



**TOWN OF GRANITE QUARRY  
BOARD OF ALDERMEN  
REGULAR MEETING MINUTES  
Monday, June 14, 2021  
7:00 p.m.**

**Present:** Mayor Bill Feather, Mayor Pro Tem John Linker, Alderman Jim Costantino, Alderman Kim Cress, Alderman Doug Shelton

**Staff:** Town Manager Larry Smith, Town Clerk Aubrey Smith, Town Attorney Chip Short, Fire Chief/ Public Works Director Jason Hord, Police Chief Mark Cook, Finance Officer Shelly Shockley, Town Planner Steve Blount, Police Sergeant Richard Tester, Police Officer Joshua Atkins

**Call to Order:** Mayor Feather called the meeting to order at 7:00 p.m.

**Determination of Quorum:** Mayor Feather determined there was a quorum present.

**Moment of Silence:** Mayor Feather led a moment of silence.

**Pledge of Allegiance:** The Pledge of Allegiance was led by Scout Tucker Fisher of Troop 379.

**1. Approval of the Agenda**

**ACTION:** Mayor Pro Tem Linker made a motion to approve the agenda with the addition of Item 6.5 Economic Development Agreement Grant Payments Discussion and Closed Session. Alderman Cress seconded the motion. The motion passed 4-0.

**2. Approval of the Consent Agenda**

**A. Approval of the Minutes**

- 1) Regular Meeting Minutes May 10, 2021
- 2) Budget Workshop Minutes May 21, 2021
- 3) Budget Workshop Minutes June 3, 2021

**B. Departmental Reports** (*Reports in Board packet*)

**C. Financial Reports** (*Reports in Board packet*)

**D. Chamberlain Exterminators, LLC Annual Agreement for Termite Protection Services**

**ACTION:** Alderman Shelton made a motion to approve the consent agenda. Alderman Costantino seconded the motion. The motion passed 4-0.

**3. Citizen Comments** - There were no citizen comments.

#### 4. Guests and Presentations

##### A. Amy Smith, Rowan County Tobacco Use in Parks

Ms. Smith presented from a PowerPoint presentation on Tobacco Use in Parks that was included in the agenda packet and asked the Board to vote to put a Tobacco-Free or Smoke-Free policy in place.

Mayor Pro Tem Linker asked that this item be discussed in the future. Mayor Feather directed that it be placed back on the July agenda. Alderman Cress and Alderman Costantino voiced their support.

#### 5. Town Events

##### • Parks Master Plan Community Input Session

Wednesday, June 16, 2021      Lake Park Shelter      5:00 p.m.

#### 6. Town Manager's Update

Manager Smith reviewed highlights from the items on his report in the agenda packet. He then invited Chief Cook up for a police promotion. Chief Cook spoke about the sergeant role and responsibilities and introduced Richard Tester as the candidate that was chosen after the recent round of sergeant assessments that included a written exam and a research paper on police reform. Sergeant Tester was recognized by the Board.

#### Old Business

#### 6.5 Economic Development Agreement Grant Payments Discussion

##### A. Closed Session

**ACTION:** Mayor Pro Tem Linker made a motion to go into closed session pursuant to N.C. General Statutes Section 143-318.11(a)(3) to consult with the Town Attorney. Alderman Shelton seconded the motion. The motion passed 4-0.

*Closed session began at 7:42 p.m.*

**ACTION:** Mayor Pro Tem Linker made a motion to return to open session. Alderman Costantino seconded the motion. The motion passed 4-0.

*Closed session began at 7:58 p.m.*

No action was taken in closed session.

##### B. Discussion and Board Action Budget Amendment #20

Staff handed out to the Board a Budget Amendment Request #20 to increase Fund Balance Appropriated (01-3991-99) and Governing Body – Special Projects (01-4110-60) in the amount of \$ 77,195.44 for grant payments to Easter Creek Rowan, LLC. As specified in the Economic Development Agreement Grant the Town entered into in October 2016, the amount is the equivalent of FY 19-20 and FY 20-21 ad valorem taxes assessed and paid to the Town.

**ACTION:** Mayor Pro Tem Linker made a motion to approve Budget Amendment #20. Alderman Costantino seconded the motion. The motion passed 4-0.

## New Business

### 7. Public Hearing

#### FY 2021-2022 Proposed Budget

Manager Smith reviewed highlights from the revised recommended budget for FY 2021-2022 that was posted after the June 3, 2021 Budget Workshop where the Board gave the Manager direction to develop a version with the tax rate at \$.4175. The revised recommended budget was posted in the same places as the original recommended budget produced from the direction given at the May 21, 2021 Budget Workshop that had a tax rate of \$.445.

**Opened:** Mayor Feather opened the public hearing at 8:05 p.m.

**Comments of those in favor:** None

**Comments of those opposed:** None

**Closed:** Mayor Feather closed the public hearing at 8:05 p.m.

**ACTION:** Mayor Pro Tem Linker made a motion to adopt the FY2021-2022 Budget as recommended. Alderman Costantino seconded the motion. The motion passed 4-0.

### 8. Public Hearing

#### UDO Text ZBA Membership

Planner Blount reviewed his memo on the proposed text amendment that was included in the agenda packet.

**Opened:** Mayor Feather opened the public hearing at 8:07 p.m.

**Comments of those in favor:** None

**Comments of those opposed:** None

**Closed:** Mayor Feather closed the public hearing at 8:07 p.m.

*Statement of Consistency and Reasonableness:*

*In voting to adopt the proposed text amendment to the Unified Development Ordinance, the Granite Quarry Board of Aldermen does find this decision to be in the best interest of the public and to be consistent in general with policies stated in the Town's Comprehensive Plan.*

**ACTION:** Alderman Cress made a motion to adopt Ordinance 2021-09 to amend the text of the Unified Development Ordinance by modifying the zoning board of adjustment membership numbers and approve the statement of consistency and reasonableness as written. Mayor Pro Tem Linker seconded the motion. The motion passed 4-0.

### 9. Public Hearing

#### Flood Damage Prevention Ordinance

Planner Blount reviewed his memo on the proposed text amendment that was included in the agenda packet.

**Opened:** Mayor Feather opened the public hearing at 8:13 p.m.

**Comments of those in favor:** None

**Comments of those opposed:** None

**Closed:** Mayor Feather closed the public hearing at 8:13 p.m.

*Statement of Consistency and Reasonableness:*

*In voting to adopt the proposed text amendment to the Unified Development Ordinance, the Granite Quarry Board of Aldermen does find this decision to be in the best interest of the public and to be consistent in general with policies stated in the Town's Comprehensive Plan.*

**ACTION:** Mayor Pro Tem Linker made a motion to adopt Ordinance 2021-11 to amend the text of the Unified Development Ordinance by replacing the flood damage prevention ordinance and approve the statement of consistency and reasonableness as written. Alderman Costantino seconded the motion. The motion passed 4-0.

## **10. Public Hearing**

### **Conflict of Interest**

Planner Blount reviewed his memo on the proposed text amendment that was included in the agenda packet.

**Opened:** Mayor Feather opened the public hearing at 8:16 p.m.

**Comments of those in favor:** None

**Comments of those opposed:** None

**Closed:** Mayor Feather closed the public hearing at 8:17 p.m.

*Statement of Consistency and Reasonableness:*

*In voting to adopt the proposed text amendment to the Unified Development Ordinance, the Granite Quarry Board of Aldermen does find this decision to be in the best interest of the public and to be consistent in general with policies stated in the Town's Comprehensive Plan.*

**ACTION:** Mayor Pro Tem Linker made a motion to adopt Ordinance 2021-12 to amend the text of the Unified Development Ordinance by modifying the Conflict of Interest text and approve the statement of consistency and reasonableness as written. Alderman Shelton seconded the motion. The motion passed 4-0.

## **11. Reappointments**

### **Planning Board**

At their May 5, 2021 meeting, the Planning Board voted to recommend the Board of Aldermen reappoint Jerry Holshouser, Richard Luhrs, and Joe Hudson to Town resident Planning Board seats and Michelle Reid to an ETJ Planning Board seat with term expirations of 7/31/2024.

**ACTION:** Alderman Costantino made a motion to reappoint Jerry Holshouser, Richard Luhrs, and Joe Hudson to Town resident Planning Board seats and recommend to the County Board of Commissioners that Michelle Reid be reappointed to an ETJ Planning Board seat all with term expirations of 7/31/2024. Mayor Pro Tem Linker seconded the motion. The motion passed 4-0.

## **12. Reappointment**

### **Community Appearance Commission**

At their May 13, 2021 meeting, the Community Appearance Commission voted to recommend the Board of Aldermen reappoint Semone Brisson to ETJ Community Appearance Commission seat with a term expiration of 7/31/2024.

**ACTION:** Alderman Costantino made a motion to reappoint Semone Brisson to ETJ Community Appearance Commission seat with a term expiration of 7/31/2024. Mayor Pro Tem Linker seconded the motion. The motion passed 4-0.

### **13. Reappointments**

#### **Zoning Board of Adjustment**

At their May 17, 2021 meeting, the Zoning Board of Adjustment voted to recommend the Board of Aldermen reappoint Doreen Luhrs to a Town resident seat and Greg Lowe to an ETJ seat, each with a term expiration of 7/31/2024.

**ACTION:** Alderman Costantino made a motion to reappoint Doreen Luhrs to a Town resident Zoning Board of Adjustment seat and recommend to the County Board of Commissioners that Greg Lowe be reappointed to an ETJ Zoning Board of Adjustment seat, each with a term expiration of 7/31/2024. Mayor Pro Tem Linker seconded the motion. The motion passed 3-0.

Alderman Shelton asked to be excused from the vote to avoid the appearance of a conflict of interest since he currently serves on the Zoning Board of Adjustment. Attorney Short advised that a vote on whether to excuse Alderman Shelton would be required.

**ACTION:** Alderman Costantino made a motion to recuse Alderman Shelton from voting. Alderman Cress seconded the motion. The motion passed 3-0.

### **14. Reappointment**

#### **Parks, Events, and Recreation Committee**

At their May 24, 2021 meeting, the Parks, Events, and Recreation Committee voted to recommend the Board of Aldermen reappoint Melinda Hege to a Parks, Events, and Recreation Committee seat with a term expiration of 7/31/2024.

**ACTION:** Alderman Costantino made a motion to reappoint Melinda Hege to a Parks, Events, and Recreation Committee seat with a term expiration of 7/31/2024. Alderman Cress seconded the motion. The motion passed 4-0.

### **15. Social Media / Website**

#### **Updates and Recommendations**

Clerk Smith presented a summary, recommendation, and requested direction from the Board on how to proceed. Mayor Feather asked that staff follow-up with the business owner and bring the item back at the July meeting. There were no objections from the Board members to getting definitive examples and prices for the website and presenting at next year's Planning Retreat.

### **16. Ordinance Adoption Follow-up**

#### **Purchasing Policy, Resolution 2021-12**

Manager Smith provided a brief overview of the drafted purchasing policy. He stated that it provides guidance for contracts and purchasing and was built from best practices provided by the School of Government. It is meant to bring the Town into compliance with all requirements and regulations.

Alderman Shelton stated that there were some areas that he had concerns about, specifically changing practices. He requested that purchases and contracts with amounts smaller than required by statute, but over an amount to be determined, be brought before the Board. Alderman Costantino asked for clarification on what other types of changes were being made. Mayor Feather stated that Board members would no longer need to sign purchase orders for certain items. Alderman Shelton stated that he was interested in signing purchase orders so that he would know when funds had been encumbered. Manager Smith pointed out the new practice would bring the town into line with the Council-Manager form of government. As part of the internal controls the town has professional, bonded staff in place to review the financial items as well as checks and balances in place. The Board would still review capital expenditures in the budget and could place restrictions. The purchasing policy will be followed up with internal finance policies moving forward.

Mayor Feather suggested that the Board take a better look at the policy and bring it back next month. Mayor Pro Tem Linker stated that no large purchases would be made that had not already been brought to the Board and approved. Alderman Shelton stated that he would like the Board to consider the amount at which items were declared surplus. Alderman Cress reiterated that checks and balances were in place and made a motion to adopt. Alderman Costantino stated he believed the town had a good staff in place that could be trusted to do the right things and that the Board was not being closed out.

**ACTION:** Alderman Cress made a motion to adopt Resolution 2021-12 adopting the new Town Purchasing Policy. Mayor Pro Tem Linker seconded the motion. The motion passed 3-1 with Mayor Pro Tem Linker, Alderman Costantino, and Alderman Cress in favor and Alderman Shelton opposed.

#### 17. Clyde Adams Plaque

Chief Cook presented the mock-up of the design for the Clyde Adams memorial plaque. The plaque could be placed indoors or outdoors, but his recommendation is the Town Hall lobby for highest visibility. Mayor Feather recommended that the name be in all caps so that it would stand out.

**ACTION:** Alderman Costantino made a motion to proceed with the purchase of plaque as presented. Alderman Cress seconded the motion. The motion passed 4-0.

#### 18. Annexation Ratification

2016-09-06

Attorney Short spoke about the necessity of the ratification and pointed out that it would not make any changes to the annexation, just meet the filing requirements for the Secretary of State. This is a Town-owned property.

**ACTION:** Mayor Pro Tem Linker made a motion to adopt the proposed ratification as presented. Alderman Costantino seconded the motion. The motion passed 4-0.

#### 19. Agreement Amendment

Civitans / Legion Hut Agreement

The revised Civitans / Legion Hut Agreement handout was reviewed.

**ACTION:** Alderman Costantino made a motion to approve the revised Agreement with the Civitan Club for use of the Legion Building as presented. Alderman Shelton seconded the motion. The motion passed 4-0.

#### 20. Proclamation

Harry Drury 100<sup>th</sup> Birthday

Mayor Feather read the proclamation for resident Harry Drury's 100<sup>th</sup> birthday.

#### 21. Board Comments - There were no Board Comments.

#### 22. Mayor's Notes

#### Announcements and Date Reminders

A.	Wednesday	June 9	5:00 p.m.	Centralina Executive Board Meeting
B.	Thursday	June 10	6:00 p.m.	Community Appearance Commission
C.	Tuesday	June 15	3:30 p.m.	Revitalization Team
D.	Wednesday	June 16	5:00 p.m.	Parks Community Input Session Lake Shelter
E.	Monday	June 21	5:00 p.m.	Parks, Events, and Recreation Committee
F.	Wednesday	June 23	5:30 p.m.	Cabarrus-Rowan County MPO TAC
G.	Monday	July 5		Independence Day Observed
H.	Tuesday	July 6	6:00 p.m.	Planning Board
I.	Monday	July 12	5:00 p.m.	Rowan Chamber Business After Hours
J.	Saturday	July 24	9:00 a.m.	Rowan Chamber Dragon Boat Festival

## **Adjourn**

**ACTION:** Alderman Costantino made a motion to adjourn. Alderman Cress seconded the motion.  
The meeting ended at 8:55 p.m.

