



MINUTES

Tuesday, August 9, 2022: 6:00 PM

Town Council Business Meeting

Douglass Community Center: 1185 W. Pennsylvania Ave

1. CALL TO ORDER

Mayor Haney called the meeting to order. The following members of Town Council were present: Mayor Carol Haney; Paul Murphy; Bill Pate; and Ann Petersen.

Absent: Taylor Clement

2. PLEDGE OF ALLEGIANCE

3. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda and proposed an addition to the Consent Agenda regarding the hiring of a new attorney upon current Town Attorney Doug Gill's planned retirement.

4. PUBLIC COMMENTS

David Sullivan of 19 Village Green Circle, Southern Pines Thanked the Council for their service and addressing UDO. Mr. Sullivan noted that Village Green is the home of many WWII veterans and asked them that, in regards to the Patricks Pointe project, they please be diligent and maintain the terms of the application because the citizens don't want the Town to look like West Fayetteville.

5. PUBLIC HEARINGS

a. Continuation of Public Hearing for PD-04-22: St. John Paul CDP

Mr. Pete Bogle of Bogle Firm Architecture has submitted an application for a Planned Development District – Conceptual Development Plan to allow a private school, athletic fields, cemetery, rectory and religious institution. The subject parcels are currently zoned RE (Rural Estate). This is a continuation of a public hearing that was originally opened on April 12, 2022 and continued several times to August 9, 2022.

The applicant has requested the hearing be continued to the Town Council Regular Business Meeting on September 13, 2022.

Planning Director BJ Grieve advised the Council that they had received a request from Mr. Andy Pettish, attorney, to continue the hearing to the next Business Meeting on September 13, 2022. Planning Director Grieve advised that the applicants had been told and responded via email that they agreed to the continuance.

Mr. Andy Pettish, attorney, advised that the parties had a Zoom call planned for later that week.

Councilmember Pate motioned to continue the public hearing for PD-04-22 to the September 13, 2022 Council Meeting, seconded by Councilmember Petersen; the vote was unanimous.

Motion passed.

b. Public Hearing for AX-02-22: Pinehurst Surgical Clinic Site 3B

Charles Gregg, on behalf of Morganton Park Realty, LLC, is requesting voluntary annexation of a 5.19-acre contiguous parcel on the southwest corner of South Carlisle Street and Patriot Boulevard.

Councilmember Petersen moved to open the hearing for AX-02-22; Pinehurst Surgical Clinic Site 3B, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

Planning Director BJ Grieve reviewed the application and staff report for the Council.

Councilmember Petersen asked if the original building that was approved part of an SUP? Planning Director Grieve advised that he responding from memory only, and believes the original approval was for Morganton Park Phase 7 and the PDP was approved as part of the CUP and was for a 60,000 sq ft medical building of 3 stories.

Councilmember Petersen questioned the height of the building. Planning Director Grieve is unable to answer and would have to check the plans.

Discussion ensued.

Councilmember Pate moved to close the hearing for AX-02-22, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed

Councilmember Pate moved to adopt the Ordinance approving the Voluntary Annexation request in application AX-02-22 for the property as defined in the submitted written metes and bounds description, and to have the Ordinance effective immediately, seconded by Mayor Pro Tem Murphy, the vote was unanimous.

Motion passed.

c. Public Hearing for SU-04-22: Boles Funeral Home Addition

On behalf of Boles Family LLC, Mr. John Heckethorn with Heckethorn Architecture, PLLC, has submitted an application for a Special Use Permit for the construction of a 340 square foot addition to the existing structure serving the funeral home business. A special use permit is required due to the use being a legal nonconforming use in the Central Business

(CB) District where the proposed project is located.

Mayor Haney swore in pending witnesses for the hearing. She asked Councilmembers to disclose the following relative to the application and property: any specialized knowledge; a fixed opinion not subject to change; close relation to the applicant or property owner; and/or a financial interest in the outcome.

No disclosures were made.

Councilmember Petersen moved to open the hearing for SU-04-22: Boles Funeral Home Addition, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed

Planning Director Grieve reviewed the application and staff report.

John Heckethorn, architect for the applicant, advised the Council that the addition is intended to be used as a lounge space for the staff.

Councilmember Petersen confirmed with the architect that the materials used would be consistent with the current building and that the addition would not impact the screening for the mechanical equipment and dumpsters. The location and intended use was also confirmed.

