



MINUTES

Tuesday, September 26, 2023: 3:00 PM

Town Council Work Session

C. Michael Haney Community Room: Southern Pines Police Department
450 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; Taylor Clement; Paul Murphy; Bill Pate; and Ann Petersen.

2. TOWN MANAGER'S COMMENTS

Town Manager Reagan Parsons reviewed the agenda.

3. ACTION ITEMS

a. Approve Resolution #1075 Supporting the National Register of Historic Places Nomination for 1250 W New York Avenue

The Town of Southern Pines is a Certified Local Government (CLG) and is thereby required to review all new nominations of sites, structures and districts within the Town's boundaries.

Mayor Haney introduced the item.

Councilmember Clement moved to approve Resolution #1075 Supporting the National Register of Historic Places Nomination for 1250 W. New York Avenue, seconded by Councilmember Petersen; the vote was unanimous.

Motion passed.

b. AR-08-23 Southern Pines Golf Club Cottages

Mid Pines Development Group, LLC has applied for an Architectural Compliance Permit for seven 4-bedroom cottages and three 8-bedroom cottages totaling 52 bedrooms for the Southern Pines Golf Club off Country Club Circle. The overall project was approved by Town Council on February 14, 2023 through Special Use Permit #SU-07-22. A motion to approve at the regular meeting failed to get a majority vote of the full board. So, the item was continued to the work session for a final decision.

Mayor Haney introduced the item.

Mayor Pro Tem Murphy moved to approve AR-08-23; Southern Pines Golf Club Cottages, seconded by Councilmember Clement; the vote was as follows:

Mayor Haney: aye

Mayor Pro Tem Murphy: aye

Councilmember Pate: recused

Councilmember Clement: aye

Councilmember Petersen: nay

Motion passed.

c. Approve Ordinance #3002 Amending the Town's Code of Ordinances and Fee Schedule

This is a series of administrative revisions to the Code of Ordinances. These amendments address enforcement actions related to unsafe buildings and fines/fees assessed by the fire department.

Mayor Haney introduced the item.

Councilmember Clement moved to approve Ordinance #3002; Amending the Town's Code of Ordinances and Fee Schedule, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

d. Approve Ordinance #3003 Amending the Town's Code of Ordinances and Fee Schedule

This is a series of administrative revisions to the Code of Ordinances. These amendments address fees assessed by the utility billing department.

Mayor Haney introduced the item.

Councilmember Clement moved to approve Ordinance #3003; Amending the Town's Code of Ordinances and Fee Schedule, seconded by Mayor Pro Tem Murphy; the vote was unanimous.

Motion passed.

4. PUBLIC HEARING

a. PD-03-23: Preliminary Development Plan (PDP) for Morganton Park South Phase 3

Midland Atlantic Properties has applied for a Preliminary Development Plan for Morganton Park South. The application includes a 101,840-square foot wholesale retail building, a fuel service station, and a 2,500-square foot drive-through restaurant on +/- 13.89 acres. The Town Council will continue and close its evidentiary hearing from the September 12, 2023, regular meeting prior to making a quasi-judicial decision on this matter.

Mayor Haney reconvened the hearing.

Senior Planner Alaina Mallette presented an updated staff report (Exhibit I) and staff presentation (Exhibit E). Planning Director BJ Grieve added to the presentations.

Discussion ensued.

Councilmember Clement questioned the number of parking spaces presented.

Discussion ensued.

Councilmember Pate questioned the removal of trees acting as a buffer near a retaining wall.

Discussion ensued.

Councilmember Petersen questioned Senior Planner Mallette regarding her personal opinion on the buffer and discussion ensued.

Bill Bryan of Morning Star Law Group, representing the applicant, addressed the Council and asked that all materials and testimony from September 12th be included on the record with witnesses established as expert witnesses. Mr. Bryan continued with a short opening statement and then turned the mic over to Mr. Bob Koontz of KoontzJones Design, who reviewed parking lot issues and modifications made to the plans. The presentation is entered as (Exhibit F). Mr. Koontz used a slide to show the pedestrian connections (Exhibit G) and a table showing the Morganton Road overlay deviations for parking (Exhibit H).

