WINTERVILLE TOWN COUNCIL AGENDA
MONDAY, OCTOBER 12, 2026 - 6:00 PM
WINTERVILLE TOWN HALL ASSEMBLY ROOM

I. **CALL TO ORDER**.

II. **INVOCATION**.

III. **PLEDGE OF ALLEGIANCE**.

IV. **WELCOME**.

V. **ROLL CALL**.

VI. **APPROVAL OF AGENDA**.

VII. **PRESENTATIONS**:
1. Representative Tim Reader.
2. Electric Capital Improvement Plan – RGrid Power.

VIII. **PUBLIC HEARINGS**:
1. Carroll Crossing Section 4 Annexation.
2. Subdivision and Zoning Ordinance Amendments for Sidewalks and Dumpsters.

IX. **PUBLIC COMMENT**: *The Public Comment period of thirty minutes provides an opportunity for residents to comment on any item included in the agenda or to address the Town Council on any other matter related to the Town of Winterville. For an item included in the Public Hearing section of the agenda, residents should address the Council at the time the Mayor invites public comment on the item. No public comment may be made to the Council during the meeting, except during the Public Comment period or as part of a Public Hearing. Individual speakers are limited to a maximum of three minutes, and no more than three speakers may address the Council on a single matter. The Town Council may elect to take no action on the matter addressed by a speaker, may schedule the matter for further consideration at a future Council meeting, or may refer the matter to Town staff for disposition. Copies of the Town Public Comment Policy are available in the rear of the Assembly Room.*

X. **CONSENT AGENDA**: *The following items are considered routine in nature and will not be discussed by the Town Council unless a Councilman or citizen requests that an item be removed from the Consent Agenda for further discussion. The Mayor may allow citizens to address an item or ask questions.*
1. Approval of Council Meeting Minutes.
2. Old Tar Village Section 2 - Lots 3 and 4 Annexation Petition: Direct Town Clerk to Investigate Sufficiency of Annexation.
3. Temporary Street Closures for the Annual Fright Fest Event – October 25, 2026.
4. Budget Amendment 2026-2027-2.

XI. **OLD BUSINESS**:
1. Trash Container (Can) Policy (Proposed).

XII. NEW BUSINESS:

1. Blackstone Section 3 Final Plat.
2. NAACP – Request for use of the Market on the Square.
3. Rural Catalyst Partners LLC – Request for use of the Market on the Square.
4. NCDEQ Notice of Pre-Regulatory Landfill Access.
5. Lucas Contracting -Final Adjusting Change Order - Cemetery Paving.

XIII. OTHER AGENDA ITEMS:

1. Ordinances vs. Policy vs. Rule and Procedures. (Councilwoman Hawkins).
2. Flock Cameras ALPR in Winterville: Public Information, People, and Transparency. (Councilwoman Hawkins).
3. Multipurpose Center still in Process/Need of Public Purpose Community Indoor Space. (Councilwoman Hawkins).

XIV. ITEMS FOR FUTURE AGENDAS/FUTURE WORK SESSIONS:

1. Town Council Workshop: Monday, December 7, 2026 @ 5:30 pm - Town Hall Assembly Room.

XV. THIRD QUARTER REPORTS FROM DEPARTMENT HEADS: (See Agenda Packet).

XVI. ANNOUNCEMENTS: (Attached).

XVII. REPORTS FROM THE TOWN MANAGER, TOWN ATTORNEY, TOWN COUNCIL, AND MAYOR.

XVIII. CLOSED SESSION:

NCGS § 143-318.11. (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded.

NCGS § 143-318.11. (5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

XIX. ADJOURN.

***SPECIAL NOTICE**: Anyone who needs an interpreter or special accommodations to participate in the meeting should notify the Town Clerk, Don Harvey at (252) 756-2221 ext. 2344 at least forty-eight (48) hours prior to the meeting. (Americans with Disabilities Act (ADA) 1991.)*

XIX. ANNOUNCEMENTS:

- Early Voting: Thursday, October 15, 2026 – Saturday, October 31, 2026 – Community Room.
- Ripe for Revival Mobile Market: Thursday, October 15, 2026; 2:30 pm – 4:00 pm; 252 Main Street, Winterville.
- Coffee with a COP: Friday, October 16, 2026; 9:00 am – 10:30 am – Cooper's Cup, 2588 Railroad Street, Winterville, NC.
- Planning and Zoning Board Meeting: Monday, October 19, 2026 @ 7:00 pm - Town Hall Assembly Room.
- Board of Adjustment Meeting: Tuesday, October 20, 2026 @ 7:00 pm - Town Hall Assembly Room.
- Stormwater Advisory Board: Wednesday, October 21, 2026 @ 6:30 pm – Operation Center.
- Ripe for Revival Mobile Market: Thursday, October 22, 2026; 2:30 pm – 4:00 pm; 252 Main Street, Winterville.
- Winterville Human Relations Board Meeting: Thursday, October 22, 2026 @ 7:00 – Town Hall Executive Conference Room.
- Recreation Advisory Board: Tuesday, October 27, 2026 @ 6:30 pm – Operation Center.
- Agenda Abstracts Due Wednesday, October 28, 2026, for November 9th Meeting.
- Ripe for Revival Mobile Market: Thursday, October 29, 2026; 2:30 pm – 4:00 pm; 252 Main Street, Winterville.
- Election Day: Tuesday, November 3, 2026 – Community Room and Operation Center Training Room.
- Ripe for Revival Mobile Market: Thursday, November 5, 2026; 2:30 pm – 4:00 pm; 252 Main Street, Winterville.
- Agenda Review Meeting: Thursday, November 5, 2026 @4:00 pm – Town Hall Executive Conference Room.
- Information Due for November Newsletter: Friday, November 6, 2026.
- Regular Town Council Meeting: Monday, November 9, 2026 @ 6:00 pm - Town Hall Assembly Room.
- Veterans Day - Town Offices Closed: Wednesday, November 11, 2026.

	Town of Winterville **Town Council** **Agenda Abstract**	**Item Section:** Presentations **Meeting Date**: October 12, 2026
	Presenter: Ron Mills, Electric Director	

Item to be Considered

Subject: Capital Improvement Plan.

Action Requested: Accept the Capital Improvement Plan.

Attachment: Electric Capital Improvement Plan.

Prepared By: Ron Mills, Electric Director	**Date:** 9/30/2026

ABSTRACT ROUTING:

☒ TC: 10/5/2026 ☒ TM: 10/5/2026 ☒ Final: tlp - 10/5/2026

Supporting Documentation

RGrid Power PLLC has been involved in conducting an Electric Capital Improvemenmt Plan for the Town. The objective of this CIP is to support the effective utilization of Winterville's electric system and provide efficient, reliable, and economical service to its electric customer's. This plan will help us prepare for reasonable load expansion and provide management with guidelines for accomplishing.

RGrid worked with Town Staff to identify, review, and asses existing infrastructure and future needs based on system load growth and expanding development. The CIP categories four areas of improvement, substation upgrades, a new substation, transmission upgrades, and distribution upgrades with a total estimated value at presemt time just over 9 million dollars. This CIP carries the Town through year 2040 but should be updated every five years.

This presentation will provide Council with an overview of the Capital Improvement Plan. It will also list projects that should be incorporated in the future as our Town grows.

Accepting this CIP plan does not obligate the Town to construct any identified projects, but does provide guidance and a plan.

Budgetary Impact: TBD.

Recommendation: Staff recommends Council accept the Electric Capital Improvement Plan.

Town of Winterville Electric Department
Winterville, NC

2026–2040 Capital Improvement Plan
September 2026

PROVIDED BY:

RGrid Power PLLC
Wake Forest, North Carolina

Town of Winterville Electric Department
Winterville, NC

2026–2040 Capital Improvement Plan
September 2026

I hereby certify this 2026-2040 Capital Improvement Plan was prepared by me or under my direct supervision. I also certify I am a duly registered professional engineer under the laws of the State of North Carolina, License No. 037457.

Digitally signed by Homer E Montsinger IV, PE
Date: 2026.09.11 '10:27:47 -04'00

NORTH CAROLINA PROFESSIONAL SEAL 037457 ENGINEER HOMER E. MONTSINGER IV

Homer E. Montsinger, IV, PE

RGrid Power PLLC
501 N. Main Street
Wake Forest, North Carolina 27587
North Carolina License No. P-2167

Printed copies of this document are not considered signed and sealed and the SHA-1 authorization code must be

TABLE OF CONTENTS

Section		Title	Page
1		**EXECUTIVE SUMMARY**	
	A.	Introduction and Purpose of Report	1-1
	B.	Present System Analysis	1-3
	C.	Historical System Data	1-4
	D.	Projected System Loads	1-4
	E.	Distribution System Model	1-4
	F.	System Improvements	1-4
	G.	Summary of 2026-2040 CIP Costs	1-5
2		**DESIGN CRITERIA**	
	A.	Summary	2-1
	B.	Distribution Circuits	2-2
	C.	Substation Transformers	2-4
	D.	Distribution Transformers	2-4
	E.	Conductor Sizing	2-4
	F.	Sectionalizing	2-5
	G.	Capacitor Placement / Power Factor Correction	2-5
	H.	Line Improvements	2-5
3		**DESCRIPTIONS AND JUSTIFICATIONS**	
		Substation Upgrades	3-1
		New Substation	3-1
		Transmission Upgrades	3-2
		Distribution Upgrades	3-2
4		**COST ESTIMATES**	
5		**EXHIBITS**	
	A.	Load Projections	5-1
	B.	Substation Loading by Circuit	5-3
	C.	Conductor Optimization Study	5-4
	D.	Substation Equipment Loading	5-6
	E.	Substation Equipment Loading (Contingency Analysis)	5-7
6		**MAPS**	
		Existing Circuit Layout	
		Existing 34. 5 kV Transmission	
		Territory Expansion Plan Districts	
		Distribution System Improvements	
		Transmission System Improvements	
		Contingency Scenario – Church St Sub Out	
		Contingency Scenario – Old Tar Sub Out	

1 EXECUTIVE SUMMARY

A. Introduction and Purpose of Report

This 2026-2040 Capital Improvement Plan ("CIP) was prepared to enable the Town of Winterville, North Carolina's Electric Department, to meet the expanding needs of roughly 3,500 consumers through the projected load levels of 2040. The objective of this CIP is to support the effective utilization of Winterville's electric distribution system and provide efficient, reliable, and economical service to its electric consumers. This plan will help the utility prepare for reasonable load expansion and provide management with guidelines for accomplishing the following objectives:

- Orderly development of the system with construction of lines and substations that provide long-range service life, minimal system losses, and flexibility to adapt to moderate changes in system growth patterns.
- System expansion that will keep new facility investments in step with load growth and revenues.
- Maximum use of opportunities to improve the quality of service.
- Maximum consideration of anticipated developments in equipment design and application (e.g., load management, low-loss transformers, electric thermal storage, and other Demand Side Management (DSM) programs).
- Correlation of the various elements of the system (i.e., power supply, transmission, and distribution) to maintain reasonable economic balance.
- Addition of system improvements in a manner that has minimal environmental impact.
- Development of a system plan that will afford continuing system improvement with a revenue return adequate to meet all costs of operating the system, satisfy all mortgage provisions, and achieve and maintain a satisfactory equity position while remaining cost competitive.

The Town of Winterville and Greenville Utilities Commission (GUC) signed an Electric Territorial Agreement on May 17, 2018. The Agreement identified current and future areas to be served with electric service by Winterville and GUC. During the term of this Agreement, (initial term 15 years) Winterville was granted the exclusive right to provide electric services to four (4) electric districts referenced as District "Winterville-1," District "Winterville-2," District "Winterville Annex-3," and District "Winterville Annex-4." Winterville will serve all new customers in Districts 1 and 2 as of the effective date of the Agreement. Winterville will serve all new loads in Districts 3 and 4 after annexation by Winterville.

System planning needs will be addressed in this CIP through the load level of approximately 32.643 MW, which is estimated to be reached by the year 2040, according to the territory expansion forecasted plan. This represents the total non-coincident system peak demand. Effective utilization of the existing distribution system will provide efficient and economical service to consumers and develop the system for reasonable expansion beyond the Long-Range Plan period.

System planning must be long-range and continuous, and it must correlate future load levels, plant investments, and system design. A practical long-range plan will ease the burden of managing and maintaining the utility and place an emphasis on safety for both employees and the public. Service reliability should be a primary concern of the utility, because poor reliability impedes the efficient use of electricity. System improvements should target the quick and efficient restoration of power following a transmission line, substation, or major distribution feeder outage (single contingency outage analysis).

The existing system was used as a basis for preparing this Capital Improvement Plan. Considering the projected system growth, economics, and demographic factors, the system was reviewed at anticipated long-range load levels to determine the construction necessary to serve the loads. This was

essential to avoid intermediate construction that would quickly become obsolete and force reconstruction of facilities before they have served their useful purpose.

Ideally, all facilities should be properly designed and sized so they may be used throughout their full-service life. The growth projections in this Capital Improvement Plan are based upon the most probable scenario considering historical trends and economic, environmental, and demographic factors in the Town's service area combined with input from management and engineering.

There is no exact method for determining precise future growth, thus, a degree of uncertainty exists, and the design philosophy of this CIP incorporates this variance in potential load growth. For this reason, the CIP should periodically be reviewed and revised as necessary to meet changes in growth trends. The projected high growth rate was chosen to ensure a plan that would impose substantial electrical stress on all system components while creating the greatest flexibility in potential facility construction.

Realizing that the CIP is a guide rather than a precise schedule, improvements should be constructed when load dictates, rather than within a predetermined time frame. Two alternate growth scenarios may be encountered, either slower or more aggressive system load growth. Each potential scenario can occur on any portion of the system.

The first scenario is to have slower than anticipated growth, either system-wide or on specific circuits. Provided that the reliability of existing facilities is adequate, the long-range improvement in an area with slower growth is delayed until load, reliability, or plant condition dictates its need. The second scenario is experiencing faster than anticipated growth in certain system regions. The design criteria incorporated in the preparation of the CIP takes this scenario into account. The long-range design criteria is based on the use of minimal line voltage regulation in the final step. In reality, voltage regulators can be used in the future to defer high capital cost projects. Designing the system without voltage regulation strains the system to show how the design would react with a much greater load than that estimated in the CIP. This provides a buffer to ensure that the design contains the versatility to accommodate changes in growth rate during the CIP period. The adopted plan sustains adequate service capability well beyond the long-range period. The voltage regulator criteria also ensures that improvements installed in the final step will be useful for their expected life to prevent early obsolescence.

Each improvement in the Capital Improvement Plan should be reviewed during the preparation of each subsequent CIP. Only the improvements that are necessitated by equipment condition or required to serve the anticipated plan loads should be considered for construction. During this review, conditions may be such that a revision to the CIP or a portion of the CIP is appropriate. Overall, the CIP is a foundation and dynamic guide for future system design and should, therefore, be periodically reviewed and revised to meet changing system conditions, availability of resources, and technological advances (generally every five years).

B. Present System Analysis

The following Present System Analysis discusses features of the existing distribution system as well as current operational conditions. As part of this plan, the present system voltage drop analysis, and WindMil model were reviewed showing the voltage levels and highlighted areas with capacity and voltage deficiencies.

1. Service Area

The Town of Winterville's electric system service area has approximately 78 miles of overhead primary power lines and 32 miles of primary underground. Consumer density averages 32 customers per mile of line. The Town of Winterville serves approximately 3,500 electric accounts.

The Town of Winterville purchases power from Duke Energy Progress at the 115 kV Vernon White Delivery Point. Winterville owns and operates approximately 4 miles of 34.5 kV sub-transmission lines that transmit power from this delivery point to their two distribution substations.

2. Substations

The Town of Winterville operates two 34.5kV to 12.47 kV distribution substations (Old Tar Road and Church Street) each equipped with a 15/25 MVA substation transformer. It also operates the Vernon White 115kV to 34.5kV Delivery Point, which is equipped with a 30/50 MVA transformer. Substation equipment loading and capacities are detailed in the exhibits.

3. Distribution Circuits

The Present System Analysis engineering model was used to find the existing loading and voltage problems on the system's distribution circuits. The CIP circuit diagrams show the calculated voltage drops (120V base) at line extremities and proposed system improvements. The substation voltage regulators were modeled for an output voltage of 125 volts on a 120V base.

Early in the analysis, RGrid Power identified that some voltage-drop and capacity problems could be solved by better balancing the phases on each circuit. Phase changes in the system model were determined by substation and circuit to achieve the optimal balance of load along the length of each circuit. A consistent, periodic evaluation of system phasing will help lower capital costs by lowering capacity on feeders, thus improving voltage levels downline. This will maximize feeder performance and reduce unnecessary, premature improvements.

4. Service Reliability

Service reliability and power quality are two important factors used to measure quality of service provided to the consumer. Although weather and delivery point (power supply) related outages are difficult to control, some measures can be taken to promote enhanced resiliency.

Trees and brush in rights-of-way can create hazards that cause outages and obstruct the movement of line crews during storms, thereby increasing outage hours. The Town should continue to maintain a vigorous program of right-of-way re-clearing to alleviate problematic tree conditions and continue to press the power supplier for enhanced delivery point reliability.

Multi-phasing, load balancing, and proper sectionalizing significantly reduces the number of consumers interrupted during a single-phase outage, reducing outage time.

C. Historical System Data

System historical data was provided by The Town of Winterville regarding system peak loads, commercial loads, and circuit loads. This data was compiled and analyzed to identify operational trends, positive and negative, to be addressed in this Capital Improvement Plan.

D. Projected System Loads

The system load projections are based upon historical system data, and the system improvements are based on projected system growth.

Substation load projections were based on historical growth rates and proposed load additions, including new subdivisions, commercial loads, large power additions, demographics, and economy. The diversity of circuit loads and substation loads are considered when evaluating the peak loads on each component of the system. Detailed load projections are included in Exhibit A.

Proposed substation and distribution line improvements are based upon need at projected load levels in their respective areas.

E. Distribution System Model

The distribution system model for The Town of Winterville was modeled in the Milsoft® Distribution Analysis software (WindMil®). The most recent system digital map database and management/staff input was used to prepare this model. A present system analysis was completed. Projected substation and circuit loads were allocated to the model to obtain calculated voltage and loading profiles for each distribution circuit. Recommendations included in the CIP were based in part on the WindMil® computer analysis.

F. System Improvements

The Capital Improvement Plan recommendations are based on single contingency (n-1) analysis. Multiple communications with The Town of Winterville management, engineering, and construction personnel, including meetings, and an iterative process of developing the most economical plan will allow the Town to adequately serve the existing and new consumers through the peak loads of 2040.

Overall, the Town's system did not necessitate many improvements due to projected loading. The main system improvement of an additional circuit from Church Street substation is recommended to mitigate conductor overloads in the n-1 scenario with Old Tar substation out of service. Other system improvements, necessitated by new projected loads in the annexation process, include circuit extensions of circuit 8, new circuit extension for circuit 10, an underground backbone extension for circuit 11, and a sub-transmission extension that will continue the alternate loop between the delivery point and substations.

Each of the recommended system improvements is described in detail in Section 3: Descriptions and Justifications.

G. Summary of 2026-2040 CIP Costs

The following is a summary of the costs for this 2026-2040 Capital Improvement Plan by improvement category. Substation upgrades are those necessary to accommodate forecasted growth of existing loads and prepare the existing Old Tar and Church St Substation for additional circuit exits needed for territory expansion upgrades. The New Substation along Worthington Rd is planned for future loads in the territory expansion districts east of Town. Transmission Upgrades will create a full loop of 34.5 kV sub-transmission between the Vernon White Delivery Point and the two existing substations. Distribution Upgrades will create several new circuit backbones to access and serve the districts laid out in the Twon's territory expansion plan.

Substation Upgrades	$	625,000
New Substation (Worthington Rd)	$	5,500,000
Transmission Upgrades	$	342,000
Distribution Upgrades (Territory Expansion)	$	2,613,000

Total Capital Improvement Plan	**$**	**9,080,000**

2 DESIGN CRITERIA

A. Summary

Improvements recommended in the Capital Improvement Plan represent actions required to maintain minimum to satisfactory standards for adequate voltage, thermal loading, and service reliability levels. The following are basic design parameters utilized in this Study.

Distribution Circuits

- Maximum voltage-drop on the primary – 8V on a 125V source
- Maximum of one-stage line voltage regulation
- Conductor sizes based on Economic Conductor Analysis
- Conductor loading:
  - 50% of thermal capacity of inter-substation ties and loop feeds
  - 80% of thermal capacity for radial circuits
- Single phase tap loading:
  - a base target of 252 to 288 kW (35 to 40 amps) at 7.2 kV

Substations

- Initial loading of substation transformers to 60% of base capacity rating
- Existing transformers loaded to 100% base rating; utilizing fan-cooled rating for short-term peaks and emergency conditions
- Utilize ANSI/IEEE Guide for loading liquid immersed equipment, including power transformers and voltage regulators
- Power loss evaluation of new transformer purchases and replacements
- Standard design of substations and transformer sizing application consistent with economic analyses

Distribution Transformers

- Load at or near standard manufacturer capacity rating
- New transformer purchases evaluated for power loss optimization and total ownership costs and meet DOE efficiency levels

Voltage Regulators

- Line Regulators
  - Maximize output voltage for optimum line losses and consumer voltage
  - Avoid more than one stage of line regulation
  - Bi-directional voltage regulators should be used when emergency back-feed is a possibility
  - Maximum preferred output to be 125 volts
- Substation Regulators
  - Maximize output voltage for optimum line losses and consumer voltage
  - Maximum preferred output to be 125 volts
  - Minimum acceptable output voltage listed on the circuit diagrams

Conductor Sizing

- Based on Economic Conductor Study
- 1/0 ACSR for low-load levels
- 336.4 kcmil ACSR for main feeders and inter-substation ties
- 795 kcmil ACSR for bulk feeders and heavily loaded inter-substation ties
- 1/0 AL cable for underground lines
- 1000 MCM AL cable for heavily loaded underground lines and feeders

Sectionalizing

- Maximum average 180 outage-minutes per consumer per year
- Limit loads on reclosers to 70% of trip coil rating for cold-load pickup
- Consider minimum phase-to-ground fault pickup capability
- Provide single contingency outage transfer capability

Capacitor/Power Factor

- Goal of 98% (±1%) power factor
- Optimize line losses
- Optimize voltage improvement
- Maximize released system capacity on transformers and lines

Line Improvements

- Improve voltage levels
- Maintain adequate thermal capacity
- Balance phase loads
- Line-loss reduction
- Improve reliability

B. Distribution Circuits

Maximum voltage drop levels on primary distribution circuits should be limited to eight volts *(on a 125-volt source at the substation)* for normal circuit configurations at peak load levels. A maximum of one stage of line voltage regulation should be used to achieve adequate voltage levels where practical. Voltage regulation will be utilized to achieve short-term deferral of major capital investment. Although line voltage regulators are not considered an optimal long-term solution, they can be utilized due to the line lengths, terrain, and economic considerations. An Economic Conductor Study was prepared based on 30-year capital recovery term and the results indicate that larger conductor and higher cost capital projects may be the preferred long-term economic option.

Primary conductor loads should be limited to 80 percent of their thermal rating, or 167°F, whichever is greater. **IMPORTANT NOTE: The line design and sag and tensions of the conductor must take this into consideration.** Loads on major inter-substation tie lines and loop feeds should be limited to 50 percent of their thermal rating. This will permit emergency load transfer. Again, the line design and sag and tension of the conductor must be based on the higher operating temperature. Table 2-1 illustrates the need for designs and construction to be at levels above the base 120°F of the National Electrical Safety Code (NESC) particularly to achieve load transfer capability in a single contingency outage scenario. The planning and construction engineers must coordinate the plan and the construction practices. Loads on single-phase taps should be limited from 252 kW to 288 kW at 7.2/12.47kV (35 to 40 amps), depending on the size of the protective device and the overall sectionalizing coordination.

This conservative benchmark is based predominantly on the need for single-phase reclosers or fuses to be able to detect faults at the ends of single-phase lines, where minimum fault levels are substantially lower and to allow for reasonable cold-load pickup. Single-phase line fuses or reclosers should be limited to 50 ampere devices, where practical. There will certainly be occurrences where larger single-phase tap line devices are applied, especially where 500 kW loads exist on single-phase taps, or, most particularly, when these taps are closer to the substation and fault levels, including minimum fault levels, are higher. Application of sectionalizing equipment along single-phase taps may be required to provide adequate protection while deferring expensive multi-phasing projects.

Conductor sizes recommended in this plan are based on the Economic Conductor Study found in Exhibit D. For most of the improvements within the CIP, a 30-year capital recovery factor was utilized. The Economic Conductor Study is based on incremental power cost rather than average system power cost, since the power line loss savings are directly related to the last component of power purchased. All new primary lines are to be built to the NESC standards.

Conductor Replacement Programs are based on actual need rather than assumed need. This means that 40 and 50-year-old conductors would not be replaced as long as they are not susceptible to imminent failure or outage rates and maintenance costs that override the economies of replacement deferral.

Table 2-1
Ampacity of Overhead Conductors

Conductor Temperature		120°F	167°F	212°F
Summer ambient		104°F	104°F	104°F
Winter ambient		32°F	32°F	32°F
Wind (ft./sec.)		2	2	2

			Ampacity Summer Rating			Ampacity Winter Rating		
Name	Size	Strand	120° F	167° F	212° F	120° F	167° F	212° F
RAVEN	1/0	6/1	108	202	265	242	296	342
MERLIN	336.4	18/1	232	434	568	519	635	733
OSPREY	556.5	18/1	317	594	778	711	870	1005
DRAKE	795	26/7	405	758	993	907	1110	1282

Table 2- 2 Ampacity of Underground Conductors		
Earth Ambient Temperature	20°C	
Earth Thermal Resistivity	RHO 90	
Depth of Burial	30" to top of duct bank with ducts on 7 1/2" centers	
	Ampacity Rating	
SIZE	**90°C (194°F)**	**105°C (221°F)**
1/0 AL	155	165
4/0 AL	235	255
350 AL	310	335
500 AL	370	405
750 AL	460	505
1000 AL	520	570

C. Substation Transformers

The Town is encouraged to limit initial loading of substation transformers to 60 percent of the base capacity rating. This allows for normal progressive load growth and a measure of reserve capacity for contingency load shifts from adjacent substations. As normal peak loads approach or exceed the transformers' base capacity rating, corrective action should be considered. The sizing of transformers and loading of transformers should include the evaluation of power losses. The no-load and load losses of each substation transformer should be considered not only at the time of the initial purchase, but also during the life of the loading of the transformer.

D. Distribution Transformers

Transformers serving large power and commercial loads can be loaded near or slightly higher than the standard manufacturer capacity ratings for power loss optimization. Each installation should be evaluated, and loss optimized. All new substation power transformers and distribution transformers should be purchased based on the total ownership formula. This formula optimizes purchase price and power losses.

E. Conductor Sizing

Conductor sizes, voltage, and phasing were calculated to obtain the most economical installation and to justify each conductor size change. In low load level areas, 1/0 ACSR overhead and 1/0 AL underground conductor/cable is recommended. The larger 336.4 kcmil ACSR and 1000 kcmil AL underground conductor/cable is recommended for most main feeders where voltage drop, or capacity is a consideration. For select situations on bulk feeders or where contingency scenarios may require heavy load shifting, 795 kcmil ACSR conductor is considered as an option.

F. Sectionalizing

The installation of sectionalizing devices provides improved service reliability. Sectionalizing devices/protection equipment, localize power interruptions to smaller areas, provide the means to quickly locate and repair the cause of an outage to minimize outage time and reduce arc flash Hazard Risk categories to employees and contractors. It is difficult to place an exact monetary value justification on the installation of sectionalizing devices. The protection of substation transformers most dramatically represents the economics of proper sectionalizing.

As the Winterville system continues to grow, updating the Sectionalizing Study for proper sizing and location of devices is recommended every ten years. This recommendation is further driven based upon the NESC standard addressing Arc Flash and Personal Protective Equipment for working on energized lines and equipment. Available fault currents (derived from the Study) are a necessary component for calculating Arc Flash hazards and determining Personal Protective Equipment needed. Enhanced speed of protective devices is critical to the control of arc flash and its hazards.

G. Capacitor Placement / Power Factor Correction

The single, most effective way to provide for voltage correction, release capacity, and improve power line losses is to optimally install line capacitors. The goal of the CIP is to develop a system in which the power factor at each substation is as close to 98% as possible. This will require the installation of more switched capacitor banks on the lines. Capacitors are recommended to achieve a near unity power factor (98% lead or lag) during all but peak load times, with the priority being as follows:

1. Improving system voltage with the lowest capital investment,
2. Releasing the maximum amount of substation transformer and line capacity, and
3. Optimizing the reduction of power line losses.

During the plan analysis, loads were allocated to the system using a power factor of 98%. All improvements necessary to provide for capacity and voltage were considered after optimization of the line power factor. This should be the first and foremost goal of Town of Winterville each year as it reevaluates CIP requirements.

H. Line Improvements

Multi-phasing provides numerous benefits to system operations, including balancing loads among three phases, reducing voltage drop and power cost, and improving reliability. Since consumers can be distributed among three phases, the number of the consumers interrupted during a single phase-to-ground fault, which accounts for most outages, is substantially reduced.

Maintaining load balance is one of the most effective means to improve and efficiently operate a power distribution system. Therefore, Winterville should make a special effort to maintain load balance on existing facilities and, as new facilities are constructed, obtain maximum utilization of facilities. Multi-phasing is recommended:

- when required for voltage improvement,
- when required for eliminating overloaded conductors,
- to reduce power line losses, and/or
- to improve system sectionalizing.

3 DESCRIPTIONS AND JUSTIFICATIONS

The following pages provide a description and justification for the proposed Capital Improvement Plan projects. The improvements proposed are those necessary to maintain adequate distribution voltage and substation capacity through the end of the CIP period of 2040. Section 4 provides project cost estimates.

Substation Upgrades

Old Tar Substation Upgrades. Estimated Cost: $250,000

These upgrades will add a split bus to the Old Tar Substation. This new bus will include the addition of two (2) 25kV Breakers and one (1) additional feeder exit from the substation (new Circuit 8) to accommodate territory expansion for Districts 1A and 3. This project will also allow the addition of a second set of voltage regulators.

- Add a split bus to the existing substation.
- Add one (1) new circuit exit.
- Add two (2) 25kV breakers.

Church St Substation Upgrades. Estimated Cost: $375,000

This upgrade will include the addition of two (2) 25kV Breakers and two (2) additional feeder exits from the substation (new Circuits 10 and 11) to accommodate territory expansion for District 1-B to the southeast of Church St substation and District 4 northwest of the Town.

- Add two (2) 25kV breakers.
- Add two (2) new circuit exits.

New Substation

New Worthington Substation. Estimated Cost: $5,500,000

Construct new 34.5 kV to 12.47 kV substation with a 15/25 MVA transformer and three bays.

- This new substation will be located along Worthington Rd, just west of the intersection with County Home Rd. The substation will be served by the Greenville Utilities Commission 34.5 kV sub-transmission line located along Worthington Rd.
- With territory expansion and projected load growth, capacities at the Old Tar and Church St Substations will be exceeded under contingency (n-1) scenarios. This new substation will increase the Town's service capacity, increase transmission redundancy by providing an alternate delivery point, and provide ample distribution capacity for territory expansion east of Town in Districts 1-A and 3.

Transmission Upgrades

Old Tar Transmission Extension. Estimated Cost: $252,000

Build 1.4 miles of 34.5 kV overhead sub-transmission from the Vernon White Delivery Point east along Vernon White Rd and south along Old Tar Rd to the Old Tar Substation, 336.4 ACSR conductor.

- This section 34.5 kV sub-transmission line will provide an alternate transmission service for the Old Tar Substation and complete a transmission loop around the Town of Winterville between the Vernon White Delivery Point and the two substations.
- This loop will provide backfeeding capability in the event of a sub-transmission outage or needed maintenance, increasing service reliability for the Town's consumers.

Church St Transmission Extension. Estimated Cost: $90,000

Build 0.5 miles of 34.5 kV overhead sub-transmission from Church St Substation to Laurie Ellis Rd, 336.4 ACSR conductor.

- This short section of 34.5 kV sub-transmission line will extend the alternate loop around the Town of Winterville between the Vernon White Delivery Point and the two substations and provide an alternate transmission feed for the Church St Substation.
- This loop will provide backfeeding capability in the event of a sub-transmission outage or needed maintenance, increasing service reliability for the Town's consumers.

Distribution Upgrades (for Territory Expansion)

(District 1A) Circuit Exit for new Circuit 8. Estimated Cost: $155,000

Build 0.25 miles of new UG 3Ø 1000 kcmil AL cable to create new Circuit 8 out of Old Tar Substation.

- This project will create a new Circuit 8 out of Old Tar Substation to serve new loads in District 1A of the territory expansion plan. This section of UG cable will run south along Old Tar Rd and tie in with existing UG facilities near the intersection of Worthington Rd.
- Circuit 8 will continue east along Worthington Rd utilizing existing UG and OH conductors and will extend to the new Worthington Substation with newly constructed OH 3Ø 336 ACSR (see next project).

(District 1A and 3) Circuit Extension for new Circuit 8. Estimated Cost: $234,000

Build 1.3 miles of new OH 3Ø 336.4 ACSR conductor to extend new Circuit 8 to the new Worthington Substation.

- This project will extend the new Circuit 8 out of Old Tar Substation to reach the new Worthington Substation. This section of OH conductor will run east along Worthington Rd, extending from existing facilities near Elis Dr.

(District 1A and 3) Circuit Extension for new Circuit 9. Estimated Cost: $594,000

Build 3.3 miles of new OH 3Ø 336.4 ACSR conductor to extend new Circuit 9 from the new Worthington Substation.

- This project will extend the new Circuit 9 from the new Worthington Substation, south along County Home Rd, then west along Jack Jones and Laurie Ellis Rds. Circuit 9 will continue north through existing farmland to tie with the new Circuit 8 along Worthington Rd.
- This new circuit will serve projected loads in the territory expansion for Districts 1A and 3.

(District 1B) Circuit Exit for new Circuit 11. Estimated Cost: $36,000

Build 0.2 miles of new OH 3Ø 336.4 ACSR conductor to create new Circuit 11 out of Church St Substation.

- This project will create a new Circuit 11 out of Church St Substation to serve new loads in District 1B of the territory expansion plan. This section of OH conductor will parallel the existing Circuit 5 from the Church St Substation east to Church St.
- Circuit 11 will serve loads south and east of the Church St Substation, including the southern portion of the existing Circuit 5 and the new loads in Tract A of District 1B.

(District 1B) Circuit Extension for new Circuit 11. Estimated Cost: $620,000

Build 1.0 mile of new UG 3Ø 1000 kcmil AL cable to extend new Circuit 11 to Tract A of District 1B in the territory expansion plan.

- This project will extend an UG feeder east from Church St to serve projected loads in District 1B.

(District 1B) Circuit Extension for Circuit 5. Estimated Cost: $434,000

Build 0.7 miles of new UG 3Ø 1000 kcmil AL cable to extend Circuit 5 to Tract B of District 1B in the territory expansion plan.

- This project will extend an UG feeder south from Laurie Ellis Rd to serve projected loads in District 1B.

(Districts 1C, 2, and 4) Circuit Exit for new Circuit 10. Estimated Cost: $72,000

Build 0.4 miles of new OH 3Ø 336.4 ACSR conductor to create new Circuit 10 out of Church St Substation.

- This project will create a new Circuit 10 out of Church St Substation to serve new and existing loads in Districts 1C, 2, and 4 of the territory expansion plan. This section of OH conductor will parallel the existing Circuit 7 from the Church St Substation north across Laurie Ellis Rd, to the point where existing Circuit 7 crosses over Mill St/Old NC 11.
- Circuit 10 will serve loads west of Mill St, including existing loads in District 2 of the territory expansion plan, District 4 in the northwest portion of the Town's service territory, and will also reach the new District 1C along Vernon White Rd.
- Creating the new Circuit 10 will alleviate capacity concerns on the heavily loaded Circuit 7 and provide alternate feeds in contingency (n-1) scenarios with Old Tar Substation out of service.