Councilmember Pate moved to close the hearing for SU-04-22: Boles Funeral Home Addition, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

Councilmember Pate moved to adopt Attachment A of the staff report as our Findings of Fact regarding the proposed Special Use Permit SU-04-22, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed

Councilmember Pate moved to approve Special Use Permit SU-04-22, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

6. ACTION ITEMS

a. Consider AR-10-22: 600 SW Broad St.

PTAH, LLC is requesting approval of an Architectural Compliance Permit for "600 SW Broad Street Addition," a 1,954 square-foot retail café and restaurant located at 600 SW Broad Street..

Mayor Haney gave a brief overview of the item.

Discussion ensued.

Councilmember Petersen confirmed with applicant, Andy Bledgie, that the only change to the building structurally would be to enclose the drive thru. Mr. Bledgie clarified that another 500 - 600 sq. feet would be added to the back of the building.

Councilmember Pate moved to approve AR-10-22: 600 SW Broad Street, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

b. Consider AR-13-22: Waterworks SNC

Neal Smith Engineering, Inc. has applied for an Architectural Compliance Permit for a 13,272 square-foot expansion of the existing historic brick building located at the Waterworks development at 1605 Central Drive.

Mayor Haney gave a brief overview of the item.

Councilmember Pate confirmed that 2 options were given for the appearance of the outside of the building and stated that he, like the applicant, preferred Option 2.

Discussion ensued with all members of Council indicating that Option 2 was the preferred appearance.

Councilmember Pate moved to approve AR-13-22: Waterworks SNC, seconded by Councilmember Petersen; the vote was unanimous.

Motion passed.

c. Consider AR-14-22: The Luxe at Morganton Park

Morganton Park II, LLC requests an Architectural Compliance Permit for a multi-family residential development located directly east of Legends at Morganton Park on South Carlisle Street. The proposal includes three new 30-unit apartment buildings as well as six new 5-bay garage structures. This agenda item was first reviewed by the Town Council at the June 8, 2022 Town Council Agenda Meeting.

Mayor Haney gave a brief overview of the item.

Councilmember Petersen questioned the staff on the interpretation of the UDO Standard regarding number of access points per unit. Town Planner I Jennifer Hunt and Planning Director Grieve, citing the breezeway equaling 2 access points, both agreed that the proposed building met the UDO Standard.

Mayor Pro Tem Murphy moved to approve AR-14-22: The Luxe at Morganton Park, seconded by Councilmember Pate; the vote was as follows:

Mayor Haney = aye

Mayor Pro Tem Murphy = aye

Councilmember Pate = aye

Councilmember Petersen = nay

Motion passed.

d. Consider Order #2022-02 for RA-02-22: Request to Abandon Portions of Mechanic St. and Rhode Island Ave.

Mr. Bob Koontz, on behalf of VG Pines Residential LLC, requests the abandonment of Mechanic St. from W. Rhode Island Ave. to the right-of-way for US Highway 1 as well as the portion of Rhode Island Ave that extends through the parcel identified as PIN 858214321933 (PARID 00039174).

Town Engineer James Michel presented the request to the Council with the conclusion that Mechanic Street is a recognized Town right-of-way while no evidence was found that Rhode Island Avenue was ever accepted by the Town as right-of-way and should not be considered by the Town.

Discussion ensued.

Town Attorney Doug Gill concurs with Town Engineer Michel's interpretation and, in his opinion, the Council should not vote on Rhode Island since there is no evidence that Rhode Island has ever been accepted through an offer of dedication and stated that the request to abandon Rhode Island Avenue has been withdrawn.

Planning Director Grieve clarified that the applicant in its application stated that they didn't feel that Rhode Island Avenue was the Town's right-of-way.

Councilmember Petersen feels a public hearing should be called to determine if Rhode Island belongs to the Town.

Discussion ensued.

Nick Robinson, attorney for the applicant, advised that the request for Rhode Island Avenue was made out of caution and the applicant does not believe that the Town has a right-of-way on Rhode Island Ave.

Councilmember Pate questioned the applicant about water management should the Town abandon the requested portions of Mechanic Street.

Bob Koontz, for the applicant, advised that there would be very little impact regardless of the decision of the Council and, if approved, would only improve the project.

Councilmember Pate moved to approve the request for a public hearing for RA-02-22: Request to Abandon Portions of Mechanic Street.

Councilmember Petersen moved to include Rhode Island Avenue in the vote.

Discussion ensued. No second was given.