Discussion ensued regarding parking requirements, landscape buffers and proposed conditions.

Mr. Bryan asked Mr. Koontz to clarify whether the parking lot is considered one shared lot or two separate parking lots and the possibility of future subdivision. Mr. Koontz introduced Mr. Bill Mees of Midland Atlantic Properties to address the questions. Mr. Mees verified that they consider this to be one parking lot which consists of various parking areas. Subdivision is possible to allow tenants to pay individual tax bills but that is unclear at this time. Mr. Bryan asked for clarification on the subdivision and Mr. Mees verified that the intention is not to sell subdivided lots but to lease the properties.

Councilmember Clement questioned the landscape planting along the retaining wall. Mr. Koontz stated that the required 20 ft. buffer would be planted along the north side retaining wall and the

south side retaining wall would be depressed and have the required plantings so it would not be as visible from the road.

-Mr. Pate reiterated that he just wanted verification of the requirements so that there would be no misunderstandings later in the project.

- Councilmember Clement and Councilmember Petersen asked if there were existing trees located within the buffer that would be removed for the buffers and north side retaining wall. Mr. Koontz confirmed that, yes, the existing trees would be removed and also pointed out a conservation easement located on the north side of the property that contains a large area of undisturbed trees.

-Town Manager Parsons questioned if it was their intent not to transfer the Starbucks parcel and Mr. Mees clarified that they could not guarantee the property would never be sold. Mr. Parsons then asked if the property were ever sold would there be any effort to deed restrict the property to ensure shared parking? Mr. Mees stated that they often have to include a Reciprocal Easement Agreement or declaration that would speak to many items such as drives, utilities, stormwater being maintained and or shared.

- Councilmember Pate asked if that should be a condition of the permit? Councilmember Petersen asked that it be included so that it wouldn't be an issue in the future. Mr. Bryan, after conferring with his colleagues, agreed to the REA being included.

- Councilmember Petersen asked that continued land maintenance also be included as a condition so that responsibility is transferred to the new property owner. Mr. Bryan stated that it would be a covenant that goes with the title transfer. Town Manager Parsons added that this type of requirement is not usually included as a condition of the zoning agreement because that is not something that the Town would be involved with enforcing. Mr. Mees indicated that this would typically be a landowner's responsibility. Town Manager Parsons stated that the Town sets codes where should the issue become a problem the Town could step in, but not as a deed restriction or HOA agreement. Mr. Bryan added that he did not believe the Town has the authority to create such a condition.

- Councilmember Clement asked if the applicant was agreeable to the 10 conditions contained in Exhibit D. Mr. Bryan answered yes. Councilmember Clement believes this issue is covered within condition #8.

Councilmember Petersen asked if the diagram in the presentation is what the end project would look like. Mr. Koontz answered that it would not be exact. Councilmember Petersen asked when she could expect to enforce that condition of landscaping and was told it would be included as part of the site plan review.

Tim Carpenter of LKC Engineering addressed the Council regarding UDO 2.185H requirements and stated that he had worked with the Town Engineer and did not feel the approval of the PDP would not cause the need for inefficient extensions or expansions of Town services.

Councilmember Clement asked Mr. Bryan to agree to add "that the planting requirements shall be met regardless of the retaining wall: - Planning Director Grieve stated that staff would prefer that a statement be added to the conditions "the buffer planting requirements shall be met regardless of retaining wall location" so that administrative deviations are not asked for later time.

- Mr. Bryan agreed to the added statement.

Councilmember Petersen asked for wording needed to include the REA. Planning Director Grieve indicated that the staff is agreeable to how the condition is already written due to UDO mechanisms in place to address maintenance of all the requirements of Chapter 4

Mr. Bryan concluded the applicants' presentation.