(Districts 1C, 2, and 4) Circuit Extension for new Circuit 10. Estimated Cost: $396,000

Build 2.2 miles of new OH 3Ø 336.4 ACSR conductor to extend new Circuit 10 to the Vernon White Delivery Point.

- This project will extend the existing facilities on Circuit 7 that run north along Reedy Branch Rd. The new conductor will continue north from Hwy 903 to Davenport Farm Rd, travel east along Davenport Farm and Vernon White Rds until reaching N Railroad St, where they will reach the existing 3Ø conductor at the north end of Circuit 7.
- This new Circuit 10 will provide service to additional portions of District 2, District 4, and will be extended into District 1C, east of Vernon White Delivery Point.

(District 1C) Circuit Extension for new Circuit 10. Estimated Cost: $72,000

Build 0.4 miles of new OH 3Ø 336.4 ACSR conductor to extend new Circuit 10 into District 1C of the territory expansion plan.

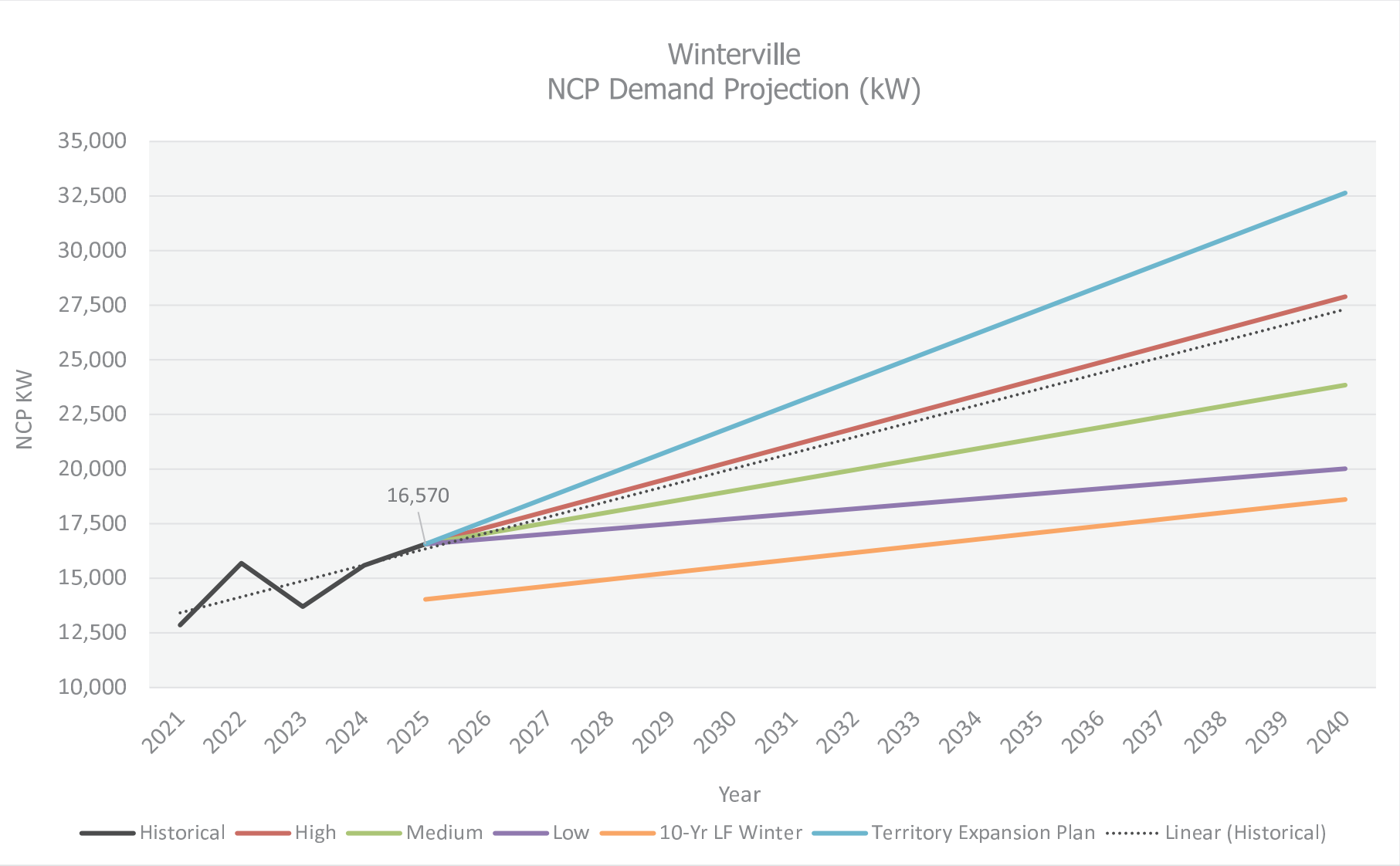
- This project will extend the new facilities built for Circuit 10 near the Vernon White Delivery Point. The new conductor will continue east along Vernon White Rd.
- This new Circuit 10 will provide service to District 1C, east of Vernon White Delivery Point.

4 COST ESTIMATES

Town of Winterville	2025 Peak Load (kW)	2040 Projected Load (kW)
	16,570	23,844

Description	Miles/Qty	Unit Cost	Total Cost
Substation Upgrades			
Old Tar upgrades (split bus, install two 25 kV breakers, one new feeder exit)	1	$ 250,000	$ 250,000
Church St upgrades (add two 25 kV breakers, two new circuit exits)	1	$ 375,000	$ 375,000
New Substation (Worthington Rd)			
Construct new 34.5 kV to 12.47 kV substation, 15/25 MVA transformer	1	$5,500,000	$ 5,500,000
Transmission Upgrades			
Extend 34.5 kV OH transmission from Vernon White DP to Old Tar Sub, 336.4 ACSR	1.4	$ 180,000	$ 252,000
Extend 34.5 kV OH transmission from Church St Sub to Laurie Ellis Rd, 336.4 ACSR	0.5	$ 180,000	$ 90,000
Distribution Upgrades (for Territory Expansion)			
District 1A: Circuit Exit for New Circuit 8, UG 3Ø 1000 kcmil AL	0.25	$ 620,000	$ 155,000
District 1A & 3: Circuit Extension for New Circuit 8, OH 3Ø 336.4 ACSR	1.3	$ 180,000	$ 234,000
District 1A & 3: Circuit Extension for New Circuit 9, OH 3Ø 336.4 ACSR	3.3	$ 180,000	$ 594,000
District 1B: Circuit Exit for New Circuit 11, OH 3Ø 336.4 ACSR	0.2	$ 180,000	$ 36,000
District 1B: Circuit Extension for New Circuit 11 (Tract A), UG 3Ø 1000 kcmil AL	1.00	$ 620,000	$ 620,000
District 1B: Circuit Extension for Circuit 5 (Tract B), UG 3Ø 1000 kcmil AL	0.7	$ 620,000	$ 434,000
Districts 1C, 2, & 4: Circuit Exit for New Circuit 11, OH 3Ø 336.4 ACSR	0.4	$ 180,000	$ 72,000
Districts 1C, 2, & 4: Circuit Extension for New Circuit 10, OH 3Ø 336.4 ACSR	2.2	$ 180,000	$ 396,000
District 1C: Circuit Extension for New Circuit 10, OH 3Ø 336.4 ACSR	0.4	$ 180,000	$ 72,000
Capital Improvement Plan Total			**$ 9,080,000**

A. Load Projections



Winterville
NCP Demand Projections

Historical	NCP KW				
2021	12,861				
2022	15,691				
2023	13,700				
2024	15,586				
2025	16,570				
Projected	**Low**	**Med**	**High**	**10-Yr LF Winter**	**Territory Expansion Plan**
2026	16,800	17,055	17,325	14,341	17,642
2027	17,030	17,540	18,080	14,646	18,713
2028	17,260	18,025	18,835	14,951	19,785
2029	17,490	18,510	19,590	15,256	20,856
2030	17,720	18,995	20,345	15,561	21,928
2031	17,950	19,480	21,100	15,866	22,999
2032	18,180	19,965	21,855	16,171	24,071
2033	18,410	20,450	22,610	16,476	25,142
2034	18,640	20,935	23,365	16,781	26,214
2035	18,870	21,420	24,120	17,086	27,285
2036	19,100	21,905	24,875	17,391	28,357
2037	19,330	22,390	25,630	17,696	29,428
2038	19,560	22,875	26,385	18,001	30,500
2039	19,790	23,360	27,140	18,306	31,571
2040	20,020	23,845	27,895	18,611	32,643
Growth rate	1.31%	2.60%	3.83%	1.97%	4.96%

B. Substation Loading by Circuit

NCP Demand Peaks (kW)	2025 Actual	2030 Projected Medium	2035 Projected Medium	2040 Projected Medium
Circuit 1	2,666	3,057	3,447	3,837
Circuit 2	2,168	2,485	2,802	3,119
Circuit 3	1,671	1,916	2,160	2,404
Circuit 4	1,594	1,828	2,061	2,294
Old Tar Substation	**8,099**	**9,285**	**10,470**	**11,655**
Circuit 5	3,459	3,965	4,472	4,978
Circuit 6	2,137	2,450	2,763	3,075
Circuit 7	4,532	5,195	5,858	6,521
Church St Substation	**10,128**	**11,610**	**13,092**	**14,574**
Winterville System	**16,570**	**18,995**	**21,420**	**23,845**

C. Conductor Optimization Study

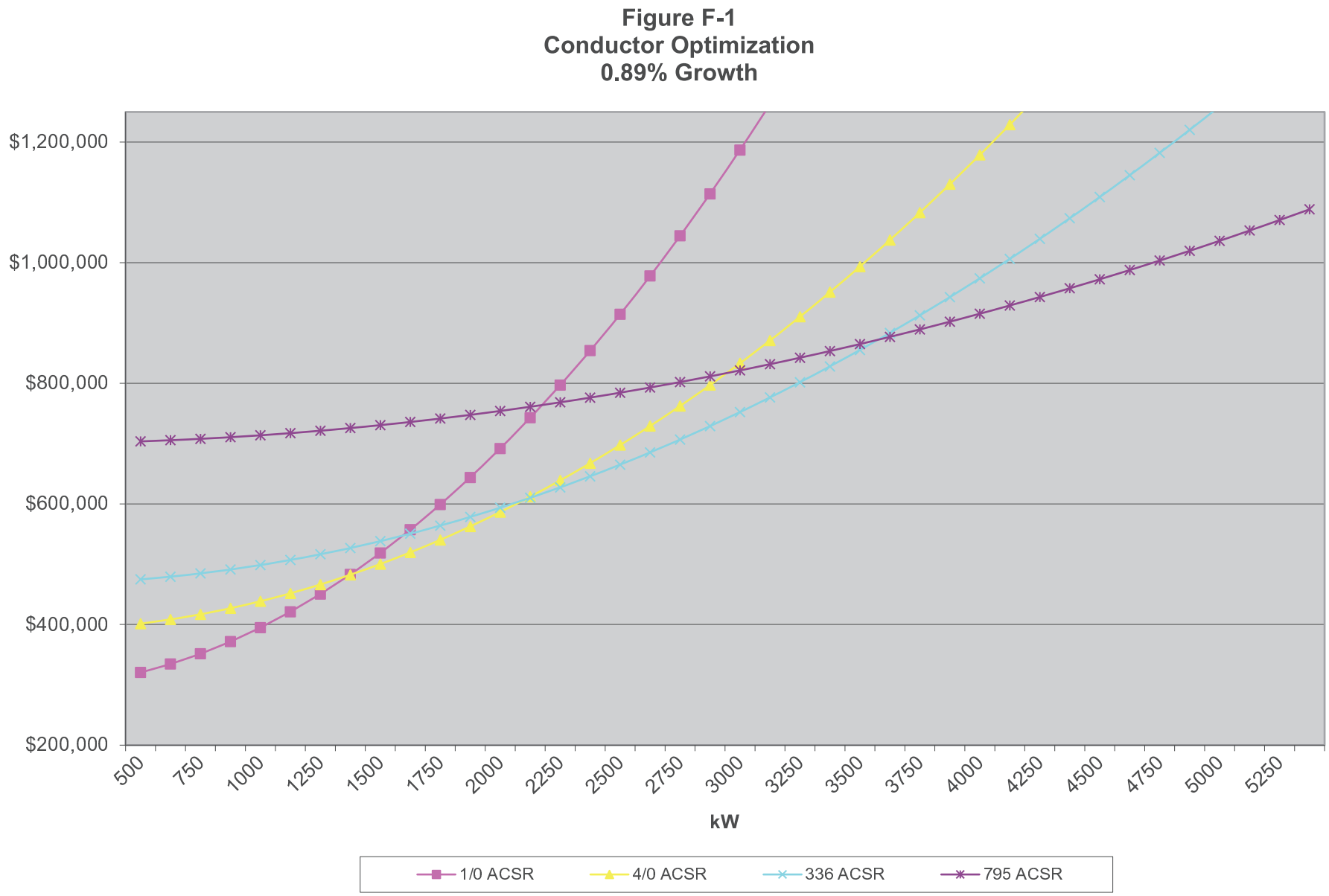


Figure F-1 cont.
Economic Conductor Study

Interest rate	4.00%
Carrying Charge	18.00%
Term	30
Lowest kW Load Level	500
Largest kW Load Level	5500
kW Increments	125
Load Growth Rate	2.60%
Load Factor	50.00%
Power Factor	98.00%
Demand Annualization Factor	12
System Voltage (P-P kV)	12.47
Initial Demand Charge	$15.00
Demand Escalation	1.50%
Initial Energy Charge	$0.08000
Energy Escalation	1.50%
Loss Factor	0.3

Initial Load	1/0 ACSR	4/0 ACSR	336 ACSR	795 ACSR
500	$320,443	$401,408	$474,809	$703,687
625	$334,364	$408,348	$479,267	$705,576
750	$351,379	$416,829	$484,714	$707,886
875	$371,487	$426,853	$491,153	$710,615
1000	$394,690	$438,419	$498,582	$713,764
1125	$420,985	$451,528	$507,001	$717,333
1250	$450,375	$466,178	$516,411	$721,322
1375	$482,858	$482,370	$526,812	$725,731
1500	$518,434	$500,105	$538,203	$730,560
1625	$557,104	$519,382	$550,585	$735,809
1750	$598,868	$540,201	$563,957	$741,477
1875	$643,726	$562,562	$578,320	$747,566
2000	$691,677	$586,465	$593,673	$754,074
2125	$742,722	$611,910	$610,017	$761,003
2250	$796,860	$638,898	$627,351	$768,351
2375	$854,092	$667,428	$645,676	$776,119
2500	$914,417	$697,499	$664,991	$784,307
2625	$977,837	$729,113	$685,297	$792,915
2750	$1,044,349	$762,269	$706,594	$801,943
2875	$1,113,956	$796,968	$728,881	$811,391
3000	$1,186,656	$833,208	$752,158	$821,258
3125	$1,262,449	$870,991	$776,426	$831,546
3250	$1,341,337	$910,315	$801,685	$842,253
3375	$1,423,317	$951,182	$827,934	$853,381
3500	$1,508,392	$993,591	$855,173	$864,928
3625	$1,596,560	$1,037,542	$883,404	$876,895
3750	$1,687,822	$1,083,035	$912,624	$889,282
3875	$1,782,177	$1,130,071	$942,835	$902,089
4000	$1,879,626	$1,178,648	$974,037	$915,316
4125	$1,980,169	$1,228,768	$1,006,230	$928,963
4250	$2,083,805	$1,280,430	$1,039,412	$943,029
4375	$2,190,535	$1,333,634	$1,073,586	$957,516
4500	$2,300,358	$1,388,380	$1,108,750	$972,422
4625	$2,413,275	$1,444,668	$1,144,904	$987,748
4750	$2,529,286	$1,502,498	$1,182,049	$1,003,495
4875	$2,648,390	$1,561,871	$1,220,184	$1,019,661
5000	$2,770,588	$1,622,785	$1,259,310	$1,036,247
5125	$2,895,880	$1,685,242	$1,299,427	$1,053,253
5250	$3,024,265	$1,749,241	$1,340,534	$1,070,679
5375	$3,155,743	$1,814,782	$1,382,632	$1,088,524

D. Substation Equipment Loading

SUBSTATION TRANSFORMERS AND VOLTAGE REGULATORS

Without Improvements

Substation or Delivery Point	Substation Voltage and Capacity					Step 1 - 2030				Step 2 - 2040			
	Existing					Peak (kW)	% Loaded			Peak (kW)	% Loaded		
	Primary-Secondary Voltage (kV)	Trans Base Rating (kVA)	Trans Forced Rating (kVA)	No. of Regs	VR Size (kVA/ phase)		Trans Base	Trans Forced	Regs		Trans Base	Trans Forced	Regs
VERNON WHITE DP	115 - 34.5	30,000	50,000			18,995	63%	38%	-	23,845	79%	48%	-
34.5 kV Transmission													
OLD TAR SUBSTATION	34.5 - 12.47	15,000	25,000			9,285	62%	37%	29%	11,655	78%	47%	36%
Circuit 1				3	250								
Circuit 2				3	333								
Circuit 3				3	250								
Circuit 4				3	250								
CHURCH ST SUBSTATION	34.5 - 12.47	15,000	25,000	LTC		11,610	77%	46%	-	14,574	97%	58%	-
Circuit 5													
Circuit 6													
Circuit 7													

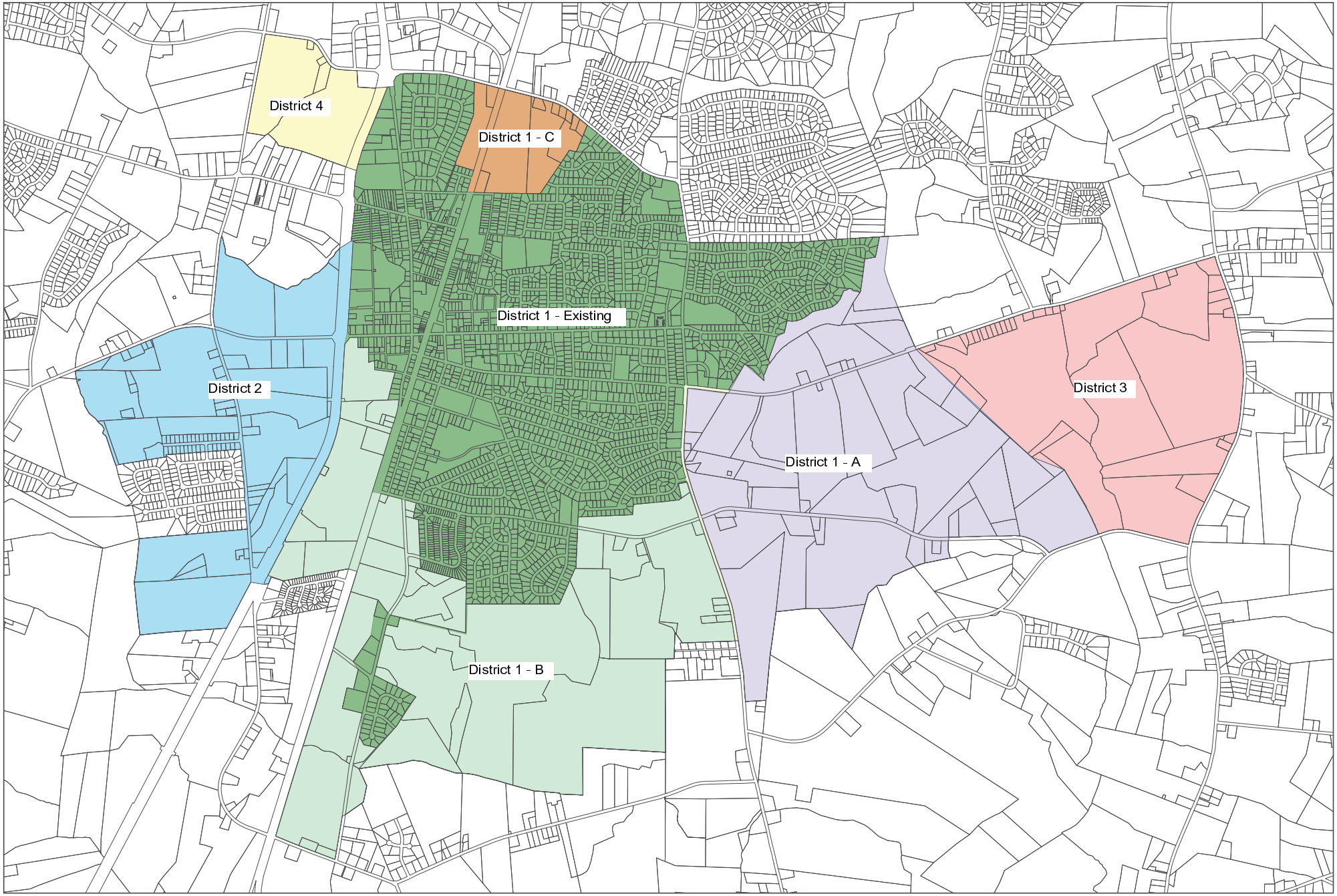
E. Substation Equipment Loading – Contingency Analysis

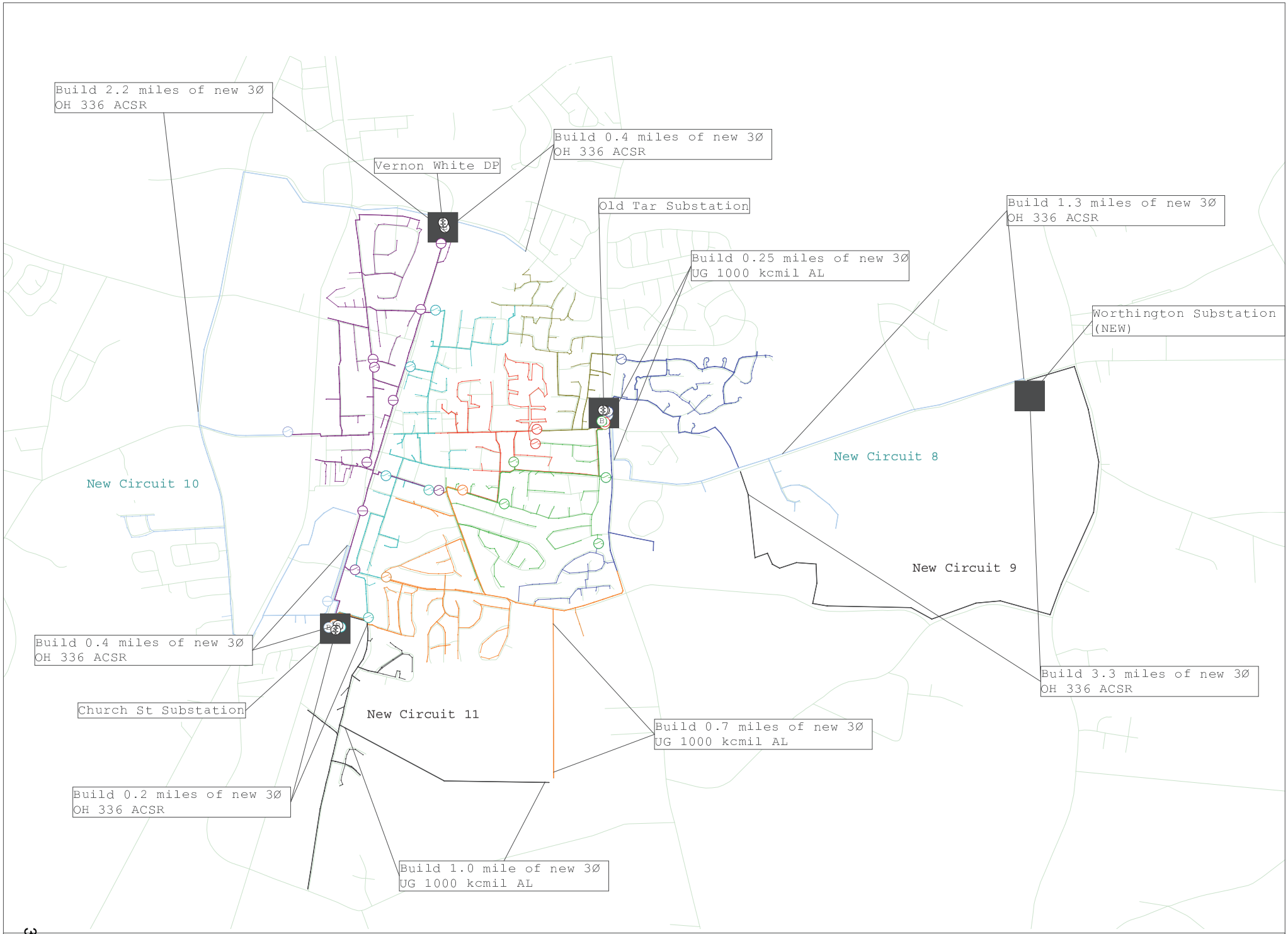
Substation Transformers
Contingency Analysis

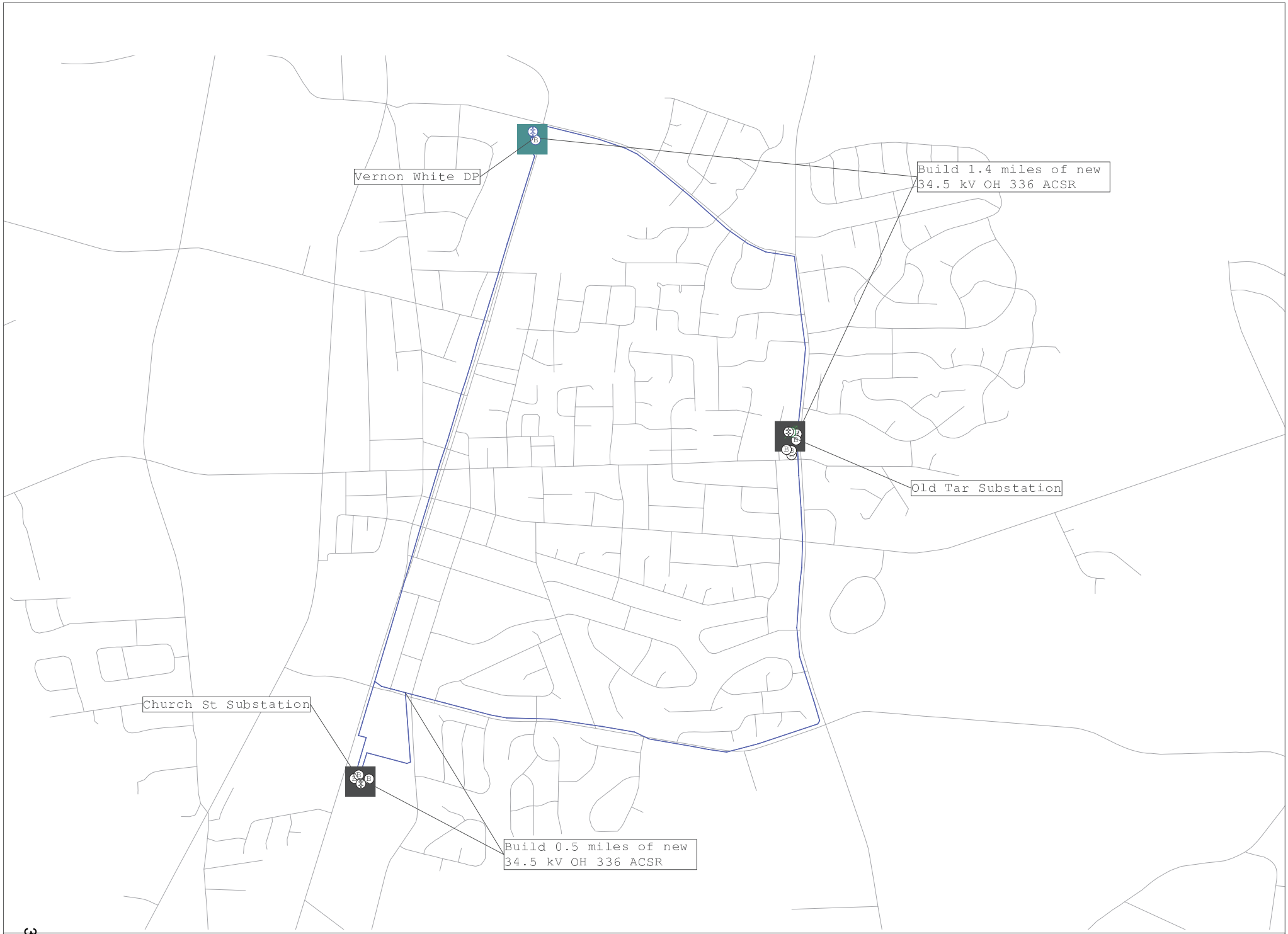
Contingency Analysis		2040 Load	Church St OUT	Old Tar OUT
Old Tar Substation				
Circuit 1	Blue	3,837	8,028	
Circuit 2	Green	3,119	9,780	
Circuit 3	Red	2,404	6,263	
Circuit 4	Gold	2,294	2,312	
		11,654	**26,383**	
Church St Substation				
Circuit 5	Orange	4,978		8,094
Circuit 6	Teal	3,075		8,650
Circuit 7	Purple	6,521		9,711
		14,574		**26,455**

Vernon White DP
Old Tar Sub
Church Street Sub
Old Tar Sub
Circ. 1
Circ. 2
Circ. 3
Circ. 4
Church St Sub
Circ. 5
Circ. 6
Circ. 7

Vernon White DP
Old Tar Sub
Church Street Sub


District 4
District 1 - C
District 1 - Existing
District 2
District 3
District 1 - A
District 1 - B

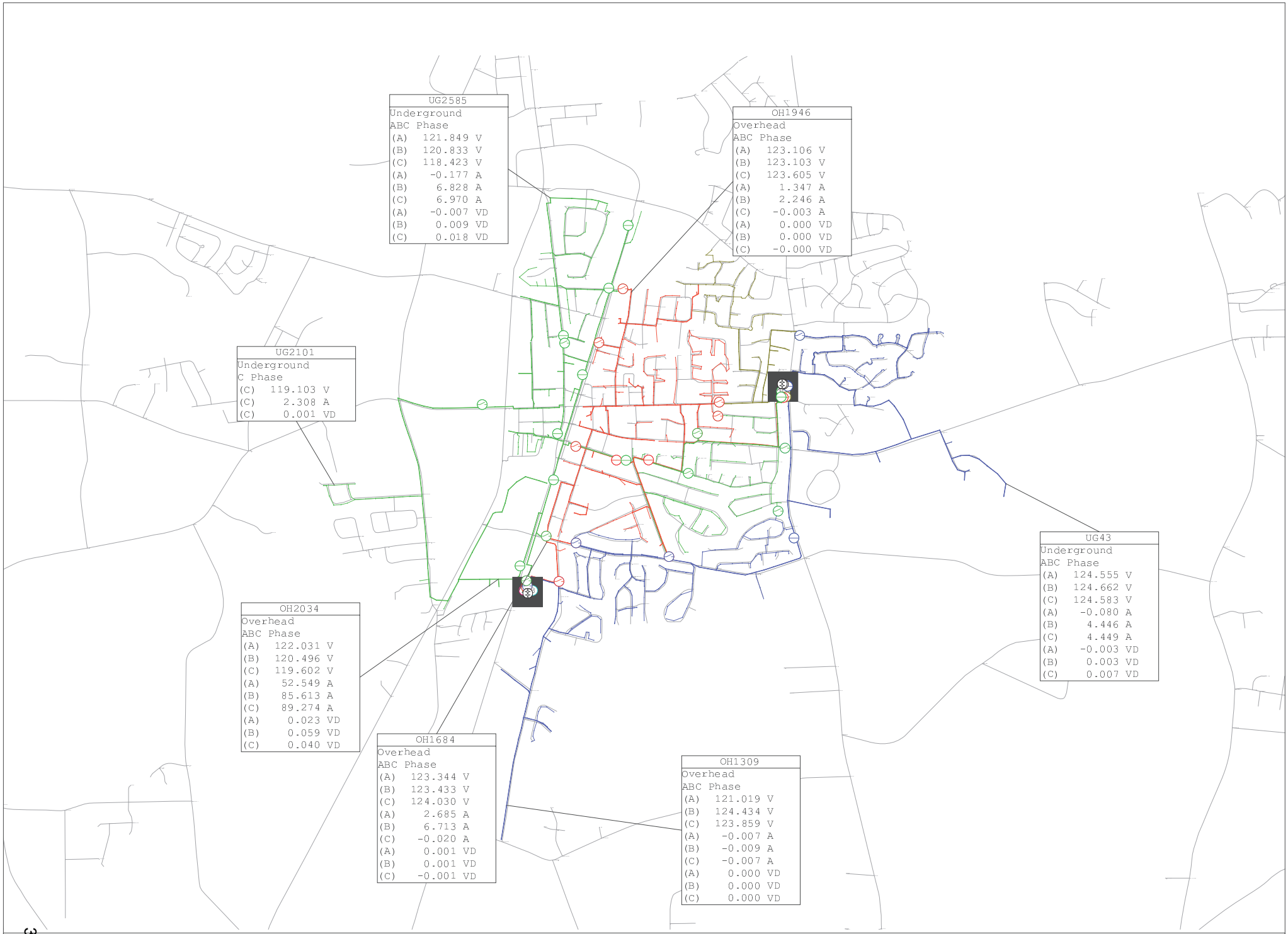

Build 2.2 miles of new 3Ø OH 336 ACSR
Vernon White DP
Build 0.4 miles of new 3Ø OH 336 ACSR
Old Tar Substation
Build 1.3 miles of new 3Ø OH 336 ACSR
Build 0.25 miles of new 3Ø UG 1000 kcmil AL
Worthington Substation (NEW)
New Circuit 8
New Circuit 10
New Circuit 9
Build 0.4 miles of new 3Ø OH 336 ACSR
Church St Substation
New Circuit 11
Build 3.3 miles of new 3Ø OH 336 ACSR
Build 0.7 miles of new 3Ø UG 1000 kcmil AL
Build 0.2 miles of new 3Ø OH 336 ACSR
Build 1.0 mile of new 3Ø UG 1000 kcmil AL



Town of Winterville
2026-2040 CIP

Transmission System Improvements

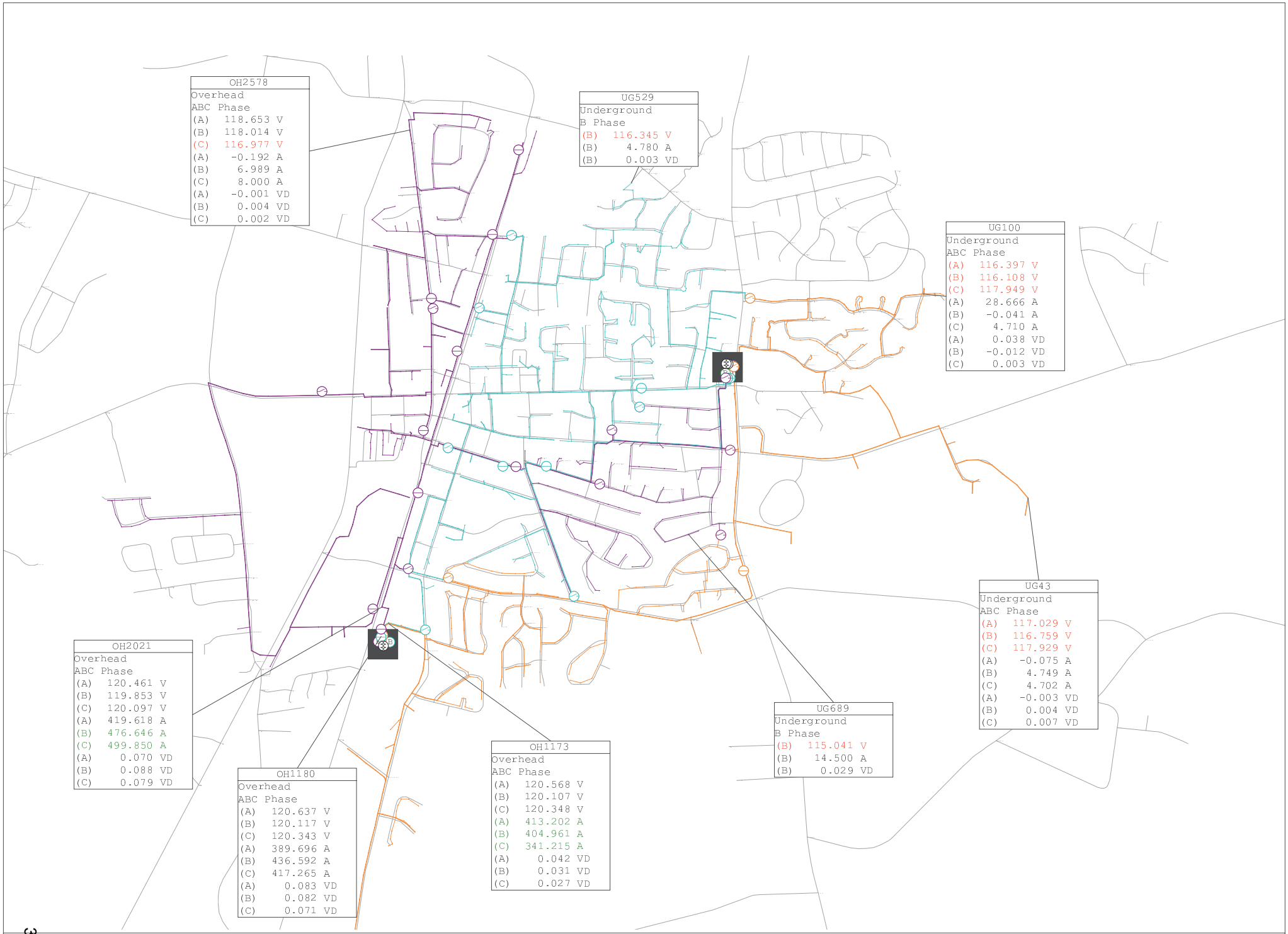
RGrid Power



Winterville LRP
2040 Loading

Contingency Scenario
Church St Sub OUT

RGrid Power



Winterville LRP
2040 Loading

Contingency Scenario
Old Tar Sub OUT

RGrid Power

WINTERVILLE *A slice of the good life!*	**Town of Winterville** **Town Council** **Agenda Abstract**	**Item Section**: Public Hearings **Meeting Date**: October 12, 2026
	Presenter: Stephen Penn, Planning and Economic Development Director	

Item to be Considered

Subject: Carroll Crossing Section 4 Annexation Petition.