Respectfully Submitted,

*Aubrey Smith*

Town Clerk

**FISCAL YEAR 2020-2021  
BUDGET AMENDMENT REQUEST #20**

June 14, 2021

**PURPOSE:** To increase Fund Balance Appropriated (01-3991-99) and Governing Body – Special Projects (01-4110-60) in the amount of \$ 77,195.44 for grant payments to Easter Creek Rowan, LLC. As specified in the Economic Development Agreement Grant the Town entered into in October 2016, the amount is the equivalent of FY 19-20 and FY 20-21 ad valorem taxes assessed and paid to the Town.

**INCREASE:**

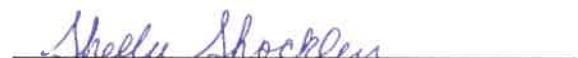
General Ledger Acct. # and Description		Amount
01-3991-99	Fund Balance Appropriated	\$ 77,195.44
TOTAL		\$ 77,195.44

**INCREASE:**

General Ledger Acct. # and Description		Amount
01-4110-60	Governing Body – Special Projects	\$ 77,195.44
TOTAL		\$ 77,195.44

The above Budget Amendment was approved / denied by the Manager or Board on 6/14/21.

  
William Feather, Mayor

  
Shelly Shockley, Finance Officer



# **TOWN OF GRANITE QUARRY NORTH CAROLINA**



## **ADOPTED BUDGET FOR FISCAL YEAR 2021-2022 (FY22)**

**PREPARED BY:  
LARRY SMITH  
TOWN MANAGER**

**June 14, 2021**



## **Town Manager's Budget Message FY 2021-2022**

June 11, 2021

Mayor William D. Feather  
Board of Aldermen  
Town of Granite Quarry  
143 N Salisbury Avenue  
Granite Quarry, NC 28146

The Honorable Mayor Feather, Town Board Members and Citizens of Granite Quarry:

This budget was prepared to carry out the administrative needs of Town government operations and goals established by the Board of Aldermen. It remains as responsive to the community as possible within the Town's available funds and resources.

In 2019 the Board directed a review of organizational conflicts and other issues that had been affecting high turnover in Town administration's professional staff. With the help of the NC League of Municipalities, we immediately identified and began addressing Town ordinance, policy, and governance/administrative practices found to be in conflict with the Town's chartered form of government. The Board commissioned a professional pay study and personnel policy rewrite to bring our employment policies into compliance and develop a professional and equitable pay classification schedule for the Town, all as part of the Town's efforts to address the challenges of recruiting and retaining professional, experienced staff. This budget includes funding to implement some of that study's recommendations, including its findings on pay adjustment needs and the addition of a full-time Town Planner position.

Residential growth continues to have a significant impact on the budget, operations, and long-term planning needs of the Town. An updated census estimation by the county earlier this year confirmed what we have been suspecting based on planning and administrative workloads over the past two years: from 2019-2021 Granite Quarry has been one of, if not the, fastest growing communities in the county. Much of this is from the high-density Village at Granite phased development, but steady infill development, expansion, and smaller residential subdivisions have contributed significantly as well.

While residential growth brings a benefit to tax base, it also brings increased demand on municipal services typically much higher than commercial or industrial base. Planning, Administrative, Police, Fire, and Medical services have all experienced significant increase in demand during this time period. Despite this, except for the addition of a police officer in FY20, Granite Quarry has maintained its staffing levels, and its 41.75¢ tax rate. At this rate, Granite Quarry has been able to pride itself on remaining the 3<sup>rd</sup> lowest tax rate in the county among *all* units of local government (by a margin of 4.25¢) – and the *lowest* tax rate among our state-benchmark “peer group” municipalities by a staggering margin of 11.25¢ (*as a city with electric utility, Landis is actually not in our peer group average for some budgetary benchmarking standards, but is included in Table 1 as a peer by population comparisons*).

Table 1.

Unit of Government	FY21 Tax Rate
Salisbury	0.7196
Rowan County	0.6575
East Spencer	0.66
<b>Spencer*</b>	<b>0.655</b>
Kannapolis (Rowan)	0.63
<b>China Grove*</b>	<b>0.54</b>
<b>Landis*</b>	<b>0.53</b>
Rockwell	0.46
<b><u>Granite Quarry*</u></b>	<b><u>0.4175</u></b>
Faith	0.41
Cleveland	0.3736 (city 0.28 + a comm fire rate of 0.0936)

\* State benchmark “peer group” municipalities (by composition, budget, and/or population standards).

Over the past few years, the Board has also discussed the need for increased levels of service, as well as the adverse effects of maintaining a tax rate oftentimes incongruent with growth trends and needs. This has been especially evident with the administrative workload to field the aforementioned growth and development related inquiries / issues with only a part-time planner on staff, and also with the increasing trend of needing to tap into fund balance for major (but to be anticipated in municipal services) needs and projects – if not simply postponing them from year to year.

While Table 1 in and of itself does not automatically mean Granite Quarry needs to be at the same tax rate as any one of those shown from our benchmark peer group, it provides a good and simple illustration of the reasons and limitations behind these challenges.

Contracted service costs are also increasing significantly due to growth and economic conditions. The updated sanitation collection contract with Waste Management increased 9.75% per household pickup. This reflects cost of additional tonnage of waste produced since the pandemic began, additional trips to the landfill from “packing out” more often due to the tonnage and increased growth areas, as well as the same increased costs the Town and other service-related employers are incurring in their operations (e.g., payroll & insurance, fuel, maintenance). The Town’s anticipated cost increase for sanitation services alone is 12.2%, hence the recommended increase of the environmental fee from \$11/month to \$12/month.

Local governments are the frontline providers of safety and quality of life services to citizens. The impacts and uncertainties of the coronavirus pandemic over this past year consequently challenged cities and counties well beyond anything we have ever experienced before. The dedication and resilience of town staff to not only deal with the often drastically increased daily duties – but to continue positive and empathetic community outreach while advancing the Town’s professionalism, projects, and goals – cannot be overstated. Achieving the ISO Class 1 rating this year as the smallest and only single-station municipality in NC to do so is just one testament to that. The Board’s allocation of resources and support enabled that achievement.

We anticipate ending the FY21 with approximately \$90,000 in unrestricted surplus. Some of this resulted from continued cost-cutting across departments, vacancies, and pandemic restrictions that curbed certain parts of normal operations. Largely it was from higher-than-expected sales and ad valorem tax revenues (estimated ~ \$100k and \$18k, respectively), and \$90,641 reimbursement funding for eligible items from the Coronavirus Relief Funding Act through December 2020.

Board and staff discussed a number of recommendations at the Board’s May 21, 2021 budget workshop. In light of the anticipated surplus and to keep upcoming FY expenditures to a minimum, the Board approved recommendation to tackle some otherwise FY22 high priority items *now* that seem reasonably achievable before the end of this FY21.

From the May 21 workshop the manager developed a budget including priority capital outlay needs that balanced by a 44.5¢ tax rate. The Board met again June 3, 2021 and gave the manager direction to instead balance the budget on the existing 41.75¢ tax rate.

The revised 41.75¢ budget reflects \$72,900 less in projected ad valorem tax revenues. As discussed, it removes the priority Public Works backhoe replacement and updates repair costs to the existing unit as could best be estimated and quoted. It updates the anticipated tax collection services amount from \$7,979 to \$9,600 as discussed. Having not received feedback from the Town of Faith yet regarding Granite Quarry Board’s recommendation to remove provision #4 (to automatically reappropriate unspent funds from one FY to the next) from the Interlocal Agreement for police services, no adjustment was made to increase the Police Department budget at this time.

While we do not have the funds or the manpower to achieve all of our desired goals, this budget prioritizes funding into the areas established by this administration and the Board of Aldermen.

**If approved**, the tax rate will remain **\$0.4175** per \$100 valuation.

The environmental fee will increase to **\$12/month**.

This budget includes:

- Funding for debt service on the Village at Granite waterline extension
- Funding for debt service on the 2020 Capital Streets Improvement Project loan
- Funding for implementation of the Pay Classification Study adjustments and recommendations in each department, including the addition of a full-time Town Planner position in Administration.
- Most prioritized needs and capital purchases for departments
- Operation expenses to continue services to citizens at current levels
- Adjustments to cover any inflation and contractual variations along line items
- Specific items per department further detailed below.

#### **Budget Overview**

After careful consideration, the following budget recommendations represent Board goals, departmental input, and community needs within a tax rate of **\$0.4175** per \$100 valuation. The total recommended budget is **\$2,637,723**.

General Fund:		\$ 2,637,723
Governing Body	\$ 54,422	
Administration	\$ 568,053	
Police	\$ 751,991	
Fire	\$ 544,429	
Public Works/Maintenance	\$ 339,561	
Streets – Powell Bill	\$ 134,517	
Streets – Non-Powell Bill	\$ 36,000	
Parks and Recreation	\$ 56,500	
Environmental	\$ 152,250	
<b>Total All Funds:</b>		<b>\$ 2,637,723</b>



### **FY 2021-2022 Departmental Highlights**

**Governing Body:** The recommended budget for Governing Body is \$54,422. This includes a 2% Cost of Living Adjustment to Board member pay, funding for the annual financial audit, and funding to Rowan County for the 2021 municipal elections.

**Administration:** The proposed budget for Administration is \$568,053. This includes funding to implement the Pay Classification Study adjustments and recommendation for a full-time Town Planner position. This department also houses the debt service funding for the Village at Granite waterline extension, Community Appearance Commission activities, and tax collection services through Rowan County.

**Police:** The proposed budget for the Police Department is \$751,991. This includes normal operations and personnel funding. Budgeting for an automatic appropriation of general funds into capital outlay for vehicles (in an amount equal to any unspent funds from this FY as per a provision in the Interlocal Agreement) is not included since that provision is currently being evaluated, two new patrol vehicles were able to be purchased in the FY21 putting fleet needs in good shape, and an accurate projection of the amount of unspent FY21 funds is not available until financial statements and any audit adjustments for the FY21 closeout are conducted in the 1<sup>st</sup> or 2<sup>nd</sup> quarter of the new FY.

**Fire:** The proposed budget for the Fire Department is \$544,429. This includes \$36,000 funding for the Engine 572 refurbishment that was originally scheduled for the FY21 but postponed due to higher-priority needs.

**Public Works / Maintenance:** The proposed budget for the Public Works / Maintenance Department is \$339,561. This includes funding for backhoe/loader repairs and for the purchase of a ½-ton Public Works supervisor/Fire Chief response truck to free up the current truck for operations needs and alleviate sharing and response issues as part of the 2019-2021 Fleet Efficiency Plan illustrated by the table below.

**Public Works and Fire  
2019-2021 Fleet Efficiency Plan**

MAINTENANCE		FIRE	
<del>1990 Chev-2500 – Surplused '20</del>		1994 Pierce (E572)	
1995 Ford F600		1994 Pierce ( <del>E572</del> → now R57)	
2007 Ford F250		<del>2001 Ford F350 (former R57, eliminated '20)</del>	
2009 Ford F150 – Maint/FD/shared use to eliminate →		<del>2005 Chev-impala (former FD Command, eliminated '19)</del>	
2019 Ford F350 – Replaced 1990 Chev 2500		<del>2005 Ford Explorer (U579) – Replaced '20</del>	
2021 ½-ton Ext Cab - <u>Recomm PWD Supvsr, emerg equip</u>		2015 Pierce (E571)	
		2020 F250 (Squad 57) – Replaced 2005 Explorer	
Beginning Fleet: 4	Net Fleet: 5	Beginning Fleet: 6	Net Fleet: 4

**Streets – Powell Bill:** The proposed budget for Powell Bill costs is \$134,517. This includes \$58,717 in debt service toward repayment of the 2020 Capital Streets Improvement project loan, and \$65,000 for a capital improvement project at Brinkley and Cleo Streets.

**Streets – Non-Powell Bill:** The proposed budget for Non-Powell Bill Streets costs is \$36,000. This is for the Utilities costs on streetlights.

**Parks and Recreation:** The proposed budget for the Parks and Recreation Department is \$56,500. This includes a slight increase in “Maintenance & Repairs” for needed electrical upgrades at the Granite Lake Park for events, and increased funding for contracted services related to park maintenance (e.g., tree services, stump removal).

**Environmental:** The proposed budget for Environmental costs is \$152,250. This includes increased area and costs associated with the Waste Management sanitation services contract.

The proposed General Fund budget is balanced with a tax rate of \$0.4175 per \$100 of valuation. Projected revenues and other funding sources are \$2,637,723 and projected expenditures are \$2,637,723.

Respectfully Submitted,

*Larry Smith*

Larry Smith  
Town Manager



**TOWN OF GRANITE QUARRY, NORTH CAROLINA**  
**Budget Ordinance No. 2021-10**  
**FISCAL YEAR 2021-2022**

**AN ORDINANCE CONCERNING APPROPRIATIONS AND THE RAISING OF  
REVENUE FOR THE FISCAL YEAR BEGINNING JULY 1, 2021**

**BE IT ORDAINED** by the Board of Aldermen of the Town of Granite Quarry, North Carolina that the following anticipated fund revenues and departmental expenditures, certain fee and charge schedules, and with certain restrictions and authorizations, are hereby appropriated and approved for the operation of the Town Government and its activities for the fiscal year beginning July 1, 2021 and ending June 30, 2022 (FY22).

**Section 1: Summary**

General Fund Revenues	\$2,579,928
Other Financing Sources and Uses	<u>57,795</u>
Total Expenditures / Transfers	<u>\$2,637,723</u>

**Section 2: General Fund**

**Anticipated Revenues**

Ad Valorem Taxes	\$1,115,744
Unrestricted Intergovernmental	1,011,080
Restricted Intergovernmental	262,722
Permits and Fees	5,500
Sales and Services	169,632
Other General Revenues	<u>15,250</u>
Subtotal	2,579,928
Other Financing Sources and Uses	57,795
Total Anticipated Revenues	<u>\$2,637,723</u>



**Authorized Expenditures / Transfers Out  
By Department**

Governing Body	\$54,422
Administration	568,053
Police	751,991
Fire	544,429
Maintenance	339,561
Streets – Powell Bill	134,517
Streets – Non-Powell Bill	36,000
Parks and Recreation	56,500
Environmental	152,250
Total Authorized Expenditures / Transfers	<u><u>\$2,637,723</u></u>

**Section 3: Levy of Taxes**

There is hereby levied for FY22 an Ad Valorem Tax Rate of **\$0.4175** per One Hundred Dollars (\$100.00) valuation of taxable property as listed for taxes as of January 1, 2021, for the purpose of maintaining the revenue from current taxes as set forth in the foregoing estimates of revenues, and in order to finance the foregoing applicable appropriations. This rate of tax is based on an estimated assessed valuation of **\$265,088,669** and an estimated collection rate of **97.00%**, yielding **\$1,106,744** in current year ad valorem tax revenues.