Councilmember Pate moved to approve the request for a public hearing for RA-02-22: Request to Abandon Portions of Mechanic Street, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

e. Consider AR-15-22: Patrick's Pointe

Kerry Finley of Finley Design requests an Architectural Compliance Permit multi-family residential development called Patrick's Pointe. The proposed structures include multiple 12-unit, 16-unit and 24-unit apartment buildings totaling 240 units, multiple townhome-style buildings containing a total of 26 units, a clubhouse building, and garage buildings. The 25.6-acre development is adjacent to the east side of US Highway 1, between Midland Rd. and W. Connecticut Ave. This agenda item was first reviewed by the Town Council at the June 8, 2022 Town Council Agenda Meeting.

Kerry Finley of Finley Design for applicant VG Pines Residential, LLC Carey Finley, presented the request to the Council.

Discussion ensued.

Councilmember Pate moved to approve AR-15-22: Patrick's Pointe, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

f. Consider Resolution #1019 - RD-01-22: Offer of Dedication of Ravensbrook Phase 1 Roads

Colin Webster, on behalf of Ravensbrook LLC, is offering the road improvements and rights-of way in Phase 1 of the Ravensbrook residential subdivision for dedication to the Town of Southern Pines for perpetual maintenance.

Mayor Pro Tem Murphy moved to approve Resolution #1019 accepting the offer of dedication RD-01-22 for a portion of Amelia Drive and all of Rossborn Lane and Fleming Court located within Phase 1 of the Ravensbrook subdivision, seconded by Councilmember Pate ; the vote was unanimous.

Motion passed.

g. Request to give Mayor Haney authorization to engage Dewitt McCarly of Parker Poe as Town Attorney

Request to give Mayor Haney authorization to engage Dewitt McCarly of Parker Poe as Town Attorney

Item g was added at the request of Town Manager Parsons during his review at the beginning of this meeting.

Councilmember Pate moved to approve the request to grant Mayor Haney the authorization to engage Dewitt McCarly of Parker Poe as Town Attorney, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

7. CONSENT AGENDA

Councilmember Pate moved to approve the Consent Agenda, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

a. Approve Resolution #1018 Regarding Lease for Electric Vehicle Charging Stations

Staff has worked with local business Go Pines, LLC, to develop a lease agreement to provide the infrastructure for electric vehicle charging stations at Reservoir Park as well as in the downtown district (Bennett St. parking lot). The next step is for to Council to adopt a Resolution of Intent to enter into a lease for this purpose and to provide a public notice of the pending action. Based on the mandatory notice requirements in NCGS §160A-272, the Council could take action on the lease document at the September 26th work session.

b. Approve Updated Town Council Meeting Schedule for 2022

The election will be held on the 2nd Tuesday of November, which is the day that the Town Council Business Meeting is typically held. The Moore County Board of Elections uses the

Douglass Community Center as a voting site, so it will not be available for the Council meeting. Staff recommends delaying the November agenda and business meetings one week, to Wednesday, November 9th and Tuesday, November 15th respectively.

c. Adopt Policies Relative to American Rescue Plan Funding

- 1. Non-discrimination**
- 2. Records Retention**
- 3. Allowable Costs and Principles**
- 4. Eligible Projects**
- 5. Conflict of Interests**

Staff has prepared the policies recommended by the School of Government to have in place before spending any ARPA funding.

d. Authorize the Execution of an Interlocal Agreement with Moore County Regarding a Development Proposal

This agreement addresses a proposal for a residential development in Moore County, a small part of which lies in the Town's ETJ. Through this agreement, the County will review the application and future site plans for the area within the ETJ.

e. Approve Town Council Meeting Minutes for July 2022

- 1. July 6, 2022 Agenda Meeting**
- 2. July 12, 2022 Business Meeting**
- 3. July 25, 2022 Work Session**

Staff has prepared the draft Town Council Meeting Minutes for July 2022.

f. Approve Ordinance #2019 - Administrative Updates to Code of Ordinances

Staff is in the process of reviewing the entire Code of Ordinances to identify sections where administrative updates are needed due to obsolescence, changes in state statutes, or similar. These will be forwarded to Council as they are complete, with the end goal being a re-codification of the entire Code of Ordinances. Staff requests approval of the first set of amendments, which will be included on the August 9th consent agenda, unless Council prefers otherwise.

g. Approve Ordinance #2020 Amending the FY 22-23 Budget

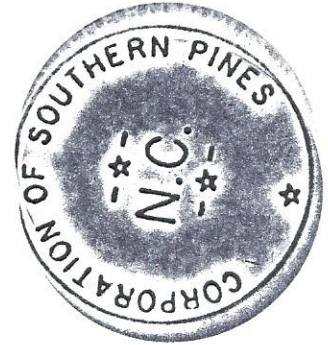
As discussed at the July 25th work session, the library staff has requested funds to replace the front desk. This amendment authorizes \$42,452.00 to complete that purchase.