Action Requested: Hold Public Hearing for Annexation Consideration.

Attachment: Annexation Petition, Legal Description, Annexation Map, Certificate of Sufficiency, Certified Mailed Notice, and Draft Carroll Crossing Ordinance 26-O-101.

Prepared By: Stephen Penn, Planning and Economic Development Director	**Date**: 9/28/2026

ABSTRACT ROUTING:

☒ TC: 10/5/2026 ☒ TM: 10/5/2026 ☒ Final: tlp - 10/5/2026

Supporting Documentation

Applicant: Eugene & Yutian Wang (Property Owners).

Location: Church Street Ext. and Jeremy Lane (Adjacent to Existing Carroll Crossing Subdivision.)

Parcel Numbers: 04819.

Site Data: 4.19 acres.

Zoning: R-8 Conditional District (CD).

Staff Analysis:

Applicant is requesting annexation of Carroll Crossing Section 4. The property is expected to feature 11 duplexes (22 units in total) and one single-family detached unit for a total of 23 residential units on the 4.19 acres. The site will also feature a stormwater pond and will have direct ingress/egress access onto both Church Street and Jeremy Lane.

Anticipated Annexation Schedule:

8/10/26: Direct Town Clerk To Investigate Sufficiency.

9/14/26: Schedule Public Hearing.

10/12/26: Hold Public Hearing.

If approved, anticipated Effective Date will be October 31, 2026.

Staff recommends approval of the annexation petition.

Budgetary Impact: TBD.

Recommendation: Staff recommends Council approve annexation, effective October 31, 2026.

20260219

PETITION REQUESTING ANNEXATION

Date: _____

To the Mayor and Town Council of the Town of Winterville:

1. We the undersigned owners of real property respectfully requested that the area described in Paragraph 2 below be annexed to the Town of Winterville.

- All owners of the property must sign.

2 The area to be annexed is contiguous to the Town of Winterville and the boundaries of such territory are as follows:

Description

REFER TO ATTACHED LEGAL DESCRIPTION
(TAKEN FROM PROPERTY DEED)

Name Eugene Wang Address 3412 flora Dr, Winterville ,NC 28590

Signature Eugene Wang

Name Yutian Wang Address _____

Signature Yutian Wang

Name _____ Address _____

Signature _____

Beginning at a 5/8” ERB Flush said point have NC Grid Coordinates of N: 647,294.06, E: 2,474,938.84;

thence S 75°16'04" E a distance of 262.78' to a ½” EIP 4” Below Grade;

thence S 03°12'02" E a distance of 102.90' to a ½” EIP 4” Below Grade;

thence S 03°10'47" E a distance of 89.98' to a ½” EIP 4” Below Grade;

thence S 03°10'18" E a distance of 45.09' to a ½” EIP 4” Below Grade;

thence S 03°07'45" E a distance of 44.98' to a ½” EIP Flush;

thence S 03°15'22" E a distance of 45.09' to a ½” EIP Flush;

thence S 03°10'17" E a distance of 44.81' to a ½” EIP Flush;

thence S 03°11'56" E a distance of 89.98' to a ½” EIP Flush;

thence S 03°08'30" E a distance of 44.96' to a ½” EIP 4” Below Grade;

thence S 03°08'53" E a distance of 89.97' to a ½” EIP 4” Flush;

thence S 02°41'19" E a distance of 45.00' to a ½” EIP 4” Below Grade;

thence S 03°41'10" E a distance of 43.07' to a½” EIP 4” Below Grade;

thence S 03°17'02" E a distance of 43.35' to a ½” EIP 4” Below Grade;

thence N 73°30'58" W a distance of 109.65' to a ½” EIP 4” Below Grade;

thence with a curve turning to the left with an arc length of 119.89', with a radius of 375.00', with a chord bearing of N 82°43'29" W, with a chord length of 119.38',thence with a curve to a NIP Flush;

thence with a reverse curve turning to the right with an arc length of 46.44', with a radius of 30.00', with a chord bearing of N 47°32'14" W, with a chord length of 41.94',thence with a reverse curve to a ¾” Existing Iron Pipe Buried 3”;

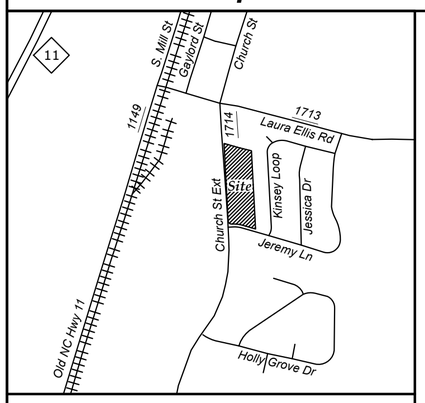
thence N 03°11'25" W a distance of 721.44' to a 5/8” ERB Flush;

which is the point of beginning,

having an area of 182571.44 square feet, 4.19 acres

1- This plat is subject to any facts that maybe disclosed by a full and accurate title search, as well as any right of ways easements, zoning regulations and restrictive covenants of record not shown hereon.
2- Area computed by the Method of Coordinate Geometry.
3- All distances are horizontal ground unless otherwise noted.
4- Wetlands were not defined or mapped during this survey.
5- Underground utilities may exist that are not shown heron.
6- Right of Way was derived from adjoining surveys(Deed Book 4475, Page 363)

Special Notes



VICINITY MAP - 1" = 1000'

NC GRID
NAD 83/2011
"VRS"

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 03°10'47" E	89.98'
L2	S 03°10'18" E	45.09'
L3	S 03°07'45" E	44.98'
L4	S 03°15'22" E	45.09'
L5	S 03°10'17" E	44.81'
L6	S 03°08'30" E	44.96'
L7	S 03°08'53" E	89.97'
L8	S 02°41'19" E	45.00'
L9	S 03°41'10" E	43.07'
L10	S 03°17'02" E	43.35'
L11	S 03°17'02" E	31.88'
L12	S 86°48'35" W	50.76'
L13	S 75°16'04" E	31.53'

Legend

- EIP = Existing Iron Pin
- NIP = New Iron Pin
- ECM = Existing Concrete Monument
- EPKN = Existing Nail or Spike
- NPS = No Point Set

= NEW CITY LIMIT
= OLD CITY LIMIT
= CITY LIMIT
= RIGHT OF WAY
= CENTERLINE
= LINES NOT SURVEYED

CURVE TABLE

CURVE	DELTA ANGLE	ARC LENGTH	RADIUS	TANGENT	CHORD LENGTH	CHORD BEARING
C1	18°19'02"	119.89'	375.00'	60.46'	119.38'	N 82°43'29" W
C2	88°41'33"	46.44'	30.00'	29.32'	41.94'	N 47°32'14" W
C3	19°37'19"	118.15'	345.00'	59.66'	117.58'	N 83°22'45" W

Surveyor's Certificate & Parcel Status

I, Stuart H. Sorrell, a Professional Land Surveyor in the State of North Carolina, certify that this plat was drawn under my supervision from an actual survey performed under my supervision. That the boundaries surveyed are defined in Deed Book 4475, Page 363. That the boundaries not surveyed are clearly indicated by broken lines. That the ratio of precision as calculated is 1: 10,000 +.

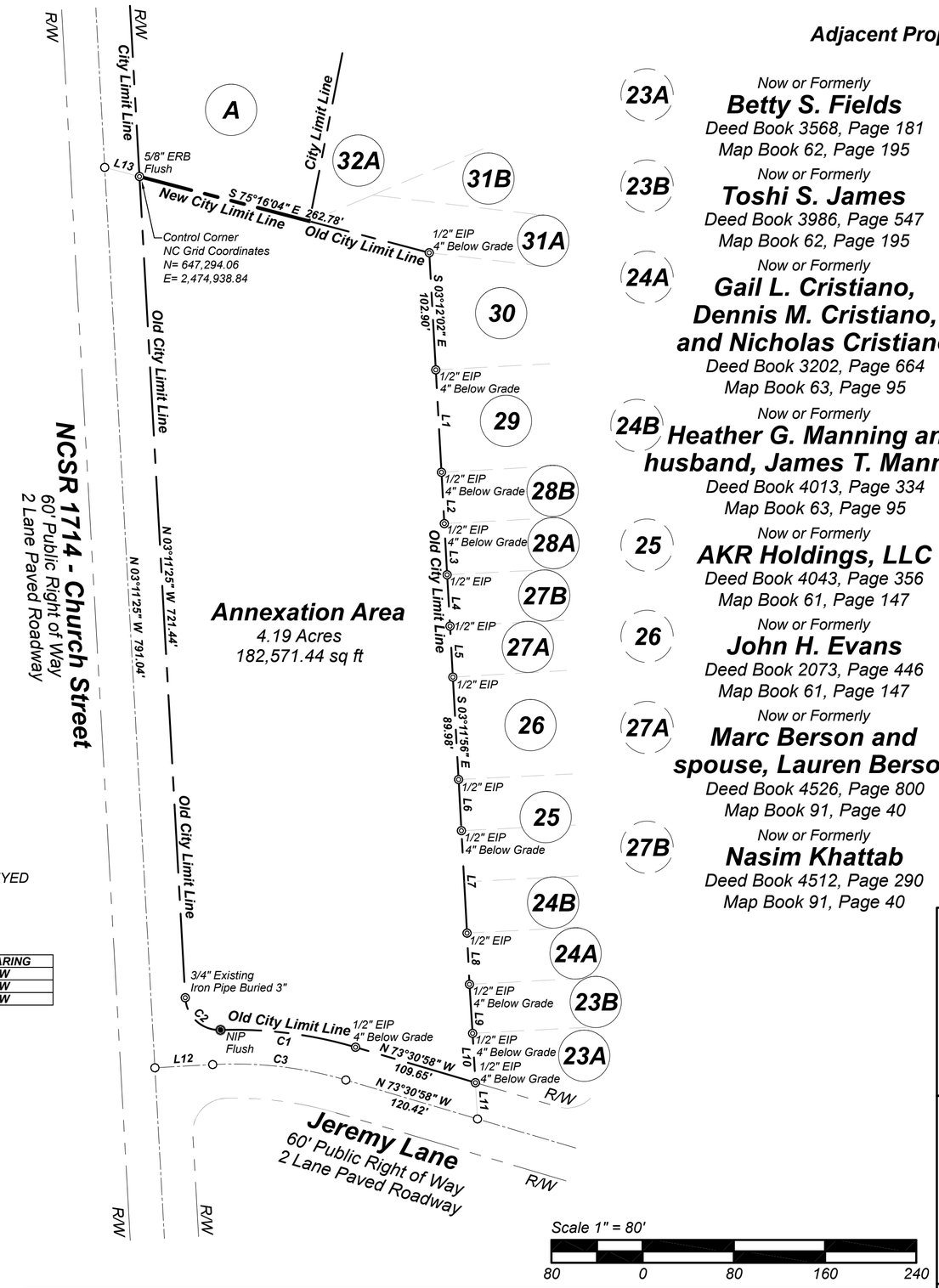
That the following information was used to perform the GPS survey.
GPS receiver used: Spectra SP 80
Class of survey : C
Positional accuracy : 0.03
Type of GPS field procedure : Virtual Receiving Station
Dates of survey : June 10, 2026
Datum/Epoch : NAD 83 / 2011 adjustment
Published / Fixed control used : "VRS"
Geoid Model : GEOID 18
Combined Grid Factor : 0.999988713
Units : US SURVEY FEET

NORTH CAROLINA PROFESSIONAL SEAL L-5562 LAND SURVEYOR STUART H. SORRELL

That this plat was prepared in accordance with GS 47-30 as amended. That this plat meets the requirements of GS 47-30 section F-11, this survey is of another category, such as the recombination of existing parcels or other exception to the definition of a subdivision.

Witness my original signature and seal this 11 day of June, 2026

Stuart H. Sorrell, Professional Land Surveyor L-5562



Adjacent Property Owners

23A Now or Formerly
Betty S. Fields
Deed Book 3568, Page 181
Map Book 62, Page 195

23B Now or Formerly
Toshi S. James
Deed Book 3986, Page 547
Map Book 62, Page 195

24A Now or Formerly
Gail L. Cristiano, Dennis M. Cristiano, and Nicholas Cristiano
Deed Book 3202, Page 664
Map Book 63, Page 95

24B Now or Formerly
Heather G. Manning and husband, James T. Manning
Deed Book 4013, Page 334
Map Book 63, Page 95

25 Now or Formerly
AKR Holdings, LLC
Deed Book 4043, Page 356
Map Book 61, Page 147

26 Now or Formerly
John H. Evans
Deed Book 2073, Page 446
Map Book 61, Page 147

27A Now or Formerly
Marc Berson and spouse, Lauren Berson
Deed Book 4526, Page 800
Map Book 91, Page 40

27B Now or Formerly
Nasim Khattab
Deed Book 4512, Page 290
Map Book 91, Page 40

28A Now or Formerly
Gary Berson and spouse, Rosemary Berson
Deed Book 4543, Page 312
Map Book 91, Page 40

28B Now or Formerly
Amy Spruill and Albert F. Furbush, III
Deed Book 4522, Page 106
Map Book 91, Page 40

29 Now or Formerly
John H. Evans
Deed Book 1878, Page 774
Map Book 61, Page 147

30 Now or Formerly
John H. Evans
Deed Book 1878, Page 774
Map Book 61, Page 147

31A Now or Formerly
Christian D. Brown
Deed Book 4747, Page 300
Map Book 62, Page 78

31B Now or Formerly
Jeffrey D. Hasselbach
Deed Book 2693, Page 106
Map Book 62, Page 78

32A Now or Formerly
Kumiko F. Truesdale
Deed Book 2778, Page 70
Map Book 62, Page 78

A Now or Formerly
William D. Harrell and wife, Carolyn Harrell
Deed Book 3264, Page 157

OWNER INFORMATION:
2020 GLOBAL INVESTMENTS, LLC
3412 FLORA DRIVE
WINTERVILLE, NC 28590

A Annexation Map for:
2020 Global Investments, LLC.
Of Property Standing in the Name of:
2020 Global Investments, LLC

Winterville Township
Scale 1" = 80'
Pitt County, NC
Surveyed June 10, 2026

MAP SHOWING AREA ANNEXED BY
TOWN OF WINTERVILLE, N.C.

EFFECTIVE DATE: _____ ORDINANCE NO. _____ AREA 4.19 ACRES
WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.

ACCEPTED FOR THE TOWN OF WINTERVILLE
MAYOR: _____ DATE: _____

Sorrell Land Surveying, Inc.
Hugh A. Sorrell, L-2849 Stuart H. Sorrell, L-5562
Thomas L. Bohrer, L-3312
107 Union Drive, Suite 201 Washington, NC
www.sorrelllandsurveying.com Office (252) 948-2464
Company License: C-3508

N W E S

"Serving the land surveying needs of Eastern NC"

FILE NO. 2025-321-147

CERTIFICATE OF SUFFICIENCY

CARROLL CROSSING SECTION 4 ANNEXATION
"2020 GLOBAL INVESTMENTS, LLC" ANNEXATION MAP
PARCEL NUMBER: 04819

To the Town Council of the Town of Winterville, North Carolina:

I, Donald Harvey, Town Clerk, do hereby certify that I have investigated the petition attached hereto and have found as a fact that said petition is signed by all owners of real property lying in the area described herein, in accordance with NCGS 160A-58.1.

In witness whereof, I have hereunto set my hand and affixed the seal of the Town of Winterville the 4th day of August 2026.

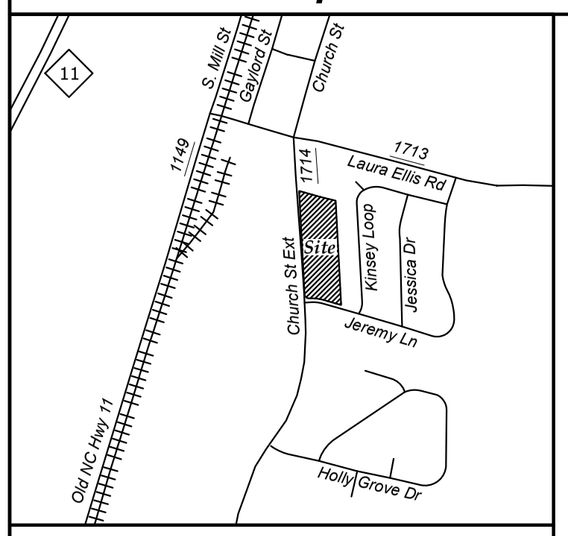
ATTEST:

The Town of Winterville
CORPORATE
SEAL
Pitt County, N.C.

Donald Harvey, Town Clerk

1- This plat is subject to any facts that maybe disclosed by a full and accurate title search, as well as any right of ways easements, zoning regulations and restrictive covenants of record not shown hereon.
2- Area computed by the Method of Coordinate Geometry.
3- All distances are horizontal ground unless otherwise noted.
4- Wetlands were not defined or mapped during this survey.
5- Underground utilities may exist that are not shown heron.
6- Right of Way was derived from adjoining surveys(Deed Book 4475, Page 363)

Special Notes



VICINITY MAP - 1" = 1000'

NC GRID
NAD 83/2011
"VRS"

Legend

- EIP = Existing Iron Pin
- NIP = New Iron Pin
- ECM = Existing Concrete Monument
- EPKN = Existing Nail or Spike
- NPS = No Point Set
- = NEW CITY LIMIT
- = OLD CITY LIMIT
- = CITY LIMIT
- = RIGHT OF WAY
- = CENTERLINE
- = LINES NOT SURVEYED

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 03°10'47" E	89.98'
L2	S 03°10'18" E	45.09'
L3	S 03°07'45" E	44.98'
L4	S 03°15'22" E	45.09'
L5	S 03°10'17" E	44.81'
L6	S 03°08'30" E	44.96'
L7	S 03°08'53" E	89.97'
L8	S 02°41'19" E	45.00'
L9	S 03°41'10" E	43.07'
L10	S 03°17'02" E	43.35'
L11	S 03°17'02" E	31.88'
L12	S 86°48'35" W	50.76'
L13	S 75°16'04" E	31.53'

CURVE TABLE

CURVE	DELTA ANGLE	ARC LENGTH	RADIUS	TANGENT	CHORD LENGTH	CHORD BEARING
C1	18°19'02"	119.89'	375.00'	60.46'	119.38'	N 82°43'29" W
C2	88°41'33"	46.44'	30.00'	29.32'	41.94'	N 47°32'14" W
C3	19°37'19"	118.15'	345.00'	59.66'	117.58'	N 83°22'45" W

Surveyor's Certificate & Parcel Status

I, Stuart H. Sorrell, a Professional Land Surveyor in the State of North Carolina, certify that this plat was drawn under my supervision from an actual survey performed under my supervision. That the boundaries surveyed are defined in Deed Book 4475, Page 363. That the boundaries not surveyed are clearly indicated by broken lines. That the ratio of precision as calculated is 1: 10,000 +.

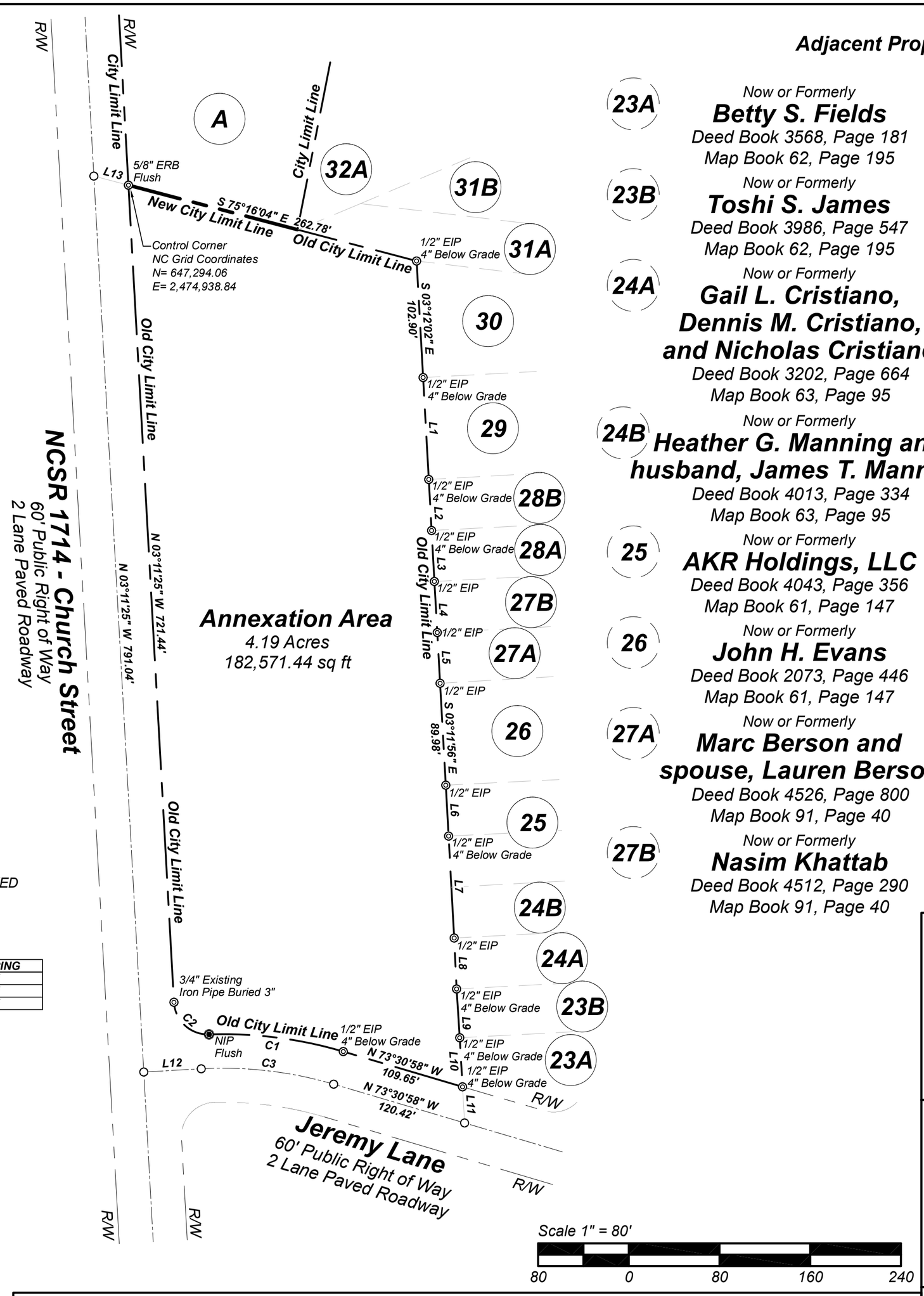
That the following information was used to perform the GPS survey.
GPS receiver used: Spectra SP 80
Class of survey : C
Positional accuracy : 0.03
Type of GPS field procedure : Virtual Receiving Station
Dates of survey : June 10, 2026
Datum/Epoch : NAD 83 / 2011 adjustment
Published / Fixed control used : "VRS"
Geoid Model : GEOID 18
Combined Grid Factor : 0.999988713
Units : US SURVEY FEET

NORTH CAROLINA PROFESSIONAL SEAL L-5562 LAND SURVEYOR STUART H. SORRELL

That this plat was prepared in accordance with GS 47-30 as amended. That this plat meets the requirements of GS 47-30 section F-11, this survey is of another category, such as the recombination of existing parcels or other exception to the definition of a subdivision.

Witness my original signature and seal this 11 day of June , 2026

Stuart H. Sorrell, Professional Land Surveyor L-5562



Adjacent Property Owners

23A Now or Formerly
Betty S. Fields
Deed Book 3568, Page 181
Map Book 62, Page 195

23B Now or Formerly
Toshi S. James
Deed Book 3986, Page 547
Map Book 62, Page 195

24A Now or Formerly
Gail L. Cristiano, Dennis M. Cristiano, and Nicholas Cristiano
Deed Book 3202, Page 664
Map Book 63, Page 95

24B Now or Formerly
Heather G. Manning and husband, James T. Manning
Deed Book 4013, Page 334
Map Book 63, Page 95

25 Now or Formerly
AKR Holdings, LLC
Deed Book 4043, Page 356
Map Book 61, Page 147

26 Now or Formerly
John H. Evans
Deed Book 2073, Page 446
Map Book 61, Page 147

27A Now or Formerly
Marc Berson and spouse, Lauren Berson
Deed Book 4526, Page 800
Map Book 91, Page 40

27B Now or Formerly
Nasim Khattab
Deed Book 4512, Page 290
Map Book 91, Page 40

28A Now or Formerly
Gary Berson and spouse, Rosemary Berson
Deed Book 4543, Page 312
Map Book 91, Page 40

28B Now or Formerly
Amy Spruill and Albert F. Furbush, III
Deed Book 4522, Page 106
Map Book 91, Page 40

29 Now or Formerly
John H. Evans
Deed Book 1878, Page 774
Map Book 61, Page 147

30 Now or Formerly
John H. Evans
Deed Book 1878, Page 774
Map Book 61, Page 147

31A Now or Formerly
Christian D. Brown
Deed Book 4747, Page 300
Map Book 62, Page 78

31B Now or Formerly
Jeffrey D. Hasselbach
Deed Book 2693, Page 106
Map Book 62, Page 78

32A Now or Formerly
Kumiko F. Truesdale
Deed Book 2778, Page 70
Map Book 62, Page 78

A Now or Formerly
William D. Harrell and wife, Carolyn Harrell
Deed Book 3264, Page 157

OWNER INFORMATION:
2020 GLOBAL INVESTMENTS, LLC
3412 FLORA DRIVE
WINTERVILLE, NC 28590

A Annexation Map for:

2020 Global Investments, LLC.

Of Property Standing in the Name of:

2020 Global Investments, LLC

Winterville Township — Pitt County, NC
Scale 1" = 80' — Surveyed June 10, 2026

MAP SHOWING AREA ANNEXED BY
TOWN OF WINTERVILLE, N.C.

EFFECTIVE DATE: _____ ORDINANCE NO. _____ AREA 4.19 ACRES
WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.

ACCEPTED FOR THE TOWN OF WINTERVILLE
MAYOR: _____ DATE: _____

Sorrell Land Surveying, Inc.
Hugh A. Sorrell, L-2849 Stuart H. Sorrell, L-5562
Thomas L. Bohrer, L-3312
107 Union Drive, Suite 201 Washington, NC
www.sorrelllandsurveying.com Office (252) 948-2464
Company License: C-3508

N W E S

"Serving the land surveying needs of Eastern NC"

FILE NO. 2025-321-147

Carroll Crossing Section 4 Annexation
Parcel Number 04819,
Letters Mailed on September 28, 2026

STATE OF NORTH CAROLINA
PITT COUNTY

I, Stephen Penn, Director of Planning and Economic Development of the Town of Winterville, North Carolina, do hereby certify that copies of the attached notice and map were mailed, this day by first class mail, postage prepaid, to the owner of the parcel under consideration and to the owners, as shown on the Pitt County Tax Records, of all abutting parcels. A list of these property owners is also attached hereto.

WITNESS my hand this the 28th day of September 2026.

Stephen Penn

Director of Planning & Economic Development

STATE OF NORTH CAROLINA
PITT COUNTY

I, Donald A. Harvey, a Notary Public, do hereby certify that Stephen Penn, Economic Development Planner, personally appeared before me this day and acknowledged the due execution of the foregoing certification, for the purposes therein expressed.

WITNESS my hand this the 28th day of September 2026.

DONALD A. HARVEY
NOTARY PUBLIC
Pitt County
North Carolina
My Commission Expires June 09, 2030

Donald A. Harvey

Notary Public

My Commission Expires June 9, 2030

WINTERVILLE
A slice of the good life!

2571 Railroad Street
PO Box 1459
Winterville, NC 28590

Phone (252)756-2221
Fax (252)756-3109
www.wintervillenc.com

Town Council
Public Hearing Notice
Carroll Crossing Section 4 Annexation

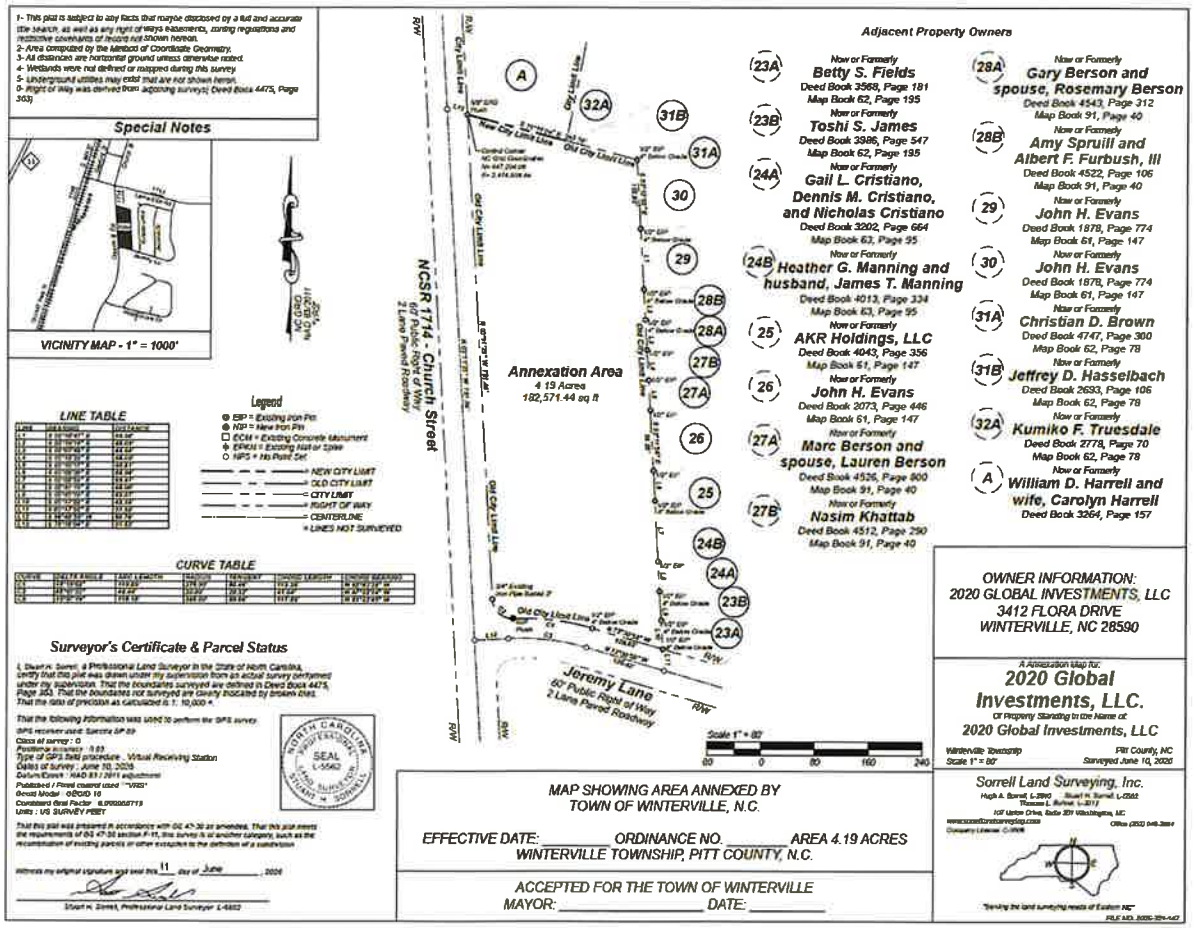
NOTICE IS HEREBY GIVEN that the Winterville Town Council will meet on **Monday, October 12, 2026** at 6:00 pm in the Town Hall Assembly Room at 2571 Railroad Street, for consideration of the following request:

- The Town of Winterville has received an annexation petition for Carroll Crossing Section 4; parcel number 04819, located on the northeastern corner of Church Street Extension and Jeremy Lane. The lot contains 4.19 Acres.

Copies of the Zoning Ordinance and Map are on file at the Planning Department Office in the Town Hall and are available for public inspection by contacting stephen.penn@wintervillenc.com or the Winterville Planning Department at (252) 756-2221 or at wintervillenc.com.

Citizens are encouraged to attend the meeting and are welcome to speak for or against the proposed annexation at the meeting. Citizens may also view the hearing on the Winterville website at www.wintervillenc.com/videos . If for any reason you have difficulty accessing the Town's video page, please go to the Town's YouTube channel at: www.youtube.com/channel/UChejtVcuiD9O3_zzTrrBj4g .

The public may submit written comments to the Town Clerk's office, 2571 Railroad Street, Winterville, NC 28590, or via email to don.harvey@wintervillenc.com. Please include your name and address.