**Section 4: Fees Schedule**

There is hereby established, for the FY22, various fees and charges as contained in Attachment A.

**Section 5: Special Authorization - Budget Officer**

- A. The Town Manager is hereby authorized to make any budget transfers as may be required within each department if the total appropriation for each fund does not change and contingency funds are not utilized to do so.
- B. Interfund transfers established in the Budget Ordinance or Capital Project Ordinance may be accomplished without additional approval from the Board of Aldermen.

**Section 6: Restrictions - Budget Officer**

- A. Interfund and interdepartmental transfer of monies except as noted in Sections 5 and 9 shall be accomplished by Board of Aldermen authorizations only.
- B. Utilization of appropriations contained in Contingencies and Appropriations from Fund Balance may be accomplished only with specific approval of the Board of Aldermen.

**Section 7: Utilization of Budget Ordinance**

This ordinance shall be the basis of the financial plan for the Town of Granite Quarry Municipal Government during the FY22. The Town Manager shall administer the budget and shall ensure that operating officials are provided guidance and sufficient details to implement their appropriate portion of the Budget.

The Administration Department shall establish and maintain all records in consonance with this Budget Ordinance and the appropriate Statutes of the State of North Carolina.

**Section 8: Salary Adjustments**


- A. For the FY22, a 2% market adjustment is authorized to be applied as a Cost of Living Adjustment to members of the Board of Aldermen effective July 1, 2021, and to be available as part of performance pay consideration to existing employees at the time of their respective annual performance evaluations throughout the course of the year if or as they merit. Application to the salary schedule (and thus any new hires) will take effect January 1, 2022.
- B. Longevity pay authorization will be considered at the regular monthly meeting of the Board of Aldermen in November.

**Section 9: Re-appropriation of Funds Encumbered in FY21**


Appropriations hereinabove authorized and made shall have the amounts of the unearned portion of contracts at June 30, 2021 added to each appropriation as it applied in order to properly account for payment against the fiscal year in which it is paid.

Copies of this ordinance, the Town Manager's budget message, and accompanying attachments shall be maintained in the office of the Town Clerk of the Town of Granite Quarry and shall be made available for public inspection.

Adopted June 14th, 2021

  
Aubrey Smith  
Town Clerk



  
William D. Feather  
Mayor

## **Revenue Assumptions for FY 2021-2022 Budget**

### *Ad Valorem Taxes*

**Property Taxes.** Property tax values are provided by the Rowan County Tax Assessor's Office. Once expenditures and all other General Fund revenues were projected, the amount necessary to balance the budget was calculated. Using that figure as the target, a property tax rate applied to the assessed valuation was calculated that would result in that amount of revenue being generated. An uncollectable rate of 3.00% was factored into the calculations.

**Tax Penalties and Interest.** Based on historical trends.

**Prior Year Taxes.** Based on historical trends, economic forecasts, anticipated continuation of collection percentages, and adjusted by the size of the 2020 property tax receivable balance projected as of June 30, 2021.

### *Unrestricted Intergovernmental*

**Local Option Sales Tax.** Based on estimates provided by the North Carolina League of Municipalities (NCLM), historical trends, State legislative changes, local conditions, and economic forecasts. Overall, we project finishing FY21 at approximately 7.5% above FY20 distributions, with continued growth of approximately 2% across the local sales tax articles for the FY22.

**Solid Waste Disposal.** Based on forecast projections and health trends of the construction sector. The State levies a \$2/ton "tipping tax" on municipal solid waste and construction / demolition materials deposited in all NC landfills (and/or passing through transfer stations for any out of state disposal). It applies proceeds to different programs and then distributes 18.75% of the proceeds back to municipalities and counties on a per capita basis. Overall, we expect ~1.5% increase in FY22 distributions over the estimated FY21 amounts.

**Beer & Wine Tax.** Based on national market research forecast projections of beer and wine sales, against state distribution formulas. These sales taxes are distributed from the NC Department of Revenue to municipalities based on population. We expect distribution to see approximately 1% growth in FY22.

**Utility Franchises.** Based on estimates provided by the NCLM and historical trends. This category includes Electricity, Piped Natural Gas, Telecommunications, and Video Programming Franchise Taxes & Fees.

### *Restricted Intergovernmental Revenues*

**Powell Bill Revenues.** Based on estimates provided by the NCLM and the Office of State Budget and Management. The population-based portion of the distribution formula (75% of the distribution) was calculated at \$17.48 per capita at our most

recent certified census population of 3,148. The mileage-based portion (25% of the distribution) was calculated at \$1,458 per mile over our 14.88 miles of streets.

**Joint Police Authority Revenues.** Based on a flat rate agreement of \$136,000.

*Permits and Fees*

**Local Revenues.** Based on historical trends, economic forecasts, and known growth and development plans in queue within Town limits.

*Sales and Services*

**Solid Waste/Recycling Collection.** Based on the recommended environmental fee of \$12 per month per household and the anticipated collection rate through Salisbury-Rowan Utilities' (SRU) billing department.

*Other General Revenues*

**Local Revenues.** Based on fee schedule, and historic and current trends.

**Investments Interest.** Based on estimated cash balances & interest rate projections.

**Surplus Items.** Based on anticipated surplus items and their estimated market value.

# FEES AND CHARGES

# ATTACHMENT A

## FISCAL YEAR 2021-2022 TOWN OF GRANITE QUARRY

BUILDING AND RELATED ACTIVITIES			
Building Type	Rental Times and Description	Rental Fee	
		Residents	Non-Residents
Shelter or Gazebo	Up to 4 hours	\$35	\$50
	Up to 8 hours	\$50	\$75
	8 hours or more	\$75	\$100
	Electricity fee	\$25 per 4 hours of use	
Civic Park	Kitchen rental	\$15	\$50
	Kitchen key deposit	\$25	
Legion Building	Up to 6 hours	\$100	\$250
	6 hours or more	\$150	\$350
Civic Group or church	Up to 6 hours	\$50	\$150
	6 hours or more	\$75	\$200
	Rental deposit (no discount)	\$150	
No fees are charged for nationally chartered Granite Quarry youth or school organizations.			
PLANNING, ZONING, AND SUBDIVISION FEES			
Item	Description	Fee	
Subdivision Plats	Exception plat review	\$50	
	Minor subdivision plat review	\$75	
	Major subdivision, preliminary plat review	Engineer costs, plus:	
		• Up to 25 lots:	\$250
		• 26-50 lots:	\$500 + \$5 per lot
	• > 50 lots:	\$750 + \$5 per lot	
	Major subdivision, final plat review*	\$150 per map + engineer costs	
	Letter of credit review	\$100 + engineer costs	
	Letter of credit, partial release	\$100 + engineer costs	
<i>*If a third review is required, an additional review fee will be charged</i>			
Zoning Review	Zoning / Use Permit	\$50 unless otherwise specified below	
	Home occupation	\$25	
	Sign - temporary	\$10 per sign	
	Sign - permanent	\$50 per sign	
	Conditional Use Permit (CUP)	\$500	
	Variance	\$400	
	Engineer drawing review	Engineer costs	
	Site plan review	(Minor) \$200	
		(Major) \$400	
	Technical Review Committee review	\$100 + engineer costs	
	Zoning Administrator’s decision appeal	\$250 + advertising and notification costs	
	Zoning map amendment	\$600 + advertising and notification costs	
	Zoning text amendment	\$400 + advertising and notification costs	
	Site inspection costs	\$100 + engineer costs	
	Vested rights process	\$250	
Plotted Maps, Ordinance Copies, Etc		Production cost	



Nuisance Citation/Fine (warning issued first)	\$50 first offense
	\$100 second offense
	\$200 third & subsequent offense
<b>ADMINISTRATIVE AND OTHER FEES</b>	
<b>Item Description</b>	<b>Fees</b>
All Copies	\$0.10 per page
Copy of Current Town Budget	\$0.10 per page
Fax Service	\$0.25 per page
Copy of Municipal Code of Ordinances	Production cost
Golf Cart Registration	\$10 per cart
Golf Cart Violation	\$150 per violation
Environmental Fee (resident and non-dumpster commercial)	\$12 per month
<b>FIRE DEPARTMENT FEES</b>	
Re-inspections (third and subsequent)	\$30
Fireworks (standby)	\$100
Fire Watches	\$100
Assembly Standby	\$25
Plans Review	\$25
Hydrant Testing	\$30 per hydrant
Fire Flow Report	\$200
Fire Department Services Fees	Market rate set by insurance company
Fire Reports	\$5 per report
<b>FIRE DEPARTMENT PERMITS</b>	
Fireworks	\$130
Burning	\$35
Annual Haz-Mat Storage	\$120
Tent	\$40
Tank Removal / Installation	\$50
<b>POLICE DEPARTMENT FEES</b>	
Police Off-Duty Services ( <i>entity pays the officer directly</i> )	\$30 per hour
Police Reports	\$5 per report
<b>PUBLIC WORKS DEPARTMENT FEES (including for Town abatements)</b>	
Heavy Equipment / Tractors	\$100 per hour with operator
Light Equipment	\$65 per hour with operator
Brush Pickup, second load for citizens	\$50 per load
Bulk Item Pickup (must be placed by curb)	Call Town Hall for estimate

**SALARY SCHEDULE****ATTACHMENT B****FY 2021-2022  
Salary Schedule\***

<b>Classification Title</b>	<b># Positions</b>	<b>Hiring Rate</b>	<b>Minimum</b>	<b>Mid-Point</b>	<b>Maximum</b>	<b>Notes</b>
Town Clerk	1	\$49,897	\$52,392	\$63,619	\$77,340	
Finance Officer	1	52,392	55,012	66,800	81,208	
Planner	1	47,521	49,897	60,590	73,658	
Office Assistant	1	30,631	32,163	39,055	47,478	
Public Works Director	1	55,012	57,763	70,141	85,269	
Public Works Crew Leader	1	32,163	33,771	41,008	49,853	
Public Works Technician	1	27,783	29,172	35,424	43,064	
Police Chief	1	63,684	66,868	81,197	98,710	
Police Investigator	1	43,103	45,258	54,957	66,810	
Police Sergeant	2	43,103	45,258	54,957	66,810	
Police Officer	6	39,095	41,050	49,846	60,597	1 position remains frozen FY22
Fire Lieutenant	3	41,050	43,103	52,339	63,628	

\* FY22 is the first fiscal year under the recently adopted salary and classification plan. To implement without adversely affecting compression, authorized market adjustment as part of performance pay for eligible existing employees is available July 1, 2021, but application to the salary schedule and for new hire employees will not take effect until January 1, 2022.

**ORDINANCE NO. 2021-09**

**AN ORDINANCE AMENDING TEXT OF THE TOWN OF GRANITE QUARRY'S  
UNIFIED DEVELOPMENT ORDINANCE**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF GRANITE  
QUARRY:**

**Section 1.** That the Unified Development Ordinance of the Town of Granite Quarry, North Carolina, is hereby amended by amending Section 15.5.1 as follows:

**Sec. 15.5. Board of adjustment.**

*15.5.1 Establishment.*

- A. A zoning Board of Adjustment is hereby established. This board shall consist of 7 members as follows:
  - 1. Four (4) members shall reside within the municipal corporate limits and shall be appointed by the Town Board of Aldermen;
  - 2. Three (3) members shall reside within the town's one-mile extraterritorial jurisdictional area and shall be appointed by the Rowan County Board of Commissioners.
  - 3. The members of the zoning Board of Adjustment already serving on the board prior to the passage of this amended section shall be considered as the four members appointed by the Town Board of Aldermen, and each of these members shall serve the balance of the term to which such member was appointed.
- B. Extraterritorial board members, like in-town board members, shall serve for staggered terms of three years. Initial appointment of extraterritorial board members shall be as follows:
  - 1. Two members for terms of three years each;
  - 2. One member for a term of two years.
- C. The three (3) extraterritorial board members shall have equal rights, privileges, and duties as the four in-town board members in all matters.
- D. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. Members shall serve without pay but may be reimbursed for the expenses incurred while representing the board.




**Section 2.** All ordinances in conflict herewith are repealed to the extent of any such conflict.

**Section 3.** This ordinance is effective on the 14<sup>th</sup> day of June 2021.



**ATTEST:**

  
Aubrey Smith, Town Clerk

  
William D. Feather, Mayor

**APPROVED AS TO FORM:**

  
Carl M. Short, Town Attorney

## **ORDINANCE NO. 2021-11**

### **AN ORDINANCE AMENDING TEXT OF THE TOWN OF GRANITE QUARRY'S UNIFIED DEVELOPMENT ORDINANCE**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF GRANITE  
QUARRY:**

**Section 1.** That the Unified Development Ordinance of the Town of Granite Quarry, North Carolina, is hereby amended by replacing The Flood Damage Prevention Ordinance found in Chapter 7, beginning after Sec. 7.6.2 Flood Damage Prevention in Appendix A, which such section reads as follows:

7.6.3

#### **FLOOD DAMAGE PREVENTION ORDINANCE**

#### **TOWN OF GRANITE QUARRY, NC**

#### **ARTICLE 1. STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES**

##### **Sec. A. Statutory authorization.**

The Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Part 121, Article 6 of Chapter 153A; and Articles 1, 7, 9, and 11 of Chapter 160D of the North Carolina General Statutes, delegated to local governmental units the authority to adopt regulations designed to promote the public health, safety, and general welfare.

Therefore, the Board of Aldermen of the Town of Granite Quarry, North Carolina, does ordain as follows:

*(provided by MuniCode when codified)*

##### **Sec. B. Findings of fact.**

- (1) The flood prone areas within the jurisdiction of Granite Quarry are subject to periodic inundation which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures of flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- (2) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities and by the occupancy in flood prone areas of uses vulnerable to floods or other hazards.

*(provided by MuniCode when codified)*

### **Sec. C. Statement of purpose.**

It is the purpose of this chapter to promote public health, safety, and general welfare and to minimize public and private losses due to flood conditions within flood prone areas by provisions designed to:

- (1) Restrict or prohibit uses that are dangerous to health, safety, and property due to water or erosion hazards or that result in damaging increases in erosion, flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters;
- (4) Control filling, grading, dredging, and all other development that may increase erosion or flood damage; and
- (5) Prevent or regulate the construction of flood barriers that will unnaturally divert flood waters or which may increase flood hazards to other lands.