8. ADJOURNMENT

Upon motion by Mayor Pro Tem Murphy, seconded by Councilmember Petersen and carried unanimously, Council adjourned at 7:48 pm.

Respectfully submitted:

Elizabeth Robertson
Elizabeth Robertson, Town Clerk



TOWN OF SOUTHERN PINES RESOLUTION #1018
INTENT TO ENTER INTO A LEASE WITH GO PINES, LLC FOR THE PROVISION OF
ELECTRIC VEHICLE CHARGING STATIONS IN PUBLIC PARKING LOTS

WHEREAS, in 2018, North Carolina Governor Roy Cooper signed into law Executive Order No. 80 (EO 80), which promotes strategies to address climate change and transition to a clean energy economy. EO 80 encourages public-private partnerships to foster innovations for clean energy technology solutions and set forth a goal of increasing the number of zero-emission vehicles (ZEVs) registered in North Carolina to at least 80,000 by 2025; and

WHEREAS, in 2022, Governor Cooper signed Executive Order No. 245, which builds upon EO 80 and sets specific transportation goals to transform North Carolina to a clean, equitable economy so that by 2030, at least 50 percent of vehicles sold in North Carolina are zero-emission;

WHEREAS, as reported by the North Carolina Department of Transportation, the growth of electric and plug-in hybrid vehicles registered in Moore County has been steady and significant, representing an increase of 205% from 2019 to 2022. As of March 2022, 448 electric and plug-in hybrid vehicles were registered, a 64% increase since March 2021; and

WHEREAS, there are currently three public parking spaces equipped with electric vehicle charging infrastructure within Southern Pines. The Town of Southern Pines seeks a public-private partnership to install additional charging infrastructure to meet the continued growth of ZEVs registered in Moore County, while limiting the cost burden on the Town's taxpayers.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southern Pines, North Carolina in regular session assembled this 9th day of August, 2022, that:

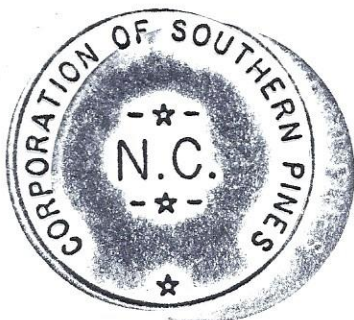
1. In accordance with North Carolina General Statutes §160A-272, the Town Council of Southern Pines announces its intent to enter into a lease agreement with Go Pines, LLC for a term for five (5) years.
2. The Town of Southern Pines will lease public parking spaces to Go Pines, LLC for the purpose of installing electric vehicle charging infrastructure to serve four parking spaces at the Town's Bennett Street lot and two parking spaces in Reservoir Park. The costs of installing, maintaining, and operating the infrastructure will be borne solely by Go Pines, LLC.
3. The Town of Southern Pines does not have any intended needs for the subject parking spaces that are not in harmony with the proposed lease for the purposes of installing electric vehicle charging infrastructure.
4. Go Pines, LLC will pay the Town of Southern Pines an amount of \$25 per month (\$300 per year) for each parking space.
5. The Town Council intends to act on this lease at its regular meeting on Monday, September 26, 2022.
6. The Town Clerk shall provide notice of the Town Council's intent to enter into this lease in *The Pilot* newspaper no later than August 27, 2022.

Adopted this 9th day of August, 2022

TOWN OF SOUTHERN PINES


Carol R. Haney, Mayor

I certify that this resolution was adopted by the Town Council of the Town of Southern Pines at its meeting of August 9, 2022 as shown in the minutes of the Town Council for that date.




Elizabeth Robertson, Town Clerk

**TOWN OF SOUTHERN PINES RESOLUTION #1019 OFFICIALLY ACCEPTING
OFFER OF DEDICATION TO THE PUBLIC FOR RAVENSBROOK PHASE 1 ROADS
RD-01-22**

WHEREAS, the Town of Southern Pines has subdivision-regulation jurisdiction over the land on which Amelia Drive, Rossborn Lane and Fleming Court are located; and

WHEREAS, Amelia Drive, Rossborn Lane and Fleming Court are currently privately-maintained streets; and