1- This plat is subject to any facts that maybe disclosed by a full and accurate title search, as well as any right of ways, easements, zoning regulations and restrictive covenants of record not shown hereon.
2- Area computed by the Method of Coordinate Geometry.
3- All distances are horizontal ground unless otherwise noted.
4- Wetlands were not defined or mapped during this survey.
5- Underground utilities may exist that are not shown hereon.
6- Right of Way was derived from adjoining surveys(Deed Book 4475, Page 303)
Special Notes
VICINITY MAP - 1" = 1000'
LINE TABLE
CURVE TABLE
Legend
EIP = Existing Iron Pin
NIP = New Iron Pin
ECM = Existing Concrete Monument
EPK/N = Existing Nail or Spike
NPS = No Point Set
NEW CITY LIMIT
OLD CITY LIMIT
CITY LIMIT
RIGHT OF WAY
CENTERLINE
= LINES NOT SURVEYED
Surveyor's Certificate & Parcel Status
NCSR 1714 - Church Street
60' Public Right of Way
2 Lane Paved Roadway
Annexation Area
4.19 Acres
182,571.44 sq ft
Jeremy Lane
60' Public Right of Way
2 Lane Paved Roadway
Adjacent Property Owners
23A Now or Formerly Betty S. Fields Deed Book 3568, Page 181 Map Book 62, Page 195
23B Now or Formerly Toshi S. James Deed Book 3986, Page 547 Map Book 62, Page 195
24A Now or Formerly Gail L. Cristiano, Dennis M. Cristiano, and Nicholas Cristiano Deed Book 3202, Page 664 Map Book 63, Page 95
24B Now or Formerly Heather G. Manning and husband, James T. Manning Deed Book 4013, Page 334 Map Book 63, Page 95
25 Now or Formerly AKR Holdings, LLC Deed Book 4043, Page 356 Map Book 61, Page 147
26 Now or Formerly John H. Evans Deed Book 2073, Page 446 Map Book 61, Page 147
27A Now or Formerly Marc Berson and spouse, Lauren Berson Deed Book 4526, Page 800 Map Book 91, Page 40
27B Now or Formerly Nasim Khattab Deed Book 4512, Page 290 Map Book 91, Page 40
28A Now or Formerly Gary Berson and spouse, Rosemary Berson Deed Book 4543, Page 312 Map Book 91, Page 40
28B Now or Formerly Amy Spruill and Albert F. Furbush, III Deed Book 4522, Page 106 Map Book 91, Page 40
29 Now or Formerly John H. Evans Deed Book 1878, Page 774 Map Book 61, Page 147
30 Now or Formerly John H. Evans Deed Book 1878, Page 774 Map Book 61, Page 147
31A Now or Formerly Christian D. Brown Deed Book 4747, Page 300 Map Book 62, Page 78
31B Now or Formerly Jeffrey D. Hasselbach Deed Book 2693, Page 106 Map Book 62, Page 78
32A Now or Formerly Kumiko F. Truesdale Deed Book 2778, Page 70 Map Book 62, Page 78
A Now or Formerly William D. Harrell and wife, Carolyn Harrell Deed Book 3264, Page 157
OWNER INFORMATION:
2020 GLOBAL INVESTMENTS, LLC
3412 FLORA DRIVE
WINTERVILLE, NC 28590
A Annexation Map for:
2020 Global Investments, LLC.
Of Property Standing in the Name of:
2020 Global Investments, LLC
Winterville Township
Pitt County, NC
Scale 1" = 80'
Surveyed June 10, 2026
Sorrell Land Surveying, Inc.
MAP SHOWING AREA ANNEXED BY
TOWN OF WINTERVILLE, N.C.
EFFECTIVE DATE: _____ ORDINANCE NO. _____ AREA 4.19 ACRES
WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.
ACCEPTED FOR THE TOWN OF WINTERVILLE
MAYOR: _____ DATE: _____

Click to add a point
CHURCH ST
LAFOLLETTE DR
LAURIE ELLIS RD
KINSEY LOOP
JESSICA DR
JEREMY LN
GABLE END CT
28124
4819
80893
92244
56080

2020 GLOBAL INVESTMENTS LLC
3412 FLORA DR
Winterville, NC 28590

Jeffrey Hasselbach
4443 Galway Dr
WINTERVILLE, NC 28590

Amy Spruill & Albert Furbush
2976 Kinsey Lp Unit B
WINTERVILLE, NC 28590

Marc & Lauren Berson
5527 WILLOW WAY
ORFIELD PA 18069

Dennis & Gail Cristiano, Etal
3004 Kinsey Lp, Unit A
Winterville, NC 28590

The Roberts Company Fabrication Services Inc
176 Laurie Ellis Rd.
Winterville, NC 28590

Harold & Shirley Terry
220 Jeremy Ln Unit A
Winterville, NC 28590

Finalized Carroll Crossing Section 4 Mailing List on 9.17.26- Adjacent and 100' from Parcel Number 4819.

William & Carolyn Harrell
5838 Reedy Branch Rd
Ayden, NC 28513

Christina Brown
2956 Kinsey LP # A
WINTERVILLE, NC 28590

Slam Estate LLC
3501 Star Hill Farm Rd
Greenville, NC 27834

AKR Holdings LLC
842 Rupert Dr
GREENVILLE, NC 27858

Toshi James
3010 Kinsey Lp, Unit B
Winterville, NC 28590

Town of Winterville
PO BOX 1459
Winterville, NC 28590

BT Home Rentals LLC
1273 Lillibridge Drive
Leland NC 28451

Kumiko Truesdale
2802 A Haley Ct
WINTERVILLE, NC 28590

John Evans
825 Rupert DR
Greenville, NC 27858

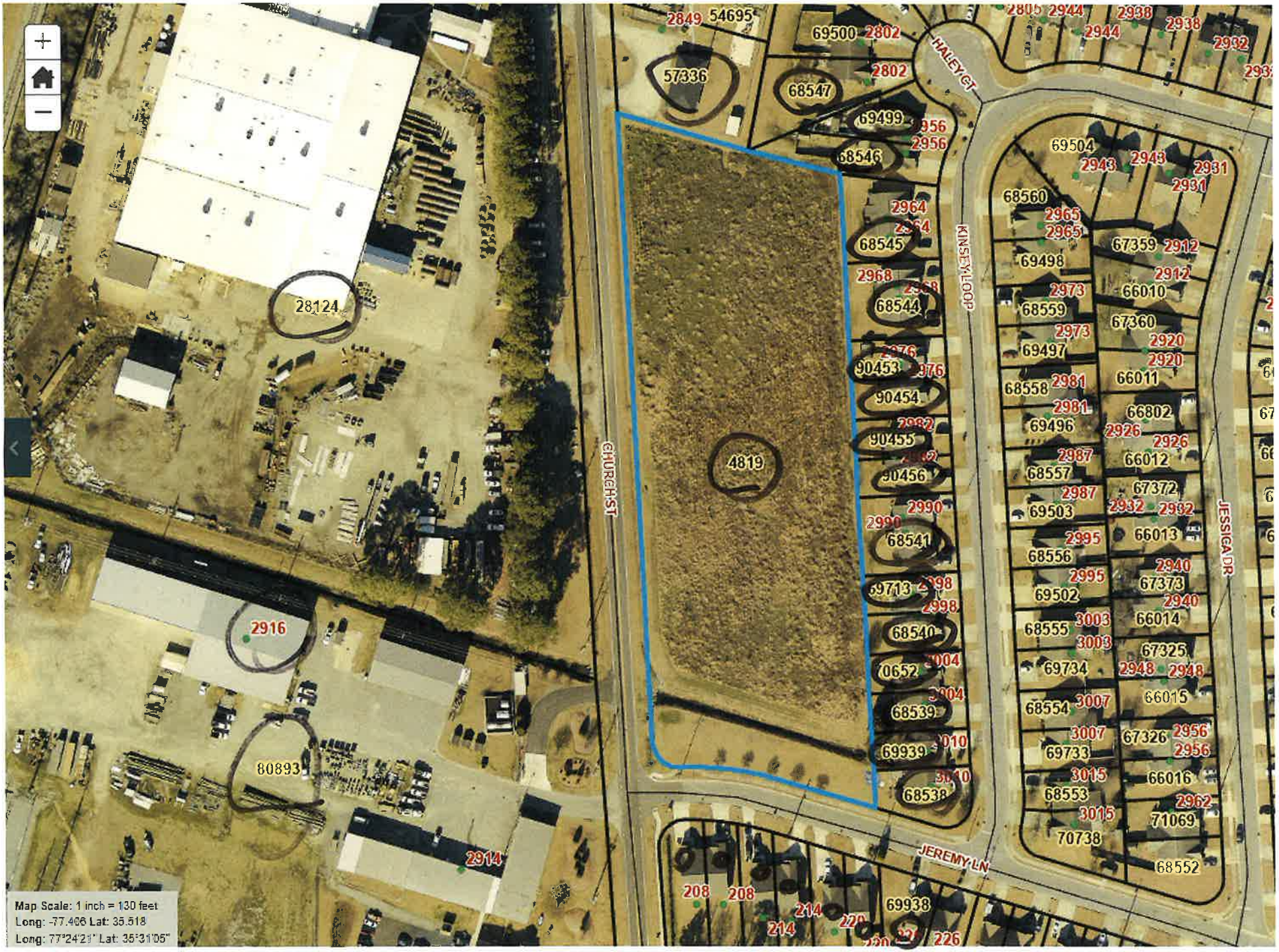
Nasim Khattab
3350 HONEYSUCKLE DR
WINTERVILLE, NC 28590

Jaret & Amy Logan
3683 Ivy Rd.
Greenville, NC 27858

Betty Fields
3010 Kinsey Lp, Unit A
Winterville, NC 28590

Keith & Diana Haight
226 JEREMY LANE Unit B.
WINTERVILLE NC 28590

Skyler & Lauralee Fuhrmann Etal
500 Holly Grove Dr.
Winterville, NC 28590


CHURCH ST
HALEY CT
KINSEY LOOP
JESSICA DR
JEREMY LN
4819
28124
80893
2916
2914
57336
Map Scale: 1 inch = 130 feet
Long: -77.406 Lat: 35.518
Long: 77°24'21" Lat: 35°31'05"

Town of Winterville

Annexation Ordinance

Ordinance No: 26-O-101

Property Annexed: Carroll Crossing Section 4 ; Parcel # 04819.

Ordinance Adopted: October 12, 2026

Effective Date: October 31, 2026

DRAFT

Mail to:

Town of Winterville- Planning Department
2571 Railroad Street
Winterville, NC 28590

Ordinance No. **26-O-101**

AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF WINTERVILLE, NORTH CAROLINA

Carroll Crossing Section 4
Parcel # 04819

WHEREAS, the Town Council has been petitioned under NCGS 160A-31 to annex the area described below; and

WHEREAS, the Town Council has, by resolution, directed the Town Clerk to investigate the sufficiency of the petition; and

WHEREAS, the Town Clerk has certified the sufficiency of the petition and a public hearing on the question of annexation was held at the Winterville Town Hall at 6:00 pm on October 12, 2026 after providing mailed notice to adjoining property owners and those within 100 feet of the subject property on September 28, 2026; and due notice was given by publication within The Daily Reflector on September 30, 2026 and October 7, 2026; and

WHEREAS, the Town Council finds that the petition meets the requirements of NCGS 160A-31;

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Winterville, North Carolina that:

Section 1. By virtue of the authority granted by NCGS 160A-31, the following described territory is hereby annexed and made part of the Town of Winterville as of October 31, 2026:

Legal Description For
Carroll Crossing Section 4

Beginning at a 5/8” ERB Flush said point have NC Grid Coordinates of N: 647,294.06, E: 2,474,938.84;

thence S 75°16'04" E a distance of 262.78' to a ½” EIP 4” Below Grade;

thence S 03°12'02" E a distance of 102.90' to a ½” EIP 4” Below Grade;

thence S 03°10'47" E a distance of 89.98' to a ½” EIP 4” Below Grade;

thence S 03°10'18" E a distance of 45.09' to a ½” EIP 4” Below Grade;

thence S 03°07'45" E a distance of 44.98' to a ½” EIP Flush;

thence S 03°15'22" E a distance of 45.09' to a ½” EIP Flush;

thence S 03°10'17" E a distance of 44.81' to a ½” EIP Flush;

thence S 03°11'56" E a distance of 89.98' to a ½” EIP Flush;

DRAFT

thence S 03°08'30" E a distance of 44.96' to a ½" EIP 4" Below Grade;

thence S 03°08'53" E a distance of 89.97' to a ½" EIP 4" Flush;

thence S 02°41'19" E a distance of 45.00' to a ½" EIP 4" Below Grade;

thence S 03°41'10" E a distance of 43.07' to a½" EIP 4" Below Grade;

thence S 03°17'02" E a distance of 43.35' to a ½" EIP 4" Below Grade;

thence N 73°30'58" W a distance of 109.65' to a ½" EIP 4" Below Grade;

thence with a curve turning to the left with an arc length of 119.89', with a radius of 375.00', with a chord bearing of N 82°43'29" W, with a chord length of 119.38',thence with a curve to a NIP Flush;

thence with a reverse curve turning to the right with an arc length of 46.44', with a radius of 30.00', with a chord bearing of N 47°32'14" W, with a chord length of 41.94',thence with a reverse curve to a ¾" Existing Iron Pipe Buried 3";

thence N 03°11'25" W a distance of 721.44' to a 5/8" ERB Flush;

which is the point of beginning,

having an area of 182571.44 square feet, 4.19 acres

Section 2. Upon and after October 31, 2026, the above-described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the Town of Winterville and shall be entitled to the same privileges and benefits as other parts of the Town of Winterville. Said territory shall be subject to municipal taxes according to NCGS 160A-58.10.

Section 3. the Mayor of the Town of Winterville shall cause to be recorded in the Office of the Register of Deeds of Pitt County, and in the Office of the Secretary of State in Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 above, together with a duly certified copy of this ordinance. Such map shall also be delivered to the County Board of Elections, as required by NCGS 163-288.1.

Adopted the 12th day of October 2026.

MAYOR:

_____

Richard E Hines, Mayor

ATTEST:

_____

Donald Harvey, Town Clerk

DRAFT

North Carolina

Pitt County

I hereby certify that the foregoing is a true and accurate copy of an ordinance duly adopted by the Town Council of the Town of Winterville, North Carolina, at a meeting held on October 12, 2026 at 6 o'clock p.m. at the Town Hall in the Town of Winterville.

IN WITNESS WHEREOF I have hereunto set my hand and have caused the official corporate seal of the Town of Winterville to be affixed, this ____ day of October 2026.

_____

Donald Harvey, Town Clerk

DRAFT

North Carolina

Pitt County

I, Kristin L. Godley, a Notary Public, do hereby certify that Donald Harvey, Town Clerk, personally, appeared before me this day and acknowledged the due execution of the foregoing certification, for the purpose therein expressed.

WITNESS my hand and notarial seal this ____ day of October, 2026.

_____

NOTARY PUBLIC

My Commission Expires: _____

WINTERVILLE *A slice of the good life!*	**Town of Winterville Town Council Agenda Abstract**	**Item Section**: Public Hearings **Meeting Date**: October 12, 2026
	Presenter: Stephen Penn, Planning and Economic Development Director	

Item to be Considered

Subject: Zoning and Subdivision Ordinance Amendment Proposal - Sidewalks, and Dumpsters.

Action Requested: Hold Public Hearing for Zoning and Subdivision Ordinance Sidewalk and Dumpster Ordinance Amendments and Consider Action.

Attachment: Zoning and Subdivision Ordinance Amendment Proposals: Sidewalks and Dumpsters; Draft Zoning Ordinance and Draft Subdivision Ordinances.

Prepared By: Stephen Penn, Planning and Economic Development Director	**Date**: 9/29/2026

ABSTRACT ROUTING:

☒ TC: 10/5/2026 ☒ TM: 10/5/2026 ☒ Final: tlp - 10/5/2026

Supporting Documentation

To better serve the current and future residents of this community, Town staff has identified two proposed ordinance amendments:

1. Sidewalks: Adding and modifying sidewalk requirements to the Zoning Ordinance & Subdivision Ordinance to ensure all new projects require sidewalks, regardless of whether the project goes through the subdivision process. This update will help ensure sidewalk development where necessary-- non-residential developments, multi-family or single-family attached developments, two-family residential, and significant expansion projects. This ordinance also provides clarity for both staff and developers, in order to provide a clearer understanding of the requirements in both the Subdivision and Zoning Ordinances.

2. Dumpsters: Adding "Stationary Sanitary Container" requirements for all multi-family dwellings, and single-family attached, of more than two attached units". Roller bin service to single-family attached has created issues with regard to where the bins are stored, interference with communal parking, etc. This ordinance will now require all multi-family dwelling or single-family attached (townhome) dwellings to install stationary sanitary containers on concrete pads rather than roll-out trash service.

Planning and Zoning Board unanimously recommended approval of these amendments at their August 17, 2026 meeting.

Budgetary Impact: NA.

Recommendation: Staff recommends Council approval of the proposed amendment to the Zoning Ordinance and Subdivision Ordinance as it is consistent with the Town's adopted Comprehensive Land Use Plan and other applicable adopted plans.

20260219

ZONING ORDINANCE AMENDMENTS – SUMMARY

- Adding Sidewalk Requirements to the Zoning Ordinance. Sidewalks are currently addressed/required in the Subdivision Ordinance except for the Central Business Transition Overlay District.
- This amendment is to ensure that we require sidewalks for projects that do not involve the Subdivision Ordinance. The proposed change will allow staff to require sidewalks for projects that do not go through the Subdivision Ordinance and are not within the Central Business Transition Overlay Zoning District.

Current Requirements:

Sidewalk Requirements:

- **Subdivision Ordinance:** Requires sidewalks in the following instances but only when a subdivision occurs.

Section 154.35 Sidewalks

Sidewalks shall be provided by the subdivider in accordance with the following:

1) Sidewalks shall be provided with public street extensions pursuant to Section 154.37.
2) The location of proposed sidewalks required pursuant to this section shall be in accordance with Town standards.
3) Sidewalks shall be provided along both sides of all minor and major thoroughfares as shown on the Thoroughfare Plan.
4) Sidewalks shall be provided along one side of all local streets.
5) Sidewalks shall be provided along one side of cul-de-sac streets with the sidewalk terminating where the cul-de-sac turnaround begins.
6) The arrangement of sidewalks in new subdivision shall make provision of the continuation of existing sidewalks in adjoining areas.

- **Zoning Ordinance:** Requires sidewalks to be added adjacent to Central Business Transition Overlay Zoning Districts:

  - Required Sidewalk Improvements. All non-residential uses within the Central Business Transition Overlay District shall install a minimum five (5) feet wide sidewalk along the entire street frontage of any portion of the subject property that abuts a public street. Required sidewalks shall be constructed in accordance with the sidewalk construction standards of the Town of

Proposed Changes to the Winterville Zoning & Subdivision Ordinances:

Zoning Ordinance Proposed Changes:

Section 3.26: Sidewalks:
Sidewalks shall be installed along the entire street frontage for all new construction and for renovations, additions, and/or expansions to existing structures which fall into one or more of the following categories:

1. All subdivisions as defined by the Subdivision Ordinance.
2. All new Multi-family residential, Two-family, and Single-Family Attached residential.
3. All new non-residential developments.
4. All non-residential additions or expansion to structures where the expansion results in an increase of more than 60 percent value of the structure. (This includes a single project or cumulative projects within a 5-year period.)

Requirements for all Sidewalks:

- Required sidewalks shall be constructed by the builder or developer in accordance with the Town of Winterville Design Standards Manual.
- An ADA-accessible pedestrian path shall be provided from the street to the building entrance and other site areas intended for pedestrian access. The path shall be thoughtfully integrated with the development's sidewalk network to provide a safe, accessible, and continuous pedestrian connection from the street throughout the development.

Subdivision Ordinance Proposed Changes:

Section 154.35 Sidewalks

Sidewalks shall be provided by the subdivider in accordance with the following:

1) Sidewalks shall be provided with public street extensions pursuant to Section 154.37.
2) The location of proposed sidewalks required pursuant to this section shall be in accordance with Town standards.
3) Sidewalks shall be provided along both sides of all minor and major thoroughfares as shown on the Thoroughfare Plan.
4) Sidewalks shall be provided along one side of all local streets.
   a. Sidewalks shall be provided along both sides of all streets for Non-Residential, Multi-Family Residential, Two-Family Residential, or Single-Family Attached Residential Developments.
5) Cul-de Sac Bulb Requirement- The sidewalk shall continue around the full perimeter of the cul-de-sac turnaround.
6) The arrangement of sidewalks in new subdivision shall make provision of the continuation of existing sidewalks in adjoining areas.

ZONING ORDINANCE AMENDMENTS – SUMMARY

- Adding a Special Requirement stipulation that will require Single-Family Attached townhome developments to utilize "Stationary Sanitary Containers"/ Stationary dumpsters rather than individual roll dumpsters.

Current Requirements:

Zoning Ordinance Changes: Article VI Table of Permitted and Special Uses; Section 6.5 Special Requirements to the Table of Permitted and Special Uses. ; SR 2. Two Family, Single Family Attached and Multifamily dwelling

Current Requirements:

SR 2. Two Family, Single Family Attached and Multifamily Dwellings

a. No multi-family dwellings or series of attached single-family, multi-family buildings or other such arrangements shall exceed a length of one hundred fifty(150) feet when measured along the longest axis of the building or series of attached units when placed in a theoretical straight alignment.

    1. No multi-family development shall contain more than twenty (20) dwelling units unless the development shall have frontage along and direct primary access on a major or minor thoroughfare as shown on the Thoroughfare Plan.
    2. No multi-family development shall contain more than sixty (60) dwelling units unless the development shall have frontage along and direct access on two major or minor thoroughfares or combinations thereof as shown on the Thoroughfare Plan.
    3. Any multi-family development with more than 100 dwelling units shall meet the requirements of 2 above and shall submit a certified traffic engineering report evaluating the capability of the adjoining street system to carry the traffic generated by the development

b. An individual multi-family building, two family dwelling or a single series of attached dwelling units to be located on an individual lot shall be developed in accordance with the area, yard and height requirements of the district in which located the same as any other individual building on an individual lot. Provided that in the R-8 zoning district, two-family dwellings within a subdivision shall only be permitted on a corner lot. The conveyance of ground space for single-family attached units or for common area or

similar purposes shall not preclude development under this subsection. Such conveyances however shall be subject to the requirements of the Subdivision Ordinance and may be subject to the North Carolina Unit Ownership Act.

c. In any case where more than one multi-family building, more than one two-family dwelling or more than one series of attached dwelling units are proposed to be constructed on one lot, such development shall be in conformance with the following residential group development standards:

1. Site Plan. No zoning permit or building permit shall be issued for construction in a group residential development except in accordance with a site plan approved by the Planning Board, in accordance with the standards herein. In any case where land is to be dedicated in a group residential development, a Subdivision Plan may be required by the Subdivision Ordinance. Developments that are proposed to be developed under the North Carolina Unit Ownership Act shall meet the requirements of that Act by recording the declaration and plan with the Register of Deeds. Where land is to be conveyed in accordance with such declaration and plan, the developer shall first comply with the Subdivision Ordinance.
2. Density. The number of dwelling units per unit of land area shall not exceed the number of dwelling units per unit of land area permitted in the district in which the development is located. Fractional units above one- half (1/2) may be rounded to the next highest number once the basic number of units exceeds twenty (20).
3. Yard Requirements. The following yard requirements are hereby established:
    A. Exterior. Along each exterior property line or public street, the minimum front, rear and side yard setback of the Zoning District shall be maintained
    B. Interior. For each building erected along a private street or accessway, a minimum setback of twenty (20) feet shall be maintained from the nearest edge of street or accessway pavement.
    C. Distance Between Buildings. A distance of at least twenty (20) feet shall be maintained between all buildings within the development.
4. Street or Accessways. All private streets or accessways providing ingress and egress from the development to an existing public street system shall comply with the current standards being required by the subdivision regulations then in effect, including street drainage, except that no curb and gutter is required and a pavement width of only 20 feet shall be required.
5. Sidewalks. Sidewalks shall be installed in the same manner and under the same criteria as that established in the Subdivision Regulations.
6. Storm Drainage Improvements. Storm drainage improvements shall be made in the same manner and under the same criteria as that established in the Subdivision Regulations.
7. Sanitary Containers. Stationary sanitary containers shall be located so as not to interfere with sight distance or the free movement of vehicles on streets or service drives and so as to allow collector trucks adequate maneuvering space to empty the containers and to leave the property without excessive backing. Concrete pads in conformance with the public works department's stationary container location standards shall be located beneath of and in the approach to each stationary sanitary container.

Proposed Changes:

SR 2. Two Family, Single Family Attached and Multifamily Dwellings

a. No multi-family dwellings or series of attached single-family, multi-family buildings or other such arrangements shall exceed a length of one hundred fifty(150) feet when measured along the longest axis of the building or series of attached units when placed in a theoretical straight alignment.

1. No multi-family development shall contain more than twenty (20) dwelling units unless the development shall have frontage along and direct primary access on a major or minor thoroughfare as shown on the Thoroughfare Plan.
2. No multi-family development shall contain more than sixty (60) dwelling units unless the development shall have frontage along and direct access on two major or minor thoroughfares or combinations thereof as shown on the Thoroughfare Plan.
3. Any multi-family development with more than 100 dwelling units shall meet the requirements of 2 above and shall submit a certified traffic engineering report evaluating the capability of the adjoining street system to carry the traffic generated by the development

b. An individual multi-family building, two family dwelling or a single series of attached dwelling units to be located on an individual lot shall be developed in accordance with the area, yard and height requirements of the district in which located the same as any other individual building on an individual lot. Provided that in the R-8 zoning district, two-family dwellings within a subdivision shall only be permitted on a corner lot. The conveyance of ground space for single-family attached units or for common area or similar purposes shall not preclude development under this subsection. Such conveyances however shall be subject to the requirements of the Subdivision Ordinance and may be subject to the North Carolina Unit Ownership Act.

c. In any case where more than one multi-family building, more than one two-family dwelling or more than one series of attached dwelling units are proposed to be constructed on one lot, such development shall be in conformance with the following residential group development standards:

1. Site Plan. No zoning permit or building permit shall be issued for construction in a group residential development except in accordance with a site plan approved by the Planning Board, in accordance with the standards herein. In any case where land is to be dedicated in a group residential development, a Subdivision Plan may be required by the Subdivision Ordinance. Developments that are proposed to be developed under the North Carolina Unit Ownership Act shall meet the requirements of that Act by recording the declaration and plan with the Register of Deeds. Where land is to be conveyed in accordance with such declaration and plan, the developer shall first comply with the Subdivision Ordinance.

2. Density. The number of dwelling units per unit of land area shall not exceed the number of dwelling units per unit of land area permitted in the district in which the development is located. Fractional units above one- half (1/2) may be rounded to the next highest number once the basic number of units exceeds twenty (20).
3. Yard Requirements. The following yard requirements are hereby established:
    A. Exterior. Along each exterior property line or public street, the minimum front, rear and side yard setback of the Zoning District shall be maintained
    B. Interior. For each building erected along a private street or accessway, a minimum setback of twenty (20) feet shall be maintained from the nearest edge of street or accessway pavement.
    C. Distance Between Buildings. A distance of at least twenty (20) feet shall be maintained between all buildings within the development.
4. Street or Accessways. All private streets or accessways providing ingress and egress from the development to an existing public street system shall comply with the current standards being required by the subdivision regulations then in effect, including street drainage, except that no curb and gutter is required and a pavement width of only 20 feet shall be required.
5. Sidewalks. Sidewalks shall be installed in the same manner and under the same criteria as that established in the Subdivision Regulations.
6. Storm Drainage Improvements. Storm drainage improvements shall be made in the same manner and under the same criteria as that established in the Subdivision Regulations.

"Sanitary Containers" requirement moved to its own category "d".

d. Sanitary Containers. Stationary sanitary containers shall be located so as not to interfere with sight distance or the free movement of vehicles on streets or service drives and so as to allow collector trucks adequate maneuvering space to empty the containers and to leave the property without excessive backing. Concrete pads in conformance with the public works department's stationary container location standards shall be located beneath of and in the approach to each stationary sanitary container. Stationary sanitary containers are required for all Multi-Family Dwellings and Single-Family Attached units of more than two attached units.

CHAPTER 155
ZONING ORDINANCE OF THE
CODE OF ORDINANCES OF THE
TOWN OF WINTERVILLE, NORTH CAROLINA

Originally adopted February 14, 2000

Incorporates amendments adopted up to date of printing.

Latest Amendment Adopted - 26-O- adopted October 12th, 2026. (To be updated if approved)

Printed TBD

Table of Contents

ARTICLE I. PURPOSE, AUTHORITY AND TITLE ____ *9*

Section 1.1 Purpose ____ **9**

Section 1.2 Authority ____ **9**

Section 1.3 Title ____ **9**

ARTICLE II. JURISDICTION MAP ____ *10*

Section 2.1 Territorial Jurisdiction ____ **10**

Section 2.2 Incorporation of Zoning Map ____ **10**

ARTICLE III. APPLICATION; GENERAL PROVISIONS; EXCEPTIONS AND MODIFICATIONS ____ *11*

Section 3.1 Zoning Affects Every Building and Use; Bona Fide Farms Exempt ____ **11**

Section 3.2 Relationship of Buildings to Lot ____ **11**

Section 3.3 Street Access ____ **11**

Section 3.4 Lot of Record ____ **11**

Section 3.5 Open Space Requirements ____ **12**

Section 3.6 Reduction of Lot and Yard Areas Prohibited ____ **12**

Section 3.7 Water and Sewer Requirements ____ **12**

Section 3.8 Height Limitation Exceptions ____ **12**

Section 3.9 Building Setback Exceptions ____ **12**

Section 3.10 Fences and Walls ____ **13**

A. General Standards ____ 13

B. Residential Lot Fence Standards ____ 13

Section 3.11 Accessory Buildings and Structures ____ **16**

Section 3.12 Corner Lot Yards ____ **16**

Section 3.13 Double Frontage Lots ____ **16**

Section 3.14 Front Yard Setbacks for Dwellings ____ **16**

Section 3.15 Visibility at Intersections ____ **16**

Section 3.16 Temporary Buildings ____ **17**

Section 3.17 Computing the Number of Multi-Family Type Dwelling Units ____ **17**

Section 3.18 Entrances/Exits to Public Streets ____ **17**

Section 3.19 Projections into Front Yards in Commercial and Industrial Districts ____ **18**

Section 3.20 Outdoor Lighting ____ **18**

Section 3.21 Performance Standards ____ **18**

Section 3.21.1 Air Pollution ____ 18

Section 3.21.2 Fire and Explosive Hazards ____ 18

Section 3.21.3 Glare and Heat ____ 19

Section 3.21.4 Water Quality Protection ____ 19

Section 3.21.5 Noise 19
Section 3.21.6 Odors 19
Section 3.21.7 Vibration 20

Section 3.22 Class C Mobile Homes Prohibited 20

Section 3.23 Use of Mobile Homes for Storage Prohibited 20

Section 3.23.A Use of Recreational Vehicle as Dwelling Prohibited 20

Section 3.24 Minimum Requirements 21

Section 3.25 Fees 21

Section 3.26 Sidewalks

ARTICLE IV. ESTABLISHMENT OF ZONING DISTRICTS 22

Section 4.1 Primary Zoning Districts Established: Purposes Set Forth 22
Section 4.1.1 Agricultural-Residential District (A-R) 22
Section 4.1.2 R-20 Residential District 22
Section 4.1.3 R-15 Residential District 22
Section 4.1.3A R-12.5 Residential District 22
Section 4.1.4 R-10 Residential District 22
Section 4.1.5 R-8 Residential District 23
Section 4.1.6 R-6 Residential District 23
Section 4.1.7 MR – Multifamily Residential District 23
Section 4.1.8 Office and Institutional District (OI) 23
Section 4.1.9 Central Business District (CB) 23
Section 4.1.10 General Business District (GB) 23
Section 4.1.10A Intermediate Commercial District (IC) 23
Section 4.1.11 Neighborhood Commercial District (CN) 24
Section 4.1.12 Industrial District (I) 24

Section 4.2 Overlay Zoning Districts Established: Purposes Set Forth 24
Section 4.2.1 Thoroughfare Protection Overlay District (TP) 24
Section 4.2.1A Central Business Transition Overlay District (CBTO) 24

Section 4.3 Conditional Zoning Established: Purposes Set Forth 25
Section 4.3.1. Conditional Use District with a Site Specific Development Plan 25

Section 4.4 District Boundaries Shown on Zoning Map 26

Section 4.5 Rules Governing Boundaries 26

Section 4.6 Determining Permitted and Special Uses, Principal Uses and Mixed Uses 27

ARTICLE V. SCHEDULE OF DISTRICT REGULATIONS 29

Section 5.1 General 29

Section 5.2 Agricultural-Residential District (AR) 29

Section 5.3 R-20 Residential District 29

Section 5.4 R-15 Residential District 30

Section 5.4.A R-12.5 Residential District 30

Section 5.5 R-10 Residential District 30

Section 5.6 R-8 Residential District 31

Section 5.7 R-6 Residential District 31

Section 5.8 **Multi-Family Residential District (MR)** 32
Section 5.9 **Office and Institutional District (OI)** 32
Section 5.10 **Central Business District (CB)** 33
Section 5.11 **General Business District** 33
Section 5.11.A **Intermediate Commercial District** 33
Section 5.12 **Neighborhood Commercial (CN)** 34
Section 5.13 **Industrial District (I)** 34
Section 5.14 **Thoroughfare Protection Overlay District (TP)** 35
Section 5.15.A **Central Business Transition Overlay District (CBTO)** 36
ARTICLE VI. TABLE OF PERMITTED AND CONDITIONAL USES *38*
Section 6.1 **General** 38
Section 6.2 **Entries** 38
Section 6.3 **Meaning of Entries** 38
Section 6.4 **Table of Permitted and Conditional Uses. (See Table)** 39
Residential Uses- USE TYPES 40
Recreational Uses- USE TYPES 41
Educational & Institutional Uses- USE TYPES 42
Business, Professional & Personal Services-USE TYPES 43
Retail Trade- USE TYPES 46
Wholesale Trade -USE TYPES 48
Public Works -USE TYPES 49
Manufacturing & Industrial Uses -USE TYPES 50
Miscellaneous -USE TYPES 52
Section 6.5 **Special Requirements to the Table of Permitted and Conditional Uses** 53
ARTICLE VII. TABLE OF AREA, YARD AND HEIGHT REQUIREMENTS *84*
Section 7.1 **Dimensional Requirements** 84
Section 7.2 **Encroachment on Easements** 86
ARTICLE VIII. OFF-STREET PARKING AND LOADING *88*
Section 8.1 **Off-Street Parking Requirements** 88
Section 8.2 **Parking Lot Improvement, Design and Location Requirements** 94
Section 8.3 **Off-Street Loading Requirements** 94
ARTICLE IX. SIGNS *95*
Section 9.1 **General Provisions** 95
Section 9.2 **In General** 95
Section 9.3 **Determination Sign Copy Area** 95
Section 9.4 **Determination of Sign Height** 95
Section 9.5 **Determination of Sign Setback; Freestanding Sign Setback** 95
Section 9.6 **Protection Under First Amendment Rights** 96