*(provided by MuniCode when codified)*

### **Sec. D. Objectives.**

The objectives of this chapter are to:

- (1) Protect human life, safety, and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business losses and interruptions;
- (5) Minimize damage to public facilities and utilities (i.e. water and gas mains, electric, telephone, cable and sewer lines, streets, and bridges) that are located in flood prone areas;
- (6) Minimize damage to private and public property due to flooding;
- (7) Make flood insurance available to the community through the National Flood Insurance Program;
- (8) Maintain the natural and beneficial functions of floodplains;
- (9) Help maintain a stable tax base by providing for the sound use and development of flood prone areas; and
- (10) Ensure that potential buyers are aware that property is in a special flood hazard area.

*(provided by MuniCode when codified)*

## ARTICLE 2. DEFINITIONS

### Sec. A. Definitions.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

*Accessory structure (appurtenant structure)* means a structure located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure.

Garages, carports and storage sheds are common urban accessory structures. Pole barns, hay sheds and the like qualify as accessory structures on farms, and may or may not be located on the same parcel as the farm dwelling or shop building.

*Addition (to an existing building)* means an extension or increase in the floor area or height of a building or structure.

*Administrative decision* means a decision made in the implementation, administration, or enforcement of development regulations that involve the determination of facts or the application of objective standards set forth in this chapter. These are sometimes referred to as "ministerial" decisions or "administrative determinations".

*Administrative hearing* means a proceeding to gather facts needed to make an administrative decision.

*Alteration of a watercourse* means a dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

*Appeal* means a request for a review of the floodplain administrator's interpretation of any provision of this chapter.

*Area of special flood hazard:* See "special flood hazard area (SFHA)".

*Base flood* means the flood having a one (1) percent chance of being equaled or exceeded in any given year.

*Base flood elevation (BFE)* means a determination of the water surface elevations of the base flood as published in the flood insurance study. When the BFE has not been provided in a "special flood hazard area", it may be obtained from engineering studies available from a federal, state, or other source using FEMA approved engineering methodologies. This elevation, when combined with the "freeboard", establishes the "regulatory flood protection elevation".

*Basement* means any area of the building having its floor subgrade (below ground level) on all sides.

*Building:* See "Structure".

*Chemical storage facility* means a building, portion of a building, or exterior area adjacent to a building used for the storage of any chemical or chemically reactive products.

*Design Flood:* See "Regulatory Flood Protection Elevation".

*Development* means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

*Development Activity* means any activity defined as Development which will necessitate a Floodplain Development Permit. This includes buildings, structures, and non-structural items, including (but not limited to) fill, bulkheads, piers, pools, docks, landings, ramps, and erosion control/stabilization measures.

*Digital Flood Insurance Rate Map (DFIRM)* means the digital official map of a community, issued by the Federal Emergency Management Agency (FEMA), on which both the Special Flood Hazard Areas and the risk premium zones applicable to the community are delineated.

*Disposal* means, as defined in G.S. 130A-290(a)(6), the discharge, deposit, injection, dumping, spilling, leaking, or placing of any solid waste into or on any land or water so that the solid waste or any constituent part of the solid waste may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

*Discontinue* means to stop or cease the use of a property.

*Elevated building* means a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

*Encroachment* means the advance or infringement of uses, fill, excavation, buildings, structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

*Existing building and existing structure* means any building and/or structure for which the "start of construction" commenced before September 17, 1979 (adoption of first floodplain management ordinance).

*Existing manufactured home park or manufactured home subdivision* means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed before September 17, 1979 (adoption of the first floodplain management ordinance).

*FEMA* means the Federal Emergency Management Agency.

*Flood or flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; and/or
- (2) The unusual and rapid accumulation of runoff of surface waters from any source.

*Flood insurance* means the insurance coverage provided under the National Flood Insurance Program.

*Flood insurance rate map (FIRM)* means an official map of a community, issued by the Federal Emergency Management Agency, on which both the special flood hazard areas and the risk premium zones applicable to the community are delineated.



*Flood insurance study (FIS)* means an examination, evaluation, and determination of flood hazards, corresponding water surface elevations (if appropriate), flood hazard risk zones, and other flood data in a community issued by the Federal Emergency Management Agency. The flood insurance study report includes flood insurance rate maps (FIRMs).

*Flood prone area:* see "Floodplain".

*Flood zone* means a geographical area shown on a flood insurance rate map that reflects the severity or type of flooding in the area.

*Floodplain* means any land area susceptible to being inundated by water from any source.

*Floodplain administrator* means the individual appointed to make administrative decisions regarding floodplain management regulations referenced in this chapter.

*Floodplain development permit* means any type of permit that is required in conformance with the provisions of this chapter, prior to the commencement of any development activity. The permit remains valid provided that such activity is commenced within one (1) year of the date of issuance. A permit expires if work or activity is discontinued for a period of one (1) year after work has commenced.

*Floodplain management* means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including, but not limited to, emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

*Floodplain management regulations* means this chapter and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power. This term describes federal, state or local regulations, in any combination thereof, which provide standards for preventing and reducing flood loss and damage.

*Flood proofing* means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitation facilities, structures, and their contents.

*Flood-resistant material* means any building product [material, component or system] capable of withstanding direct and prolonged contact (minimum 72 hours) with floodwaters without sustaining damage that requires more than low-cost cosmetic repair. Any material that is water-soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use, is not flood-resistant. Pressure-treated lumber or naturally decay-resistant lumbars are acceptable flooring materials. Sheet-type flooring coverings that restrict evaporation from below and materials that are impervious, but dimensionally unstable are not acceptable. Materials that absorb or retain water excessively after submergence are not flood-resistant. Please refer to Technical Bulletin 2, *Flood Damage-Resistant Materials Requirements*, and available from the FEMA. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.

*Floodway* means the channel of a river or other watercourse, including the area above a bridge or culvert when applicable, and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.

*Floodway encroachment analysis* means an engineering analysis of the impact that a proposed encroachment into a floodway or non-encroachment area is expected to have on the floodway boundaries

and flood levels during the occurrence of the base flood discharge. The evaluation shall be prepared by a qualified North Carolina licensed engineer using standard engineering methods and hydraulic models meeting the minimum requirements of the National Flood Insurance Program.

*Freeboard* means the height added to the base flood elevation (BFE) to account for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, blockage of bridge openings, precipitation exceeding the base flood, and the hydrological effect of urbanization of the watershed. The base flood elevation plus the freeboard establishes the "regulatory flood protection elevation".

*Functionally dependent facility* means a facility which cannot be used for its intended purpose unless it is located in close proximity to water, limited to a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, or ship repair. The term does not include long-term storage, manufacture, sales, or service facilities.

*Hazardous waste management facility* means, as defined in G.S. 130A, Article 9, a facility for the collection, storage, processing, treatment, recycling, recovery, or disposal of hazardous waste.

*Highest adjacent grade (HAG)* means the highest natural elevation of the ground surface, prior to construction, immediately next to the proposed walls of the structure.

*Historic structure* means any structure that is:

- (a) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of Interior as meeting the requirements for individual listing on the National Register;
- (b) Certified or preliminarily determined by the Secretary of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (c) Individually listed on a local inventory of historic landmarks in communities with a "Certified Local Government (CLG) Program"; or
- (d) Certified as contributing to the historical significance of a historic district designated by a community with a "Certified Local Government (CLG) Program".

Certified Local Government (CLG) Programs are approved by the U.S. Department of the Interior in cooperation with the North Carolina Department of Cultural Resources through the State Historic Preservation Officer as having met the requirements of the National Historic Preservation Act of 1966 as amended in 1980.

*Letter of Map Change (LOMC)* means an official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

- (a) Letter of Map Amendment (LOMA): An official amendment, by letter, to an effective National Flood Insurance Program map. A LOMA is based on technical data showing that a property had been inadvertently mapped as being in the floodplain, but is actually on natural high ground above the base flood elevation. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

- (b) Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.
- (c) Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the BFE and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.
- (d) Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

*Light Duty Truck* means any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less as defined in 40 CFR 86.082-2 and is:

- (a) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or
- (b) Designed primarily for transportation of persons and has a capacity of more than 12 persons; or
- (c) Available with special features enabling off-street or off-highway operation and use.

*Lowest adjacent grade (LAG)* means the elevation of the ground, sidewalk or patio slab immediately next to the building, or deck support, after completion of the building.

*Lowest floor* means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or limited storage in an area other than a basement area is not considered a building's lowest floor, provided that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

*Manufactured home* means a structure, transportable in one (1) or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

*Manufactured home park or subdivision* means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

*Map Repository* means the location of the official flood hazard data to be applied for floodplain management. It is a central location in which flood data is stored and managed; in North Carolina, FEMA has recognized that the application of digital flood hazard data products have the same authority as hard copy products. Therefore, the NCEM's Floodplain Mapping Program websites house current and historical flood hazard data. For effective flood hazard data the NC FRIS website (<http://FRIS.NC.GOV/FRIS>) is the map repository, and for historical flood hazard data the FloodNC website (<http://FLOODNC.GOV/NCFLOOD>) is the map repository.



*Market value* means the building value, not including the land value and that of any accessory structures or other improvements on the lot. Market value may be established by independent certified appraisal; replacement cost depreciated for age of building and quality of construction (actual cash value); or adjusted tax assessed values.

*NFIP* means the National Flood Insurance Program.

*New construction* means structures for which the "start of construction" commenced on or after the effective date of the initial floodplain management regulations and includes any subsequent improvements to such structures.

*Non-encroachment area* means the channel of a river or other watercourse, including the area above a bridge or culvert when applicable, and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot as designated in the flood insurance study report.

*Post-FIRM* means construction or other development for which the "start of construction" occurred on or after the effective date of the initial flood insurance rate map.

*Pre-FIRM* means construction or other development for which the "start of construction" occurred before the effective date of the initial flood insurance rate map.

*Principally above ground* means that at least fifty-one (51) percent of the actual cash value of the structure is above ground.

*Public safety* and/or *nuisance* means anything which is injurious to the safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

*Recreational vehicle (RV)* means a vehicle, which is:

- (a) Built on a single chassis;
- (b) Four hundred (400) square feet or less when measured at the largest horizontal projection;
- (c) Designed to be self-propelled or permanently towable by a light duty truck;
- (d) Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use; and
- (e) Is fully licensed and ready for highway use.

*Reference level* is the bottom of the lowest horizontal structural member of the lowest floor for structures within all special flood hazard areas. For the purposes of this definition, the reference level for slab construction is measured from the top of the lowest floor.

*Regulatory flood protection elevation* means the "base flood elevation" plus the "freeboard". In "special flood hazard areas" where base flood elevations (BFEs) have been determined, this elevation shall be the BFE plus two (2) feet of freeboard. In "special flood hazard areas" where no BFE has been established, this elevation shall be at least two (2) feet above the highest adjacent grade.

*Remedy a violation* means to bring the structure or other development into compliance with state and community floodplain management regulations, or, if this is not possible, to reduce the impacts of its non-compliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of the ordinance or otherwise deterring future similar violations, or reducing federal financial exposure with regard to the structure or other development.

*Riverine* means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

*Salvage yard* means any non-residential property used for the storage, collection, and/or recycling of any type of equipment, and including but not limited to vehicles, appliances and related machinery.

*Solid waste disposal facility* means any facility involved in the disposal of solid waste, as defined in G.S. 130A-290(a)(35).

*Solid waste disposal site* means, as defined in G.S. 130A-290(a)(36), any place at which solid wastes are disposed of by incineration, sanitary landfill, or any other method.

*Special flood hazard area (SFHA)* means the land in the floodplain subject to a one (1) percent or greater chance of being flooded in any given year, as determined in section 9-7 of this chapter.

*Start of construction includes substantial improvement, and* means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

*Structure* means a walled and roofed building, a manufactured home, or a gas, liquid, or liquefied gas storage tank that is principally above ground.

*Substantial damage* means damage of any origin sustained by a structure during any one-year period whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred. See definition of "substantial improvement".

*Substantial improvement* means any combination of repairs, reconstruction, rehabilitation, addition, or other improvement of a structure, taking place during any one-year period for which the cost equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures, which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- (a) Any correction of existing violations of state or community health, sanitary, or safety code specifications which have been identified by the community code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (b) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure and the alteration is approved by variance issued pursuant to section 9-35 of this ordinance.

*Technical Bulletin and Technical Fact Sheet* means a FEMA publication that provides guidance concerning the building performance standards of the NFIP, which are contained in Title 44 of the U.S. Code of Federal Regulations at Section 60.3. The bulletins and fact sheets are intended for use primarily by State and local officials responsible for interpreting and enforcing NFIP regulations and by members of the development community, such as design professionals and builders. New bulletins, as well as updates of existing bulletins, are issued periodically as needed. The bulletins do not create regulations; rather they provide specific guidance for complying with the minimum requirements of existing NFIP regulations.

*Temperature Controlled* means having the temperature regulated by a heating and/or cooling system, built-in or appliance.

*Variance* is a grant of relief from the requirements of this chapter.

*Violation* means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in articles II and III is presumed to be in violation until such time as that documentation is provided.

*Water surface elevation (WSE)* means the height, in relation to NAVD 88, of floods of various magnitudes and frequencies in the floodplains of riverine areas.

*Watercourse* means a lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

*"Written" or "in writing"* means written communication, including by electronic mail, executed by a staff member to document a determination, order, interpretation, notification, or other purpose identified by this chapter. Unless specified otherwise, in the absence of evidence to the contrary, delivery by first class mail shall be deemed received on the third business day following deposit of the item with the United States Postal Service and delivery by electronic mail shall be deemed received on the date sent.

*(provided by MuniCode when codified)*

## **ARTICLE 3 GENERAL PROVISIONS**

### **Sec. A. Lands to which this chapter applies.**

This chapter shall apply to all special flood hazard areas within the jurisdiction of Granite Quarry including the extra territorial jurisdictions (ETJs) therein.

*(provided by MuniCode when codified)*

### **Sec. B. Basis for establishing the special flood hazard areas.**

The special flood hazard areas are those identified under the cooperating technical state (CTS) agreement between the State of North Carolina and FEMA in its flood insurance study (FIS) dated November 16, 2018 for Rowan County and associated DFIRM panels, including any digital data developed as part of the FIS, which are adopted by reference and declared to be a part of this chapter and all revisions thereto.

*(provided by MuniCode when codified)*

#### **Sec. C. Establishment of floodplain development permit.**

A floodplain development permit shall be required in conformance with the provisions of this chapter prior to the commencement of any development activities within special flood hazard areas determined in accordance with the provisions of Article 3, Section B of this chapter.

*(provided by MuniCode when codified)*

#### **Sec. D. Compliance.**

No structure or land shall hereafter be located, extended, converted, altered, or developed in any way without full compliance with the terms of this chapter and other applicable regulations.