WHEREAS, pursuant to §100.21 of the Code of Ordinances of the Town of Southern Pines, North Carolina, a plat entitled “Subdivision Final Plat and Utility Easements, Ravensbrook Phase 1” depicting Amelia Drive as a 72’ Public Road Right of Way & Utility Easement, Rossborn Lane as a 60’ Public Right of Way & Utility Easement and Fleming Court as a 60’ Public Right of Way & Utility Easement and depicting the accurate location of street boundary lines, ownership of adjacent properties and adjacent and intersecting streets was recorded on February 24, 2021 in Plat Cabinet 18, Slide 839; and

WHEREAS, North Carolina General Statutes §160A-374 allows any city council to accept by resolution any dedication made to the public of lands for streets when the lands are located within its subdivision-regulation jurisdiction; and

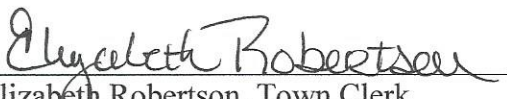
WHEREAS, the construction of all required portions of Amelia Drive, Rossborn Lane and Fleming Court, including street surfaces, curbs, sidewalks, street lights and landscaping is complete and the Town Engineer has inspected and approved construction.

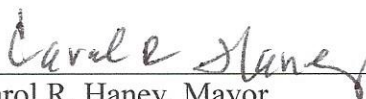
NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Southern Pines that the Town of Southern Pines hereby accepts for ownership, operation and maintenance the Phase 1 portion of Amelia Drive, Rossborn Lane and Fleming Court rights-of-way shown on “Exhibit A” attached hereto.

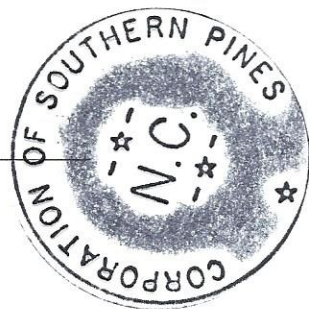
Adopted this 9th day of August, 2022.

ATTEST:

TOWN OF SOUTHERN PINES


Elizabeth Robertson, Town Clerk


Carol R. Haney, Mayor



I certify that this Order was adopted by the Town Council of the Town of Southern Pines at its meeting on August 9, 2022 as shown in the Minutes of the Town Council meeting for that date.