Section 9.7 Changeable Copy 96
Section 9.8 Illuminated Signs 96
Section 9.9 Zoning Compliance Certificate Required 96
Section 9.10 Construction Standards 96
Section 9.11 Maintenance Required 97
Section 9.12 Dangerous or unsafe signs. 97
Section 9.13 Removal of Discontinued Signs 97
Section 9.14 Removal & Disposal of Signs in Right-of-Way 98
Section 9.15 Signs Expressly Prohibited 98
Section 9.16 Signs Permitted Without A Zoning Compliance Certificate 101
Section 9.17 Signs Permitted with a Zoning Compliance Certificate in All Zoning Districts 106
Section 9.18 Signs for Permitted Non-Residential Uses Permitted in Residential Districts 108
Section 9.19 Signs Permitted in Non-Residential Zoning Districts 108
Section 9.20 Signs Permitted By Special Permit 109
ARTICLE X. ARCHITECTURAL STANDARDS 111
Section 10.1. APPLICABILITY 111
Section 10.2. INDUSTRIAL USE STANDARDS 111
Section 10.3. STANDARDS FOR ALL OTHER NON-RESIDENTIAL USES 111
Section 10.4. LANDSCAPE SCREENING REQUIREMENTS 112
Section 10.5. MULTI-FAMILY RESIDENTIAL DESIGN STANDARDS 113
ARTICLE X-A. VEGETATION AND BUFFERING REQUIREMENTS 121
Section 10A.1. VEGETATION REQUIREMENTS 121
Section 10A.1.01. Applicability 121
Section 10A.1.02 Landscape Plan 121
Section 10A.1.03. Minimum Site Vegetation Requirements 122
Section 10A.1.04. Street Yard Planting Requirements 123
Section 10A.1.05. Credits and Substitutions 124
Section 10A.2. BUFFERYARD REQUIREMENTS 124
Section 10A.2.01 Purpose 124
Section 10A.2.02 Illustration of Bufferyards. 124
Section 10A.2.03 Land Use Classifications 124
Section 10A.2.04 Bufferyard Chart 125
Section 10A.2.05. Bufferyard Minimum Standards 125
Section 10.A.3. FLEXIBILITY IN ADMINISTRATION 127
ARTICLE XI. NON-CONFORMING SITUATIONS 128
Section 11.1 Continuation of Non-Conforming Situations 128
Section 11.2 Non-conforming Lots of Record 128
Section 11.3 Extension or Enlargement of Non-Conforming Situations 128

Section 11.4 Reconstruction Prohibited 129
Section 11.5 Change in Kind of Non-Conforming Use 129
Section 11.6 Replacement of Non-Conforming Mobile Homes 130
Section 11.7 Discontinuance of Non-Conforming Uses 130
Section 11.8 Discontinuance of Non-Conforming Adult Oriented Businesses 130
Section 11.9 Non-Conforming Signs 131
Section 11.9.1 Conformance Required 131
Section 11.9.2 Regulations of Non-Conforming Signs 131
Section 11.9.3 Illumination of Signs for Illegal Non-Conforming Uses 132
Section 11.9.4 Damaged or Deteriorated Non-Conforming Signs 132
Section 11.9.5 Maintenance of Non-Conforming Signs 132
ARTICLE XII. BOARD OF ADJUSTMENT 133
Section 12.1 Establishment of Board of Adjustment 133
Section 12.2 Proceedings of the Zoning Board of Adjustment 133
Section 12.3 Appeals, Hearings and Notice 133
Section 12.4 Stay of Proceedings 134
Section 12.5 Powers and Duties of the Board of Adjustment 134
Section 12.6 Appeals from The Board of Adjustment. 135
ARTICLE XIII. AMENDMENT PROCEDURES; CONDITIONAL DISTRICTS 136
Section 13.1 General 136
Section 13.2 Amendment Initiation 136
Section 13.3 Submittal 136
Section 13.4 Planning Board Action 137
Section 13.5 Town Council Action 137
Section 13.6 Protest Petition 137
Section 13.7 Special Provisions for Conditional Districts 137
Section 13.8 Maximum Number of Applications 138
ARTICLE XIV. ADMINISTRATION, ENFORCEMENT AND PENALTIES 139
Section 14.1 Administrative Officer 139
Section 14.2 Zoning Compliance Certificates; Building Permits; Certificates of Occupancy Required 139
Section 14.3 Zoning Compliance Certificate 140
Section 14.4 Zoning Compliance Certificate With Vested Rights 141
Section 14.5 Duties of Zoning Administrator, Board of Adjustment, Courts and Town Council to Matters of Appeal 143
Section 14.6 Lawful Use 144

Section 14.7 **Violations; Remedies** **144**
Section 14.8 **Penalties for Violation** **145**
ARTICLE XV. GENERAL LEGAL PROVISIONS; DEFINITIONS ***147***
Section 15.1 **Interpretation, Purpose, Conflict** **147**
Section 15.2 **Repeal and Reenactment of Existing Zoning Ordinance** **147**
Section 15.3 **Effects Upon Outstanding Building Permits, Zoning Compliance Permits and Special Use Permits** **147**
Section 15.4A **Conflicts of Interest (G.S. 160D -109)** **148**
Section 15.4B **Definitions** **149**
Section 15.5 **Validity** **169**
Section 15.6 **Effective Date** **169**
APPENDIX A ***170***

AN ORDINANCE AMENDING
CHAPTER 155 OF THE CODE OF ORDINANCES
OF THE TOWN OF WINTERVILLE

BE IT ORDAINED by the Town Council of the Town of Winterville, North Carolina, that the Code of Ordinances of the Town of Winterville is hereby amended by rewriting Article XV, Chapter 155, Zoning Code, in its entirety to read as follows:

Chapter 155
Zoning Ordinance
Town of Winterville

ARTICLE I. PURPOSE, AUTHORITY AND TITLE

Section 1.1 Purpose

The zoning regulations and districts as herein set forth have been made in accordance with a comprehensive plan and for the purpose of (1) Promoting the public health, safety, morals, and general welfare; (2) Promoting the orderly growth and development of the Town of Winterville and the surrounding area; (3) Lessening congestion in the streets and roads; (4) Providing adequate light and air; (5) Securing safety from fires, panic, and other dangers; (6) Preventing the overcrowding of land; (7) Avoiding undue congestion of population; (8) Facilitating the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. They have been made with reasonable consideration, among other things to the character of each Zoning District and its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the Jurisdiction. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 1.2 Authority

This Ordinance is enacted pursuant to the authority conferred by Article 19 of Chapter 160 D of the Generals Statutes of North Carolina. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 1.3 Title

This ordinance shall be known as the "Zoning Ordinance of the Town of Winterville, North Carolina" and may be referred to as the "Zoning Ordinance". The map referred to herein is identified by the title "Official Zoning Map, Winterville, North Carolina" and may be known as the "Zoning Map". *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

ARTICLE II. JURISDICTION MAP

Section 2.1 **Territorial Jurisdiction**

For the purpose of this Zoning Ordinance, the zoning jurisdiction of the Town of Winterville shall include the land within the corporate limits of the Town and that land located between these limits and the boundaries established in the municipal ordinance establishing extraterritorial jurisdiction boundaries, as now or hereafter fixed. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 2.2 **Incorporation of Zoning Map**

The Official Zoning Map, Winterville, North Carolina and all notations, references and other information shown on the map are hereby incorporated and made a part of this Ordinance. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

ARTICLE III. APPLICATION; GENERAL PROVISIONS; EXCEPTIONS AND MODIFICATIONS

Section 3.1 Zoning Affects Every Building and Use; Bona Fide Farms Exempt

No building or land shall hereafter be used, and no building or part thereof shall be erected, moved or altered except in conformity with the regulations herein specified for the district in which it is located, except as hereinafter provided in this Zoning Ordinance. Bona fide farms, with the exception of swine farm operations, are not affected by these regulations but any use of farm property for non-farm purpose is subject to these regulations. Swine farm operations as defined herein are prohibited within the jurisdiction of this Ordinance. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 3.2 Relationship of Buildings to Lot

Every building hereafter erected, moved or placed shall be located on a lot and in no case shall there be more than one (1) residential building on a lot except as otherwise provided for in this Ordinance. In any case where more than one principal building is permitted on a lot, such buildings shall be separated by a minimum of twenty (20) feet unless a lesser distance is otherwise specifically permitted by this Ordinance. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 3.3 Street Access

No building, structure or use of land shall be established on a lot nor shall any lot be created that does not abut upon a public street as defined herein to which it has legal access for a distance of not less than thirty-five (35) feet. Provided, the following exceptions shall apply to the access requirement:

1. The access requirement shall not apply to lawfully existing lots of record with a minimum of thirty-five (35) feet of frontage on a dedicated but not maintained street.

2. The access requirement shall not apply to developments exempt from public street access by Article VI.

3. The access requirement shall not apply to lots on approved private streets.

(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)

Section 3.4 Lot of Record

Where the owner of a lawfully existing lot of official record in any residential district or the owner's successor in title thereto does not own sufficient contiguous land to enable the owner to conform to the minimum lot size requirements of this Ordinance, such lot may be used as a residential building site, where permitted, provided, however, that the other requirements of the district are complied with or a variance is obtained from the Board of Adjustment.

Notwithstanding the foregoing, whenever two (2) or more adjoining vacant lots of record are in a single ownership at any time after the adoption of this Ordinance and such lots individually have less area or width than the minimum requirements of the district in which such lots are located, such lots shall be considered as one or more lots which meet the minimum requirements of this Ordinance for the district in which such lots are located. *(2000 Zoning Ordinance, 0-51-02149900, adopted 02/14/2000)*

Section 3.5 **Open Space Requirements**

No part of a yard, court or other open space provided around any building or structure for the purpose of complying with the provisions of this Ordinance shall be included as a part of a yard or other open space required under this Ordinance for another building or structure. Every part of a required yard shall be open and unobstructed from its lowest level to the sky, except as provided for in this section. However, certain accessory structures are permitted to be placed in the required yard areas as provided for in the Schedule of District Regulations and this section. *(2000 Zoning Ordinance, 0-51-02149900, adopted 02/14/2000)*

Section 3.6 **Reduction of Lot and Yard Areas Prohibited**

No yard or lot existing at the time of passage of this Ordinance shall be reduced in size or area below the minimum requirements set forth in this Ordinance. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance. *(2000 Zoning Ordinance, 0-51-02149900, adopted 02/14/2000)*

Section 3.7 **Water and Sewer Requirements**

The lot sizes required for the various Districts in this Ordinance were drawn based upon the assumption that adequate water supply and sewage disposal systems are available to each and every lot. The lack of adequate systems for one or both facilities may require larger lot areas or, in some instances, because of Health Department Standards, may not permit development as intended. *(2000 Zoning Ordinance, 0-51-02149900, adopted 02/14/2000)*

Section 3.8 **Height Limitation Exceptions**

The height limitations of this Ordinance shall not apply to public buildings, churches, temples, schools, hospitals, belfries, cupolas and domes not intended for residential purposes, or to monuments, water towers, observation towers, power and communication transmission towers, flag poles and similar structures, provided such structures meet the required North Carolina Building Code. Height limitations shall apply to cellular telephone towers as regulated herein. *(2000 Zoning Ordinance, 0-51-02149900, adopted 02/14/2000)*

Section 3.9 **Building Setback Exceptions**

Setback distances shall be measured from the property line or street right-of-way line to the nearest portion of any building or structure excluding:

1. Unenclosed porches, attached carports, balconies or decks which do not project into any required yard more than three (3) feet; and

2. Chimneys, flues, coves, roof overhangs, window sills and bay windows which do not project into any required yard more than three (3) feet; and

3. Patios, drives, walkways, if no portion of the same extends more than twelve (12) inches off the ground; and

4. Any structure that is a mere appendage to a building, such as a flagpole or fountain.

(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)

Section 3.10 **Fences and Walls**

Unless otherwise specified within this Ordinance, fences and walls shall be exempt from setback and yard requirements provided they comply with the visibility requirements of Section 3.15 and the following standards:

A. General Standards

Easements - Fences shall not be installed within nor encroach upon any drainage and/or utility easement unless specifically authorized through issuance of an Encroachment Permit as provided under Article VII, Section 7.2 of this ordinance.

Zoning Compliance Certificate - No fence shall be erected until a Zoning Compliance Certificate shall have been issued by the Zoning Administrator as specified under Article XIV, Section 14.3 of this ordinance.

Height - Fences in non-residential districts are limited to eight (8) feet in height.
(09-O-136, adopted 04/13/2009)

B. Residential Lot Fence Standards

1) Front Yard - Fences shall be limited to a maximum height of four (4) feet within the front yard. For the purposes of this section, "front yard" shall be defined as the area lying between the front property line and the front wall of the principal use building extended to the side property lines and running perpendicular to the adjoining side wall as per the below illustration titled "*Residential Lot Fence Standards Illustration*".

2) Corner Lot Street Side Yard - Fences shall be limited to a maximum height of four (4) feet within the side yard adjacent to the street. For the purposes of this section, "side yard adjacent to the street" shall be defined as the area lying between the side street property line and the side wall of the principal use building extended to the rear property line and running parallel to the side property line as per the below illustration titled "*Residential Lot Fence Standards Illustration*". *(12-O-288 , adopted 05/14/2012)*

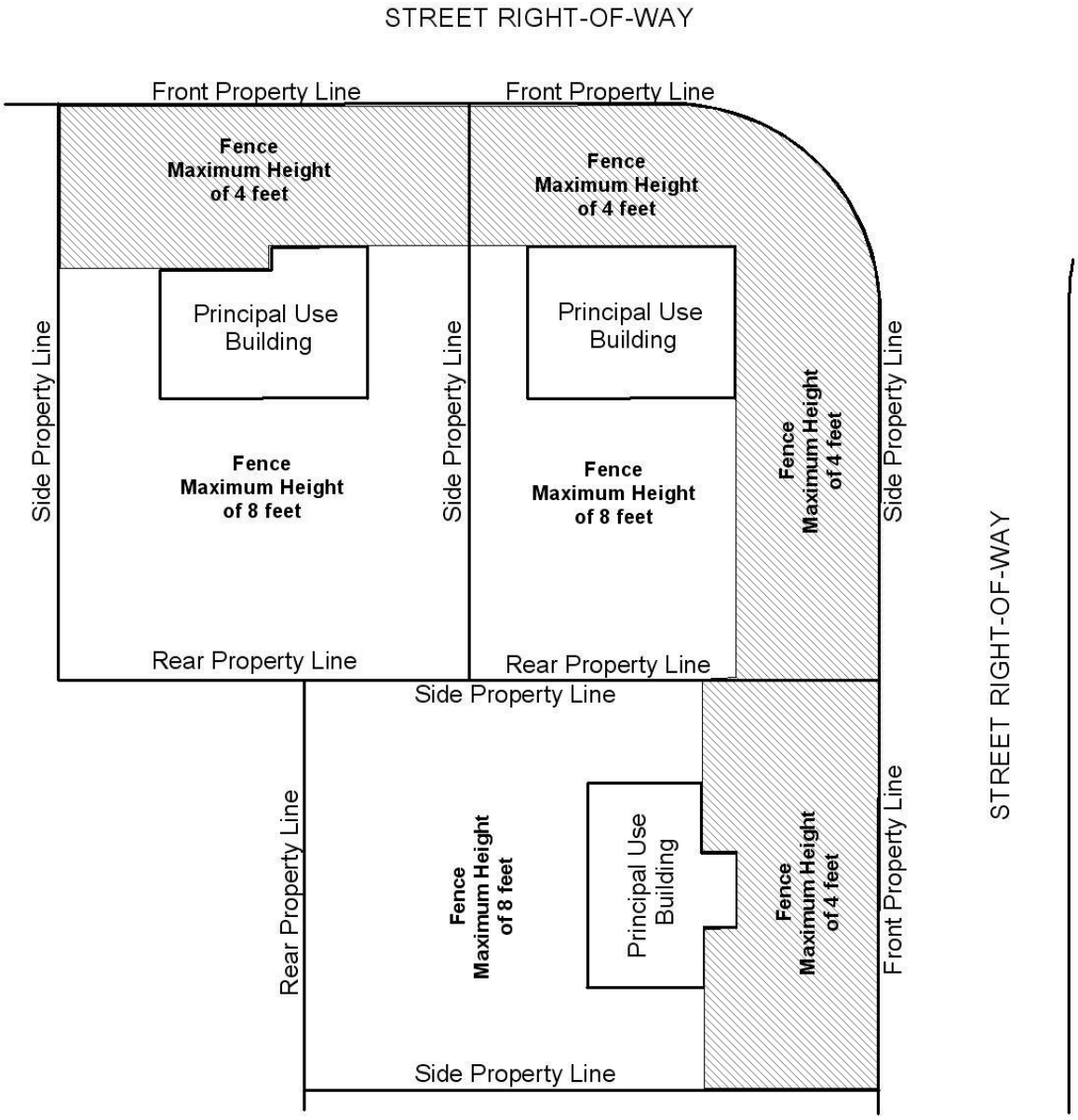
3) Other Areas - fences in other areas of the lot shall be limited to a maximum of eight (8) feet.

4) Maintenance - The owner of the property (or other party responsible for maintenance) on which the fence is located shall be required to maintain the fence in a safe and attractive condition. This shall mean the following:

   a. No fence shall have more than 20 percent of its surface area material disfigured, cracked, ripped or with peeling paint or other material;
   b. A fence shall not have bent or broken supports, including loose or missing appendages;
   c. Fences shall be plumb (vertical) to the ground; and
   d. Replacement of non-conforming fences shall comply with all the requirements of this section.

5) Materials / Design

   a. Materials such as plywood, particleboard, sheet metal, concrete slabs, and concrete barriers shall not be used for fencing.
   b. Barbed-wire and similar fence materials may only be used in conjunction with a permitted agricultural use or the permitted keeping of horses.
   c. All fencing shall be finished on the side facing a public or private right-of-way or adjacent properties. *(09-O-136, adopted 04/13/2009)*



Residental Lot Fence Standards Illustration

(09-O-136, adopted 04/13/2009, 12-O-288 , adopted 05-14-12)

Section 3.11 **Accessory Buildings and Structures**

No accessory buildings shall be erected in any front yard whether required or provided.

Accessory buildings may be located in a side or rear yard not adjacent to a street within five (5) feet of the property line. Accessory buildings to be located in the street side yard shall meet the principal building setback for that side. No separate accessory building shall be erected within five (5) feet of any other building. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

No accessory buildings shall be erected within nor encroach upon any drainage and/or utility easement unless specifically authorized through issuance of an Encroachment Permit as provided under Article VII, Section 7.2 of this ordinance. *(05-O-198, adopted 12/05/2005)*

All accessory buildings for residential use shall not exceed fifty percent (50%) of the gross floor area of the principal use building and/or cover more than thirty percent (30%) of the rear yard, whichever is lesser. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 3.12 **Corner Lot Yards**

In any residential, O-I, or C-N district, the side yard requirements for corner lots along the side street right-of-way shall have an extra width of ten (10) feet. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 3.13 **Double Frontage Lots**

In all Zoning Districts, Double Frontage Lots shall provide the minimum yard requirements for Front Yards along both street fronts. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 3.14 **Front Yard Setbacks for Dwellings**

For dwellings in residential districts, where lots located on either side of a center lot are improved with buildings having a front yard setback of less than twenty-five (25) feet, and the structures are no more than two-hundred (200) feet apart, the required setback of the center lot shall be the average of the setback of the two adjacent main buildings. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 3.15 **Visibility at Intersections**

On a corner lot in any district other than the C-B Central Business District, no planting, structure, sign, fence, wall or obstruction to vision more than three (3) feet in height measured from the centerline of the street shall be placed or maintained within the triangular area formed by the intersecting street right of way lines, and a straight line connecting the points on said street right-of-way lines, each of which is twenty (20) feet distance from the point of intersection. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 3.16 Temporary Buildings

Temporary buildings, including mobile structures, incidental to a construction project may be permitted to be used concurrent with the permit for permanent building(s) or construction. Such temporary building shall be removed promptly upon completion of construction. No such building shall be used for dwelling purposes. Temporary buildings shall be located at least twenty-five (25) feet from any property used for residential purposes. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 3.17 Computing the Number of Multi-Family Type Dwelling Units

In computing the number of multi-family type units (including attached units) permitted for a given area of land, subtract the amount of land area in square feet required for the first dwelling unit from the total net land area and then divide the remainder by the amount of land required for each unit over one. The quotient plus one is the number of dwelling units permitted for the given area of land. For example, on a land area of 54,000 square feet located in the M-R Residential District:

54,000	(Total Net Land)
4,000	(First Dwelling Unit)
50,000	(Remainder)

50,000 divided by 2,500 (each additional two or more bedroom unit) = 20
20 + 1 = 21

Therefore, twenty-one (21) multi-family two or more bedroom units may be placed on the 54,000 square foot property. Fractional units over one-half (1/2) may be rounded to the next higher whole number when the base number of units is twenty (20) or more.

On projects with one building per lot, the computation must be repeated for each lot separately. On projects with more than one building on a lot, the computation need only be made one time. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 3.18 Entrances/Exits to Public Streets

Entrances and exits to public streets shall be placed and constructed in accordance with the "Policy on Street and Driveway Access to North Carolina Highway" adopted by the North Carolina Department of Transportation (NCDOT), as amended.

No portion of any entrance driveway leading from a public street shall be closer than twenty (20) feet to the corner of any intersection measured from the right-of-way line. The width of any entrance driveway leading from the public street shall not exceed thirty (30) feet at its intersection with curb or street line. No two driveways on a single lot leading from a public street shall be within twenty (20) feet of each other measured along the right-of-way. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 3.19 Projections into Front Yards in Commercial and Industrial Districts

In commercial and industrial districts, open, unenclosed gasoline pump canopies, gasoline filing and related equipment and similar facilities may project into one-half (1/2) the front yard setback requirement for the district. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 3.20 Outdoor Lighting

Outdoor lighting fixtures shall be installed in a manner to protect the street and neighboring properties from direct glare or hazardous interference of any kind. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 3.21 Performance Standards

No use in any District shall violate any of the following performance standards:

Section 3.21.1 Air Pollution

No activity shall emit any fly ash, dust, fumes, vapors, mists, or gases in such quantities as to cause soiling or danger to the health of persons, animals, vegetation, or other forms of property. No activity shall emit any liquid or solid particle in concentrations exceeding 0.3 grains per cubic foot of the conveying gas nor any color visible smoke equal to or darker than No. 2 on the Ringlemann Chart described in the United States Bureau of Mines Information Circular 7718.

Section 3.21.2 Fire and Explosive Hazards

All activities involving the manufacturing, utilization, processing or storage of inflammable and explosive materials shall be provided with adequate safety devices against the hazard of fire and explosion and with adequate firefighting and fire suppression equipment and devices that are standard with the industry. All materials that range from active to intense burning shall be manufactured, utilized, processed, and stored only in completely enclosed buildings which have incombustible exterior walls and an automatic fire extinguishing system. The above ground storage capacity of materials that produce inflammable or explosive vapors shall not exceed the following:

Closed Cup Flash Point	Gallons
Over 187' F.	400,000
105' F. to 187' F.	200,000
Below 105' F.	100,000

Section 3.21.3 **Glare and Heat**

No activity shall emit glare or heat that is visible or measurable at the boundaries of the lot on which the principal use is located. All operations producing intense glare or heat shall be conducted within a completely enclosed building. Exposed sources of light shall be shielded so as not to be visible outside their premises.

Section 3.21.4 **Water Quality Protection**

No activity shall locate, store, discharge, or permit the discharge of any treated, untreated, or inadequately liquid, gaseous, or solid materials of such nature, quantity, obnoxiousness, toxicity or temperature that would be likely to run off, seep, percolate or wash into surface or subsurface waters so as to contaminate, pollute, or harm such waters or cause nuisances such as objectionable shore deposits, floating or submerged debris, oil or scum, color, odor, taste, or unsightliness or be harmful to human, animal, plant or aquatic life.

Section 3.21.5 **Noise**

No activity shall produce a sound level outside the boundary that exceeds the following sound levels measured by a sound level and associated octave band filter:

Octave Band Frequency Cycle per Second	Sound Level Decibels
0 to 75	72
75 to 150	67
150 to 300	59
300 to 600	52
600 to 1200	46
1200 to 2400	40
2400 to 4800	34
above 4800	32

All noise shall be so muffled or otherwise controlled as not to become objectionable due to intermittence, duration, beat frequency, impulse character, periodic character, or shrillness.

Section 3.21.6 **Odors**

No activity shall emit any odorous matter of such nature or quantity as to be offensive, obnoxious or unhealthful outside their premises. The guide for determining odor measurement and control shall be Chapter 13, Air Pollution Abatement Manual 1960, prepared by the Manufacturing Chemists Association, Inc., Washington, D.C.

Section 3.21.7 **Vibration**

No activity shall emit vibrations which exceed the following displacement measured with a three-component measuring system:

Displacement (inches)

Frequency (Cycles per Second)	Outside of Premises	Outside of District
0 to 10	.0020	.0004
10 to 20	.0010	.0002
20 to 30	.0006	.0001
30 to 40	.0004	.0001
40 to 50	.0003	.0001
50 and over	.0002	.0001

(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)

Section 3.22 **Class C Mobile Homes Prohibited**

After the effective date of this Ordinance no Class C Mobile Home shall be placed in the jurisdiction of this Ordinance nor shall any Class C Mobile Home that is existing within the jurisdiction of this Ordinance be moved and placed at any other location within the jurisdiction of this Ordinance. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 3.23 **Use of Mobile Homes for Storage Prohibited**

The use of mobile homes or travel trailers for storage purposes shall be expressly prohibited in all zoning districts. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 3.23.A **Use of Recreational Vehicle as Dwelling Prohibited**

Recreational vehicles and travel trailers may be parked or stored on any residential lot which contains a legal principal use, subject to the provisions of Winterville Code of Ordinances Chapter 72, provided such units are not utilized for the purposes of living, sleeping or cooking.

No recreational vehicle, travel trailer, motor home or tent may serve as a dwelling except as otherwise specifically provided in this ordinance.

Festivals & Major Events - the provisions of this section shall not prohibit the temporary use of recreational vehicles as part of approved festivals and/or major events provided that such use is located on the specific premise(s) authorized for such festival or major event and provided that such use may occur only for the duration of the festival or major event.
(09-O-108, adopted 01/12/09)

Section 3.24 **Minimum Requirements**

Regulations set forth by this Ordinance shall be minimum regulations. If the requirements set forth in this Ordinance are at variance with the requirements of any other lawfully adopted rules, regulations or ordinance, the more restrictive or higher standards shall govern. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 3.25 **Fees**

Applicants for permits and other procedures as provided for by this Ordinance may be required to pay such fees as may be established by the Town Council in the Schedule of Fees and Charges. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 3.26 **Sidewalks:**

Sidewalks shall be installed along the entire street frontage for all new construction and for renovations, additions, and/or expansions to existing structures which fall into one or more of the following categories:

1. All subdivisions as defined by the Subdivision Ordinance.
2. All new Multi-family residential, Two-family, and Single-Family Attached residential.
3. All new non-residential developments.
4. All non-residential additions or expansion to structures where the expansion results in an increase of more than 60 percent value of the structure. (This includes a single project or cumulative projects within a 5-year period.)

Requirements for all Sidewalks:

• Required sidewalks shall be constructed by the builder or developer in accordance with the Town of Winterville Design Standards Manual.

• An ADA-accessible pedestrian path shall be provided from the street to the building entrance and other site areas intended for pedestrian access. The path shall be thoughtfully integrated with the development's sidewalk network to provide a safe, accessible, and continuous pedestrian connection from the street throughout the development.

ARTICLE IV. ESTABLISHMENT OF ZONING DISTRICTS

Section 4.1 **Primary Zoning Districts Established: Purposes Set Forth**

For the purposes of this Ordinance, the Town of Winterville, North Carolina, and the area comprising its extraterritorial zoning jurisdiction are hereby divided into the following primary use districts:

Section 4.1.1 **Agricultural-Residential District (A-R)**

The Agricultural-Residential District (AR) is established as a district to promote a compatible mixture of low-density residential and agricultural uses where urban development is expected to occur. The purpose of this district is to maintain lots of sufficient size to insure that residential development dependent upon septic tank systems for sewage disposal and individual wells for water will occur at sufficiently low density to insure a healthful environment. The minimum lot size established for this district, however, does not guarantee sufficient space for on-site water and/or sewer systems. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 4.1.2 **R-20 Residential District**

The R-20 Residential District is a quiet, low-density neighborhood consisting of single-family residences along with limited home occupations and private and public community uses. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 4.1.3 **R-15 Residential District**

The R-15 Residential District is a quiet, low-density neighborhood consisting of single-family residences along with limited home occupations and private and public community uses. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 4.1.3A **R-12.5 Residential District**

The R-12.5 Residential District is a quiet, medium-density neighborhood consisting of single-family residences along with limited home occupations and private and public community uses. *(03-O-09, adopted 04/14/2003)*

Section 4.1.4 **R-10 Residential District**

The R-10 Residential District is a quiet, medium-density neighborhood consisting of single-family residences along with limited home occupations and private and public community uses. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 4.1.5 **R-8 Residential District**

The R-8 Residential District is a quiet, medium-density neighborhood consisting of single-family residences along with limited home occupations and private and public community uses. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 4.1.6 **R-6 Residential District**

The R-6 Residential District is a quiet, relatively high-density neighborhood consisting of single-family and two-family dwellings along with limited home occupations and private and public community uses. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 4.1.7 **MR – Multifamily Residential District**

The MR – Multifamily Residential District (MR) is intended to provide a quiet, relatively high density neighborhood consisting mostly of apartment complexes and mobile home parks along with limited home occupations and private and public community uses. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 4.1.8 **Office and Institutional District (OI)**

The Office and Institutional District (OI) is a district in which the principal use of land is for residences, general business offices and professional offices, and institutional types such as hospitals and medical clinics which do not materially detract from nearby residential areas. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 4.1.9 **Central Business District (CB)**

The purpose of the Central Business District (CB) is to maintain and enhance a compact business area for the retailing of durable and convenience goods and personal services for the surrounding community. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 4.1.10 **General Business District (GB)**

The purpose of the General Business District (GB) is to accommodate those business that serve the traveling public, require large amounts of land for display and parking, and are not oriented to the pedestrian shopper. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 4.1.10A **Intermediate Commercial District (IC)**

The Intermediate Commercial District (IC) is intended for regional and local retail and personal services of limited size and service area that provide for the regular needs and convenience of local residents residing in the community. These are generally small-medium in area and contain businesses that are generally considered "low intensity" such as grocers, drug stores, household supplies, restaurants, and the furnishing of personal services. It is intended that uses in this district not produce a significant increase in traffic, noise, or other public nuisance,

and be developed with adequate off street parking space for customers and employees with appropriate landscaping and screening. *(0-08-98, adopted 09/08/2008)*

Section 4.1.11 **Neighborhood Commercial District (CN)**

The purpose of the Neighborhood Commercial District (CN) is to provide convenient shopping facilities consisting primarily of necessary goods and personal services required to serve a neighborhood. *(2000 Zoning Ordinance, 0-51-02149900, adopted 02/14/2000)*

Section 4.1.12 **Industrial District (I)**

The Industrial District (I) is to provide and protect areas suited for industrial, warehousing, and storage uses which do not create an excessive amount of noise, smoke, dust, odor, or other objectionable characteristics which might be detrimental to the surrounding area. *(2000 Zoning Ordinance, 0-51-02149900, adopted 02/14/2000)*

Section 4.2 **Overlay Zoning Districts Established: Purposes Set Forth**

The primary and conditional Zoning Districts established in this Article may also be zoned in one or more Overlay Districts as designated herein and as shown on the Official Zoning Map. In such case, the land is subject to not only the requirements of the underlying primary or conditional Zoning District but also the additional requirements of the Overlay District *(2000 Zoning Ordinance, 0-51-02149900, adopted 02/14/2000)*

Section 4.2.1 **Thoroughfare Protection Overlay District (TP)**

The purpose of the Thoroughfare Protection Overlay District (TP) is to provide for the protection and preservation of thoroughfare corridors to avoid undue congestion and significant deterioration of service levels. *(2000 Zoning Ordinance, 0-51-02149900, adopted 02/14/2000)*

Section 4.2.1A **Central Business Transition Overlay District (CBTO)**

The purpose of the Central Business Transition Overlay District (CBTO) is to provide for the appropriate allocation of off-street parking, setbacks, and buffering in areas surrounding the downtown Central Business District; to provide for a transitional area between residentially zoned properties and the downtown Central Business District; and to facilitate the redevelopment of certain areas, as identified by the Horizon Land Use Plan, from residential use to non-residential use. *(04-0-126, adopted 10/11/2004)*

Section 4.3 **Conditional Zoning Established: Purposes Set Forth**

There is also established a Conditional District (CD) which corresponds to each of the districts authorized by this ordinance as follows:

AR – CD	MR - CD
R-20 - CD	OI - CD
R-15 - CD	CB - CD
R-12.5 - CD	GB - CD
R-10 - CD	IC - CD
R-8 - CD	CN - CD
R-6 - CD	I - CD

It is recognized that certain types of zoning districts would be inappropriate at certain locations in the absence of special conditions. Where the applicant for rezoning desires property to be rezoned to such a district in such situations, the Conditional District is a means by which such special conditions can be imposed in the furtherance of the purpose of this Ordinance. The Conditional District classification will be considered for rezoning only upon request of a property owner. If for any reason any condition imposed pursuant to these regulations is found to be illegal or invalid or if the applicant should fail to accept any condition, it is the intent of this Ordinance that the authorization of such Conditional Permit shall be null and void and of no effect and that proceedings shall be instituted to rezone the property to its previous zoning classification.

Pursuant to the Conditional District, only those uses authorized as permitted or conditional uses in the zoning district with which the CD corresponds shall be permitted, and all other requirements of the corresponding district shall be met as minimum standards. In addition, no Conditional District shall be permitted without the approval of Town Council. The Conditional Zoning may further specify the location on the property of the proposed use and uses, the number of dwelling units, the location and extent of supporting facilities such as parking lots, driveways and access streets, the location and extent of buffer areas and other special purpose areas, the timing of development, the location and extent of rights-of-way and other areas to be dedicated for public use, and other such matters as the applicant may propose as conditions upon the request, but not to include conditions not generally a part of land development controls. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 4.3.1 **Conditional District with a Site Specific Development Plan**

Subject to the provisions of Section 4.3 of this ordinance, the applicant may submit a Site Specific Development Plan as part of a Conditional District request. In such case, the applicant shall submit a Site Specific Development Plan and, upon approval from Town Council, the site shall be developed in accordance with the plan. The site plan shall include the following information:

a. A boundary survey and vicinity map showing the property's total acreage, its zoning classification(s), the general location in relation to major streets, railroads, and/or waterways, the date, and north arrow;
b. All existing easements, reservations, and rights-of-way;
c. Approximate location on the site of proposed buildings, structures and other improvements;
d. Approximate dimensions, including height of proposed buildings and other structures;

e. Building elevations and exterior features of proposed development;
f. Proposed use of all land and structures;
g. All existing and proposed points of access to public streets;
h. Parking and circulation;
i. Required and proposed screening, buffers and landscaping;
j. Such other information as deemed necessary to demonstrate compliance with applicable regulations and proposed conditions. *(08-O-103, adopted 12/08/08)*

Section 4.4 **District Boundaries Shown on Zoning Map**

The boundaries of the districts are shown on the map accompanying this Ordinance and made a part hereof entitled "Official Zoning Map, Winterville, North Carolina". The Zoning Map and all notations, references and amendments thereto, and other information shown thereon are hereby made a part of this Ordinance the same as if such information set forth on the map were all fully described as set out herein. The Zoning Map is posted at the Winterville Town Hall and is available for inspection by the public. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 4.5 **Rules Governing Boundaries**

Where uncertainty exists with respect to the boundaries of any of the aforesaid districts as shown on the Official Zoning Map, the following rules shall apply:

A. Where district boundaries are indicated as approximately following the center lines of streets or highways, street or railroad right-of-way-lines or such lines extended, such center lines, street or railroad right-of-way lines shall be construed to be such boundaries.

B. Where district boundaries are so indicated that they approximately follow platted lot lines, such lot lines shall be construed to be said boundaries.

C. Where district boundaries are so indicated that they are approximately parallel to the centerlines of streets, highways, or railroads, or right-of-way of same, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the Zoning Map. If no distance is given, such dimension shall be determined by use of the scale shown on said Zoning Map.

D. Where any street or alley is hereafter officially closed, vacated or abandoned, the zoning district adjoining each side of the street or alley shall be automatically

extended to the center of the street or alley, and all lands which are included in the closed portion shall thereafter be subject to the regulations of the extended districts.