*(provided by MuniCode when codified)*

#### **Sec. E. Abrogation and greater restrictions.**

This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

*(provided by MuniCode when codified)*

#### **Sec. F. Interpretation.**

In the interpretation and application of this chapter, all provisions shall be:

- (a) Considered as minimum requirements;
- (b) Liberally construed in favor of the governing body; and
- (c) Deemed neither to limit nor repeal any other powers granted under state statutes.

*(provided by MuniCode when codified)*

#### **Sec. G. Warning and disclaimer of liability.**

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur. Actual flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside



the special flood hazard areas or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of Granite Quarry or by any officer or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder.

*(provided by MuniCode when codified)*

#### **Sec. H. Penalties for violation.**

Violation of the provisions of this chapter or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a Class 1 misdemeanor pursuant to NCGS 143-215.58. Any person who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than fifty dollars (\$50.00) or imprisoned for not more than thirty (30) days, or both. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Granite Quarry from taking such other lawful action as is necessary to prevent or remedy any violation.

*(provided by MuniCode when codified)*

#### **Secs. I-Z. Reserved.**

### **ARTICLE 4. ADMINISTRATION**

#### **Sec. A. Designation of floodplain administrator.**

The Town of Granite Quarry Planning and Zoning Administrator, herein referred to as the "Floodplain Administrator", is hereby appointed to administer and implement the provisions of this ordinance. In instances where the Floodplain Administrator receives assistance from others to complete tasks to administer and implement this ordinance, the Floodplain Administrator shall be responsible for the coordination and community's overall compliance with the National Flood Insurance Program and the provisions of this ordinance. The floodplain administrator or other staff member shall not make a final administrative decision concerning a request if they would have a conflict of interest as identified in Chapter 15 of the Unified Development Ordinance for advisory board members in making the decision. If a staff member has a conflict of interest under this section, the decision shall be assigned to another staff member as designated by this chapter.

*(provided by MuniCode when codified)*

#### **Sec. B. Floodplain development application, permit and certification requirements.**

- (1) *Application requirements.* Application for a floodplain development permit shall be made to the floodplain administrator prior to any development activities located within or adjacent to special flood hazard areas. All elevations referenced must use NAVD 88 ~~datum~~. The following items shall be presented to the floodplain administrator to apply for a floodplain development permit:
  - (a) A plot plan drawn to scale which shall include, but shall not be limited to, the following specific details of the proposed floodplain development:

(i) The nature, location, dimensions, and elevations of the area of development/disturbance; existing and proposed structures, utility systems, grading/pavement areas, fill materials, storage areas, drainage facilities, and other development;

(ii) The boundary of the special flood hazard area as delineated on the FIRM or other flood map as determined in Article 3, Section C, or a statement that the entire lot is within the special flood hazard area;

(iii) Flood zone(s) designation of the proposed development area as determined on the FIRM or other flood map as determined in Article 3, Section C;

(iv) The boundary of the floodway(s) or non-encroachment area(s) as determined in section Article 3, Section C;

(v) The base flood elevation (BFE) where provided as set forth in Article 3, Section C, Article 4, Section D, or Article 5, Section D;

(vi) The old and new location of any watercourse that will be altered or relocated as a result of proposed development; and

(vii) The certification of the plot plan by a professional land surveyor or professional engineer. In lieu of this requirement, the floodplain administrator may provide necessary certifications for development adjacent to but not within the special flood hazard area.

(b) Proposed elevation, and method thereof, of all development within a special flood hazard area including, but not limited to:

(i) Elevation (in NAVD 1988) of the proposed reference level (including basement) of all structures;

(ii) Elevation (in NAVD 1988) to which any non-residential structure in zone AE or A will be floodproofed; and

(iii) Elevation (in NAVD 1988) to which any proposed utility systems will be elevated or floodproofed.

(c) If floodproofing, a floodproofing certificate (FEMA Form 086-0-34) with supporting data, an operational plan, and an inspection and maintenance plan that includes, but is not limited to, installation, exercise, and maintenance of floodproofing measures.

(d) A foundation plan, drawn to scale, which shall include details of the proposed foundation system to ensure all provisions of this chapter are met. These details include, but are not limited to:

(i) The proposed method of elevation, if applicable (i.e., fill, solid foundation perimeter wall, solid backfilled foundation, open foundation on columns/posts/piers/piles/shear walls); and

(ii) Openings to facilitate automatic equalization of hydrostatic flood forces on walls in accordance with Article 5, Section B(4)(c) when solid foundation perimeter walls are used in zones A or AE.

(e) Usage details of any enclosed areas below the lowest floor.

(f) Plans and/or details for the protection of public utilities and facilities such as sewer, gas, electrical, and water systems to be located and constructed to minimize flood damage.

(g) Certification that all other local, state and federal permits required prior to floodplain development permit issuance have been received.

(h) Documentation for placement of recreational vehicles and/or temporary structures, when applicable, to ensure that the provisions of subsections Article 5, Section B, (6) and (7) of this chapter are met.

(i) A description of proposed watercourse alteration or relocation, when applicable, including an engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map (if not shown on plot plan) showing the location of the proposed watercourse alteration or relocation.

(2) *Permit requirements.* The floodplain development permit shall include, but not be limited to:

(a) A complete description of all the development to be permitted under the floodplain development permit (e.g. house, garage, pool, septic, bulkhead, cabana, pier, bridge, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials, etc.).

(b) The special flood hazard area determination for the proposed development in accordance with available data specified in Article 3, Section B,.

(c) The regulatory flood protection elevation required for the reference level and all attendant utilities.

(d) The regulatory flood protection elevation required for the protection of all public utilities.

(e) All certification submittal requirements with timelines.

(f) A statement that no fill material or other development shall encroach into the floodway or non-encroachment area of any watercourse unless the requirements of section 9-56 have been met.

(g) The flood openings requirements, if in zones A or AE.

(h) Limitations of below base flood elevation (BFE) enclosure uses (if applicable). (i.e., parking, building access and limited storage only.)

- (i) A statement, that all materials below BFE / RFPE must be flood resistant materials.

(3) *Certification requirements.*

(a) *Elevation certificates.*

(i) An elevation certificate (FEMA Form 086-0-33) is required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the floodplain administrator a certification of the elevation of the reference level, in NAVD 88 datum. The floodplain administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder prior to the beginning of construction. Failure to submit the certification or failure to make required corrections shall be cause to deny a floodplain development permit. In lieu of this requirement, the floodplain administrator may accept elevation data from a professional land surveyor sufficient to document current conditions and ensure proposed development will comply with this chapter.

(ii) An elevation certificate (FEMA Form 086-0-33) is required after the reference level is established. Within seven (7) calendar days of establishment of the reference level elevation, it shall be the duty of the permit holder to submit to the floodplain administrator a certification of the elevation of the reference level, in NAVD 88 datum. Any work done within the seven-day calendar period and prior to submission of the certification shall be at the permit holder's risk. The floodplain administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being permitted to proceed. Failure to submit the certification or failure to make required corrections shall be cause to issue a stop work order for the project. In lieu of this requirement, the floodplain administrator may accept elevation data from a professional land surveyor sufficient to document current conditions and ensure proposed development will comply with this chapter.

(iii) A final as-built elevation certificate (FEMA Form 086-0-33) is required after construction is completed and prior to certificate of compliance/occupancy issuance. It shall be the duty of the permit holder to submit to the floodplain administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The floodplain administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to certificate of compliance/occupancy issuance. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of a certificate of compliance/occupancy. The Finished Construction Elevation Certificate certifier shall provide at least 2 photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and diagram number provided in Section A of the certificate. To the extent possible, these photographs should show the entire building including foundation. If the building has split-level or multi-level areas, provide at least 2 additional



photographs showing side views of the building. In addition, when applicable, provide a photograph of the foundation showing a representative example of the flood openings or vents. All photographs must be in color and measure at least 3" × 3". Digital photographs are acceptable.

(b) *Floodproofing certificate.*

(i) If non-residential floodproofing is used to meet the regulatory flood protection elevation requirements, a floodproofing certificate (FEMA Form 086-0-34), with supporting data, an operational plan, and an inspection and maintenance plan are required prior to the actual start of any new construction. It shall be the duty of the permit holder to submit to the floodplain administrator a certification of the floodproofed design elevation of the reference level and all attendant utilities, using NAVD 88 ~~datum~~. Floodproofing certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The floodplain administrator shall review the certificate data, the operational plan, and the inspection and maintenance plan. Deficiencies detected by such review shall be corrected by the applicant prior to permit approval. Failure to submit the certification or failure to make required corrections shall be cause to deny a floodplain development permit. Failure to construct in accordance with the certified design shall be cause to withhold the issuance of a certificate of compliance/occupancy.

(ii) A final Finished Construction Floodproofing Certificate (FEMA Form 086-0-34), with supporting data, an operational plan, and an inspection and maintenance plan are required prior to the issuance of a Certificate of Compliance/Occupancy. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of the floodproofed design elevation of the reference level and all attendant utilities, using NAVD 1988 ~~datum~~. Floodproofing certificate shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. The Floodplain Administrator shall review the certificate data, the operational plan, and the inspection and maintenance plan. Deficiencies detected by such review shall be corrected by the applicant prior to Certificate of Occupancy. Failure to submit the certification or failure to make required corrections shall be cause to deny a Floodplain Development Permit. Failure to construct in accordance with the certified design shall be cause to deny a Certificate of Compliance/Occupancy.

(c) If a manufactured home is placed within zone A or AE and the elevation of the chassis is more than thirty-six (36) inches in height above grade, an engineered foundation certification is required in accordance with the provisions of Article 5, Section B(3)(b).

(d) If a watercourse is to be altered or relocated, a description of the extent of watercourse alteration or relocation; a professional engineer's certified report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and a map showing the location of the proposed watercourse alteration or relocation shall all be submitted by the permit applicant prior to issuance of a floodplain development permit.

(e) Certification exemptions. The following structures, if located within zone A or AE, are exempt from the elevation / floodproofing certification requirements specified in items (a) and (b) of this subsection:

(i) Recreational vehicles meeting requirements of Article 5, Section B (6);

(ii) Temporary structures meeting requirements of Article 5, Section B (7); and

(iii) Accessory structures one hundred fifty (150) square feet or less or that is a minimal investment of \$5,000 or less and meeting requirements of Article 5, Section B(8).

(4) Determinations for existing buildings and structures.

For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:

(a) Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;

(b) Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;

(c) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; and

(d) Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the NC Building Code and this ordinance is required.

*(provided by MuniCode when codified)*

**Sec. C. Duties and responsibilities of the floodplain administrator.**

The floodplain administrator shall perform, but not be limited to, the following duties:

- (1) Review all floodplain development applications and issue permits for all proposed development within special flood hazard areas to assure that the requirements of this chapter have been satisfied.
- (2) Review all proposed development within special flood hazard areas to assure that all necessary local, state and federal permits have been received, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.

- (3) Notify adjacent communities and the North Carolina Department of Public Safety, Division of Emergency Management, State Coordinator for the National Flood Insurance Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA).
- (4) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is maintained.
- (5) Prevent encroachments into floodways and non-encroachment areas unless the certification and flood hazard reduction provisions of Article 5, Section F, are met.
- (6) Obtain actual elevation (in NAVD 88) of the reference level (including basement) and all attendant utilities of all new and substantially improved structures, in accordance with the provisions of Article 4, Section B (3).
- (7) Obtain actual elevation (in NAVD 88) to which all new and substantially improved structures and utilities have been floodproofed, in accordance with the provisions of Article 4, Section B (3).
- (8) Obtain actual elevation (in NAVD 88) of all public utilities in accordance with the provisions of Article 4, Section B (3).
- (9) When floodproofing is utilized for a particular structure, obtain certifications from a registered professional engineer or architect in accordance with the provisions of Article 4, Section B (3) and Article 5, Section B (2).
- (10) Where interpretation is needed as to the exact location of boundaries of the special flood hazard areas, floodways, or non-encroachment areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.
- (11) When base flood elevation (BFE) data has not been provided in accordance with the provisions of Article 3, Section B, obtain, review, and reasonably utilize any BFE data, along with floodway data or non-encroachment area data available from a federal, state, or other source, including data developed pursuant to Article 5, Section D, (2)(b), in order to administer the provisions of this chapter.
- (12) When base flood elevation (BFE) data is provided but no floodway or non-encroachment area data has been provided in accordance with the provisions of Article 3, Section B, obtain, review, and reasonably utilize any floodway data or non-encroachment area data available from a federal, state, or other source in order to administer the provisions of this chapter.
- (13) When the lowest floor and the lowest adjacent grade of a structure or the lowest ground elevation of a parcel in a special flood hazard area is above the base flood elevation (BFE), advise the property owner of the option to apply for a letter of map amendment (LOMA) from FEMA. Maintain a copy of the (LOMA) issued by FEMA in the floodplain development permit file.
- (14) Permanently maintain all records that pertain to the administration of this ordinance and make these records available for public inspection, recognizing that such information may be subject to the Privacy Act of 1974, as amended.

- (15) Make on-site inspections of work in progress. As the work pursuant to a floodplain development permit progresses, the floodplain administrator shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local ordinance and the terms of the permit. In exercising this power, the floodplain administrator has a right, upon presentation of proper credentials, to enter on any premises within the jurisdiction of the community at any reasonable hour for the purposes of inspection or other enforcement action.
- (16) Issue stop work orders as required. Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this ordinance, the floodplain administrator may order the work to be immediately stopped. The stop work order shall be in writing and directed to the person doing or in charge of the work, the permit holder, if applicable, and the property owner provided by personal delivery, electronic delivery, or first-class mail. The stop work order shall state the specific work to be stopped, the specific reason(s) for the stoppage, and the condition(s) under which the work may be resumed. Violation of a stop work order constitutes a misdemeanor.
- (17) Revoke floodplain development permits as required. The floodplain administrator may revoke and require the return of the floodplain development permit by notifying the permit holder in writing stating the reason(s) for the revocation. Permits shall be revoked for any substantial departure from the approved application, plans, and specifications; for refusal or failure to comply with the requirements of state or local laws; or for false statements or misrepresentations made in securing the permit. Any floodplain development permit mistakenly issued in violation of an applicable state or local law may also be revoked. Revocations shall be noted in writing and delivered to the holder of the development approval stating the reason thereof. Staff shall follow the same development review and approval process required for the issuance of the approval for any revocation.
- (18) Make periodic inspections throughout the special flood hazard areas within the jurisdiction of the community. The floodplain administrator and each member of his or her inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.
- (19) Follow through with corrective procedures of Article 4, Section D.
- (20) Review, provide input, and make recommendations for variance requests.
- (21) Maintain a current map repository to include, but not limited to, historical and effective FIS Report, historical and effective FIRM and other official flood maps and studies adopted in accordance with the provisions of Article 3, Section B of this chapter, including any revisions thereto including letters of map change issued by FEMA. Notify state and FEMA of mapping needs.
- (22) Coordinate revisions to FIS reports and FIRMs, including letters of map revision based on fill (LOMR-Fs) and letters of map revision (LOMRs).