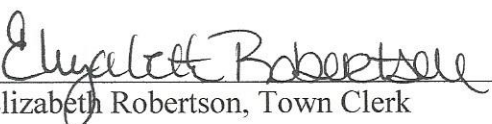

Elizabeth Robertson, Town Clerk

Exhibit A

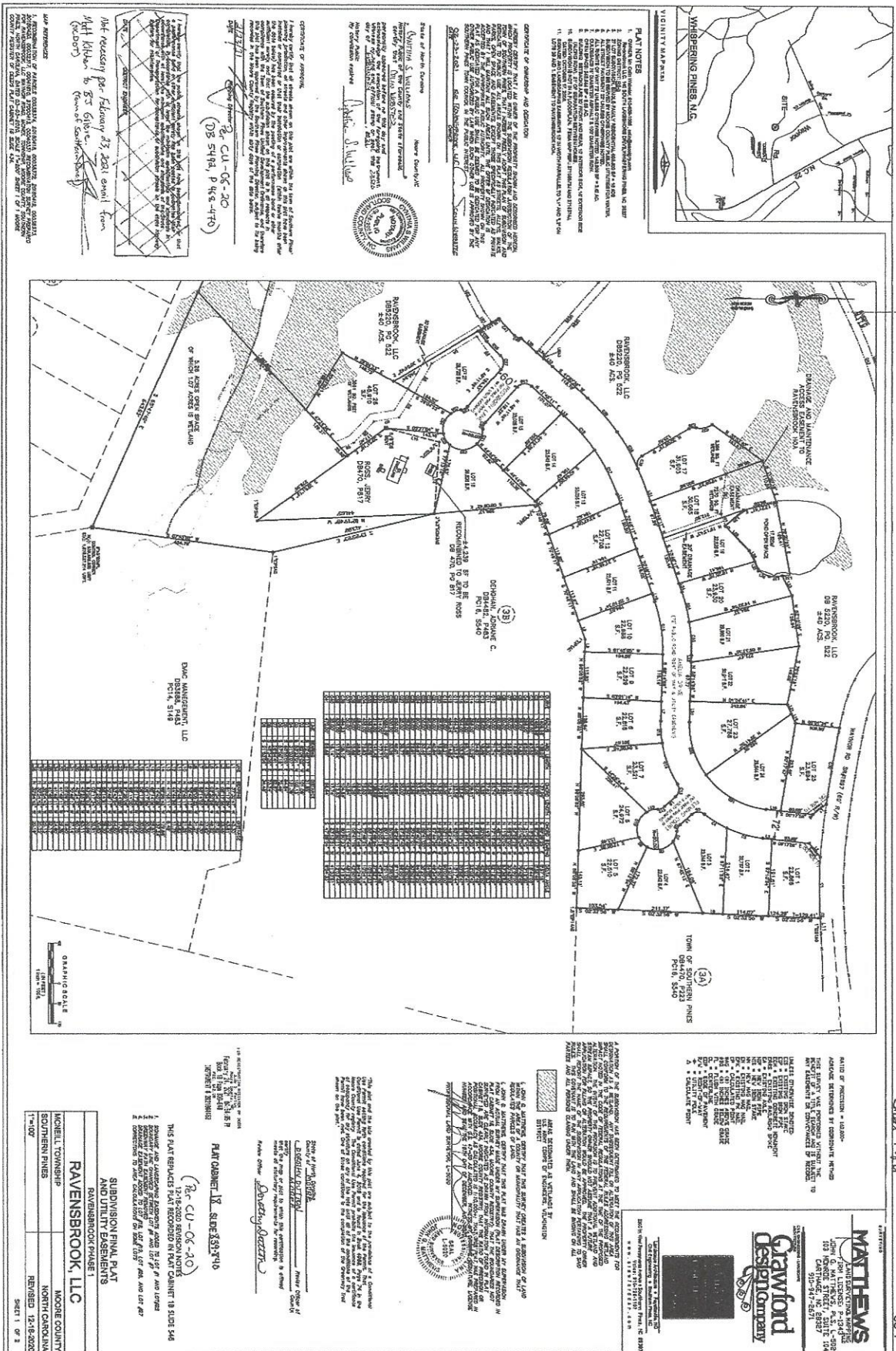
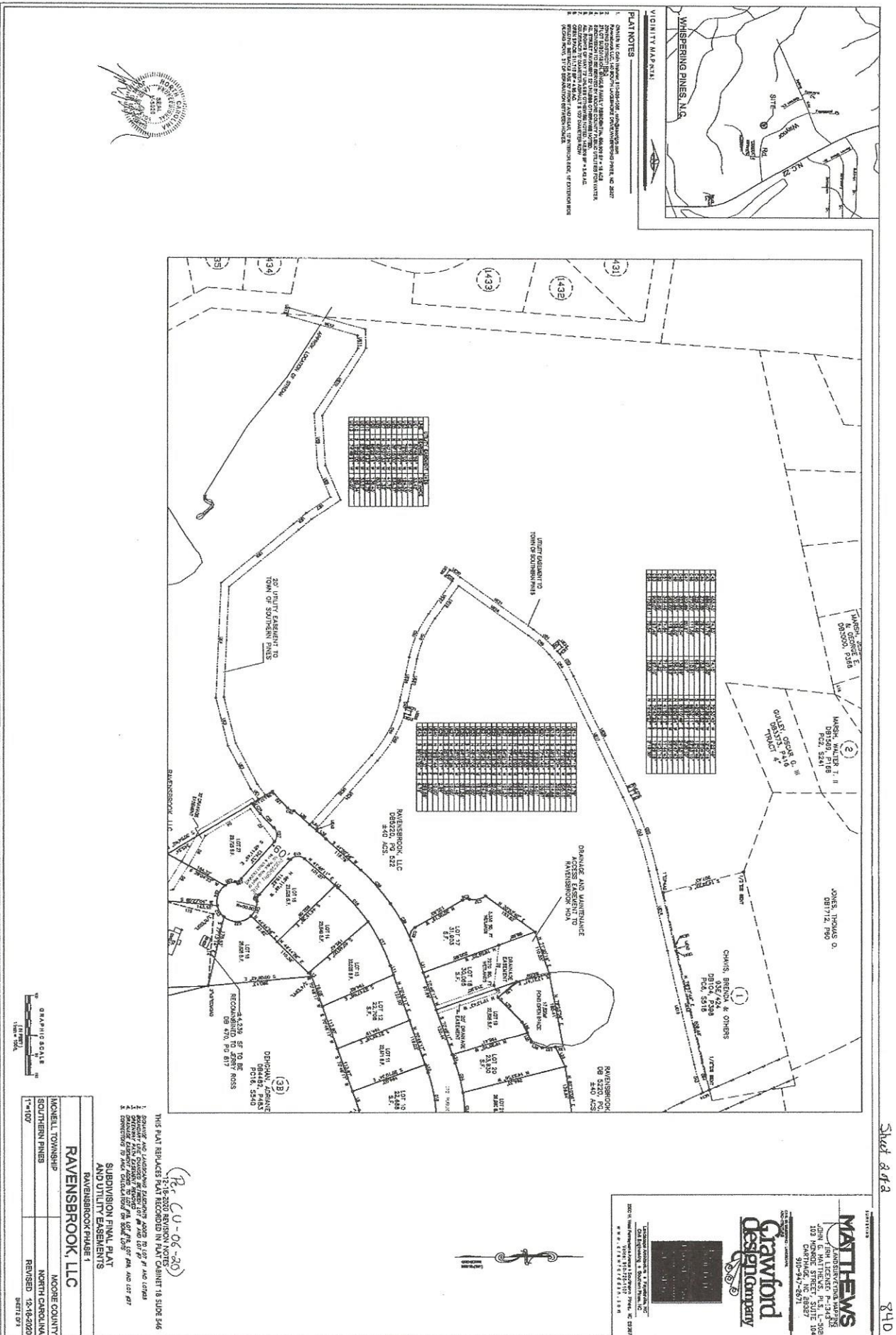


