.84296493
2588893198	FREE LIFE MINISTRIES INC	BRYAN BLVD	3.988927502
2598085058	FREEMAN ROSA & MABLE S LANGSTON	BRYAN REAR BLVD	14.37373636
2588983215	FREEMAN ROSA & MABLE S LANGSTON	BRYAN BLVD	1.107617515
2588888103	FREEMAN ROSA & MABLE S LANGSTON	BRYAN BLVD	2.260574562
2588885618	FREEMAN ROSA & MABLE S LANGSTON	BRYAN BLVD	15.8690723
2588916759	KORNEGAY J NELSON	399 BUCKHORN RD	0.605663709
2588698465	LANGSTON MABLE S	BRYAN BLVD	14.82564701
2588790713	LANGSTON MABLE S	BRYAN BLVD	5.835931301
2588788443	LANGSTON ZEBEDEE JR & W MABLE	1122 BRYAN BLVD	0.973581266
2588961721	MCKEEL DOROTHY M	BRYAN BLVD	1.257776641
2588960955	MCKEEL DOROTHY M	BRYAN BLVD	1.413233604
2588907859	OSBORNE MAYNARD WOSBORNE BETTY JO	OLD MT OLIVE HWY	6.524646803
2588777422	PIERCE DEVELOPMENT LLC	1052 BRYAN BLVD	2.889583835
2589909664	SMART INVESTORS LLC	BRYAN BLVD	8.640826452
2588883458	SMART INVESTORS LLC	BRYAN BLVD	0.017209389
2588884432	SMART INVESTORS LLC	BRYAN BLVD	0.297628916
2588885356	SMART INVESTORS LLC	BRYAN BLVD	1.033252869

2588970188	SMART INVESTORS LLC	BRYAN BLVD	3.648478767
2588935585	SMART INVESTORS LLC	BRYAN BLVD	50.30340137
2598094436	SMART INVESTORS LLC	BRYAN BLVD	126.457095
2589912624	SMART INVESTORS LLC	1243 BRYAN BLVD	228.1136464
2588870936	SMART INVESTORS LLC	1084 BRYAN BLVD	1.267950084
2588881444	SMART INVESTORS LLC	1109 BRYAN BLVD	0.881566419
2588931565	SMART INVESTORS LLC	BRYAN BLVD	12.63496058
2589704289	SMART INVESTORS LLC	BRYAN BLVD	55.06874226
2588882336	SMART INVESTORS LLC	1099 BRYAN BLVD	0.720487501
2598051773	SMART INVESTORS LLC	BRYAN BLVD	138.7331094
2588898572	SMART INVESTORS LLC	BRYAN BLVD	10.82663762
2588898068	SMART INVESTORS LLC	BRYAN BLVD	7.707768702
2588896136	SMART INVESTORS LLC	BRYAN BLVD	4.027407733
2588848024	SMITH APRIL RENEE SMITH ALBERTA HOWARD	724 BRYAN BLVD	1.360322855
2588849233	SMITH APRIL RENEE SMITH ALBERTA HOWARD	804 BRYAN BLVD	11.16639791
2588849233	SMITH APRIL RENEE SMITH ALBERTA HOWARD	804 BRYAN BLVD	8.194073954
2588789257	WHITE JAMES G ETALS TR	BRYAN BLVD	0.472683169

2. The Extraterritorial Jurisdiction is hereby amended by rewriting the description in its entirety to delete those properties indicated above which will allow for the ETJ boundary within this area to follow the eastern bank of the Neuse River.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Goldsboro, North Carolina:

1. That this Ordinance shall be in full force and effect from and after its adoption on this _____ day of _____, 2017.

Approved as to Form Only:

Reviewed by:

City Attorney

City Manager



City of Goldsboro

H.O. Drawer A
North Carolina
27533-9701

Office of the Mayor

PROCLAMATION

CONSTITUTION WEEK

WHEREAS, September 17, 2017, marks the two hundred twenty-ninth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to officially recognize this magnificent document and the anniversary of its creation as well as the patriotic celebrations which will commemorate the occasion; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week; and

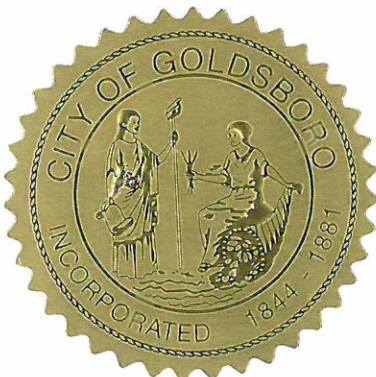
WHEREAS, the David Williams Chapter of the Daughters of the American Revolution does hereby acknowledge and commemorate the official recognition being given to this magnificent document on its anniversary and to the patriotic celebrations which will be observed during Constitution Week.

NOW, THEREFORE, I, Chuck Allen, Mayor of the City of Goldsboro, North Carolina, do hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

in Goldsboro, North Carolina and ask our citizens to reaffirm the ideals that the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Goldsboro, North Carolina, to be affixed this 5th day of September, 2017.





Chuck Allen, Mayor