*(provided by MuniCode when codified)*

#### **Sec. D. Corrective procedures.**



- (1) *Violations to be corrected.* When the floodplain administrator finds violations of applicable state and local laws, it shall be his or her duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law cited in such notification.
- (2) *Actions in event of failure to take corrective action.* If the owner of a building or property shall fail to take prompt corrective action, the floodplain administrator shall give the owner written notice, by certified or registered mail to the owner's last known address or by personal service, stating:
  - (a) That the building or property is in violation of the floodplain management regulations;
  - (b) That an administrative hearing will be held before the floodplain administrator at a designated place and time, not later than ten (10) days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and
  - (c) That following the administrative hearing, the floodplain administrator may issue an order to alter, vacate, or demolish the building; or to remove fill as applicable.
- (3) *Order to take corrective action.* If, upon an administrative hearing held pursuant to the notice prescribed above, the floodplain administrator shall find that the building or development is in violation of the flood damage prevention ordinance, he or she shall issue an order in writing to the owner, requiring the owner to remedy the violation within a specified time period, not less than sixty (60) calendar days, nor more than one-hundred-eighty (180) calendar days. Where the floodplain administrator finds that there is imminent danger to life or other property, he or she may order that corrective action be taken in such lesser period as may be feasible.
- (4) *Appeal.* Any person with standing under G.S. 160D-1402(c) appeal an administrative decision to the board of adjustment by giving notice of appeal in writing to the clerk to the Board of Adjustment within thirty (30) days of receiving actual or constructive notice of the decision. Appeals from an administrative decision of this chapter shall follow the procedure outlined the Town's Unified Development Ordinance. In the absence of an appeal, the order of the floodplain administrator shall be final. The board of adjustment shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.
- (5) *Failure to comply with order.* If the owner of a building or property fails to comply with an order to take corrective action for which no appeal has been made or fails to comply with an order of the board of adjustment following an appeal, the owner shall be guilty of a Class 1 misdemeanor and shall be punished at the discretion of the court.

*(provided by MuniCode when codified)*

#### **Sec. E. Variance procedures.**

- (1) The board of adjustment as established by Granite Quarry, hereinafter referred to as the "appeal board", shall hear and decide requests for variances from the requirements of this chapter.
- (2) Any person aggrieved by the decision of the appeal board may appeal such decision to the court, as provided in Chapter 7A of the North Carolina General Statutes.

(3) Variances may be issued for:

- (a) The repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and that the variance is the minimum necessary to preserve the historic character and design of the structure;
- (b) Functionally dependent facilities if determined to meet the definition as stated in Article 2, Section A, of this chapter, provided provisions of subsection (7)(b), (c), and (e) have been satisfied, and such facilities are protected by methods that minimize flood damages during the base flood and create no additional threats to public safety;
- (c) Any other type of development, provided it meets the requirements of this section.

(4) In passing upon variances, the appeal board shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this chapter, and:

- (a) The danger that materials may be swept onto other lands to the injury of others;
- (b) The danger to life and property due to flooding or erosion damage;
- (c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- (d) The importance of the services provided by the proposed facility to the community;
- (e) The necessity to the facility of a waterfront location as defined under Article 2, Section A, of this chapter as a functionally dependent facility, where applicable;
- (f) The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- (g) The compatibility of the proposed use with existing and anticipated development;
- (h) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- (i) The safety of access to the property in times of flood for ordinary and emergency vehicles;
- (j) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
- (k) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

(5) A written report addressing each of the above factors shall be submitted with the application for a variance.



- (6) Upon consideration of the factors listed above and the purposes of this chapter, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purposes and objectives of this chapter.
- (7) Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation (BFE) and the elevation to which the structure is to be built and that such construction below the BFE increases risks to life and property, and that the issuance of a variance to construct a structure below the BFE will result in increased premium rates for flood insurance up to twenty-five dollars (\$25.00) per one hundred dollars (\$100.00) of insurance coverage. Such notification shall be maintained with a record of all variance actions, including justification for their issuance.
- (8) The floodplain administrator shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency and the State of North Carolina upon request.
- (9) Conditions for variances:
  - (a) Variances shall not be issued when the variance will make the structure in violation of other federal, state, or local laws, regulations, or ordinances;
  - (b) Variances shall not be issued within any designated floodway or non-encroachment area if the variance would result in any increase in flood levels during the base flood discharge;
  - (c) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief;
  - (d) Variances shall only be issued prior to development permit approval;
  - (e) Variances shall only be issued upon:
    - (i) A showing of good and sufficient cause;
    - (ii) A determination that failure to grant the variance would result in exceptional hardship; and
    - (iii) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, or extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- (10) A variance may be issued for solid waste disposal facilities or sites, hazardous waste management facilities, salvage yards, and chemical storage facilities that are located in special flood hazard areas provided that all of the following conditions are met:
  - (a) The use serves a critical need in the community.
  - (b) No feasible location exists for the use outside the special flood hazard area.

(c) The reference level of any structure is elevated or floodproofed to at least the regulatory flood protection elevation.

(d) The use complies with all other applicable federal, state and local laws.

(e) The Town of Granite Quarry has notified the Secretary of the North Carolina Department of Public Safety of its intention to grant a variance at least thirty (30) calendar days prior to granting the variance.

*(provided by MuniCode when codified)*

#### **Sec. F. Ordinance amendments.**

This ordinance may be amended in accordance with the procedures outlined in The Town's Unified Development Ordinance with the exception of the statement of consistency requirement. Prior to considering any amendment, the floodplain administrator shall receive confirmation from the North Carolina Department of Public Safety, Division of Emergency Management that the ordinance would remain FEMA compliant for communities participating in the NFIP should the amendment be approved.

#### **Secs. G-Z. Reserved.**

### **ARTICLE 5. PROVISIONS FOR FLOOD HAZARD REDUCTION**

#### **Sec. A. General standards.**

In all special flood hazard areas the following provisions are required:

- (1) All new construction and substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, and lateral movement of the structure.
- (2) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage in accordance with the FEMA Technical Bulletin 2, *Flood Damage-Resistant Materials Requirements*.
- (3) All new construction and substantial improvements shall be constructed by methods and practices that minimize flood damages.
- (4) All new electrical, heating, ventilation, plumbing, air conditioning equipment, and other service equipment shall be located at or above the RFPE or designed and installed to prevent water from entering or accumulating within the components during the occurrence of the base flood. These include, but are not limited to, HVAC equipment, water softener units, bath / kitchen fixtures, ductwork, electric / gas meter panels / boxes, utility / cable boxes, hot water heaters, and electric outlets / switches.
  - (a) Replacements part of a substantial improvement, electrical, heating, ventilation, plumbing, air conditioning equipment, and other service equipment shall also meet the above provisions.
  - (b) Replacements that are for maintenance and not part of a substantial improvement, may be installed at the original location provided the addition and / or improvements only comply with the standards for new construction consistent with the code and requirements for the original structure.

- (5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.
- (6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters.
- (7) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (8) Nothing in this chapter shall prevent the repair, reconstruction, or replacement of a building or structure existing on the effective date of this chapter and located totally or partially within the floodway, non-encroachment area, or stream setback, provided there is no additional encroachment below the regulatory flood protection elevation in the floodway, non-encroachment area, or stream setback, and provided that such repair, reconstruction, or replacement meets all of the other requirements of this chapter.
- (9) New solid waste disposal facilities and sites, hazardous waste management facilities, salvage yards, and chemical storage facilities shall not be permitted, except by variance as specified in Article 4, Section e (10). A structure or tank for chemical or fuel storage incidental to an allowed use or to the operation of a water treatment plant or wastewater treatment facility may be located in a special flood hazard area only if the structure or tank is either elevated or floodproofed to at least the regulatory flood protection elevation and certified in accordance with the provisions of Article 4, Section B (3).
- (10) All subdivision proposals and other development proposals shall be consistent with the need to minimize flood damage.
- (11) All subdivision proposals and other development proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- (12) All subdivision proposals and other development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- (13) All subdivision proposals and other development proposals shall have received all necessary permits from those governmental agencies for which approval is required by federal or state law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334.
- (14) When a structure is partially located in a special flood hazard area, the entire structure shall meet the requirements for new construction and substantial improvements.
- (15) When a structure is located in multiple flood hazard zones or in a flood hazard risk zone with multiple base flood elevations, the provisions for the more restrictive flood hazard risk zone and the highest base flood elevation (BFE) shall apply.

*(provided by MuniCode when codified)*

## **Sec. B. Specific standards.**

In all special flood hazard areas where base flood elevation (BFE) data has been provided, as set forth in section Article 3, Section B, or Article 5, Section D, the following provisions, in addition to the provisions of Article 5, Section A, are required:

- (1) *Residential construction.* New construction and substantial improvement of any residential structure (including manufactured homes) shall have the reference level, including basement,

elevated no lower than the regulatory flood protection elevation, as defined in section 9-5 of this chapter.

- (2) *Non-residential construction.* New construction and substantial improvement of any commercial, industrial, or other non-residential structure shall have the reference level, including basement, elevated no lower than the regulatory flood protection elevation, as defined in Article 2, Section A, of this chapter. Structures located in A or AE-zones may be floodproofed to the regulatory flood protection elevation in lieu of elevation provided that all areas of the structure, together with attendant utility and sanitary facilities, below the regulatory flood protection elevation are watertight with walls substantially impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy.

- (3) *Manufactured homes.*

(a) New and replacement manufactured homes shall be elevated so that the reference level of the manufactured home is no lower than the regulatory flood protection elevation, as defined in Article 2, Section A, of this chapter.

(b) Manufactured homes shall be securely anchored to an adequately anchored foundation to resist flotation, collapse, and lateral movement, either by certified engineered foundation system, or in accordance with the most current edition of the State of North Carolina Regulations for Manufactured Homes adopted by the Commissioner of Insurance pursuant to G.S. 143-143.15. Additionally, when the elevation would be met by an elevation of the chassis thirty-six (36) inches or less above the grade at the site, the chassis shall be supported by reinforced piers or engineered foundation. When the elevation of the chassis is above thirty-six (36) inches in height, an engineering certification is required.

(c) All enclosures or skirting below the lowest floor shall meet the requirements of Article 5, Section B (4).

(d) An evacuation plan must be developed for evacuation of all residents of all new, substantially improved or substantially damaged manufactured home parks or subdivisions located within flood prone areas. This plan shall be filed with and approved by the floodplain administrator and the local emergency management coordinator.

- (4) *Elevated buildings.* Fully enclosed area, of new construction and substantially improved structures, which is below the lowest floor:

(a) Shall not be designed or used for human habitation, but shall only be used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator). The interior portion of such enclosed area shall not be finished or partitioned into separate rooms, except to enclose storage areas;

(b) Shall be constructed entirely of flood-resistant materials at least to the regulatory flood protection elevation;

(c) Shall include flood openings to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet or exceed the following minimum design criteria:



- (i) A minimum of two (2) flood openings on different sides of each enclosed area subject to flooding;
- (ii) The total net area of all flood openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding;
- (iii) If a building has more than one (1) enclosed area, each enclosed area must have flood openings to allow floodwaters to automatically enter and exit;
- (iv) The bottom of all required flood openings shall be no higher than one (1) foot above the higher of the interior or exterior adjacent grade;
- (v) Flood openings may be equipped with screens, louvers, or other coverings or devices, provided they permit the automatic flow of floodwaters in both directions; and
- (vi) Enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require flood openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires flood openings as outlined above.

(5) *Additions/improvements.*

- (a) Additions and/or improvements to pre-FIRM structures when the addition and / or improvements in combination with any interior modifications to the existing structure are:
  - (i) Not a substantial improvement, the addition and / or improvements must be designed to minimize flood damages and must not be any more non-conforming than the existing structure.
  - (ii) A substantial improvement, with modifications / rehabilitations / improvements to the existing structure or the common wall is structurally modified more than installing a doorway, both the existing structure and the addition and / or improvements must comply with the standards for new construction.
- (b) Additions to pre-FIRM or post-FIRM structures that are a substantial improvement with no modifications / rehabilitations / improvements to the existing structure other than a standard door in the common wall shall require only the addition to comply with the standards for new construction.
- (c) Additions and / or improvements to post-FIRM structures when the addition and / or improvements in combination with any interior modifications to the existing structure are:
  - (i) Not a substantial improvement, the addition and / or improvements only must comply with the standards for new construction consistent with the code and requirements for the original structure.
  - (ii) A substantial improvement, both the existing structure and the addition and / or improvements must comply with the standards for new construction.
- (d) Any combination of repair, reconstruction, rehabilitation, addition or improvement of a building or structure taking place during a one (1) year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started must comply with the standards for new construction. For each building or structure, the one (1) year period begins on the date of the first improvement or repair of that building or structure subsequent to the effective date of this ordinance. If the structure has sustained substantial damage, any repairs are considered



substantial improvement regardless of the actual repair work performed. The requirement does not, however, include either:

- (i) Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assume safe living conditions.
- (ii) Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

(6) *Recreational vehicles.* Recreational vehicles shall either:

(a) Temporary Placement.

- (i) Be on-site for fewer than one hundred eighty (180) consecutive days; or
- (ii) Be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities, and has no permanently attached additions.

(b) Permanent Placement. Recreational vehicles that do not meet the limitations of Temporary Placement shall meet all the requirements for new construction.

(7) *Temporary non-residential structures.* Prior to the issuance of a floodplain development permit for a temporary structure, the applicant must submit to the floodplain administrator a plan for the removal of such structure(s) in the event of a hurricane, flash flood or other type of flood warning notification. The following information shall be submitted in writing to the floodplain administrator for review and written approval:

- (a) A specified time period for which the temporary use will be permitted. Time specified may not exceed three (3) months, renewable up to one (1) year;
- (b) The name, address, and phone number of the individual responsible for the removal of the temporary structure;
- (c) The time frame prior to the event at which a structure will be removed (i.e., minimum of seventy-two (72) hours before landfall of a hurricane or immediately upon flood warning notification);
- (d) A copy of the contract or other suitable instrument with the entity responsible for physical removal of the structure; and
- (e) Designation, accompanied by documentation, of a location outside the special flood hazard area, to which the temporary structure will be moved.