Exhibit A



**TOWN OF SOUTHERN PINES ORDINANCE #2019
AMENDING THE TOWN'S CODE OF ORDINANCES**

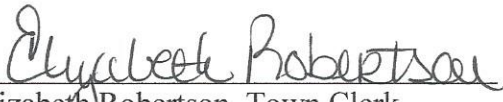
BE IT ORDAINED by the Town Council of the Town of Southern Pines, North Carolina, in regular session assembled on the 9th day of August, 2022, the Code of Ordinances is amended as follows:

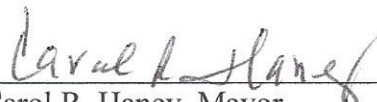
- (1) Delete existing section §130.01 in its entirety and replace with Attachment A.
- (2) Delete General Provisions and sections §150.001 through §150.008 of Chapter 150: Building Code in their entirety; no replacements are proposed.
- (3) Delete existing section §152.01(A) in its entirety and replace with Attachment B.
- (4) Delete existing sections §153.01 through §153.06 in their entirety and replace with Attachment C.
- (5) All references to the "Recreation and Parks Director" shall be deleted and replaced with "Parks and Recreation Director."
- (6) All references to the "Recreation and Parks Department" shall be deleted and replaced with "Parks and Recreation Department."

Adopted this 9th day of August, 2022.

ATTEST:

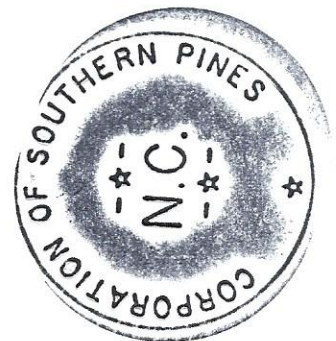
TOWN OF SOUTHERN PINES


Elizabeth Robertson, Town Clerk


Carol R. Haney, Mayor

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of August 9, 2022 as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk



Ordinance #2019 Attachment "A"
(delete existing section 130.01 in its entirety and replace with the following)

§130.01 POSSESSION OR CONSUMPTION OF OPEN CONTAINERS OF ALCOHOLIC BEVERAGES ON PUBLIC PROPERTY

- (A) Except as provided in division (B) below, it is unlawful within the corporate limits of the Town for a person to possess or consume any alcoholic beverage in any container that is open or has been open, in or on any public property. For the purposes of this section, public property includes streets, alleys, sidewalks, or parks, and refers to both outdoor and enclosed spaces.
- (B) Open consumption or possession of an alcoholic beverage is permitted on public property in the following locations:
 - 1) During an outdoor special event which has been properly permitted in accordance with §32.092 and said permit authorizes the sale and consumption of alcoholic beverages; or
 - 2) Within a sidewalk café or outdoor seating area which was permitted in accordance with §100.42; and/or
 - 3) Premises leased by the Town, where the lease does not forbid the lessee to serve alcoholic beverages.

Ordinance #2019 Attachment "B"

(delete existing section 152.01, subsection (A) in its entirety and replace with the following)

(A) The Unified Development Ordinance of Southern Pines (UDO), which regulates zoning, subdivision, sedimentation and water and air resources control as authorized by the pertinent provisions of G.S. Article 8 of Chapter 160A; Articles 1 through 14 of Chapter 160D; Article 4 of Chapter 113A; Article 7 of Chapter 136; and Article 21 of Chapter 143, is incorporated by reference as if it were set out in full. A complete copy can be obtained from the Town's website.