Councilmember Clement questioned if the addition of the planting requirements needed to be added to the Finding of Facts as well? Planning Director Grieve feels that as drafted the Findings of Fact have enough rational nexus in them to validate that condition of approval. Planning Director Grieve asked for the applicant's concurrence to meet any requirements by statute. Mr. Bryan concurred.

Mayor Pro Tem Murphy moved to close the hearing for PD-03-23; Preliminary Development Plan for Morganton Park South Phase 3, seconded by Councilmember Pate; the vote was unanimous.
Motion passed.

Councilmember Clement moved to adopt the following Findings of Fact regarding the proposed Preliminary Development Plan PD-03-23, numbers 1-4 as shown in Exhibit D and to approve the Preliminary Development Plan PD-03-23 with the following additional conditions numbers 1-10 as shown in Exhibit D, seconded by Councilmember Pate; the vote was unanimous.
Motion passed.

Councilmember Clement moved to approve the Preliminary Development Plan PD-03-23 with the following additional condition that the applicant shall meet all planting requirements of our UDO regardless of retaining wall location or technical restraints, seconded by Mayor Pro Tem Murphy; the vote was unanimous.
Motion passed.

5. COUNCIL UPDATES

a. Contract with Meridian Waste

Staff has been working with Meridian Waste to negotiate a contract for garbage and recycling collection to be forwarded to Council for consideration at the October 10th meeting. Staff will provide an update during the work session.

Asst. Town Manager/Fire Chief Michael Cameron spoke to the Council regarding the current status of the contract (July 1st start date) and answered questions along with Town Manager Parsons.

Discussion ensued.

Council concurred with the July 1st start date.

6. COUNCIL ROUNDTABLE DISCUSSION

Councilmember Petersen asked for an update on the Longleaf community's concerns. Councilmember Pate, Planning Director Grieve and Asst. Town Manager Roth met with the Longleaf community regarding their concerns and documents are being created to disseminate information via the Town website.

Asst. Town Manager Roth advised the Council that she made a successful offer for the newly created communication officer position that the Council approved for this budget year. This person has some exciting ideas for communication with the public and the new pedestrian trail will be one of the projects this person works on.

- the Longleaf community during the meeting asked for a reduction of the speed limit on Knoll Road. Asst. Town Manager Roth along with Town Engineer James Michel and Chief Nick Polidori have created a public education piece on how an appropriate speed limit is determined for a road and the steps taken to determine if the speed limit needs to be reduced which can be used for Knoll Road and for any further speed limit reduction requests.

Councilmember Clement advised all that Moore County is holding a photo I.D. event at the Douglas Community Center this Thursday, September 28th, from 2:00 - 6:00 pm and reminded everyone that a photo I.D. will be needed to vote in the upcoming elections.

Councilmember Clement shared that a tree planting was scheduled by the Southern Pines Housing and Trust for Wednesday, September 27th, from 2:00 - 3:00 pm in memory of Alicia Watts.

Councilmember Clement shared that the road paving on Broad Street has started and thanked NCDOT for doing their work at night.

Councilmember Pate attended a Tri-City meeting today regarding Moore County who are updating their 10yr land use plan so please share ideas with him so that they can be forwarded to Moore County for consideration.

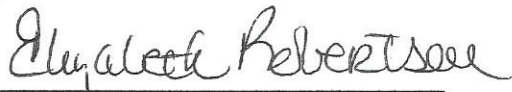
Town Manager Parsons advised the Council that the newly formed MPO group met last week regarding approval of the use of a weighted vote provision. The next meeting is scheduled for Friday, September 29th at 10:00 am for a final vote. Most towns are on board with the current proposed MOU containing weighted vote provision. Councilmember Clement added that the MOU will be viewed by the whole council for agreement before final approval.