E. Boundaries indicated as approximately following Town limit lines shall be construed to follow such Town limit lines.

F. Where district boundaries are indicated as following topographic contours, drainage divides or specific measured distances such features shall be construed as such boundaries.

G. Boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such centerlines.

H. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map.

I. Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or if further uncertainty exists as to the location of boundaries or applicability of zoning district, the Board of Adjustment shall interpret the intent of the Zoning Map as to the location of such boundaries, and the applicability of such districts.

J. Where a district boundary line divides a lot which was in single ownership at the time of passage of this Ordinance the Board of Adjustment may permit the extension of the regulations for either portion of the lot not to exceed 50 feet beyond the district line into the remaining portion of the lot. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

<u>Section 4.6</u> Determining Permitted and Special Uses, Principal Uses and Mixed Uses

The listing of Permitted and Special Uses in the various Districts in this Ordinance are considered to be specific in regard to the types of uses intended for each of the various Districts. In determining proposed uses, the Zoning Administrator shall refer to the latest edition of the Standard Industrial Classification (SIC) Manual published by the United States Department of Labor as a guide. When a proposed use is not specifically listed in the Table of Permitted and Special Uses, the Zoning Administrator shall use the SIC Manual to determine if the use is the same as, or manifestly similar to, a listed use in form and function. If the Zoning Administrator finds that the proposed use is the same as, or manifestly similar to, a listed use, he shall classify the proposed use as the listed use. If the Zoning Administrator finds that a proposed use is not the same as, or is not manifestly similar to, a listed use, he shall classify the proposed use as not permitted. In each case, the Zoning Administrator shall maintain a written record of such determinations.

In determining what is a principal use, the principal use shall be considered as the primary purpose or function that a lot or structure serves or is proposed to serve. An accessory use shall be considered a structure or use that:

1) is clearly incidental to and customarily found in connection with a principal building or use;

2) is subordinate to and serves a principal building or a principal use;

3) is subordinate in area, extent, or purpose to the principal building or principal use

4) contributes to the comfort, convenience, or necessity of occupants, business, or industry in the principal building or principal use served; and

5) is located on the same lot and zones the same as the principal building or use served.

Two or more principal uses may, in some cases, be permitted to occupy the same land or building as long as each use is a permitted use and the building separation required by Section 3.2 is provided. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

ARTICLE V. SCHEDULE OF DISTRICT REGULATIONS

Section 5.1 **General**

Within the districts established by this Ordinance, the requirements as set forth in this section shall be complied within in addition to any other general or specific requirements of this Ordinance. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 5.2 **Agricultural-Residential District (AR)**

A. Uses. See Article VI entitled Table of Permitted and Special Uses

B. Dimensional Requirements. See Article VII entitled Table of Area, Land and Height Requirements.

C. Location of Accessory Buildings and Structures. Accessory buildings and structures shall be placed in accordance with the provisions of Section 3.11.

D. Off-Street Parking and Loading. Off-street parking and loading shall be provided in accordance with the requirements of Article VIII.

E. Signs. Signs shall be regulated by the requirements of Article IX. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

F. Bufferyards. Bufferyards shall be provided in accordance with the requirements of Article XA. *(07-O-291, adopted 10/08/2007)*

Section 5.3 **R-20 Residential District**

A. Uses. See Article VI entitled Table of Permitted and Special Uses

B. Dimensional Requirements. See Article VII entitled Table of Area, Land and Height Requirements.

C. Location of Accessory Buildings and Structures. Accessory buildings and structures shall be placed in accordance with the provisions of Section 3.11.

D. Off-Street Parking and Loading. Off-street parking and loading shall be provided in accordance with the requirements of Article VIII.

E. Signs. Signs shall be regulated by the requirements of Article IX. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

F. Bufferyards. Bufferyards shall be provided in accordance with the requirements of Article XA. *(07-O-291, adopted 10/08/2007)*

Section 5.4 **R-15 Residential District**

A. Uses. See Article VI entitled Table of Permitted and Special Uses

B. Dimensional Requirements. See Article VII entitled Table of Area, Land and Height Requirements.

C. Location of Accessory Buildings and Structures. Accessory buildings and structures shall be placed in accordance with the provisions of Section 3.11.

D. Off-Street Parking and Loading. Off-street parking and loading shall be provided in accordance with the requirements of Article VIII.

E. Signs. Signs shall be regulated by the requirements of Article IX.
(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)

F. Bufferyards. Bufferyards shall be provided in accordance with the requirements of Article XA. *(07-O-291, adopted 10/08/2007)*

Section 5.4.A **R-12.5 Residential District**

A. Uses. See Article VI entitled Table of Permitted and Special Uses

B. Dimensional Requirements. See Article VII entitled Table of Area, Land and Height Requirements.

C. Location of Accessory Buildings and Structures. Accessory buildings and structures shall be placed in accordance with the provisions of Section 3.11.

D. Off-Street Parking and Loading. Off-street parking and loading shall be provided in accordance with the requirements of Article VIII.

E. Signs. Signs shall be regulated by the requirements of Article IX.
(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)

F. Bufferyards. Bufferyards shall be provided in accordance with the requirements of Article XA. *(07-O-291, adopted 10/08/2007)*

Section 5.5 **R-10 Residential District**

A. Uses. See Article VI entitled Table of Permitted and Special Uses

B. Dimensional Requirements. See Article VII entitled Table of Area, Land and Height Requirements.

C. Location of Accessory Buildings and Structures. Accessory buildings and structures shall be placed in accordance with the provisions of Section 3.11.

D. Off-Street Parking and Loading. Off-street parking and loading shall be provided in accordance with the requirements of Article VIII.

E. Signs. Signs shall be regulated by the requirements of Article IX. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

F. Bufferyards. Bufferyards shall be provided in accordance with the requirements of Article XA. *(07-O-291, adopted 10/08/2007)*

Section 5.6 **R-8 Residential District**

A. Uses. See Article VI entitled Table of Permitted and Special Uses

B. Dimensional Requirements. See Article VII entitled Table of Area, Land and Height Requirements.

C. Location of Accessory Buildings and Structures. Accessory buildings and structures shall be placed in accordance with the provisions of Section 3.11.

D. Off-Street Parking and Loading. Off-street parking and loading shall be provided in accordance with the requirements of Article VIII.

E. Signs. Signs shall be regulated by the requirements of Article IX. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

F. Bufferyards. Bufferyards shall be provided in accordance with the requirements of Article XA. *(07-O-291, adopted 10/08/2007)*

Section 5.7 **R-6 Residential District**

A. Uses. See Article VI entitled Table of Permitted and Special Uses

B. Dimensional Requirements. See Article VII entitled Table of Area, Land and Height Requirements.

C. Location of Accessory Buildings and Structures. Accessory buildings and structures shall be placed in accordance with the provisions of Section 3.11.

D. Off-Street Parking and Loading. Off-street parking and loading shall be provided in accordance with the requirements of Article VIII.

E. Signs. Signs shall be regulated by the requirements of Article IX. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

F. Bufferyards. Bufferyards shall be provided in accordance with the requirements of Article XA. *(07-O-291, adopted 10/08/2007)*

Section 5.8 **Multi-Family Residential District (MR)**

A. Uses. See Article VI entitled Table of Permitted and Special Uses

B. Dimensional Requirements. See Article VII entitled Table of Area, Land and Height Requirements.

C. Location of Accessory Buildings and Structures. Accessory buildings and structures shall be placed in accordance with the provisions of Section 3.11.

D. Off-Street Parking and Loading. Off-street parking and loading shall be provided in accordance with the requirements of Article VIII.

E. Signs. Signs shall be regulated by the requirements of Article IX. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

F. Bufferyards. Bufferyards shall be provided in accordance with the requirements of Article XA. *(07-O-291, adopted 10/08/2007)*

Section 5.9 **Office and Institutional District (OI)**

A. Uses. See Article VI entitled Table of Permitted and Special Uses

B. Dimensional Requirements. See Article VII entitled Table of Area, Land and Height Requirements.

C. Location of Accessory Buildings and Structures. Accessory buildings and structures shall be placed in accordance with the provisions of Section 3.11.

D. Off-Street Parking and Loading. Off-street parking and loading shall be provided in accordance with the requirements of Article VIII.

E. Signs. Signs shall be regulated by the requirements of Article IX. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

F. Bufferyards. Bufferyards shall be provided in accordance with the requirements of Article XA. *(07-O-291, adopted 10/08/2007)*

Section 5.10 **Central Business District (CB)**

A. Uses. See Article VI entitled Table of Permitted and Special Uses

B. Dimensional Requirements. See Article VII entitled Table of Area, Land and Height Requirements.

C. Location of Accessory Buildings and Structures. Accessory buildings and structures shall be placed in accordance with the provisions of Section 3.11.

D. Off-Street Parking and Loading. Off-street parking and loading is not required in this District

E. Signs. Signs shall be regulated by the requirements of Article IX. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 5.11 **General Business District**

A. Uses. See Article VI entitled Table of Permitted and Special Uses

B. Dimensional Requirements. See Article VII entitled Table of Area, Land and Height Requirements.

C. Location of Accessory Buildings and Structures. Accessory buildings and structures shall be placed in accordance with the provisions of Section 3.11.

D. Off-Street Parking and Loading. Off-street parking and loading shall be provided in accordance with the requirements of Article VIII.

E. Signs. Signs shall be regulated by the requirements of Article IX. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

F. Bufferyards. Bufferyards shall be provided in accordance with the requirements of Article XA. *(07-O-291, adopted 10/08/2007)*

Section 5.11.A **Intermediate Commercial District**

A. Uses. See Article VI entitled Table of Permitted and Special Uses

B. Dimensional Requirements. See Article VII entitled Table of Area, Land and Height Requirements.

C. Location of Accessory Buildings and Structures. Accessory buildings and structures shall be placed in accordance with the provisions of Section 3.11.

D. Off-Street Parking and Loading. Off-street parking and loading shall be provided in accordance with the requirements of Article VIII.

E. Signs. Signs shall be regulated by the requirements of Article IX.

F. Bufferyards. Bufferyards shall be provided in accordance with the requirements of Article XA. (08-O-98, adopted 09/08/2008)

Section 5.12 Neighborhood Commercial (CN)

A. Uses. See Article VI entitled Table of Permitted and Special Uses

B. Dimensional Requirements. See Article VII entitled Table of Area, Land and Height Requirements.

C. Location of Accessory Buildings and Structures. Accessory buildings and structures shall be placed in accordance with the provisions of Section 3.11.

D. Off-Street Parking and Loading. Off-street parking and loading shall be provided in accordance with the requirements of Article VIII.

E. Signs. Signs shall be regulated by the requirements of Article IX.
(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)

F. Bufferyards. Bufferyards shall be provided in accordance with the requirements of Article XA. *(07-O-291, adopted 10/08/2007)*

Section 5.13 Industrial District (I)

A. Uses. See Article VI entitled Table of Permitted and Special Uses

B. Dimensional Requirements. See Article VII entitled Table of Area, Land and Height Requirements.

C. Location of Accessory Buildings and Structures. Accessory buildings and structures shall be placed in accordance with the provisions of Section 3.11.

D. Off-Street Parking and Loading. Off-street parking and loading shall be provided in accordance with the requirements of Article VIII.

E. Signs. Signs shall be regulated by the requirements of Article IX.
(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)

F. Bufferyards. Bufferyards shall be provided in accordance with the requirements of Article XA. *(07-O-291, adopted 10/08/2007)*

Section 5.14 **Thoroughfare Protection Overlay District (TP)**

A. Application. The requirements of this Section apply to all uses in the Thoroughfare Protection Overlay District (TP) except one and two-family residences.

B. Front Yard Setback. The front yard setback shall be a minimum of fifty (50) feet as measured perpendicular to the adjacent thoroughfare right-of-way line.

C. Minimum Lot Width. The minimum lot width for all lots created after the effective date of the TP District shall be one hundred and fifty (150) feet.

D. Ingress and Egress Points. On any lot in any planned multi-tenant development which contains more than one lot, no two points of ingress and egress (as measured at their closest distance) shall be closer than three hundred (300) feet apart. No more than two (2) separate points of ingress and egress per lot or within a planned multi-tenant development shall be allowed per road front. Any use engaged in the sale of automobile fuels to the public and having more than three (3) fuel stations shall be allowed to have no more than one additional point of ingress and egress per road front provided that said point of ingress and egress is located no closer than forty (40) feet from any other such access point.

Except where ingress and egress would be denied, no portion of a point of ingress and egress shall be located closer than two-hundred (200) feet to the centerline intersection of the road upon which the use fronts and an intersecting road.

Any driveway serving as a point of ingress and egress shall have a width not to exceed thirty-six (36) feet unless otherwise required by NCDOT.

For the purposes of determining the allowable number of ingress and egress points on any particular lot, all lots recorded at the effective date of this Ordinance shall be granted at least one ingress and egress point per road front unless access can be provided internally. If any subdivision of land occurs after the effective date of this Ordinance, the number of ingress and egress points shall be determined based on the linear road frontage the tract contained prior to such subdivision. For instance, if a tract of land contained 1,300 feet of road frontage and, subsequent to the adoption of this Ordinance, were subdivided into three lots, only two points of ingress and egress serving the three lots would be allowed.

E. Landscaped Roadway Yard. A landscaped roadway yard shall be provided by each use subject to this requirement. The requirement for a landscaped roadway yard shall be initiated by the occurrence of the same activities as set forth in Section 8.3. A landscaped roadway yard is a landscaped area generally parallel to the public roadway designed to provide continuity of vegetation along the right-of-way and a pleasing view from the road. The landscaped area shall be penetrated only by driveways and crosswalks. The minimum width of the

roadway yard shall be ten (10) feet and shall be located within the thirty foot section of the lot closed to the public right-of-way. It shall be landscaped and maintained with a vegetative cover and shall be planted with small and/or medium shrubs at a rate of ten (10) per one hundred (100) linear feet of street yard not counting driveway and crosswalk area. The Zoning Administrator may approve a different vegetative landscape type when in his opinion equal or better performance will result. The following is a sample list of recommended shrubs by common name:

American Boxwood	Common Juniper
Carolina Allspice	Nandina
Flowering Quince	Azalea
Hedge Cotoneaster	Mapleleaf Viburnum
Japanese Holly	Sargents Chinese Juniper
Japanese Barberry	Common Laurelcherry
Purple Beautyberry	Fragrant Sumac

(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)

Section 5.15.A Central Business Transition Overlay District (CBTO)

A. Application. The requirements of this section apply to all non-residential uses in the Central Business Transition Overlay District.

B. Front Yard Setback. The front yard setback requirement shall be a minimum of ten (10) feet from the front property line.

C. Rear Yard Setback. The rear yard setback requirement shall be a minimum of twenty (20) feet from the rear property line.

D. Side Yard Setbacks.

1. Adjoining Property Zoned for Non-Residential Use

   The side yard setback requirement shall be a minimum of five (5) feet from the side property line when the adjoining property is zoned for non-residential use.

2. Adjoining Property Zoned for Residential Use

   The side yard setback requirement shall be a minimum of twenty (20) feet from the side property line when the adjoining property is zoned for residential use unless the buffering requirements of subsection E are met.

E. Buffering Requirements. The side yard setback requirement when adjoining property is zoned for residential use may be a minimum of five (5) feet if the following buffering measures are implemented:

1. A minimum four (4) feet height fence, constructed of such materials and in such manner as to provide a continuous visual barrier, shall be installed along the side property line adjacent to the adjoining property zoned for residential use; or

2. The building wall adjacent to the adjoining property zoned for residential use shall be solid with no openings including but not limited to windows, doors, points of ingress or egress, entrances, exits, etc.

F. Off-Street Parking Requirements. Off-street parking and loading shall be provided in accordance with the requirements of Article VIII.

G. Required Sidewalk Improvements. All non-residential uses within the Central Business Transition Overlay District shall install a minimum five (5) feet wide sidewalk along the entire street frontage of any portion of the subject property that abuts a public street. Required sidewalks shall be constructed in accordance with the sidewalk construction standards of the Town of Winterville Design Standards Manual. *(04-O-126, adopted 10/11/2004)*

ARTICLE VI. TABLE OF PERMITTED AND SPECIAL USES

Section 6.1 General

The table of Permitted and Special Uses which follows contains a listing of uses which may be permitted in one or more of the various Zoning Districts established by this Ordinance. Uses are listed in alphabetical order in nine functional categories. The categories in the order of listing are:

Residential Uses
Recreational Uses
Educational and Institutional Uses
Business, Professional and Personal Services Retail Trade
Wholesale Trade
Manufacturing and Industrial Uses
Public Works Facilities, Utilities and Infrastructure Miscellaneous

(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)

Section 6.2 Entries

The District or Districts in which a particular listed use may be permitted is indicated by an "x" or "s" in the District columns(s) opposite the listed use. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 6.3 Meaning of Entries

The meaning of the entrees in the Table are as follows:

1. "x" indicates the use is permitted by right and a Zoning Compliance Certificate may be obtained.

2. "s" indicates the use requires approval of a Special Use Permit in accordance with the procedures of Section 12.5.

The column on the far right labeled "SR" (Special Requirement) means that there are special additional performance requirements that the use must comply with in its development. These requirements are contained in Section 6.5, "Special Requirements to the Table of Permitted and Special Uses". For any use subject to a Special Use Permit, the Special Requirement shall represent the minimum conditions for issuance of a Special Use Permit.

The 1987 Standard Industrial Classification Manual was utilized in the preparation of this table and shall be consulted as a guide for purposes of determination by the Zoning

Administrator. The Reference SIC column refers to SIC classifications. Entries with "0000" in the Reference SIC column do not correspond to any classification in the SIC Manual.

3. The listing of a use in the of Table Permitted and Special Uses in no way relieves that use of having to meet all local, State and Federal laws pertaining to the establishment and operation of that use. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 6.4 **Table of Permitted and Special Uses. (See Table)**

(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000;01-47, adopted 01/08/2001;
02-O-81, adopted 08/12/2002;
03-O-104, adopted 02/10/2003;
04-O-56, adopted 01/12/2004;
05-O-149, adopted 03/14/2005;
06-O-250, adopted 12/11/2006;
08-O-96, adopted 07/14/2008;
10-O-223, adopted 05/10/2010;
10-O-230, adopted 06/14/2010;
24-O-061, adopted 6/10/2024)

TABLE OF PERMITTED & SPECIAL USES

USE TYPES	LUC	SIC	A-R	R-20	R-15	R-12.5	R-10	R-8	R-6	M-R	O-I	C-B	G-B	I-C	C-N	I	SR
Residential Uses																	
bed and breakfast inns	2	0000	S	S	S	S	S	S			X	X	X				1
dwelling, conventional or modular: multi-family (including single family attached of more than 2 attached units)	2	0000								S	S	S					2/42
Single family detached	1	0000	X	X	X	X	X	X	X	X	X	S					42
two-family (Including single family attached of no more than 2 attached units	1	0000						S	X	X	S						2
dwelling, mobile home on individual lot Class A single-family	1	0000	S						X								3
Class B single-family																	4
Family care home (6 or less)	2	8351	X	X	X	X	X	X	X	X	X	X	X		X	X	5
Family day-care home (3-5)	*	8322	S	S	S	S	S	S	S	S	S						5
home occupation, customary	*	0000	S	S	S	S	S	S	S	S	S						6
mobile home park	2	0000	S							S							7
Planned unit development	2	0000					"SEE SR NOTE"										8

TABLE OF PERMITTED & SPECIAL USES

USE TYPES	LUC	SIC	A-R	R-20	R-15	R-12.5	R-10	R-8	R-6	M-R	O-I	C-B	G-B	I-C	C-N	I	SR
Recreational Uses																	
Amusement arcades and indoor places of entertainment; including bowling alleys, pool rooms, skating rinks & batting cage, tennis courts	3	7999										X	X			X	
amusement or water parks	4	7996											X			X	10
associations or organizations; social & fraternal	2	8640	S								X		X	X		X	11
auditorium, assembly hall; indoor theaters, public	3	0000									X	X	X			X	
batting cages, outdoor	3	7999											X			X	10
bingo games	3	7999										X	X			X	
dance studios & schools, including aerobics	3	7911										X	X	X		X	
dance halls, including night clubs	4	5810										X	X			X	23
fortune tellers, astrologers	3	7999										X	X			X	
go-cart, motorcycle & similar vehicles tracks	4	7999														X	10
golf courses, including pro shop	1	7997	X	X	X	X	X	X	X	X	X	X	X		X	X	12
golf driving ranges	3	7999	S										X			X	10
internet sweepstakes	3	0000											S			S	44
Marinas	4	4493											X			X	
martial arts instructional schools	3	7999										X	X	X		X	
miniature golf facilities	3	7999											X			X	10
physical fitness centers	3	7991								X	X	X	X	X	X	X	
public parks	2	7990	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
recreation facilities, public	2	7999	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
recreation facilities, private: including country clubs, private neighborhood parks & multi-family recreation areas where the principal use is permitted in the zoning district	2	7997	S	S	S	S	S	S	S	S	S						12
saddle, hunting, fishing, boating and similar private clubs	4	7999	S										X			X	12
shooting ranges, indoor	3	7999											X			X	
shooting ranges, outdoor, local government only	4	7999														X	
swim and tennis clubs	3	7997	X	X	X	X	X	X	X	X	X	X	X	X	X	X	13
swimming pool, private	3	7997	X	X	X	X	X	X	X	X	X	X	X	X	X	X	13

TABLE OF PERMITTED & SPECIAL USES

USE TYPES	LUC	SIC	A-R	R-20	R-15	R-12.5	R-10	R-8	R-6	M-R	O-I	C-B	G-B	I-C	C-N	I	SR
Educational & Institutional Uses																	
ambulance services	3	4119									X	X	X			X	
cemetery	3	0000	S													X	14
churches, synagogues & other associated activities	2	8661	X	X	X	X	X	X	X	X	X	X	X	X		X	
colleges or universities	3	8220	X								X	X	X			X	
correctional institutions	3	9223														X	
day care centers, (6 or more)	3	8322	S					S	S	X	X	X	X	X	S	X	15/43
governmental offices & facilities	3	0000	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
hospitals, public & private	3	8026									X	X	X			X	
Libraries	3	8231									X	X	X	X	X	X	
museums or art galleries	3	8412									X	X	X	X	X	X	
congregate or convalescent care facility	3	8050							S	S	S		S			S	16
group care facility	3	8050								S			S			S	16
nursing home	3	8050							S	S	S		S			S	16
orphanages	2	8361									X	X	X				
philanthropic institutions	3	8399									X	X	X	X		X	
post offices	3	0000								X	X	X	X	X	X	X	
retreat centers	3	0000	X							X	X	X	X				
schools, including public schools & private schools, having a curriculum similar to those given in public schools	3	8210	X	X	X	X	X	X	X	X	X	X	X			X	
schools, specialty training, such as cosmetology, vocation or trade services, not elsewhere classified, where no retail, wholesale, or repair is conducted	3	8240									X	X	X			X	

TABLE OF PERMITTED & SPECIAL USES

USE TYPES	LUC	SIC	A-R	R-20	R-15	R-12.5	R-10	R-8	R-6	M-R	O-I	C-B	G-B	I-C	C-N	I	SR
Business, Professional & Personal Services																	
accounting, auditing, or bookkeeping																	
administrative or management services	3	8740									X	X	X	X		X	
advertising agencies or representatives	3	7310									X	X	X	X		X	
agencies & offices rendering specialized services not involving retail trade such as real estate, insurance, advertising, architecture, engineering, & accounting and not listed elsewhere	3	0000									X	X	X	X	X	X	
animal clinics and hospitals; including totally enclosed kennels operated in connection with animal clinics or hospitals	4	0742	S								X		X			X	17
animal kennels	4	0000	S										X			X	18
automobile parking lots & facilities for permitted uses in the district	3	0000	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
automobile parking (commercial)	3	7521										X	X			X	
automobile rental or leasing	4	7510										X	X	X		X	
automobile repair & service (excluding storage of wrecked or junked vehicles)	4	0000										X	X			X	
automobile storage	4	0000														X	19
automobile towing & storage services	4	7549														X	19
automobile washing facilities	4	7542										X	X			X	
automobile wrecking or junk yards	5	5093														X	19
banking, including loan offices & investment houses	3	6000									X	X	X	X	X	X	
barber and beauty shops	3	7241									X	X	X	X	X	X	
building maintenance services	4	7349											X			X	
bus stations	4	4100										X	X			X	
chiropractors' offices	3	8041									X	X	X	X	X	X	
clothing alterations or repairs	3	0000										X	X	X	X	X	
communicative facilities, including radio & television broadcasting excluding towers that exceed the height limits	3	0000									X	X	X			X	
computer services	3	0000									X	X	X	X	X	X	
contractors' facilities with open storage	4	0000	S										X			X	41
contractors' offices (no storage)	3	0000	S								X	X	X			X	41

TABLE OF PERMITTED & SPECIAL USES

USE TYPES	LUC	SIC	A-R	R-20	R-15	R-12.5	R-10	R-8	R-6	M-R	O-I	C-B	G-B	I-C	C-N	I	SR
convenience food stores:																	
not operating between 11pm-6am	3	5411										X	X			X	
operating 11pm-6am, 24hr	4	5411										X	X			X	
dental offices and laboratories	3	8071									X	X	X	X	X	X	
doctors' offices & laboratories	3	8000									X	X	X	X	X	X	
drive-in theaters	4	7833														X	
dry cleaning & laundry facilities	3	7211										X	X		X	X	
economic, social, or educational research	3	8732									X	X	X			X	
employment agencies, personnel agencies	3	7360									X	X	X			X	
engineering, architectural, surveying services	3	0000									X	X	X	X		X	
equipment rental & leasing	4	7350											X			X	
equipment repairs, heavy	4	7690														X	
equipment repairs, light	4	7690											X			X	
exterminating services	3	7342											X			X	
farm related enterprises such as vegetable stands, fishing ponds, horticulture. (*Does not include: landscaping services, farm supplies, or stables. Items removed 11/2017)	3	0000	X														
finance or loan offices	3	6100									X	X	X	X	X	X	
fraternal organizations	2	8640	S								X	X	X	X		X	11
freezer lockers	3	0000														X	
funeral homes	3	7261						S	S		X	X	X	X		X	20
insurance agencies	3	6411									X	X	X	X		X	
internal service facilities, incidental to permitted uses, including cafeterias, day care facilities, snack bars, pharmacies, optical stores & similar retail activities when conducted solely for use of employees, patrons, or occasional visitors; provided, such activities are within the principal building & advertising for it is not permitted beyond the premises	3	0000	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
interior decorator	3	0000									X	X	X	X		X	
laundromats	3	7215										X	X	X	X	X	
law offices	3	8111									X	X	X	X	X	X	
locksmith shops, including repair	3	7690										X	X	X		X	
medical, dental, or related offices	3	8000									X	X	X	X	X	X	
medical or dental laboratories	3	8071									X	X	X	X	X	X	
mini-warehouses/self-storage unit	4	0000														X	
motels & hotels	3	7011											X			X	
motion picture productions	3	7810										X	X		X	X	
noncommercial research organizations	3	8733									X	X	X		X	X	

TABLE OF PERMITTED & SPECIAL USES

USE TYPES	LUC	SIC	A-R	R-20	R-15	R-12.5	R-10	R-8	R-6	M-R	O-I	C-B	G-B	I-C	C-N	I	SR
office, not classified elsewhere (no retail)	3	0000									X	X	X	X	X	X	
optometrists & ophthalmologists	3	8000									X	X	X	X	X	X	
photocopying & duplicating services	3	7334									X	X	X	X	X	X	
photo finishing laboratories	3	7384										X	X	X	X	X	
photography studio	3	7221									X	X	X	X	X	X	
picture framing shop	3	7699									X	X	X	X	X	X	
psychologists' offices	3	8000									X	X	X	X	X	X	
real estate offices	3	0000									X	X	X	X	X	X	
recreational vehicle parks or campsites	4	7033														X	22
refrigerator or large appliance repairs	4	7623											X			X	41
rehabilitation or counseling services	3	8300										X	X	X		X	
repair shops not classified elsewhere	4	0000											X			X	
research, development, or testing services	3	8730											X			X	
septic tank services	3	7699											X			X	
service stations (not including truck stops)	4	7530										X	X	X	X	X	
shoe repair or shoeshine shops	3	7251										X	X	X	X	X	
signs as regulated by Article IX	*		X	X	X	X	X	X	X	X	X	X	X	X	X	X	
stock, security or commodity brokers	3	6200									X	X	X	X	X	X	
structures & uses clearly incidental to a permitted use	3	0000	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
tanning salons	3	7299										X	X	X	X	X	
Tattooing	3	7299											X			X	45
taxi terminals	4	4121										X	X			X	
taxidermists	3	7699											X			X	
tire recapping	4	7534											X			X	
travel agencies	3	4720									X	X	X	X	X	X	
truck driving schools	3	8249														X	
truck & utility trailer rental, sales & leasing, light	4	0000											X			X	
truck & utility trailer rental, sales & leasing, heavy																	
truck washing	4	7542														X	
upholstering & furniture refinishing	4	7641											X			X	
utility company offices	3	0000									X	X	X	X	X	X	
veterinary services (no outside kennels)	3	0740									X		X			X	
vocational, business, secretarial schools	3	8240									X	X	X			X	
watch, clock, jewelry repair shops	3	7631	S									X	X	X	X	X	41

TABLE OF PERMITTED & SPECIAL USES

USE TYPES	LUC	SIC	A-R	R-20	R-15	R-12.5	R-10	R-8	R-6	M-R	O-I	C-B	G-B	I-C	C-N	I	SR
Retail Trade																	
ABC sales for on premises consumption	3	0000										X	X	X		X	23
antique shops	3	5936	S									X	X	X	X	X	24
apparel sales	3	5600										X	X	X	X	X	
appliance sales & service	3	5722	S									X	X	X		X	41
art studio & galleries	3	8412										X	X	X	X	X	
arts & craft sales; similar specialty retail	3	0000	S									X	X	X	X	X	24
auction houses	3	0000											X			X	
automobile & trucks dealers; new and used	4	7510											X			X	
automobile parts & supply store	3	5531										X	X	X		X	
bakeries; retail	3	5461										X	X	X	X	X	
bicycle sales & repair	3	5941										X	X	X	X	X	
boat dealers; sales & repair	4	5551											X			X	
bookstores	3	5942									X	X	X	X	X	X	
building supply dealers	4	5211											X			X	
camera & photography; sales & service	3	5946										X	X	X		X	
candy stores	3	5441										X	X	X	X	X	
carpet sales & storage	3	5710										X	X			X	
clothing shops	3	5600										X	X	X		X	
catalogue stores	3	5961										X	X		X	X	
computer sales	3	5734										X	X	X	X	X	
dairy products stores	3	5451										X	X		X	X	
department & variety stores	3	5300										X	X	X	X	X	
drug stores & pharmacies	3	5912									X	X	X	X	X	X	
electronic product sales	3	5730										X	X	X	X	X	
fabric or piece goods stores	3	5949										X	X	X	X	X	
farm machinery sales & service	4	5083											X			X	
farmer's or produce markets	3	5430										X	X			X	
farm supplies	4	0000										X	X			X	
flea market	3	5999											X			X	
floor covering, drapery or upholstery	3	5710										X	X	X	X	X	
florist shop	3	5992	S								X	X	X	X	X	X	41
fuel oil sales	4	5980											X			X	
furniture sales	3	5712										X	X			X	
furniture repair, including upholstery	4	7641											X			X	
garden centers or retail nurseries	3	5261											X	X	X	X	

TABLE OF PERMITTED & SPECIAL USES

USE TYPES	LUC	SIC	A-R	R-20	R-15	R-12.5	R-10	R-8	R-6	M-R	O-I	C-B	G-B	I-C	C-N	I	SR
gift, novelty & souvenir shop	3	5947	S									X	X	X		X	24
grocery store	3	5400										X	X	X	X	X	
hardware store	3	5251										X	X	X	X	X	
hobby & toy stores	3	5945										X	X	X	X	X	
home furnishings, miscellaneous	3	5719										X	X	X		X	
jewelry sales & repair	3	5944										X	X	X	X	X	
leather goods sales	3	5948										X	X	X	X	X	
lighting goods sales	3	5948										X	X	X		X	
liquor stores	3	5921										X	X	X		X	
microbrewery & brewpub	3	2082									S	X	X	X		X	23
miscellaneous retail sales	3	5999										X	X			X	
mobile home sales & services	4	5271											X			X	
motorcycle sales	4	5571											X			X	
music stores including instrument repair	3	5736										X	X	X	X	X	
newsstand, magazines	3	5994										X	X	X	X	X	
office supply store	3	5999										X	X	X	X	X	
optical goods sales	3	5995										X	X	X	X	X	
paint, glass, and wallpaper stores	3	0000										X	X	X		X	
pawn shop	3	0000										X	X			X	
pet stores	3	5999										X	X	X		X	
radio & television, stores & repairs	3	5731										X	X	X		X	
record, tape, cd stores	3	5735										X	X	X	X	X	
recreation vehicles sales & service	4	5561											X			X	
restaurants (with drive-through)	4	5812										X	X			X	
restaurants (w/o drive-through)	3	5812									X	X	X	X	X	X	
retail sales & service where not classified elsewhere, and where all retail sales & services are conducted within an enclosed building	3	0000										X	X	X	X	X	41
retail sales & services not classified elsewhere including outdoor storage	3	0000											X			X	
service stations, gasoline	4	5541										X	X	X	X	X	
shoe sales and or repair	3	0000										X	X	X	X	X	
shopping centers & malls	3	0000											S		S	X	25
sporting goods stores	3	5941										X	X	X	X	X	
tire dealers & services	4	5531											X			X	
Tobacco, Vape, Smoke Shop, or Other Chemically Enhanced Products	3	0000											S			S	46
truck shops	4	0000														X	
video tape rental & sales	3	7841										X	X	X	X	X	
wine & craft beer shop	3	5921										X	X	X	X	X	
woodworking shops, retail	4	5999										X	X	X	X	X	

TABLE OF PERMITTED & SPECIAL USES

USE TYPES	LUC	SIC	A-R	R-20	R-15	R-12.5	R-10	R-8	R-6	M-R	O-I	C-B	G-B	I-C	C-N	I	SR
Wholesale Trade																	
agriculture chemicals/pesticides/fertilizers	4	5191	S													X	26
agriculture products, other	4	5159	S										X			X	26
ammunition	3	5099														X	
animals & animal products, other	4	5159														X	
apparel, piece goods & notions	3	5130											X			X	
bakeries; wholesale	4	2050											X			X	
books, periodicals, & newspaper	3	5192											X			X	
bulk mail & packaging	3	4212											X			X	
chemicals & allied products	4	5169														X	
courier services, central facility	3	4215											X			X	
courier service substations	4	4215											X			X	
drugs & sundries	3	5122											X			X	
durable goods, other	3	5099											X			X	
electrical goods	4	5060											X			X	
farm supplies, others	4	5191											X			X	
flowers, nursery stock & florist supplies	4	5193											X			X	
forest products	4	5099											X			X	
furniture & home furnishings	3	5020											X			X	
groceries & related products	3	5140											X			X	
hardware	3	5072											X			X	
jewelry, watches, precious stones & metals	3	5094											X			X	
Livestock	4	5154	S													X	27
lumber & other construction materials	4	5030											X			X	
machinery, equipment & supplies	4	5080											X			X	
market showrooms (furniture, apparel, etc.)	4	0000										X	X			X	
metals & minerals	4	5050											X			X	
motor vehicles, parts & supplies	4	5010											X			X	
movers & storage operations	4	4214											X			X	
paints & varnishes	4	5198											X			X	
paper & paper products	4	5110											X			X	
petroleum & petroleum products	4	5170														X	
plastics materials	4	5162											X			X	
plumbing & heating equipment	4	5070											X			X	

TABLE OF PERMITTED & SPECIAL USES

USE TYPES	LUC	SIC	A-R	R-20	R-15	R-12.5	R-10	R-8	R-6	M-R	O-I	C-B	G-B	I-C	C-N	I	SR
professional & comm. Equipment & supplies	4	5040											X			X	
Regional Brewery (15,000-6,000,000 barrels/year)	4											S	S	S		X	23
Resins	4	5162											X			X	
scrap & waste materials, recycling	4	5093														X	19
sporting & recreational goods & supplies	4	5091											X			X	
tobacco & tobacco supplies	3	5194											X			X	
toys & hobby goods & supplies	3	5092											X			X	
trucking or freight terminals	4	4210														X	
utility equipment & storage yards	4	0000											X			X	
wallpaper & paint brushes	4	5198											X			X	
warehousing & storage, not including storage of any hazardous materials or waste as determined by any agency of the federal, state or local government	4	0000											X			X	

USE TYPES	LUC	SIC	A-R	R-20	R-15	R-12.5	R-10	R-8	R-6	M-R	O-I	C-B	G-B	I-C	C-N	I	SR
Public Works																	
electric transmission distribution poles, towers supporting cable, lines & related appurtenances	4	0000	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
governmental public works facilities, utilities, infrastructure & appurtenances	4	0000	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
natural gas distribution lines & related appurtenances	4	0000	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
power generation, natural gas plants & similar production facilities	5	0000														X	
radio, television & similar transmitting towers that exceed height but not including wireless towers	4	0000	X										X			X	35
sewage collection lines, pump stations & appurtenances	4	0000	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
sewage treatment plants, nongovernment public	4	0000	X	S	S	S	S	S	S	S	S	X	X			X	36
telephone & television cable poles, towers, supporting cable, lines & related appurtenances.	4	0000	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
water distribution lines, booster pumps, storage facilities & appurtenances	4	0000	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
water treatment plants, non-government public	4	0000	X	S	S	S	S	S	S	S	S	X	X			X	36
wireless telecommunication towers & facilities	4	0000	S							S		S	S			X	37

TABLE OF PERMITTED & SPECIAL USES

USE TYPES	LUC	SIC	A-R	R-20	R-15	R-12.5	R-10	R-8	R-6	M-R	O-I	C-B	G-B	I-C	C-N	I	SR
Manufacturing & Industrial Uses																	
aircraft & parts	5	3720														X	
airports or air transportation facilities	5	4500														X	28
ammunition, small arms	4	3482														X	29
animal feeds (including dog & cat)	5	2048														X	
animal rendering	5	0000														X	
apparel & finished fabric products	4	2300														X	
appliance	5	0000														X	
asbestos, abrasive & related products	5	3290														X	
asphalt plants	5	2951														X	30
audio, video and communications equipment	4	3600														X	
bakery products	5	2050														X	
batteries	5	3691														X	
beverages	4	2080														X	
bicycle assembly	4	3751														X	
bicycle parts & accessories	4	3751														X	
boat & ship building	5	3730														X	
brick & tile	5	3200														X	
brooms & brushes	4	3991														X	
burial caskets	4	3995														X	
cabinets, not exceeding 5 operators	4	0000											X			X	
Cabinets	4	0000														X	
cardboard containers	4	2650														X	
chemicals, except acids & glues	5	0000														X	
clothing & hosiery	4	2300														X	
Coffee	4	2095														X	
computer & office equipment	4	3570														X	
concrete, cut stone & clay products	5	3200														X	
costume jewelry & notions	4	3960														X	
dairy products	5	2020														X	
electrical components	4	3670														X	
electronics & electronic products	4	3600														X	
fabricated metal products (including can manufacturing)	5	3400														X	

TABLE OF PERMITTED & SPECIAL USES

USE TYPES	LUC	SIC	A-R	R-20	R-15	R-12.5	R-10	R-8	R-6	M-R	O-I	C-B	G-B	I-C	C-N	I	SR
fabricated valve & wiring products	4	3490														X	
fats & oils, animal	5	2077														X	
fats & oils, plant	5	2070														X	
fish, canned, cured or frozen	5	2091														X	
floor coverings (excluding carpet)	4	3996														X	
food & food products, except animal rendering	4	2090														X	
furniture products	4	2500														X	
glass, including fiberglass	5	3200														X	
grain mill products	5	2040														X	
graphite & graphite products	5	3999														X	
heating equipment & plumbing fixtures	5	3430														X	
household appliances	4	3630														X	
Ice	4	2097														X	
industrial & commercial machinery	5	3500														X	
jewelry & silverware (no plating)	4	3910														X	
landfill, building debris private	5	0000														X	31
landfill, sanitary, private	5	0000														X	32
leather & leather products, excluding tanning	4	3100														X	
lighting & wiring equipment	4	3640														X	
lumber & wood products	4	2490														X	
machinery products	5	2500														X	
manufactured housing & wood buildings	4	2450														X	
measurement, analysis & control instruments	4	3800														X	
meat/poultry packing & processing (no rendering)	5	2010														X	
medical, dental & surgical equipment	4	3840														X	
metal coating & engraving	4	3470														X	
metal fasteners (screws, bolts, etc.)	4	3450														X	
metal processing	5	3350														X	
metal plating	5	3471														X	
millwork, plywood & veneer	4	2430														X	
mining & quarrying	5	1000														X	33
motor vehicle assembly	5	3710														X	
motor vehicle parts & accessories	4	3714														X	
motorcycle assembly	5	3751														X	
musical instruments	4	3930														X	
paints, varnish & finishes	4	2500														X	
paper & allied products, except manufacture of the raw product	4	0000														X	
paper products (no coating or laminating)	4	2670														X	
paper products (coating or laminating)	4	2670														X	

TABLE OF PERMITTED & SPECIAL USES

USE TYPES	LUC	SIC	A-R	R-20	R-15	R-12.5	R-10	R-8	R-6	M-R	O-I	C-B	G-B	I-C	C-N	I	SR
paperboard containers & boxes	4	2650														X	
pens & art supplies	4	3950														X	
petroleum & related products	5	2900														X	34
pharmaceutical preparations	4	2834														X	
photographic equipment	4	3861														X	
pottery & related products	4	3260														X	
Plastics	4	2820														X	
primary metals products and foundries	5	3300														X	
poultry operations, including hatcheries	5	0254														X	
preserved fruits & vegetables (no can manufacturing	4	2030														X	
printing & publishing	4	2700										X	X			X	
railroad terminals or yards	5	4010														X	
refuse & raw material hauling	5	4212														X	
rubber products	4	3000														X	
salvage yards, scrap processing	5	5093														X	19
sawmill or planning mills	4	2420														X	
Signs	4	3993														X	
soaps & cosmetics	4	2840														X	
sporting goods & toys	4	3940														X	
stone & clay products	4	3200														X	
sugar & confectionery products	4	2060														X	
surface active agents	5	2843														X	
textile products	4	2260														X	
tires & inner tubes	5	3011														X	
tobacco products	4	2110														X	
tool product	4	3420														X	
transportation & heavy equipment	5	3490														X	
welding operations	5	7692														X	
wood containers	4	2440														X	

USE TYPES	LUC	SIC	A-R	R-20	R-15	R-12.5	R-10	R-8	R-6	M-R	O-I	C-B	G-B	I-C	C-N	I	SR
Miscellaneous																	
adult oriented businesses																	
temporary events & structures			X														39
yard sales - limited to 4 one-day events per year	3	0000	X	X	X	X	X	X	X	X	X						
cluster development, non-residential	*										X		X	X	X		40

Section 6.5 Special Requirements to the Table of Permitted and Special Uses

The Table of Permitted and Special Uses of Article VI contains a column on the far right labeled "SR" for Special Requirements. In any case where a use listed in the Table of Permitted and Special Uses has a number in the SR column opposite the use, the use must comply with the additional Special Requirements contained in this section corresponding to the Special Requirement number. For example, the use "Mobile Home Park" has the number "7" in the SR column opposite the use, therefore, the development of a Mobile Home Park must meet the special requirements for SR 7 Mobile Home Park of this section.

SR 1. Bed and Breakfast Inns

In the AR District:

a. The maximum number of guest bedrooms shall be six (6).

b. The inn shall be operated by a resident manager.

c. The use shall be located in a structure which was originally constructed as a dwelling.

d. The use shall contain only one (1) kitchen facility. Meals served on the premises shall only be for overnight guests and residents of the facility.

e. The use of such facility by any one patron shall be limited to no more than fifteen (15) days per sixty (60) day period.

SR 2. Two Family, Single Family Attached and Multifamily Dwellings

a. No multi-family dwellings or series of attached single-family, multi-family buildings or other such arrangements shall exceed a length of one hundred fifty (150) feet when measured along the longest axis of the building or series of attached units when placed in a theoretical straight alignment.

1. No multi-family development shall contain more than twenty (20) dwelling units unless the development shall have frontage along and direct primary access on a major or minor thoroughfare as shown on the Thoroughfare Plan.

2. No multi-family development shall contain more than sixty (60) dwelling units unless the development shall have frontage along and direct access on two major or minor thoroughfares or combinations thereof as shown on the Thoroughfare Plan.

3. Any multi-family development with more than 100 dwelling units shall meet the requirements of 2 above and shall submit a certified traffic engineering report evaluating the capability of the adjoining street system to carry the traffic generated by the development.

b. An individual multi-family building, two family dwelling or a single series of attached dwelling units to be located on an individual lot shall be developed in accordance with the area, yard and height requirements of the district in which located the same as any other individual building on an individual lot. Provided that in the R-8 zoning district, two-family dwellings within a subdivision shall only be permitted on a corner lot. The conveyance of ground space for single-family attached units or for common area or similar purposes shall not preclude development under this subsection. Such conveyances however shall be subject to the requirements of the Subdivision Ordinance and may be subject to the North Carolina Unit Ownership Act.

c. In any case where more than one multi-family building, more than one two-family dwelling or more than one series of attached dwelling units are proposed to be constructed on one lot, such development shall be in conformance with the following residential group development standards:

1. Site Plan. No zoning permit or building permit shall be issued for construction in a group residential development except in accordance with a site plan approved by the Planning Board, in accordance with the standards herein. In any case where land is to be dedicated in a group residential development, a Subdivision Plan may be required by the Subdivision Ordinance. Developments that are proposed to be developed under the North Carolina Unit Ownership Act shall meet the requirements of that Act by recording the declaration and plan with the Register of Deeds. Where land is to be conveyed in accordance with such declaration and plan, the developer shall first comply with the Subdivision Ordinance.

2. Density. The number of dwelling units per unit of land area shall not exceed the number of dwelling units per unit of land area permitted in the district in which the development is located. Fractional units above one- half (1/2) may be rounded to the next highest number once the basic number of units exceeds twenty (20).

3. Yard Requirements. The following yard requirements are hereby established:

(A) Exterior. Along each exterior property line or public street, the minimum front, rear and side yard setback of the Zoning District shall be maintained.

(B) Interior. For each building erected along a private street or accessway, a minimum setback of twenty (20) feet shall be maintained from the nearest edge of street or accessway pavement.

(C) Distance Between Buildings. A distance of at least twenty (20) feet shall be maintained between all buildings within the development.

4. Street or Accessways. All private streets or accessways providing ingress and egress from the development to an existing public street system shall comply with the current standards being required by the subdivision regulations then in effect, including street drainage, except that no curb and gutter is required and a pavement width of only 20 feet shall be required.

5. Sidewalks. Sidewalks shall be installed in the same manner and under the same criteria as that established in the Subdivision Regulations.

6. Storm Drainage Improvements. Storm drainage improvements shall be made in the same manner and under the same criteria as that established in the Subdivision Regulations.

d. Sanitary Containers. Stationary sanitary containers shall be located so as not to interfere with sight distance or the free movement of vehicles on streets or service drives and so as to allow collector trucks adequate maneuvering space to empty the containers and to leave the property without excessive backing. Concrete pads in conformance with the public works department's stationary container location standards shall be located beneath of and in the approach to each stationary sanitary container. Stationary sanitary containers are required for all Multi-Family Dwellings and Single-Family Attached units of more than two attached units. *(26-O-061, adopted 10/12/2026)*

SR 3. Class A Mobile Home on Individual Lot

a. The mobile home shall have a length not exceeding four times its width.

b. The mobile home shall be at least 20 feet side.

c. The pitch of the mobile home's roof shall have a minimum vertical rise of two and two tenths feet for each twelve feet of horizontal run (2.2' in 12') and the roof shall be finished with a type of shingle that is commonly used in standard residential construction.

d. The exterior siding shall consist predominantly of vinyl or aluminum horizontal lap siding (that does not exceed the reflectivity of gloss white paint), wood, or hardboard, comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction.

e. A continuous, permanent masonry foundation, unpierced except for required ventilation and access, shall be installed under the mobile home.

f. The tongue, axles, transporting lights, and removable towing apparatus are removed subsequent to final placement.

g. The mobile home shall be placed on land owned by the owner of the mobile home. The mobile home shall be listed and taxed as real property.

h. The mobile home shall be oriented so that the longest measurement shall be no more than twenty (20) degrees from parallel to the front property line, except on corner lots. The front of the mobile home shall face the front property line. The front of the mobile home is that side which has an entrance door leading to a living room, foyer, or hall and is the longer dimension of the mobile home's sides.

SR 4. Class B Mobile Home on Individual Lot

a. The mobile home shall have the towing apparatus, wheels, axles, and transporting lights removed. If the apparatus cannot be removed, it shall be screened from public view.

b. The mobile home shall be set up in accordance with the standards established by the North Carolina Department of Insurance. In addition, a continuous underpinning of a material generally accepted in the mobile home industry shall be installed under the perimeter, unpierced except for required ventilation and access.

c. The mobile home shall be oriented so that the longest measurement shall be no more than twenty (20) degrees from parallel to the front property line, except on corner lots. The front of the mobile home shall face the front property line. The front of the mobile home is that side which has an entrance door leading to a living room, foyer, or hall and is the longer dimension of the mobile home's sides. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

SR 5. Family Care Home and Family Day Care Home

A family care home with six (6) or fewer persons or a family day care home with five (5) or fewer person may be operated as an accessory use to a principal dwelling. Provided, however, no family care home may be located within one-half mile radius of any other family care home as defined by NCGS 168-21. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

SR 6. Home Occupation, Customary

a. Customary home occupations such as dressmaking, cooking and baking, hairdressing, music instruction, the practice of such professions as insurance and accounting may be permitted as a conditional use within the dwelling unit in the Zoning District indicated. The Board of Adjustment shall decide whether other occupations not listed are within the spirit of this category of uses.

b. Only one person other than those residing in the home shall be engaged in the occupation.

c. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants and not more than 25 percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation.

d. There shall be no changes in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation except one non-illuminated sign not exceeding four (4) square feet.

e. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be meet off the street and other than in a required front yard.

f. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or which causes fluctuations in line voltage off the premises.

SR. 7 Mobile Home Parks

Mobile Home Parks shall be constructed in conformance with the following design standards:

1.	Minimum site area in acres	5
2.	Minimum number of Mobile Home Spaces	5

3.	Maximum number of Mobile Home Spaces per acre	8
4.	Minimum Lot and/or parcel width for site at front Building line in linear feet	100
5.	Minimum area per Mobile Home Space	
	Class B Mobile Home (sq. ft.)	400
	Class A Mobile Home (sq. ft.)	6000
6.	Minimum area per Mobile Home Space width	
	Class B Mobile Home (linear ft.)	45
	Class A Mobile Home (linear ft.)	60
7.	Maximum number of Mobile Homes per Mobile Home Space	1
8.	Minimum number of Parking Spaces per Mobile Home Space (located on each space)	2
9.	Minimum area of landing/patio per Mobile Home Space (located on each space) (sq. ft.)	1
10.	Minimum area of landing/patio per Mobile Home Space (sq. ft.)	32
11.	Hard surface walk required to connect each patio to Parking Space (minimum three (3) ft. width)	Yes
12.	Street paving required in conformance with DOT Standards for Minor Streets	Yes
13.	Maximum slope permitted on site	3:1
14.	Maximum number of driveways connecting to Streets (other than private)	0
15.	Maximum number of Private Street connections to Street per Mobile Home Park	2
16.	Minimum distance between Private Street connections to street (linear ft.)	150
17.	Maximum length of dead end and/or cul-de-sac private Street (linear ft.)	800
18.	Minimum turning circle (paved) diameter at end of each dead end and/or cul-de-sac private street (linear ft.)	70

19.	Mobile Home Park identification Sign conforming to Article IX required.	Yes
20.	Minimum separation between entrance/exit point of private street to street and nearest street intersection (linear ft.)	150
21.	Street light required at all Private Street intersections	Yes
22.	Water supply and sewage disposal facilities required	Yes
23.	Minimum Open Space required per Mobile Home Space (in acres)	0.04
24.	Private Street names required (subject to approval)	Yes
25.	Maximum number of Mobile Home Spaces with vehicular access from one-way private street	20
26.	Garbage collection and disposal by owner/operator in accordance with applicable codes required	Yes
27.	Heating oil and/or LP gas tanks with foundation permitted	Yes
28.	Minimum capacity of hearting fuel tanks (gallons)	150
29.	Wood burning head sources permitted	Yes
30.	Screening of fire wood required (no minimum height)	Yes
31.	Minimum separation between each unit (linear ft.)	24
32.	Vehicle Speed Control devices required	Yes
33.	Number of accessory buildings per mobile home space	1
34.	Minimum separation of accessory building from other mobile home on same space and other accessory buildings (linear ft.)	10
35.	Minimum separation of accessory building from other mobile homes (linear ft.)	20
36.	All mobile homes meet HUD construction standards and bear HUD tag and/or data plate	Yes

37.	Towing apparatus removed from all mobile homes	Yes
38.	All mobile homes set up in accordance with the standards established by the North Carolina Department of Insurance. In addition, a continuous underpinning of a material generally accepted in the mobile home industry installed under the perimeter of each home, unpierced except for required ventilation and access.	Yes

SR 8. Planned Unit Development

1) PUD's shall be permitted only when requested as a Conditional District and accompanied by a rezoning request to one of the following Zoning Districts: CD-AR; CD -R-20; CD -R-15; CD -R-12.5; CD -R-10; CD -R-8; and CD -R-6.

2) Application for PUD shall be approved only if the following findings area made:

   a. That application of planned unit development requirements to the property will produce a development of equal or higher quality than otherwise required by the strict application of district regulations that would otherwise govern;

   b. That application of planned unit development requirements to the property will encourage innovative arrangement of buildings and open spaces to provide efficient, attractive, flexible, and environmentally sensitive design;

   c. The application of planned unit development requirements to the property will produce a development functioning as a cohesive, unified project; and

   d. That application of planned unit development requirements to the property will not substantially injure or damage the use, value, and enjoyment of surrounding property nor hinder or prevent the development of surrounding property in accordance with the adopted plans and policies of the Town.

3) An approved PUD Conditional District and the approved verified development plan shall govern all uses and development activities in a PUD.

4) Except as otherwise provided by this SR, a PUD shall be subject to all the applicable standards, procedures and regulations of the other parts of this ordinance.

5) Minimum Size: No PUD shall be approved for a site of less than that shown in the following table. The site must be contiguous property under unified ownership or control.

Districts	Minimum
CD-AR; CD-R-20; CD-R-15; CD-R-12.5 CD-R-10	12 acres
CD-R-8; CD-R-6	6 acres

6) USES: Uses permitted in a PUD shall be in accordance with the following schedule, provided, that uses to be in a PUD shall be stated in the Conditional District.

Districts	Uses
All	1) All uses permitted in the corresponding Principal District. 2) In PUDs of 25 acres or more, all uses permitted in the CN and OI District except that the residential component shall be in accordance with the uses of the corresponding Principal District.

7) Limitations on Uses: In a PUD that qualifies for such uses by size, OI and CN uses shall not exceed ten percent (10%) of the total land area and at no time shall the cumulative amount of land development for OI and/or CN purposes exceed the cumulative amount of land development for residential purposes.

8) Development Standards: Development in a PUD shall be exempt from the minimum required lot width, front yard, side yard and rear yard requirements of the Schedule of District Regulations and from Section 3.2 and 3.3 relating to relationship of buildings to lots and access to streets provided that the following development standards are followed. The overall residential density limitation and residential building types of the corresponding principal district shall apply in a PUD provided that a density bonus which may involve a different residential development type may be permitted during the PUD approval process as provided for herein.

a. Lot size: The exemption from the Schedule of District Regulation provisions shall not apply in the following situations:

- No lot for a single-family detached dwelling shall be less than the minimum lot size for a single-family dwelling in the zoning district in which the PUD is located. Zero lot line developments are permitted subject to the Special Requirements for such developments. Where the zoning district permits two-family and multi-family developments such uses are permitted subject to the Special Requirements for such developments.

b. Vehicle Access:

- Area between structures shall be covered by easements where necessary for access and to provide for maintenance and utility service.

- Primary vehicular access to office or commercial development shall not be through intervening residential development.

- Local streets shall be located and designed so that they do not encourage through access by traffic with origins and destinations outside of the development.

c. Pedestrian Access: PUD's shall be designed and developed and uses so arranged to promote pedestrian access within the development.

d. Non-Residential Areas: Non-Residential areas in PUD's shall be designed and located to principally serve the residents of the PUD and immediate surrounding area.

e. Boundary Treatment: The scale and setbacks of development in a PUD within one-hundred and fifty (150) feet of the perimeter of the PUD shall be in harmony with development on adjacent lands.

f. Environmentally Sensitive Areas: One of the principal purposes of the PUD procedure is to protect environmentally sensitive areas through the use of innovative arrangement of buildings and spaces. It is the intent of the PUD process that significant consideration in planning and design of PUD's shall be given to the following elements such as but not limited to:

- Floodway and floodway fringe areas
- Steep slopes and knolls
- Wetlands
- Water supply watersheds and recharge areas
- Rock outcrops
- Soil erosion and storm water management
- Tree and foliage preservation
- Habitat for threatened or endangered species
- Areas of historical, archaeological or architectural significance
- Useable open space; recreation area

In any case where the Town Council finds in its opinion that the PUD provides for significant protection or enhancement of any one or more of the above elements, or similar element as determined by the Town Council, the Council may award a bonus of up to ten (10) percent increase in residential dwelling units for a PUD and may permit such additional dwelling units to be of a development type not otherwise permitted in the PUD. The determination by the Council of the significant protection or enhancement of a particular element shall be based upon a comparison between the type of development that could be placed on the property under the current zoning and other regulations and the proposed development scheme for the PUD.

g. Unified Development Plan: The application for a PUD Conditional District rezoning shall be accompanied by a unified development plan in the form of a site specific development plan.

h. Phased Development: A PUD may be developed in phases in the same manner as a subdivision subject to the phasing requirement for subdivisions.

SR 9. (Reserved)

SR 10. Amusement or Water Parks; Batting Cages; Go-Cart Tracks; Golf Driving Ranges; Miniature Golf Facilities

a. Minimum lot size for all development except miniature golf facilities shall be two (2) acres.

b. No principal use buildings or structures shall be located within fifty (50) feet of any property line.

c. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of park activities.

d. No amusement equipment, machinery, or mechanical device of any kind may be operated within two hundred (200) feet of any residentially zoned property.

SR. 11 Associations and Organizations; Social and Fraternal

a. In the AR Residential District:

1. A minimum of one (1) acre shall be required to establish any one of the above uses.

2. All structures including secondary and accessory structures shall be located a minimum of fifty (50) feet from any street line and property lines.

3. Any use listed above located in a residential district on a site greater than three (3) acres shall have frontage on a collector or thoroughfare street.

4. Existing uses as described above which do not meet the one (1) acre minimum requirement of a.1. above at the time of adoption of that provision may expand or be reconstructed provided such expansion or reconstruction meets the minimum dimensional requirements of the district in which located.

SR 12. Golf Course; Including Pro Shop; Recreation Facilities, Private; Saddle Clubs, etc.

There shall be a fifty (50) foot minimum setback between clubhouses, swimming pools, lighted tennis courts, athletic fields, and other activity areas and adjacent residentially zoned property.

SR 13. Swim and Tennis Clubs; Swimming Pools, Private

a. In any residential district the minimum area shall be one (1) acre.

b. There shall be a fifty (50) foot minimum setback between clubhouses, swimming pools, lighted tennis courts, or athletic fields and adjacent residentially zoned property.

c. Outdoor swimming pools shall be protected by a fence, or equal enclosure, a minimum of four (4) feet in height, and equipped with a self-closing and positive self-latching gate provided with hardware for permanent locking.

SR 14. Cemeteries

a. All buildings and burial sites shall be set back a minimum of twenty (20) feet from all property and public street lines.

SR 15. Day Care Center (6 or more)

An adult or child care center with six (6) or more attendees shall be operated as a principal use and subject to the following development standards:

a. Centers in a residential district on a site greater than three (3) acres shall have frontage on a collector or thoroughfare street. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

SR. 16. Nursing Homes, Convalescent Care Facilities, Congregate Care Facilities and Group Care Facilities

a. A minimum of two (2) acres shall be required to establish any one of the above uses.

b. All structures, including secondary and accessory structures, shall be located a minimum of fifty (50) feet from any street line and a minimum of twenty (20) feet from any other property line.

c. Buffering, landscaping, and security requirements may be imposed as deemed appropriate by the Board of Adjustment in accordance with Section 12.5.4 of this Ordinance.

d. Existing uses as described above which do not meet the two (2) acre minimum requirement of item 1 above at the time of adoption of that provision may expand or be reconstructed provided that such expansion or reconstruction meets the minimum dimensional requirements of the district in which located. *(06-0-250, adopted 12/11/2006)*

SR 17. Animal Clinics and Hospitals

a. No animals shall be stored outside totally enclosed kennels.

SR 18. Animal Kennels

In the AR District:

a. Minimum lot size shall be as follows:

1 to 10 animals	2 acres
11 to 20 animals	3 acres
21 to 30 animals	4 acres

For each additional acre beyond four (4) acres, an additional ten (10) animals may be permitted. The minimum lot size requirements may be waived if a kennel is constructed to entirely enclose all kennel facilities so as to adequately protect all animals from weather extremes and to protect adjacent residences from noise, odors, and other objectionable characteristics, provided all building setback requirements are in accordance with subsection (b) below.

b. All structures shall have minimum front, side, and rear yards of one hundred-fifty (150) feet. There shall be a separation of at least five hundred (500) feet between residences on adjoining tracts and any building used for kennel operation.

c. Sewage disposal system and sanitation control methods as approved by the Pitt County Board of Health shall be required for all kennels. (This provision shall include, but shall not be limited to, the sanitary removal or disposal of solid waste, carcasses, or other items deemed necessary for removal or disposal because of unsafe or unsanitary conditions by the Health Department.)

SR 19. Automobile Storage; Automobile Towing & Storage; Automobile Wrecking or Junk Yards; Salvage Yards; Scrap Processing

a. Outdoor storage associated with the above uses shall be completely screened by a screening device at least eight (8) feet in height and ninety percent (90%) opaque.

b. Automobile wrecking or junk yards; salvage and scrap processing uses shall require a minimum area of three (3) acres. Any area covered by six hundred (600) square feet or more of scrap material or seven (7) or more junk vehicles shall qualify as a use of this category.

c. Uses subject to this note shall be separated in such a manner as to prevent dust and tracking of mud and debris onto adjoining parcels.

SR 20. Funeral Homes

In the R-8 and R-6 Districts:

a. The buffer yard and buffer screen required by Article XA may be increased as a condition of approval.

SR 21. Mini-Warehouse/ Self-Storage Units

a. All of the property for this activity shall be surrounded by a chain link fence not less than eight (8) feet in height, and shall have a planting strip of evergreen shrubs along the perimeter of the fence except the side adjacent to the access street. Said shrubs shall be at least four (4) feet in height after two (2) years growing seasons.

b. There shall be only one (1) means of ingress and egress, with a direct connection to a public street. The buildings shall be arranged as to allow internal circulation around all buildings.

c. All buildings shall have a minimum front setback of forty (40) feet and side and rear setbacks of twenty (20) feet.

d. Spaces are to be used only for storage. In no case shall a rental space be used for offices, garages, music rehearsal halls or any use other than storage. Space shall be available for a mangers or security patrol officer.

e. Lighting shall be required to ensure the safety of the contents and patrons of the establishment.

f. The driveway shall be at least fifteen (15) feet wide and shall have either a four (4) inch crushed stone surface or an adequate surface of either concrete or asphalt.

g. The outside storage of boats, campers or other large scale items shall be allowed within a designated area enclosed with a chain link fence at least eight (8) feet high. This designated area shall be paved or shall have a crushed stone surface at least four (4) inches deep. No junked items may be stored outside.

SR 22. Recreational Vehicle Parks or Campsites

a. Such uses shall comply with the following standards:

1. Yard Requirements. The following yard requirements are hereby established:

(a) Exterior. Along any public street or public right-of-way, a setback of at least forty (40) feet from the edge of the public right-of-way shall be maintained.

(b) Distance between trailers. A distance of at least ten (10) feet shall be maintained between trailers and/or structures. Any accessory structures such as attached awnings, carports or individual storage facilities, shall, for the purpose of this requirement, be considered as part of the trailer.

2. Open Space. A recreational area of not less than ten percent (10%) of the gross site area or two thousand five hundred (2,500) square feet, whichever is greater, shall be maintained in a central and convenient location to all trailer spaces.

3. Lot Area. The lot for the park shall be a minimum of two (2) acres.

4. Density. The density shall not exceed twenty-five (25) trailer spaces per acre of gross area.

5. Parking. Adequate off-street parking and maneuvering space shall be provided on site. The use of any pubic street, sidewalk or right-of-way or

any other private grounds not a part of the travel trailer parking area for the maneuvering of vehicles is prohibited.

6. Streets. All internal roadways shall be stabilized and of adequate width to accommodate the volume and type of anticipated traffic, and in any event , shall comply with the following minimum requirements:

   (a) Internal one-way roadway and roadways on which parking is prohibited shall not extend for more than five hundred (500) feet in total length; serve less than twenty-five (25) trailer spaces; and be at least eleven (11) feet in width.

   (b) Internal one-way roadway and roadways on which parking is permitted on one side and two-way roadways which do not allow parking shall be at least twenty-four (24) feet in width.

   (c) Internal two-way roadways which permit parking on one side only shall be at least twenty-seven (27) feet in width.

   (d) Internal two-way roadways which permit parking on both sides shall be at least thirty-four (34) feet in width.

7. Water. Each travel trailer parking area shall be connected to an approved water supply system which provides an accessible, adequate, safe and potable supply of water.

8. Sewer. An adequate and safe sewer system shall be provided in all travel trailer parking areas. Such system shall either be a municipal system or a system approved by the appropriate County or State agency vested with the authority to approve sewage disposal systems.

9. Screening. A screening device at least six (6) feet high and ninety percent (90%) opaque shall be provided where the use adjoins residentially zoned property.

10. Service Building. A central service building containing all necessary toilets, bathhouses and other plumbing fixtures specified in the most current edition of the North Carolina State Plumbing Code, as amended, shall be provided in all travel trailer parking areas. Service building shall be conveniently located within a radius of three hundred (300) feet to spaces which it serves.

11. Trash. The storage, collection and disposal of trash and refuse in the travel trailer parking area shall comply with all applicable regulations.

12. Time of Stay. Neither any person nor any mobile unit shall occupy a trailer space or the travel trailer parking area for a period in excess of thirty (30) days. A register of all occupants, the space occupied, and the time of arrival and departure shall be maintained.

SR 23. ABC Sales for On Premises Consumption; Bars

a. Property Separation. No such establishment shall be located within two hundred (200) feet of a church, elementary or secondary school, public park, or residentially zoned property. Property separation shall not be required in the Central Business Districts.

b. Frontage. The main entrance of the building shall be toward property zoned for nonresidential uses.

c. Parking. Parking areas related to the establishment shall be located no closer than thirty (30) feet to the property line of abutting residentially zoned property.

SR 24. Antique Shop, Arts and Craft Sales, Etc.

In the AR Residential District:

a. Only one (1) principal structure per lot shall be allowed.

b. No more than one (1) permitted use per principal structure shall be allowed.

c. No such use shall have greater than a maximum gross floor area of five thousand (5000) square feet. This measurement shall include all principal and accessory structures.

d. All permitted nonresidential uses shall be located at least four hundred (400) feet from any portion of any existing principal use structures on adjacent lots in different ownership.

SR 25. Shopping Centers and Malls

a. Minimum site size – 1 acre.

b. The site shall have legal and actual direct access to a major or minor thoroughfare.

c. The rear and side yard required adjoining residentially zoned property shall be increased by fifteen (15) feet.

d. The bufferyard and buffer screen required by Article XA may be increased as a condition of approval.

SR 26. Agricultural Chemical; Agricultural Products Wholesale

In the AR Residential District:

a. Minimum site size – five (5) acres.

b. No building or outside storage shall be closer than fifty (50) feet to a residentially zoned tract not in the same ownership.

SR 27. Livestock Sales, Wholesale

In the AR District:

a. Minimum lot size – two (2) acres.

b. All buildings and storage areas, pens, etc. shall be setback a minimum of fifty (50) feet from adjoining lot lines.

SR 28. Airports or Air Transportation Facilities

a. The minimum area shall be fifty (50) acres for Basic Utility Stage 1 airport with two thousand (2000) foot runway.

b. Security fencing shall be provided sufficient to control access to runways and taxiways. The fencing shall be a minimum of six (6) feet in height.

SR 29. Ammunition, Small Arms

a. No such facility shall locate within a five hundred (500) foot radius of any residentially property.

b. Security fencing shall be provided along the entire boundary of such a facility.

c. The facility and its operation shall observe all Fire Prevention and Protection requirements.

SR 30. Asphalt Plants

a. Any asphalt plant operations shall be located at least fifty (50) feet from any property line.

b. Security fencing, a minimum of six (6) feet in height, shall be provided around the perimeter of the operation.

c. Rehabilitation:

1. Within one (1) year after the cessation of production, all equipment and stockpiles incidental to such operation shall be dismantled and removed by and at the expense of the owner.

2. The site shall be drained to prevent the accumulation of standing water, and channelization of the drainage shall be designed and controlled so as not to cause erosion or silting of neighboring properties or public drainageways, nor to appreciably increase the turbidity of any natural water course, or to occlude any existing drainage course.

d. All unpaved storage areas shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.

e. Access:

1. Access roads leading to any part of the operation shall be constructed with a gravel or asphalt stone surface and maintained in a dust-free manner.

2. Access roads shall be located no closer than fifteen (15) feet to any property line other than a railroad right-of-way line.

3. A plan shall be submitted showing truck routes to and from the site. Such routes shall be designed to minimize impacts on residential areas, schools, or other uses negatively affected by truck traffic. Such routes shall be adhered to.

SR 31. Landfill, Building Debris, Private

a. Setback: There shall be fifty (50) foot minimum distance from any property line.

b. Use Separation: There shall be a three hundred (300) foot minimum separation from any residence.

c. Access: Access to the landfill shall be controlled with gates, chains, fences, ditches and/or trees to prevent unregulated dumping.

d. Dust: All unpaved areas shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.

e. Operation: No filing is permitted in any flood hazard area. No filling is permitted in minor drainageways unless the drainage has been piped in accordance with approved plans. No filling is permitted in utility easements.

f. Signs: An informational board sign shall be posted and maintained at the entrance, listing the name and phone number of the current operator, the types of material accepted, and the hours of operation.