Note: There are no proposed changes to subsections (B) or (C) of §152.01.

Ordinance #2019 Attachment "C"
(delete existing sections 153.01 through 153.06 in their entirety
and replace with the following)

CHAPTER 153: UNSAFE DWELLINGS, BUILDINGS, AND STRUCTURES

§ 153.01 RESIDENTIAL DWELLINGS, BUILDINGS, OR STRUCTURES

- (A) The Town of Southern Pines is authorized, pursuant to NCGS Chapter 160D, Article 12, Minimum Housing Codes, to exercise police powers to repair, close, or demolish dwellings that are unfit for human habitation or abandoned structures which create a health or safety hazard.
- (B) Unfit Dwellings. The existence and occupation of dwellings that are unfit for human habitation are inimical to the welfare and dangerous and injurious to the health and safety of the people of the Town of Southern Pines. A dwelling is considered unfit for human habitation due to:
1. dilapidation;
 2. defects increasing the hazards of fire, accidents or other calamities;
 3. lack of ventilation, light, or sanitary facilities; and/or
 4. other conditions rendering the dwellings unsafe, unsanitary, dangerous or detrimental to the health, safety, morals, or otherwise inimical to the welfare of the residents of the Town of Southern Pines.
- (C) Abandoned Structures. An abandoned structure creates a health or safety hazard as a result of:
1. the attraction of insects or rodents;
 2. conditions creating a fire hazard;
 3. dangerous conditions constituting a threat to children; and/or
 4. frequent use by vagrants as living quarters in the absence of sanitary facilities.
- (D) Upon determination that a residential dwelling is unfit for human habitation or that an abandoned structure creates a health or safety hazard, the public official may order the dwelling and/or structure to be repaired, closed, or demolished pursuant to NCGS Chapter 160D, Article 12, Minimum Housing Codes.
- (E) North Carolina General Statutes Chapter 160D, Article 12, Minimum Housing Codes, including all subsequent amendments, as adopted by the North Carolina General Assembly, is hereby adopted by reference as fully as though set forth here and shall be enforced as part of this Chapter.

§ 153.02 NONRESIDENTIAL BUILDINGS OR STRUCTURES

- (A) The Town of Southern Pines is authorized, pursuant to NCGS Chapter 160D, Article 11 Building Code Enforcement to adopt and enforce regulations related to nonresidential buildings or structures that fail to meet minimum standards of maintenance, sanitation, and safety.
- (B) An unsafe building or structure is that which appears to the public official to be especially dangerous to life because of:
1. It is in a condition which is dangerous and injurious to public health, safety, and welfare; and/or
 2. It is dangerous to life because of its liability to fire; and/or

3. Bad condition of walls, overloaded floors, defective construction, decay, unsafe wiring or heating systems, inadequate means of egress, or other causes.

(C) Additionally, the public official may declare a nonresidential building or structure within a community development target area to be unsafe if it meets all of the following conditions:

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

(D) Upon determination that a nonresidential building or structure is unsafe, the public official may order it to be repaired, closed, or demolished pursuant to NCGS Chapter 160D, Article 11, Building Code Enforcement.

(E) North Carolina General Statutes Chapter 160D, Article 11, Building Code Enforcement, including all subsequent amendments, as adopted by the North Carolina General Assembly, is hereby adopted by reference as fully as though set forth here and shall be enforced as part of this Chapter.

§ 153.03 AUTHORIZATION

(A) The Town Fire Marshal or his/her designee is designated as the public official who is authorized to exercise the powers prescribed in this chapter and the general statutes.

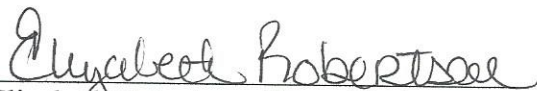
(B) This chapter shall be enforced by the Town of Southern Pines within its corporate limits and within its extraterritorial jurisdiction.

**TOWN OF SOUTHERN PINES ORDINANCE #2020
AMENDING THE 2022/2023 FISCAL YEAR BUDGET**

BE IT ORDAINED AND ESTABLISHED by the Town Council of the Town of Southern Pines in regular session assembled this 9th day of August, 2022 that the Operating Budget for the Fiscal Year 2022/2023 be and hereby is amended as follows:

<u>DEPARTMENT</u>	<u>LINE ITEM</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
Library	Capital – Other Equipment	10-630-7403	\$42,452.00	
General Fund	Fund Balance Appropriations	10-397-1000	\$42,452.00	

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of August 9, 2022 as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk