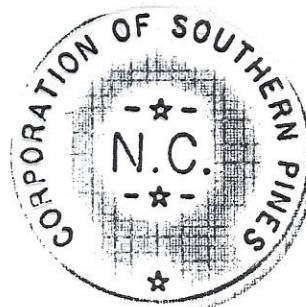
- Official name: Sandhills Metropolitan Planning Organization (SMPO)

7. ADJOURNMENT

Upon motion by Councilmember Pate, seconded by Councilmember Clement and carried unanimously, Council adjourned at 4:20 pm.

Respectfully submitted:


Elizabeth Robertson, Town Clerk





RESOLUTION #1075
SUPPORTING THE NOMINATION FOR THE WEST SOUTHERN
PINES CENTER INCLUSION ON THE NATIONAL REGISTER

WHEREAS, the National Register of Historic Places is the nation's official list of historic buildings, districts, archaeological sites, and other resources worthy of preservation; and

WHEREAS, the National Register of Historic Places includes "districts, sites, buildings, structures, and objects that exhibit a quality of significance in American history, architecture, archaeology, or culture that possess integrity of location design, setting, materials, workmanship, feeling and association;" and

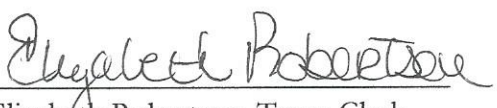
WHEREAS, the Town of Southern Pines is a Certified Local Government (CLG) Program through the North Carolina State Historic Preservation Office (HPO);

WHEREAS, as a CLG, the Town of Southern Pines has the opportunity to review new National Register of Historic Places nominations and provide comments and a recommendation to the HPO; and

WHEREAS, The Historic District Commission at their regularly scheduled meeting of September 14, 2023, allowed for public comment and concurred with the National Register nomination for 1250 West New York Avenue, also known as the West Southern Pines Center; and

NOW THEREFORE, BE IT RESOLVED BY THE SOUTHERN PINES TOWN COUNCIL that the Town Council, in recognizing the need to preserve properties and areas that embody important elements of the community's architectural and cultural heritage, hereby supports the West Southern Pines Center nomination for inclusion on the National Historic Register.

This the 26th of September 2023.


Elizabeth Robertson, Town Clerk



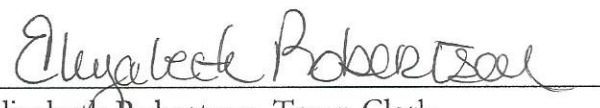


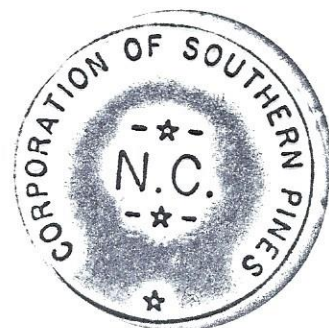
ORDINANCE #3003
AMENDING THE TOWN'S CODE OF ORDINANCES & ADOPTING A
REVISED FEE SCHEDULE

BE IT ORDAINED by the Town Council of the Town of Southern Pines, North Carolina that the Town's Code of Ordinances and Fee Schedule are amended as follows:

1. Amend the Code of Ordinances by:
 - a) Deleting the Miscellaneous charges and charges for Verification of Meter Accuracy in subsection (D) of Chapter 50, Water and Sewer Use, Appendix A: Rates, Fees and Charges.
 - b) Deleting the text, in its entirety, of subsection (F) of Chapter 50, Water and Sewer Use, Appendix A: Rates, Fees and Charges.
2. Adopt "Attachment A" in its entirety.
3. This ordinance amendment and fee schedule are both effective Septembers 26, 2023.
4. The fee schedule shall be administered by the Town Manager or his/her designee.
5. The fee schedule shall be maintained by the Town Clerk.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of September 26, 2023 as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk



Ordinance #3003: Attachment A

TOWN OF SOUTHERN PINES FEE SCHEDULE	
Fee Description	Fee Amount
UTILITY BILLING	
Deposit for water service: ¾" and 1" meter	\$ 100
Deposit for water and sewer service: ¾" and 1" meter	\$ 150
Deposit for service: meters larger than 1"	\$ 300
Verification of meter accuracy: ¾" and 1" meter	\$ 30
Verification of meter accuracy: meters larger than 1"	Cost of test
Special meter reading at customer's request	\$ 15
Violation of grease trap violation (per billing period)	\$ 100
Connection fee for new customer	\$ 15
Reconnection after service is shut off for non-payment	\$ 20
Late fee	\$ 6
Handling fee for bad check/bank draft	\$ 25

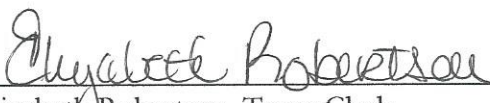


ORDINANCE #3002
AMENDING THE TOWN'S CODE OF ORDINANCES & ADOPTING A
REVISED FEE SCHEDULE

BE IT ORDAINED by the Town Council of the Town of Southern Pines, North Carolina that the Town's Code of Ordinances and Fee Schedule are amended as follows:

1. Delete the existing text of § 95.038 in its entirety and replace with "Attachment A."
2. Amend Chapter 153 Unsafe Buildings in accordance with "Attachment B."
3. Adopt "Attachment A" in its entirety.
4. This ordinance amendment and fee schedule are both effective September 26, 2023.
5. The fee schedule shall be administered by the Town Manager or his/her designee.
6. The fee schedule shall be maintained by the Town Clerk.

I certify that this ordinance was adopted by the Town Council of the Town of Southern Pines at its meeting of September 26, 2023, as shown in the minutes of the Town Council for that date.


Elizabeth Robertson, Town Clerk





**ORDINANCE #3002
"ATTACHMENT A"**

§ 95.038 INSPECTIONS FOR FIRE/LIFE SAFETY PURPOSES.

- (A) Upon the first visit of the Fire Marshal or his/her authorized representative, a notice of violation will be issued to any person for violations of the North Carolina State Fire Code. Upon the second and all subsequent visits, the person responsible for the code violations may be charged a reinspection fee, as designated on the Town's fee schedule.

(B) VIOLATIONS

- a. Any person shall be subject to all penalties allowed by law if the person:
- i. Violates or fails to comply with the provisions of the North Carolina Fire Code;
 - ii. Violates or fails to comply with any order made under the North Carolina Fire Code;
 - iii. Builds in violation of any detailed statement of specifications or plans submitted and approved under the fire prevention code or any certificate or permit issued thereunder;
or
 - iv. Shall fail to comply with such an order as affirmed or modified by the Fire Marshal and/or his/her authorized representative, or by a court of a competent jurisdiction, within the time affixed.
- b. In addition to any civil penalties that may apply, violators are subject to criminal penalties pursuant to N.C.G.S. 160A-175 and any other criminal laws that may be applicable.

(C) PENALTIES

- a. The fine for a violation of this article shall be a civil penalty as designated on the Town's fee schedule. Each violation, as well as each day a violation exists, shall constitute a separate and distinct offense.
- b. If a person has not been cited within the previous 12 months and the violations are corrected within 72 hours, the fines may be waived, with the exception of Type 4 violations. The citation and penalties shall be in writing, signed by the Fire Marshal or his/her authorized representative, and shall be delivered in person or by certified mail with return receipt requested to the offender at the place where the violation occurred.
- c. The failure of the offender to make payment of all civil penalties within 15 days from the date of the citation will result in a delinquency charge of (\$50.00) and/or further legal action and fines.
- d. The types of violations are as follows:
- i. *Type 1 violations.* These violations generally increase the likelihood of a fire or injury. They include, but are not limited to, failure to:
 1. Obtain proper permits for required uses as listed under the permit fees.
 2. Maintain properly operating exit or emergency lights.
 3. Maintain a clear, unobstructed access to fire protection equipment.
 4. Properly cover or close electrical junction boxes.
 5. Properly use electrical extension cords.
 - ii. *Type 2 violations.* These violations represent a general threat to property. They include, but are not limited to, failure to:
 1. Safely maintain proper storage of combustibles outside of a business.
 2. Maintain a clear, unobstructed access to electric panels.
 3. Properly maintain automatic closing fire and smoke doors.
 4. Properly maintain and inspect portable fire extinguishers.
 5. Properly maintain unobstructed accesses to hydrants, risers and fire department connections.
 - iii. *Type 3 violations.* These violations directly affect the life safety of persons within an occupancy or the probability of heavy property loss if a fire occurs, therefore fines