(8) *Accessory structures.* When accessory structures (sheds, detached garages, etc.) are to be placed within a special flood hazard area, the following criteria shall be met:

- (a) Accessory structures shall not be used for human habitation (including working, sleeping, living, cooking or restroom areas);
- (b) Accessory structures shall not be temperature-controlled;
- (c) Accessory structures shall be designed to have low flood damage potential;
- (d) Accessory structures shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters;

(e) Accessory structures shall be firmly anchored in accordance with the provisions of Article 5, Section A (1);

(f) All service facilities such as electrical shall be installed in accordance with the provisions of Article 5, Section A (4); and

(g) Flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided in conformance with the provisions of Article 5, Section B (4)(c).

An accessory structure with a footprint of one hundred fifty (150) square feet or less or that is a minimal investment of \$5,000 or less and satisfies the criteria outlined above is not required to meet the elevation or floodproofing standards of Article 5, Section B (2). Elevation or floodproofing certifications are required for all other accessory structures in accordance with Article 4, Section B (3). (Ord. of 5-4-09, art. 5, § B)

(9) Tanks. When gas and liquid storage tanks are to be placed within a Special Flood Hazard Area, the following criteria shall be met:

(a) Underground tanks. Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty;

(b) Above-ground tanks, elevated. Above-ground tanks in flood hazard areas shall be elevated to or above the Regulatory Flood Protection Elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area;

(c) Above-ground tanks, not elevated. Above-ground tanks that do not meet the elevation requirements of Article 5, Section B (2) of this ordinance shall be permitted in flood hazard areas provided the tanks are designed, constructed, installed, and anchored to resist all flood-related and other loads, including the effects of buoyancy, during conditions of the design flood and without release of contents in the floodwaters or infiltration by floodwaters into the tanks. Tanks shall be designed, constructed, installed, and anchored to resist the potential buoyant and other flood forces acting on an empty tank during design flood conditions.

(d) Tank inlets and vents. Tank inlets, fill openings, outlets and vents shall be:

(i) At or above the Regulatory Flood Protection Elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and

(ii) Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

(10) Other Development.

(a) Fences in regulated floodways and NEAs that have the potential to block the passage of floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of Article 5, Section F, of this ordinance.

(b) Retaining walls, sidewalks and driveways in regulated floodways and NEAs. Retaining walls and sidewalks and driveways that involve the placement of fill in regulated floodways shall meet the limitations of section 9-56 of this ordinance.

(c) Roads and watercourse crossings in regulated floodways and NEAs. Roads and watercourse crossings, including roads, bridges, culverts, low-water crossings and similar means for vehicles or pedestrians to travel from one side of a watercourse to the other side, that encroach into regulated floodways shall meet the limitations of Article 5, Section F of this ordinance.

(d) Commercial storage facilities are not considered "limited storage" as noted in this ordinance, and shall be protected to the Regulatory Flood Protection Elevation as required for commercial structures.

*(provided by MuniCode when codified);*

### **Sec. C. Reserved.**

### **Sec. D. Standards for floodplains without established base flood elevations.**

Within the special flood hazard areas designated as approximate zone A and established in section 9-7, where no base flood elevation (BFE) data has been provided by FEMA, the following provisions, in addition to the provisions of Article 5, Section A, shall apply:

- (1) No encroachments, including fill, new construction, substantial improvements or new development shall be permitted within a distance of twenty (20) feet each side from top of bank or five (5) times the width of the stream, whichever is greater, unless certification with supporting technical data by a registered professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- (2) The base flood elevation (BFE) used in determining the regulatory flood protection elevation shall be determined based on the following criteria:
  - (a) When base flood elevation (BFE) data is available from other sources, all new construction and substantial improvements within such areas shall also comply with all applicable provisions of this chapter and shall be elevated or floodproofed in accordance with standards in Article 5 Section A, and Article 5, Section B.
  - (b) When floodway or non-encroachment data is available from a federal, state, or other source, all new construction and substantial improvements within floodway and non-encroachment areas shall also comply with the requirements of Article 5, Section B, and C.
  - (c) All subdivision, manufactured home park and other development proposals shall provide base flood elevation (BFE) data if development is greater than five (5) acres or has more than twenty (20) lots / manufactured home sites. Such BFE data shall be adopted by reference in accordance with Article 3, Section B, and utilized in implementing this chapter.
  - (d) When base flood elevation (BFE) data is not available from a federal, state, or other source as outlined above, the reference level shall be elevated or floodproofed (non-residential) to or above the regulatory flood protection elevation, as defined in Article 2, Section A. All other applicable provisions of Article 5, Section B, shall also apply.

*(provided by MuniCode when codified)*

**Sec. E. Standards for riverine floodplains with base flood elevations but without established floodways or non-encroachment areas.**

Along rivers and streams where base flood elevation (BFE) data is provided by FEMA or is available from another source but neither floodway nor non-encroachment areas are identified for a special flood hazard area on the FIRM or in the FIS report, the following requirements shall apply to all development within such areas:

- (1) Standards of Article 5, Section A, and B; and
- (2) Until a regulatory floodway or non-encroachment area is designated, no encroachments, including fill, new construction, substantial improvements, or other development, shall be permitted unless certification with supporting technical data by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community.

*(provided by MuniCode when codified)*

**Sec. F. Floodways and non-encroachment areas.**

Areas designated as floodways or non-encroachment areas are located within the special flood hazard areas established in Article 3, Section B. The floodways and non-encroachment areas are extremely hazardous areas due to the velocity of floodwaters that have erosion potential and carry debris and potential projectiles. The following provisions, in addition to standards outlined in Article 5, Section A, and B, shall apply to all development within such areas:

- (1) No encroachments, including fill, new construction, substantial improvements and other developments shall be permitted unless:
  - (a) It is demonstrated that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood, based on hydrologic and hydraulic analyses performed in accordance with standard engineering practice and presented to the floodplain administrator prior to issuance of floodplain development permit, or
  - (b) A conditional letter of map revision (CLOMR) has been approved by FEMA. A letter of map revision (LOMR) must also be obtained within six (6) months of completion of the proposed encroachment.
- (2) If Article 5, Section F (1) is satisfied, all development shall comply with all applicable flood hazard reduction provisions of this chapter.
- (3) Manufactured homes may be permitted provided the following provisions are met:
  - (a) The anchoring and the elevation standards of Article 5, Section B, (3); and
  - (b) The no encroachment standard of Article 5, Section F (1).

*(provided by MuniCode when codified)*

**Secs. G-Z reserved.**

**ARTICLE 6. LEGAL STATUS PROVISIONS**



#### **Sec. A. Effect on rights and liabilities under the existing flood damage prevention ordinance.**

This chapter in part comes forward by re-enactment of some of the provisions of the flood damage prevention ordinance enacted September 17, 1979, as amended, and it is not the intention to repeal but rather to re-enact and continue to enforce without interruption of such existing provisions, so that all rights and liabilities that have accrued thereunder are reserved and may be enforced. The enactment of this ordinance shall not affect any action, suit or proceeding instituted or pending. All provisions of the flood damage prevention ordinance of Granite Quarry enacted on December 17, 1979, as amended, which are not reenacted herein are repealed.

The date of the initial flood damage prevention ordinance for Town of Granite Quarry is September 15, 1978.

*(provided by MuniCode when codified)*

#### **Sec. B. Effect upon outstanding floodplain development permits.**

Nothing herein contained shall require any change in the plans, construction, size, or designated use of any development or any part thereof for which a floodplain development permit has been granted by the floodplain administrator or his or her authorized agents before the time of passage of this chapter; provided, however, that when construction is not begun under such outstanding permit within a period of six (6) months subsequent to the date of issuance of the outstanding permit, construction or use shall be in conformity with the provisions of this chapter. If a complete application made in accordance with this chapter is submitted for a development permit required pursuant to this chapter and a regulation changes between the time the application was submitted and a decision is made, the applicant may choose which version of the development regulation will apply to the application unless otherwise prohibited by applicable state or federal laws. If the development permit applicant chooses the version of the ordinance applicable at the time of the permit application, the development permit applicant shall not be required to await the outcome of the amendment to the map or ordinance prior to acting on the development permit.

*(provided by MuniCode when codified)*

#### **Sec. C. Severability.**

If any section, clause, sentence, or phrase of the ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way effect the validity of the remaining portions of this chapter.

*(provided by MuniCode when codified)*

#### **Sec. D. Effective date.**

This chapter shall become effective July 12, 2021.


*(provided by MuniCode when codified)*



**Section 2.** All ordinances in conflict herewith are repealed to the extent of any such conflict.


**Section 3.** This ordinance is effective on the 12<sup>th</sup> day of July 2021.

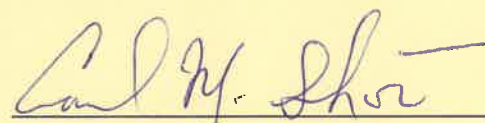


  
William D. Feather, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

  
Aubrey Smith, Town Clerk

  
Carl M. Short, Town Attorney

## ORDINANCE NO. 2021-12

### AN ORDINANCE AMENDING TEXT OF THE TOWN OF GRANITE QUARRY'S UNIFIED DEVELOPMENT ORDINANCE

#### BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF GRANITE QUARRY:

**Section 1.** That the Unified Development Ordinance of the Town of Granite Quarry, North Carolina, is hereby amended by adding a section, to be numbered 15.8, which reads as follows:

##### **Sec. 15.8 Conflict of interest.**

*A. Governing board.* A governing board member shall not vote on any legislative decision regarding a development regulation adopted pursuant to this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. A governing board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.

*B. Appointed boards.* Members of appointed boards shall not vote on any advisory or legislative decision regarding a development regulation adopted pursuant to this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. An appointed board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.

*C. Administrative staff.* No staff member shall make a final decision on an administrative decision required by this Chapter if the outcome of that decision would have a direct, substantial, and readily identifiable financial impact on the staff member or if the applicant or other person subject to that decision is a person with whom the staff member has a close familial, business, or other associational relationship. If a staff member has a conflict of interest under this section, the decision shall be assigned to the supervisor of the staff person or such other staff person as may be designated by the development regulation or other ordinance.

No staff member shall be financially interested or employed by a business that is financially interested in a development subject to regulation under this Chapter unless the staff member is the owner of the land or building involved. No staff member or other individual or an employee of a company contracting with a city local government to provide staff support shall engage in any work that is inconsistent with his or her duties or with the interest of the local government, as determined by the local government.

D. *Quasi-judicial decisions.* A member of any board exercising quasi-judicial functions pursuant to this Chapter shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed *ex parte* communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.

E. *Resolution of Objection.* If an objection is raised to a board member's participation at or prior to the hearing or vote on that matter and that member does not recuse himself or herself, the remaining members of the board shall by majority vote rule on the objection.

F. *Familial relationship.* For purposes of this section, a close familial relationship means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships.

**Section 2.** All ordinances in conflict herewith are repealed to the extent of any such conflict.

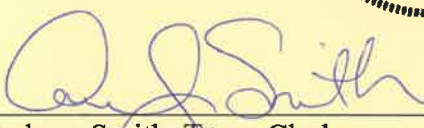
**Section 3.** This ordinance is effective on the 14<sup>th</sup> day of June 2021.

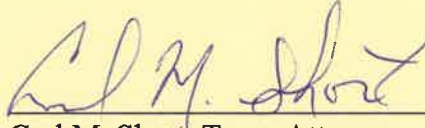


  
William D. Feather, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

  
Aubrey Smith, Town Clerk

  
Carl M. Short, Town Attorney



## RESOLUTION 2021-12

### A RESOLUTION OF THE BOARD OF ALDERMEN OF THE TOWN OF GRANITE QUARRY, NORTH CAROLINA, TO ADOPT A PURCHASING POLICY

**WHEREAS**, it is the intent of the Board of Aldermen of the Town of Granite Quarry to ensure that goods and services are obtained in an efficient and economical manner; and

**WHEREAS**, it is the goal of the Town's purchasing program to comply with all legal and ethical requirements of public purchasing and procurement; and

**WHEREAS**, it is the goal of the Town's purchasing program to assure vendors that impartial and equal treatment is afforded to all who conduct business with the Town; and

**WHEREAS**, it is the goal of the Town's purchasing program to receive maximum value for money spent by awarding purchase orders to the lowest responsive, responsible bidder, taking into consideration quality, performance, support, delivery schedule, previous performance, business location, and other relevant factors; and

**WHEREAS**, it is the goal of the Town's purchasing program to provide Town departments the required goods and services in a timely manner in the proper quantity and quality while providing necessary information to the Town Finance Department; and

**WHEREAS**, it is the goal of the Town's purchasing program to professionally administer the search for sources of supplies, the development of new sources, the selection of suppliers, negotiations, commitments, follow-ups, and adjustments; and

**WHEREAS**, it is the goal of the Town's purchasing program to promote healthy business relationships through informed and fair purchasing practices and maintenance of ethical standards; and

**WHEREAS**, the Board of Aldermen of the Town of Granite Quarry feel this can be accomplished by establishing the Town of Granite Quarry's Purchasing Policy.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Aldermen of the Town of Granite Quarry that the attached Purchasing Policy is hereby adopted.

**RESOLVED, APPROVED, AND EFFECTIVE UPON ADOPTION BY THE BOARD OF ALDERMEN OF THE TOWN OF GRANITE QUARRY, NORTH CAROLINA, ON THIS THE 14<sup>th</sup> DAY OF June 2021.**

ATTEST:

  
Aubrey Smith, Town Clerk



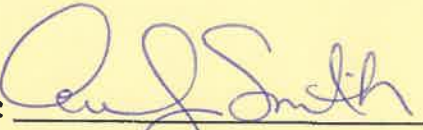
  
William D. Feather, Mayor

The Board of Aldermen of the Town of Granite Quarry does hereby ratify the action of the Board of Aldermen on September 6, 2016, whereby the Board annexed the property shown upon the map and survey attached hereto as Exhibit A and described further on Exhibit B, being the same property described in that Ordinance recorded in Book 1330 at page 556 in the Office of the Register of Deeds for Rowan County, North Carolina, a copy of which is attached as Exhibit C.

Adopted this 14<sup>th</sup> day of June, 2021.

  
William D. Feather, Mayor

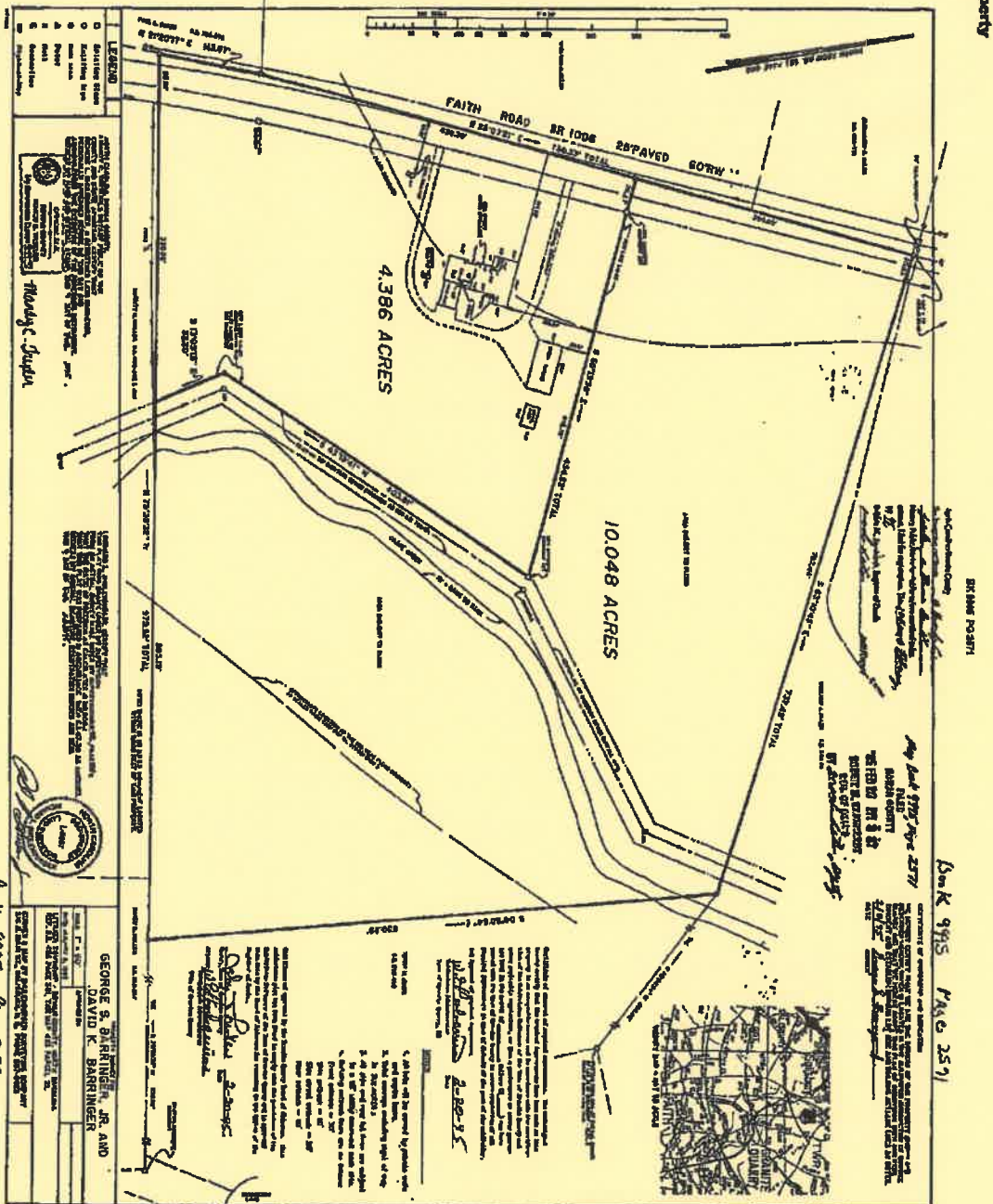
Attest:

  
Aubrey Smith, Town Clerk





## Abstracts





**BEGINNING** at a point in the centerline of Faith Road (SR 1006), a corner of the property of William J. Allen (Deed Book 544, Page 21), said point being approximately 450 feet from Hellig Road and running thence with the line of the property of William J. Allen, South 63 degrees 10 minutes 45 seconds East 737.49 feet to a new iron, said iron being North 42 degrees 36 minutes 34 seconds West 658.02 feet from an existing concrete monument at the northwest corner of Lot 15 of Mulberry, Section 2 as shown in Book of Maps 8995 at Page 1703 and being in line of the property of Terry H. Jones (Deed Book 595, Page 408); thence with the line of the property of Terry H. Jones, South 04 degrees 50 minutes 54 seconds West 630.99 feet to an existing iron in the line of the property of Nancy K. Holler (Deed Book 559, Page 257); thence with the line of the property of Nancy K. Holler and Moffitt K. Holler (Deed Book 400, Pages 385 and 389), North 79 degrees 39 minutes 32 seconds West 595.19 feet to a new iron pipe in the western margin of a thirty foot sanitary sewer easement; thence with the western margin of said thirty foot sanitary sewer easement, two lines as follows: (1) North 13 degrees 09 minutes 18 seconds West 82.20 feet to a new iron pipe; and (2) North 43 degrees 13 minutes 41 seconds East 403.81 feet to a new concrete monument set; thence a new line, North 65 degrees 13 minutes 36 seconds West 454.53 feet to a point in Faith Road, said point being 38.37 feet from a new concrete monument set in the eastern margin of the right of way of Faith Road; thence North 25 degrees 03 minutes 21 seconds East 320.03 feet to the point of **BEGINNING**, containing approximately 10.048 acres as shown on a plat prepared by Richard L. Shulenburg, RLS, dated January 6, 1996.

0100 YK



Doc ID: 014183280006 Type: CRP  
Recorded: 07/08/2019 at 03:33:17 PM  
Fee Amt: \$28.00 Page 1 of 8  
Rowan, NC  
J. E. Brindle Register of Deeds  
BK 1330 PG 556

**AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE  
TOWN OF GRANITE QUARRY, NORTH CAROLINA**

WHEREAS, the Board of Aldermen have by resolution directed the Town Clerk to investigate the sufficiency of the resolution; and

WHEREAS, the Town Clerk has certified the sufficiency of the resolution and a public hearing on the question of this annexation was held at the Granite Quarry Town Hall, 143 N. Salisbury Ave, Granite Quarry, North Carolina 28146 at 6:45 pm on September 6, 2016, after due notice by The Salisbury Post newspaper on August 25, 2016; and

WHEREAS, the Board of Aldermen finds that the area described therein meets the standards of G.S. 160A-31 (g) to wit:

- a) The proposed municipal property is contiguous to the existing corporate limits of the Town;
- b) The area described is situated so that the Town will be able to provide general services;
- c) No subdivision, as defined in G.S. 160A-376, will be fragmented by this proposed annexation;

WHEREAS, the Board of Aldermen further finds that the resolution has been adopted;  
and

WHEREAS, the Board of Aldermen further finds their resolution is otherwise valid, and that the public health, safety and welfare of the Town and of the area proposed for annexation will be best served by annexing the area described;

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

**Section 1.** By virtue of the authority granted by G.S. 160A-31 (g), the following described contiguous territory is hereby annexed and made part of the Town of Granite Quarry, as of September 6, 2016 Rowan County Tax Map 403, parcel 185:

Exhibit A  
\*\*\*Metes and Bounds Description Attached\*\*\*

Exhibit B  
Permanent Sewer Easement

**Section 2.** Upon and after September 6, 2016, the described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Granite Quarry and shall be entitled to the same privileges and benefits as other parts of the Town of Granite Quarry, North Carolina. Said territory shall be subject to municipal taxes according to G.S. 160A-58.10.

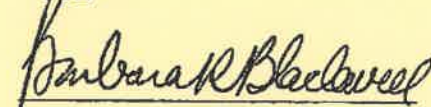
**Section 3.** The Mayor of the Town of Granite Quarry, North Carolina shall cause to be recorded in the office of the Register of Deeds of Rowan County, and in the office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in section 1 above, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections, as required by G.S. 163-288.1.

**Section 4.** Notice of adoption of this ordinance shall be published once, following the effective date of annexation, in the newspaper having general circulation in the Town of Granite Quarry.

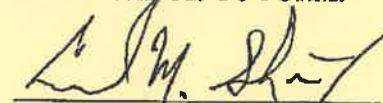
Adopted this 6th day of September, 2016.

  
Mayor

ATTEST:

  
Clerk

APPROVED AS TO FORM:

  
Town Attorney

[SEAL]





## **EXHIBIT A**

### **RESOLUTION STATING THE INTENT OF THE TOWN OF GRANITE QUARRY TO VOLUNTARY ANNEX PROPERTY OWNED BY THE TOWN WHICH IS CONTIGUOUS TO THE EXISTING MUNICIPAL BOUNDARIES**

BE IT RESOLVED by the Board of Aldermen of the Town of Granite Quarry that:

Section 1. It is the intent of the Board of Aldermen, pursuant to G.S. 160A-31(g), to annex the property described in Section 2, which is owned by the Town of Granite Quarry.

Section 2. The legal description of the easement is as follows:

10.048 acres, listed on Tax Map 403 as Parcel 185, located at 0 Faith Road and formally known as the Barringer Property.

30' permanent sewer easement beginning at a point in the western right-of-way of Faith Road SR-1006; located N16°57'09"E 64.65' from an existing iron pipe the northeast corner of Alexander Bivens Allen D. B. 696 pg 791; thence from the point of beginning along the southern line of a new 30' permanent easement N70°13'34"W 273.94' to a point; thence N69°03'23"W 449.23' to a point; thence S69°59'53"W 39.94' to a point in the eastern property line N01° 42'59"E 32.29' to a point; thence along the northern line of said permanent easement N69°59'53"E 39.94' to a point; thence S69°03'23"E 458.29' to a point; thence S70°13'34"E 274.03' to a point in the western right-of-way of Faith Road; thence along said right-of-way S16°57'09"W 30.04' to the point of beginning containing 23.004 square feet 0.528 acre as shown on map prepared by Peirson & Whitman Architects and Engineers, P. A. and dated June 7, 1996.

Section 3. The property described in Section 2 is contiguous to the current municipal boundaries.

Section 4. A public hearing on the question of voluntary annexation of the property will be held at Granite Quarry Town Hall at 6:45 p.m. on September 6, 2016.

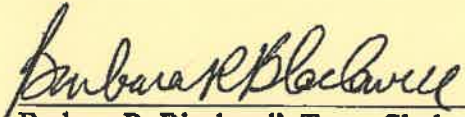


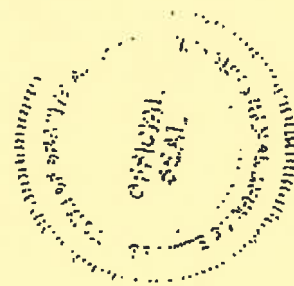
Section 5. Notice of the public hearing shall be published once in the Salisbury Post, a newspaper having general circulation in the Town of Granite Quarry, at least ten (10) days prior to the date of the public hearing.

Adopted this 6<sup>th</sup> day of September, 2016.

  
\_\_\_\_\_  
William D. Feather, Mayor

Attest:

  
\_\_\_\_\_  
Barbara R. Blackwell, Town Clerk



**NORTH CAROLINA  
ROWAN COUNTY**

**AMENDMENT TO  
AGREEMENT**

This Amendment to Agreement is made and entered into this the \_\_\_\_ day of June, 2021, by and between Granite Quarry Civitans (hereinafter referred to as "Civitans") party of the first part; and the Town of Granite Quarry, a North Carolina Municipal Corporation (hereinafter referred to as "Town") party of the second part.

**WITNESSETH:**

WHEREAS, the Civitans and the Town entered into an Agreement dated April 14, 2010 for the purpose of allowing the Civitans use of the property of the Town shown as Parcel 039 on Tax Map 350 of the Tax Assessor's maps of Rowan County after making improvements to said property; and

WHEREAS, said Agreement set forth the credit for those improvements to the Civitans for the first ten years but provided in Paragraph 5 that "fee will be revisited after the 10 year period to reflect current economic conditions"; and

WHEREAS, the parties wish to extend that Agreement and establish the new credit rates for years 11 through 17 of the Agreement.

NOW THEREFORE, the parties agree that the Civitans shall have continued use of the property as agreed upon April 14, 2010 but that the fee/credit for use of the building for years 11-16 shall be \$3,600.00 per year with a partial credit of \$1,637.19 for year 17. All other terms set forth in the April 14, 2010 Agreement shall remain.

IN WITNESS WHEREOF, this agreement has been executed in a manner prescribed by law, this the day and year first above written.

**GRANITE QUARRY CIVITANS**

By: \_\_\_\_\_  
President

**TOWN OF GRANITE QUARRY**

By:  \_\_\_\_\_  
Mayor

ATTEST:  \_\_\_\_\_  
Town Clerk

STATE OF NORTH CAROLINA  
COUNTY OF Rowan

I, \_\_\_\_\_, a Notary Public of Rowan County, State of North Carolina, certify that \_\_\_\_\_, (the "Signatory"), personally came before me this day and acknowledged that he/she is PRESIDENT OF GRANITE QUARRY CIVITANS, a North Carolina Organization, and that he/she, in such capacity and being authorized to do so, executed the foregoing on behalf of the organization.

The Signatory acknowledged to me that he/she voluntarily signed the foregoing instrument for the purpose stated and in the capacity indicated.

Witness my hand and official stamp or seal this \_\_\_\_\_ day of June, 2021.

\_\_\_\_\_  
Notary Public

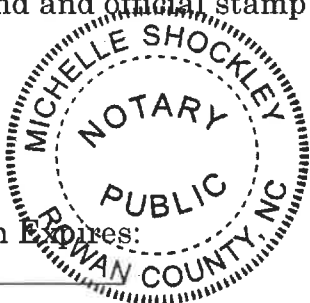
My Commission Expires: \_\_\_\_\_

Print Name: \_\_\_\_\_  
Notary Public

STATE OF NORTH CAROLINA  
COUNTY OF Rowan

I, Michelle Shockley, a Notary Public of Rowan County, State of North Carolina, certify that William Feather, (the "Signatory"), personally came before me this day and acknowledged that he/she is MAYOR of the Town of Granite Quarry, a North Carolina Municipal Corporation, and that as Mayor, being authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and official stamp or seal this 14th day of June, 2021.



Michelle Shockley  
Notary Public

My Commission Expires: 5/6/24

Print Name: Michelle Shockley  
Notary Public



**PROCLAMATION IN HONOR OF  
THE 100<sup>th</sup> BIRTHDAY OF  
MR. HARRY DRURY**

*WHEREAS, Mr. Harry Drury holds the distinction of being a Granite Quarry NC Centenarian; and*

*WHEREAS, Mr. Drury, with his late wife Dot, has been a resident of Granite Quarry for more than 75 years during which they raised their two children, Harriet and Terry; and*

*WHEREAS, Mr. Drury has been described as an amazing man whose vitality, energy, and positive attitude belie his advanced age; and*


*WHEREAS, Mr. Drury celebrated his 100<sup>th</sup> birthday on February 18, 2021.*

*NOW, THEREFORE, BE IT PROCLAIMED, that I, William D. Feather, by virtue of the authority vested in me as Mayor of the Town of Granite Quarry, North Carolina, do hereby proclaim and celebrate the life of distinguished citizen, Mr. Harry Drury*

*On this the 14<sup>th</sup> Day of June, 2021.*

  
William D. Feather, Mayor

ATTEST:

  
Aubrey Smith, Town Clerk