shall be issued upon discovering violations of this type that are not immediately rectified. They include, but are not limited to, failure to:

1. Maintain a clear, unobstructed access to and from exit doors, both inside and outside.
 2. Install, test or properly maintain smoke and fire alarm systems.
 3. Install or properly maintain or test automatic sprinkler systems and extinguishing systems.
 4. Properly store or use flammable, combustible, or hazardous materials.
 5. Limit the number of persons in a place of assembly to the maximum posted number allowed.
 6. Failure to evacuate upon activation of a manual or automatic fire alarm system.
- iv. *Type 4 violations.* These violations are where, despite prior violations, corrections have not been made and/or previous fines have not been paid.
1. Any person who has committed a Type 3 violation in the previous five (5) months and has either not made corrections or commits a second Type 3 violation will receive a Type 4 violation and be subject to the civil penalty of a Type 4 violation.

(d) The application of fines or penalties in this chapter shall not prevent the enforcement of or removal of the prohibited conditions.



**ORDINANCE #3002
"ATTACHMENT B"**

Revision: Delete existing §153.01 in its entirety and replace with the following:

§ 153.01 UNSAFE BUILDINGS CONDEMNED

- (A) *Unsafe residential or nonresidential buildings (condemned).* All buildings, residential or non-residential, that are especially dangerous to life because of liability to fire or because of bad condition of walls, overloaded floors, defective construction, decay, unsafe wiring or heating systems, inadequate means of egress, or other causes shall be held to be unsafe and condemned. The inspector shall affix a notice of the dangerous character of the structure to a conspicuous place on the exterior wall of the unsafe, condemned building.
- (B) 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.
- (C) This chapter shall be enforced by the Town of Southern Pines within its corporate limits and within its extraterritorial jurisdiction.
- (D) G.S. 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.

Revision: Delete existing §153.02 in its entirety and replace with the following:

§ 153.02 ACTION IN EVENT OF FAILURE TO TAKE CORRECTIVE ACTION

- (A) *Failure to take corrective action.* If the owner of a building or structure that has been condemned as unsafe pursuant to G.S. 160D-1119 fails to take prompt corrective action, the public official shall give the owner written notice in accordance with G.S. 160D-1121. The written notice shall inform the owner:
 - (1) That the building or structure appears to be in one or more of the following conditions:
 - i. Constitutes a fire or safety hazard;
 - ii. Is dangerous to life, health, or other property;
 - iii. Is likely to cause or contribute to blight, disease, vagrancy, or danger to children;
 - iv. Has a tendency to attract persons intent on criminal activities or other activities that would cause a public nuisance.
 - (2) That an administrative hearing will be held before the inspector at a designated place and time, no less than ten (10) days and not more than thirty (30) days after the date of the notice, at which time the owner will be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter.
 - (3) Following the hearing, the public official may issue such order to repair, close, vacate or demolish the building or structure as appears appropriate.
 - (4) If the name or whereabouts of the owner cannot be discovered after due diligence, the public official shall properly and adequately serve the notice of the hearing in accordance with G.S. 160D-1121.
- (B) *Order to take corrective action.* The public official shall hold an administrative hearing in accordance with G.S. 160D-1121. If the public official finds that the building or structure is in a condition that constitutes a fire or safety hazard or renders it dangerous to life, health, or other property, he/she

shall issue an order in writing to the owner of such building or structure. The written order shall:

- (1) Confirm the findings of fact.
- (2) State the actions required to remedy the violation.
- (3) Confirm the deadline to complete the action.
 - i. The public official shall determine a reasonable time to take that action, provided at least 60 days from the date of the order.
 - ii. Where there is imminent danger to life or other property, the public official may set a deadline of less than 60 days.

(C) *Appeal; finality of order if not appealed.* Any owner who has received an order of corrective action may appeal from the order as follows:

- (1) The appeal shall be filed in writing within 10 days following issuance of the order.
- (2) The appeal shall be to the public official and to the Town Clerk.
- (3) The Planning and Zoning Board shall hear an appeal in accordance with G.S. 160D-406. All appeals shall adhere to quasi-judicial procedures and shall consider only the public official's interpretation of the Town Code related to the order. The Board may affirm, modify and affirm, or revoke the order.
- (4) In the absence of an appeal, the order of the public official shall be final.

Addition: Add new section §153.03 as follows:

§ 153.03 FAILURE TO COMPLY WITH ORDER OF CORRECTIVE ACTION

(A) *Civil enforcement.* Whenever any violation is denominated a misdemeanor under the provisions of this section, the Town, either in addition to, or in lieu of other remedies, may initiate any appropriate action or proceedings to prevent, restrain, correct or abate the violation or to prevent the occupancy of the building or structure involved.

(B) *Receivership.* In accordance with G.S. 160D-1130, the Town may petition Superior Court for the appointment of a receiver for said property in order to rehabilitate, demolish, or sell a vacant building, structure, or dwelling.

(C) *Equitable enforcement.* In the case of a nonresidential building or structure declared unsafe and condemned under G.S. 160D-1119, the Town of Southern Pines may, in lieu of taking civil enforcement action, cause the building or structure to be removed or demolished pursuant to G.S.160D-1125.

(1) The Town may file a lien against the real property for the amount incurred for removal or demolition as provided in G.S.160A, Article 10 and G.S. 160D-1125.

(2) The Town may file an additional lien against any other real property of the owner except the owner's primary residence as provided in G.S.160A, Article 10 and G.S. 160D-1125.

(D) *Bond for repair or demolition.* The public official may require a surety in the form of performance bond or letter of credit to ensure completion of the required repairs or to cover the cost of securing and demolition of a structure.

- (1) The surety shall be issued to the Town and drawn from an institution licensed to do business in North Carolina.
- (2) The amount of the surety will be a minimum of (1.5) one and one-half times the estimated cost of the required repairs or demolition as determined by the public official.
- (3) The surety shall be accompanied by a signed agreement between all parties that documents the necessary work and a deadline for the owner to complete such work, as determined by the public official.
- (4) The bond or letter of credit must be valid for the time period provided by the public official. If work has not been completed by the deadline, then the public official is authorized to use necessary funds from the surety to ensure that the work is completed and the requirements of this chapter are met. Said work may include hiring contract labor for necessary repairs and/or demolition and removal of the structure(s).

(E) *Non-limiting power of declaration.* Nothing in this section shall be construed to impair or limit the power of the Town of Southern Pines to define and declare nuisances and to cause their removal or abatement by summary proceedings, or otherwise.

Ordinance #3002, Attachment C

TOWN OF SOUTHERN PINES FEE SCHEDULE	
<i>Fee Description</i>	<i>Fee Amount</i>
FIRE & RESCUE	
Fire/Life Safety Type 1 Violation	\$ 100
Fire/Life Safety Type 2 Violation	\$ 200
Fire/Life Safety Type 3 Violation	\$ 300
Fire/Life Safety Type 4 Violation	\$ 500
Fire/Life Safety: 2nd reinspection and all subsequent visits	\$ 100
Delinquency charge on unpaid penalties	\$ 50
Hourly fee for fire/rescue Services billed to responsible party or owner, in addition to materials used	\$ 500