SR 32. Landfill, Sanitary, Private

a. An operations and rehabilitation plan shall be submitted or approval prior to permitting.

b. Direct illumination resulting from the operation shall not fall upon any land not covered by the application.

c. Equivalent sound levels at the boundaries of the fill site shall not exceed the following standards:

between 7:00 a.m. and 7:00 p.m. - 60 DBA
between 7:00 p.m. and 7:00 a.m. - 55 DBA

d. The Rehabilitation Plan shall be referred to the Soil and Water Conservation District for review and recommendation, in particular regarding the landscape material specified, the planting and maintenance proposed to insure continuous growth and development, and the acceptability of the proposals for handling of lakes, ponds, etc.

e. The permanent roads, defined as those to be used in excess of one (1) year, within the fill site shall be surfaced with a dust free material, such as soil cement, bituminous concrete or Portland Cement concrete.

f. Roads other than permanent roads shall be treated with dust inhibitors, to be specified in the Operations Plan, which will reduce to a minimum the generation of dust from the road surfaces as a result of wind or vehicular action. Properly operated water wagons are an acceptable means of dust inhibition.

g. Where the proposed fill shall take place within three hundred (300) feet of a dwelling, school, church, hospital, commercial or industrial building, public building, or public land, a security fence at least six (6) feet high shall be installed.

h. The operations plan and the rehabilitation plan shall be coordinated so that the amount of disturbed land is kept to the absolute minimum consistent with good practices and so that rehabilitation proceeds in concert with filling.

SR 33. Mining and Quarrying

a. Setback:

1. The edges of any pit where a mining operation is taking place, any equipment used in the processing of rock and gravel, any asphalt plant, or other industrial use operated in conjunction with the mine or quarry shall be located at least fifty (50) feet from any property line.

2. Where the mining operation site is bounded by a railroad right-of-way currently being used for rail service to the mining operation, no setback shall be required between the railroad right-of-way and such operation.

b. Security fencing, a minimum of six (6) feet in height, shall be provided around the perimeter of both existing and abandoned operations.

c. Rehabilitation:

1. Within one (1) year after the cessation of production at all mining operations, all equipment and stockpiles incidental to such operation shall be dismantled and removed by and at the expense of the owner.

2. Except in a case where redevelopment for another permitted use is in progress on the site of an abandoned extraction operation, all excavations shall be graded to reduce the surface to gently rolling topography in substantial conformity to the land area immediately surrounding, and shall be planted with a cover of sod, trees, shrubs, legumes, or grasses which will minimize erosion due to wind or rainfall.

3. The site shall be drained to prevent the accumulation of standing water, and channelization of the drainage shall be designed and controlled so as not to cause erosion or silting of neighboring properties or public drainageways, nor to occlude any existing drainage course.

d. All operations involving blasting discernable beyond the external property line of a quarry shall only be conducted between the hours of 7:00 am and 6:00 pm.

e. All unpaved storage areas shall be maintained in a manner which prevents dust from adversely impacting adjacent properties.

f. Access:

1. Access roads leading to any part of the operation shall be constructed with a gravel or asphalt stone surface and maintained in a dust-free manner.

2. Access roads shall be located no closer than fifteen (15) feet to any property line other than a railroad right-of-way line.

3. A plan shall be submitted showing truck routes to and from the site. Such routes shall be designed to minimize impacts on residential areas, schools, or other uses negatively affected by truck traffic. Such routes shall be adhered to.

SR 34. Petroleum and Related Products (Wholesale or Manufacturing)

a. Setback:

1. Storage tanks protected by either an attached extinguishing system approved by the Fire Marshal, or an approved floating roof, shall not be located closer to an exterior property line than a distance of either the diameter or height of the tank, except that such distance shall not exceed one hundred and twenty (120) feet.

2. Storage tanks not equipped as indicated in (1) above shall not be located closer to an exterior property line than a distance equal to one and one-half (1 1/2) times the greater dimension of either the diameter or height of the tank, except that such distance need not exceed one hundred and seventy-five (175) feet.

b. Above ground storage tanks and loading facilities shall be located a minimum of five hundred (500) feet from any existing residence or residentially zoned property.

c. Gravel or paved roadways shall be provided to all storage tanks.

d. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of such facilities.

e. Dikes:

1. Tanks or groups of tanks shall be diked to prevent the spread of liquid onto other property, waterways, or drainageways. The volumetric capacity of the diked area shall not be less than the capacity of the largest tank within the diked area.

   Dikes or retaining wall shall be of earth, steel, concrete, or solid masonry designed and constructed to be liquid-tight and to withstand a full hydraulic head. Earthen dikes three (3) feet or more in height shall have a flat section at the top not less than two (2) feet in width. The slope shall be consistent with the angle or repose of the material of which the dikes are constructed. Dikes shall be restricted to an average height of not more than six (6) feet above the exterior grade unless means are available for extinguishing a fire in any tank. Dikes enclosing such tanks shall be provided at the top with a flareback section designed to turn back a boil-over wave. A flareback section shall not be required for dikes and walls enclosing approved floating roof tanks. No loose combustible material, drums, or barrels shall be permitted within the diked area.

2. Where provision is made for draining rainwater from diked areas, such drains shall normally be kept closed and shall be designed so that when in use they will not permit flammable liquids to enter natural watercourses, public sewers, or public drains. Where pumps control drainage from the diked area, they shall not be self-starting.

f. Tank Maintenance:

1. All storage tanks shall be maintained in a leak-proof condition with an adequately painted rust-free exterior surface.

2. A firm substratum shall be constructed under each storage area to eliminate differential subsidence and to prevent the product from seeping.

g. All storage facilities shall comply with the latest edition of the "Flammable and Combustible Liquids Code, NEPA 30" of the Nation Fire Protection Association.

SR 35. Radio, Television or Communication Transmission Towers

In the AR Residential District:

a. Transmission Towers shall have a setback of one (1) foot for each one (1) foot in height of tower from all property lines and rights-of-way.

b. No vehicles or materials shall be stored on the premises; and no offices shall be permitted.

c. All buildings shall be setback at least twenty (20) feet from all property lines and shall be designed and landscaped with a buffer strip in such a way as to blend in with the surrounding area.

d. All structures shall be enclosed by a chain link fence at least eight (8) feet in height.

e. Transmission Towers with a height of one hundred (100) feet or greater shall be designed and constructed to permit the capability for co-location of at least one additional wireless telecommunication use.

f. Transmission Towers shall not be located within two thousand (2,000) feet of any other existing transmissions tower, unless concealed within a church steeple, farm silo, or other architecturally designed encasement.

g. Transmission Towers shall meet all applicable Federal Aviation Administration (FAA) standards and shall not restrict or interfere with air traffic or air travel from or to any existing or proposed airport.

SR 36. Water Treatment Plants, Non-Governmental Public, Sewage Treatment Plants, Non-Governmental Public

In all residential districts such plants shall meet the following standards:

a. No use shall be made of the site that is not directly related to the operation of the plant.

b. All buildings shall meet the minimum yard setbacks for the district in which located or twenty (20) feet whichever is the greater.

c. Screening shall be provided adjoining residential property lines with a six (6) feet high, ninety percent (90%) opaque screen.

d. All structures shall be enclosed by a chain link fence at least eight (8) feet in height.

SR 37. Wireless Telecommunication Towers and Facilities

a. A site plan shall be submitted containing the name of the tower owner, property owner, scale, north arrow, and latitude/longitude coordinates. Existing site conditions, including contours, and unique natural or man-made features such as vegetation and ground cover. Exact boundary lines of the property containing the proposed tower construction, fall radius and any associated guide wires. Description of adjacent land use and all property owner(s) and their addresses. A front and side elevation profile, drawn to scale, of all existing and proposed towers and their antennas to be located on the property.

b. Towers shall have a setback of one (1) foot for each one (1) foot in height of tower, plus twenty-five (25) feet from all property lines and rights-of-way, as measured from ground level.

c. Towers shall not be located within a one-half (1/2) mile radius of any other wireless telecommunication tower, unless concealed in a church steeple, farm silo, or other architecturally designed encasement. Furthermore, towers located beyond a one-half (1/2) mile radius and not exceeding three (3) mile radius from any other wireless telecommunication tower shall not be permitted, unless the applicant can prove that collocation is not a viable option and no stealth location is possible.

d. Towers shall be no closer than five (500) feet from any existing residential dwelling, excluding any dwellings located on the same parcel of land as the tower.

e. Towers with a height of two hundred and fifty (250) feet or greater in any district shall be subject to Board of Adjustment approval as a Special Use Permit.

f. Towers shall not exceed three hundred and fifty (350) feet in height as measured from ground level.

g. Towers with a height greater than one hundred and fifty (150) feet shall be constructed to permit the capability for the co-location of additional provider antennas as follows:

151 feet to 200 feet - two additional antennas
201 feet to 250 feet - three additional antennas
251 feet to 300 feet - four additional antennas
301 feet to 350 feet - five additional antennas

h. The applicant shall be required to provide written documentation showing that no proposed tower lies within a thirty (30) foot to one (1) foot run to rise ratio from the nearest point of the nearest runway of a private airstrip or airport registered with the Federal Aviation Administration (FAA).

i. No business signs, billboards, or other advertising shall be installed on a tower, nor shall any tower be painted a color considered obnoxious or offensive.

j. No offices or outdoor storage of equipment or materials are permitted on tower sites located in a residential district.

k. Accessory or component buildings shall be setback fifty (50) feet from all property lines and rights-of-ways.

l. All structures shall be enclosed by a chain link fence at least eight (8) feet in height and screened with a six (6) foot high, ninety percent (90%) opaque screening.

m. The applicant shall be required to provide written documentation stating that the tower is in compliance with all applicable Federal and State regulations.

n. Notice shall be provided to the Zoning Administrator when any telecommunication tower is placed out of service. Towers not used for a period of six (6) months or more shall be removed by the owner within one hundred and twenty (120) days of receipt of notification to that effect. The applicant shall also provide the Town with written documentation substantiating that the applicant has and will sustain the financial ability to disassemble and remove the tower, once no longer in operation.

o. Additional provider antennas and equipment shelters associated with an approved telecommunication tower site are permitted, provided said changes do not increase the setback requirement beyond the allowable limit according to the tower height.

p. Towner lighting shall not exceed the minimum for red obstruction lighting as administered by the Federal Aviation Administration (FAA).

q. All permits, for the construction of a wireless telecommunication tower are issued in reliance upon a presumption that the tower will in fact conform to the plans which are submitted as the basis for the permit. Once constructed, the tower must continue to be maintained in compliance with the provisions of this ordinance.

r. The applicant shall be required to notify all property owners within a one-half (1/2) mile radius of a proposed tower with a height greater that two hundred and fifty (250) feet. This notice shall be by certified mail and shall include tower height and design type and date, time and location of proposed meeting.

s. The applicant shall be required to provide written documentation stating that it is not viable to co-locate on existing facilities within the coverage area. Facilities includes other towers, elevated tanks, electrical transmission lines, or other structures.

t. The applicant shall provide the Town with proof of liability insurance which protects against losses due to personal injury or property damage resulting from the construction or collapse of the tower, antenna, or accessory equipment. Such proof shall be supplied to the Town by the applicant at the time of application.

u. The applicant shall provide to the Zoning Administrator an inventory of its existing antennas and towers that are either within the jurisdiction of the Town or within three (3) miles of the boarder thereof, including specific information about the location, height, and design type of each tower and antenna. The applicant shall also provide an inventory of potential future tower sites within the jurisdiction of the Town. The Zoning Administrator may share such information with other applicants; however, that by sharing this information, it is not in any way representing or warranting that such sites are available or suitable.

SR 38. Adult Oriented Business

a. No such business shall locate within one thousand (1,000) feet of any other Adult Oriented Business, as measured in a straight line from property line to property line.

b. No Adult Oriented Business shall be located within one thousand two hundred (1,200) feet of a church, public or private elementary or secondary school, child daycare center or nursery school, public park, residentially zoned or residentially used property, or any establishment with an on-premise ABC license, as measured in a straight line from property line to property line.

c. The gross floor area of any Adult Oriented Business shall not exceed three thousand (3,000) square feet and all business related activity shall be conducted in a building.

d. Except for an adult motel, no Adult Oriented Business may have sleeping quarters.

e. There shall not be more than one (1) Adult Oriented Business in the same building, structure, or portion thereof. No other principal or accessory use may occupy the same building, structure, property, or portion thereof with any Adult Oriented Business.

f. Except for signs as may be permitted by Article IX of this Ordinance, no printed material, slide, video, photograph, written text, live show, or other visual presentation format shall be visible from outside the walls of the establishment, nor shall any live or recorded voices, music, or sounds be heard from outside the walls of the establishment.

g. No enclosed or underground parking shall be permitted.

SR. 39 Temporary Events and Structures

The Zoning Administrator may issue a permit for temporary events and structures provided he makes the following affirmative determinations:

a. The duration of the event will be for fourteen (14) days or less.

b. The location of the event has not had more than two (2) temporary events in the past twelve (12) months and no events in the past thirty (30) days.

c The owner of the property, or his agent, has authorized in writing the event to be held on the property.

d. The application for the permit is made at least five (5) working days prior to the event.

e. That ample off-street parking is available.

f. That arrangements are made for suitable garbage disposal and site clean-up.

g. That activities within one thousand (1,000) feet of residences not on the site are to be conducted in such a manner as to not create noise that will disturb the occupants of residences. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

SR 40. Cluster Development; Non-Residential

Cluster projects consisting of two or more principal buildings to be constructed on one or more parcels of land shall be exempt from the dimensional requirements of the zoning district in which located provided the following requirements are met:

a. Permitted uses in a cluster development are restricted to those permitted in the zoning district in which the project is located.

b. Overall intensity or density of development of the land shall be no greater and the standard of open space shall be no less than that permitted in the zoning district in which the project is located.

c. Building heights in the project shall not exceed the height limits permitted in the zoning district in which the project is located.

d. The property included in the project shall, along its exterior boundary, meet the front, rear, and side yard requirements of the zoning district in which the project is located.

e. Cluster projects may consist of one or more parcels of land and may be subdivided for the purpose of the project. The following requirements shall be met concerning the interior arrangement of the cluster project:

1. Buildings are required to meet external property lines but are exempt from meeting the minimum yard requirements for internal property lines.

2. Buildings shall either adjoin each other or be separated by a minimum distance of twenty (20) feet.

3. Overall parking requirements for the project shall be met. However, all or part of the parking requirement for a use may be located in another parcel in the project.

4. Sign provisions shall not be exceeded but may be transferred provided that district requirements are not exceeded.

5. In any case where buildings are to be constructed closer to an internal property line that permitted by the zoning district, in any case where parking or signs may be transferred, or in any case of other shared facilities between separate parcels in a cluster project that area needed to support the project, such as common drives and entrances and exists, a recorded perpetually binding agreement between all property owners involved in the project shall acknowledge such common facilities. (*01-47, adopted 01/08/2001)*

SR 41. In the Agricultural-Residential District:

a. Where any use included in this special requirement is to be located on a parcel with a residential use, such use shall be conducted in a separate accessory building or shall comply with item b below.

b. Where any use included in this special requirement is to be operated within or attached to a residential structure, the Home Occupation requirements of Special Requirement 6 of this ordinance shall apply.

c. Where any use included in this special requirement is to be located on a parcel with a residential use, all activities associated with such nonresidential use shall be conducted within an enclosed building.

d. Where any use included in this special requirement is to be located on a parcel with a residential use, any need for parking generated by such nonresidential use shall be met off street and other than in a required front yard. (02-O-81, adopted 08/12/2002)

SR 41.1 In the Intermediate Commercial and Office & Institutional Districts:

a. All sales, service, display, and storage shall be within an enclosed building. *(08- O-98, adopted 09/08/2008)*

SR 42. In the Central Business District:

a. All residential usage shall be on second floor or higher levels of buildings;

b. All ground floor space shall be developed for commercial, non-residential uses, as permitted in the Central Business District;

c. Minimum habitable floor area per unit:

- four hundred (400) square feet per one (1) bedroom unit;
- five hundred (500) square feet per two (2) or more bedroom unit;

d. Minimum off-street parking requirement: one-half (1/2) space per bedroom (all fractional parking units shall be rounded to the next higher whole number);

e. Parking location requirements: each required parking space shall be located within eight hundred (800) feet of the use it is intended to serve;

f. Remote parking requirements: where the provision of off-street parking involves one or more parcels of land that are not a part of the plot on which the residential

units are located, the applicant for a permit for the residential uses shall submit with his application for a Zoning Compliance Certificate an instrument duly executed and acknowledged which subjects the parcels or tracts of land to parking uses in connection with the residential us for which it is made available. *(03-0-04, adopted 02/10/2003)*

SR 43. Daycare Center

In the R-6 and R-8 Residential Districts:

a. Daycare Centers shall not be allowed within any structure constructed for residential use. *(04-0-56, adopted 01/12/04)*

SR 44. Internet Sweepstakes

The following specific provisions shall be met as minimum standards prior to approval of any business engaging in internet sweepstakes:

a. No such establishment shall be permitted within a one-half mile radius (2,640 foot) of any existing "Internet Sweepstakes".

b. No establishment shall be permitted within one-thousand feet (1,000') from the property line of any existing or proposed public or private school, childcare or daycare center, public park, library, church, residential zoning district, or any existing multi-family dwelling, or single-family, attached or detached, dwelling.

c. Measure of distance separation shall be in a straight line from the closet point of the building at which the internet sweepstakes business is located.

d. The applicant for approval of an internet sweepstakes business shall provide a current certificate and straight-line drawing prepared by a registered land surveyor within thirty days prior to the application demonstrating compliance with separation requirements. For purposes of this section, a use shall be considered existing or established if it is in existence at the time an application is made for approval.

e. No establishment, store, or restaurant may have or install any Internet Sweepstake devices or machines, or allow such activity, without obtaining approval from the Board of Adjustment and obtaining a Zoning Compliance Certificate that clearly states the use. *(24-0-061, adopted 06/10/2024)*

SR 45. Tattooing

Establishments offering tattooing services must be located a minimum of one-half (1/2) mile from any other establishment offering tattooing services. *(10-0-230, adopted 06/14/2010)*

SR 46. Tobacco, Vape, Smoke Shop, or Other Chemically Enhanced Products

a. No such establishment shall be permitted within a one-half mile radius (2,640 foot) of any existing "Tobacco, Vape, Smoke Shop, or Other Chemically Enhanced Products".

b. No establishment shall be permitted within one-thousand feet (1,000') from the property line of any existing or proposed public or private school, childcare or daycare center, public park, library, church, residential zoning district, or any existing multi-family dwelling, or single-family, attached or detached, dwelling.

c. No establishment may sell any items described within the definition of "Tobacco, Vape, Smoke Shop, or Other Chemically Enhanced Products" without obtaining approval from the Board of Adjustment for each item and obtaining an approved Zoning Compliance Certificate that clearly states the sale of each item within the establishment.

d. Measure of distance separation shall be in a straight line from the closest point of the building or unit at which the "Tobacco, Vape, Smoke Shop, or Other Chemically Enhanced Products" use is located.

e. For approval, of a "Tobacco, Vape, Smoke Shop, or Other Chemically Enhanced Products" use, the applicant shall provide a straight-line drawing prepared by a registered land surveyor demonstrating compliance with separation requirements. For purposes of this section, a use shall be considered existing or established if it is in existence at the time an application is made for approval.
(24-O-061, adopted 06/10/2024)

ARTICLE VII. TABLE OF AREA, YARD AND HEIGHT REQUIREMENTS

Section 7.1 **Dimensional Requirements**

Each use shall as a minimum conform to the dimensional requirements of the district in which it is located. In some cases, a specific use may be required to meet the Special Requirements as set forth in Section 6.5.

		MINIMUM LOT SIZE (See Notes)		MINIMUM YARD REQUIREMENTS (See Notes)			
	Districts	**Lot Area Square Feet**	**Lot Width (in feet) (1)**	**Front yard setback (in feet)**	**Side yard (in feet)**	**Rear yard (in feet)**	**Maximum height (in feet)**
A-R	Single-family	20,000	90	25	15	20	35
	Two-family (4)	25,000	90	25	20	20	35
	Multi-family (2)	(3)	90	25	20	25	35
	Other Principal Structures	40,000	150	35	20	20	35
R-20	Single-family	20,000	90	25	15	20	35
	Other Principal Structures	25,000	90	25	20	20	35
R-15	Single-family	15,000	80	25	12.5	20	35
	Other Principal Structures	17,000	90	25	20	20	35
R-12.5	Single-family	12,500	80	25	12.5	20	35
	Other Principal Structures	14,500	80	25	17.5	20	35
R-10	Single-family	10,000	70	25	8	20	35
	Other Principal Structures	12,000	90	25	15	20	35
R-8	Single-family	8,000	70	25	8	20	35
	Two-family (4)	10,000	80	25	15	20	35
	Other Principal Structures	10,000	80	25	15	20	35
R-6	Single-family	6,000	50	20	8	20	35
	Two-family (4)	8,000	70	20	10	20	35
	Other Principal Structures	8,000	70	20	10	20	35

		MINIMUM LOT SIZE (See Notes)		MINIMUM YARD REQUIREMENTS (See Notes)			
	Districts	**Lot Area Square Feet**	**Lot Width (in feet) (1)**	**Front yard setback (in feet)**	**Side yard (in feet)**	**Rear yard (in feet)**	**Maximum height (in feet)**
M-R	Single-family	6,000	50	20	10	20	35
	Two-family (4)	8,000	70	20	10	20	35
	Multi-family (2)	(3)	70	20	10	20	35
	Other Principal Structures	8,000	70	20	10	20	35
O-I	Single-family	10,000	90	25	10	20	35
	Two-family (4)	12,000	90	25	15	20	35
	Multi-family (2)	(3)	90	25	20	25	35
	Other Principal Structures	15,000	90	25	15	20	35
C-B	Principal Structures	None	None	None	None	None	50
G-B	Principal Structures	20,000	90	35	20	20	35
I-C	Principal Structures	15,000	90	30	15	20	35
C-N	Principal Structures	15,000	90	25	15	20	35
I	Principal Structures	20,000	90	35	20	20	35

NOTES:

(1) Lot Width shall be measured at the minimum front yard setback line, provided that lot width for residential lots may be measured at the actual building setback which shall not be less than the minimum and shall not be more than two (2) times the minimum. In addition, frontage on the public street shall conform with Section 3.3 (See definition of lot width).

(2) Multi-family projects where there is more than one principal residential structure on a lot including attached single-family units, shall comply with the requirements of Special Requirement #2.

(3) Multi-family projects.

(a) Minimum lot area for new construction, 15,000 square Feet.

(b) Minimum square footage per dwelling unit,

4,000 square feet for the first unit,

2,000 square feet for each additional one bedroom unit

2,500 square feet for each additional two or more bedroom unit

(c) Minimum square footage for each conversion of an existing structure

2,000 square feet for each dwelling unit

(4) Where two family dwellings in the form of single family attached units are developed, each lot shall contain at least one-half of the minimum required lot area and meet the minimum yard requirements except where attached.

(5) In any Residential, O-I, or C-N district the side yard requirements for corner lots along the side street right-of-way shall have an extra width of ten (10) feet.

(6) Wherever drainage, utility, or other easement(s) extend further into a lot than minimum setback requirements, the boundary line of such easement(s) shall become the minimum setback requirement.

(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000; 03-O-09, adopted 04/14/2003; 04-O-73, adopted 05/10/2004; 05-O-188, adopted 10/05/2005; 05-O-198, adopted 12/11/05;)

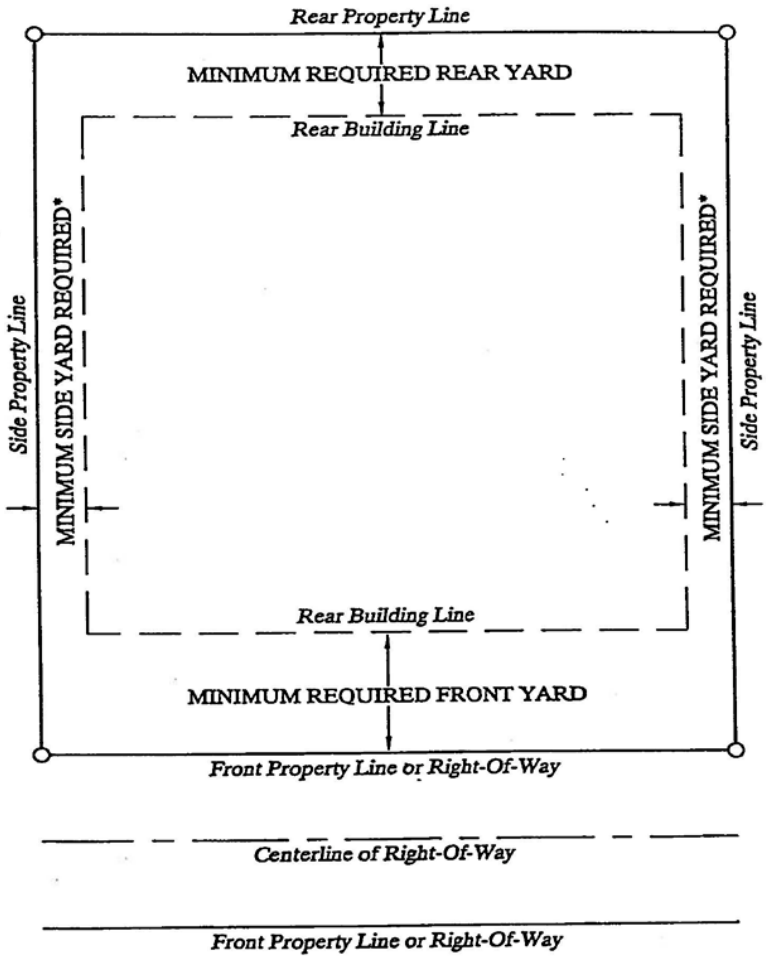
Section 7.2 Encroachment on Easements

Unless specifically authorized by an Encroachment Permit issued by the Town, no portion of any building, structure, fence, or other improvement shall be erected nor encroach upon any drainage, utility, or other easements of the Town. Nor shall any tree, bush, or other plantings beyond normal ground cover encroach upon any drainage, utility, or other easements of the Town

As a condition of any Encroachment Permit issued pursuant to this section, the permit holder shall, upon request by the Town of Winterville, remove the improvements authorized by the permit from the subject easement at their own expense. Upon completion of activities necessitating access to the subject easement, the Town of Winterville may authorize replacement of the improvements in accordance with the terms of the originally issued Encroachment Permit or an amended Encroachment Permit.

Any improvement subject to an Encroachment Permit issued pursuant to this section shall be constructed and/or erected in a non-permanent and movable manner designed and arranged such that it can be easily relocated by the owner to allow access to the easement by the Town of Winterville. *(05-O-198, adopted 12/12/2005)*

Determining Yards
Article VII, Table of Area, Yard and Height Requirements



*Add 10' to minimum required side yard for corner lots in all residential, O-I, and C-N districts.

Drawn by JMc December 8, 1999 S:\aaagis\Misc\Steve.DWG

ARTICLE VIII. OFF-STREET PARKING AND LOADING

Section 8.1 **Off-Street Parking Requirements**

There shall be provided at the time of the erection of any building, or at the time any principal building is enlarged or increased in capacity by adding Dwelling Units, guest rooms, seats, or floor area; or before conversion from one type of use or occupancy to another, permanent off-street parking space in the amount specified by this Section. Such parking space may be provided in a parking garage or properly graded all-weather surface open space. Off-street parking shall not be required in the Central Business District. See SR 38 for restrictions on parking facilities associated with Adult Oriented Business.

A. Certification of Minimum Parking Requirements

Each application for a Zoning Compliance Certificate submitted to the Zoning Administrator as provided for in this Ordinance shall include information as to the location and dimensions of off- street parking and the means of entrance and exit to such space. This information shall be in sufficient detail to enable the Zoning Administrator to determine whether or not the requirements of this Section are met.

B. Definition of a Parking Space

The storage space of one (1) automobile. The size of a parking space shall be in accordance with geometric design principles for the type space and lot. (in accordance with the Town of Winterville Design Manual).

C. Minimum Off-Street Parking Requirements

The following off-street Parking Space shall be required:

Classification	**Off-Street Parking Requirement** (Any fractional space e.g., 47.3 shall be considered the next whole number, e.g., 48)
Residential:	
Housing designed for and used by the elderly	1 space per 2 dwelling units
Incidental Home Occupations	1 space in addition to the residential requirement provided that physicians and dentists shall have 5 spaces additional and beauty shops shall have 3 spaces additional

Classification	**Off-Street Parking Requirement**
Multi-family residences	1 bedroom – 1 ½ spaces per unit 2 bedroom – 2 spaces per unit 3 bedroom – 2 ½ spaces per unit
Congregate Care	1 space per two beds 1 space per 2 Dwelling Units
Single-Family and Two-Family residences (may be in a single drive with one car behind the other)	2 spaces per Dwelling Unit
Commercial and Industrial:	
Auto service station and/or repair shops	4 spaces per service bay, plus 1 space per wrecker or service vehicle
Auto sales	3 spaces plus 1 space per 400 square feet of building area devoted to sales
Bank and consumer financial services	1 space per 200 square feet of gross floor area
Barber shop and other Personal services	2 spaces per operator
Beauty shops	3 spaces per operator
Car washes	1 space per 1 employee
Delivery, ambulance, and other similar services	1 space per vehicle, plus 1 space for each 2 employees
Drive-through service such as banks, drive- through restaurants, automobile service stations, dry cleaners, car washes and similar uses (in addition to Use Requirements)	Stacking for 4 vehicles at each bay window or lane
Dry cleaners or laundries (self-service)	1 space per 4 rental pieces of equipment

Classification	Off-Street Parking Requirement
Eating establishments and nightclubs serving meals	5 spaces, plus 1 for every 3 seats
Fire Stations	1 space per person on duty on an an average shift
Hotel, motel, motor court and similar uses	1 space per unit, plus 2 spaces per 3 employees on a normal shift
Mobile home sales	5 spaces, plus 1 space per 10,000 square feet of gross land area
Manufacturing, industrial warehousing and wholesaling	1 space per 3 employees on the largest shift
Post Offices	1 space per 200 square feet of public service area, plus 2 spaces per 3 employees on the largest shift
Retail sales except those listed below	1 space per 200 square feet of gross floor area
Retail sales of bulky items which require large amounts of floor space to the number of items offered for sale such as antiques, appliances, art, bicycles, carpet, floor covering furniture, motorcycles, paint upholstery and similar uses	1 space per 300 square feet of gross floor area
Retail uses dealing primary in service and/or repair	1 space per 200 square feet of gross floor area
Designed shopping centers	5 spaces per 1,000 square feet of gross floor area (optional to computing parking on a store by store basis)
Radio, TV Stations	2 spaces per 3 employees on the largest shift

Classification	Off-Street Parking Requirement
Transportation terminals such as airports, bus terminals and railroad passenger stations	1 space per 4 seating accommodations for waiting passengers, plus 1 space for each 2 employees on the largest shift
Wholesale with related retail	1 space per 3 employees on the largest shift, plus additional spaces per square floor of gross floor area devoted to retail sales as applicable from "retail sales" schedule above
Office and Institutional:	
Bed and Breakfast Inn	1 space per room for rent
Child care and kindergarten, less than 6 children	1 space per teacher or staff, plus space for 1 car drop-off and pickup
Churches	1 space per 4 seats in the largest assembly room
Dormitories	1 space per 4 beds
Fraternity, sorority houses	1 space per 2 beds
Elementary and junior high schools	5 spaces, plus 1 space per Teacher or staff
Funeral homes	1 space per 4 seats in the main chapel
General Offices	1 space per 200 square feet of net rentable area (Net rentable area shall be considered to be 80% of gross floor area unless otherwise shown by applicant)
Hospital, nursing and convalescent homes	1 space per 2 beds, plus 1 space per staff doctor and other medical practitioners

Classification	Off-Street Parking Requirement
Library, museum and art galleries	1 space per 300 square feet of gross floor area
Medical, dental and similar offices	7 spaces per doctor or practitioner
Nursing, convalescent homes designed and used primarily for the elderly	1 space per 3 beds, plus 1 space per staff doctor or practitioner
Orphanage, juvenile homes	1 space per 4 beds
Senior high schools, trade and vocational schools, colleges and universities	1 space per 5 students and 1 space for each employee
Auditoriums, stadiums, assembly halls and gymnasiums located on a high school , college or university campus	1 space per 12 fixed seats and 1 space per 12 movable seats in largest assembly room
Recreation:	
Amusements, dance halls, nightclubs not serving meals	1 space per 3 persons in designed capacity, plus 2 spaces per 3 employees on the largest shift
Auditoriums, stadiums, assembly halls, convention centers, gymnasiums, fraternal or social clubs or lodges, community recreation center	1 space per 3 fixed seats and 1 space per movable seats in largest assembly room
Bowling alleys	4 spaces per lane
Golf courses	4 spaces per tee
Indoor movie theaters	1 space per 3 fixed seats and 1 space per movable seats
Public swimming pools	1 space per 100 square feet of water area and deck
Recreational facilities such as community center, swimming pool, tennis courts, and similar activities when located in conjunction with a townhouse, condominium, group housing or homeowner association development	1 space per 25 members or tenants

Recreation Uses such as golf driving range, miniature golf, tennis, billiards or pool centers or similar recreational uses	1 space per tee, green, court and/or other method of participation however styled

D. Combination of Required Parking Spaces

The required parking spaces for and number of separate uses may be combined in one lot or parking structure, but the required parking spaces assigned to one use may not be assigned to another use at the same time.

E. Day Time/Night Time Assignments

One-half (1/2) of the required parking spaces for churches, theaters, or assembly halls whose peak attendance is at night or Sundays may be assigned to a use which will be closed at night or Sundays.

F. Lighting

If parking areas are lighted, the lighting fixtures shall be so installed as to protect the street and neighboring properties from direct glare or hazardous interference of any kind.

G. Remote Parking

On all off-street parking lots, the required space shall be provided on the same plot with the use or on a lot separated therefrom by not more than four hundred (400) feet, except for residential uses which must be provided on the same plot.

Where provision of required off-street parking for a building or other uses established subsequent to the adoption of the Section involves one (1) or more parcels or tracts of land that are not a part of the plot on which the principal use is situated, the applicant for a permit for the principal use shall submit with his application for a Zoning Compliance Certificate an instrument duly executed and acknowledged, which subjects the parcels or tracts of land to parking uses in connection with the principal use for which it is made available. The applicant shall cause said instrument to be registered in the office of the Register of Deeds upon the issuance of a Zoning Compliance Certificate. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Parking in one Zoning District in connection with a use not permitted in that District shall be permitted in accordance with the following:

1. Business and Office uses may park in Industrial Districts.
2. Industrial and Office uses may park in Business Districts.
3. Business uses may park in Office Districts.
4. Residential uses may park in Business, Office and Industrial Districts.

In addition, any use located in one Zoning District which is also a permitted use in another Zoning District may also park in such other Zoning District in which the use is permitted. *(09-O-143, adopted 06/08/2009)*

Section 8.2 **Parking Lot Improvement, Design and Location Requirements**

All off-street parking lots including exists, entrances, drives and parking areas shall:

1. Be designed to allow for traffic movement in accordance with the geometric design principles of table 1;
2. Have physical access to a public street;
3. Be so designed that all access to public street is by forward motion;
4. Be graded, properly drained, stabilized and maintained to prevent dust and erosion;
5. Be continuously provided and maintained as long as the use which they serve exists.

Within the AR, R-20, R-15, R-12.5 R-10, R-8, R-6 and MR Residential Districts and the OI Office and Institutional District, parking lots may be located in the front yard but lots of (6) or more cars shall not be located within ten (10) feet of any public right-of-way line.

When a parking lot with space for more than six (6) cars in any zoning district including residential, adjoins any lot zoned for residential purposes, a screening device as defined in Article XA shall be provided to protect residences from light, glare, noise and fumes.

Any driveway connecting to a public street from a parking lot for six (6) or more cars shall be treated with a hard surface for the portion of the driveway within twenty (20) feet of the public street travel way. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 8.3 **Off-Street Loading Requirements**

Every structure or building use for trade, business or industry hereafter erected, except in C-B District, shall provide space as indicated herein for the loading, unloading and maneuvering space of delivery vehicles off the street or public alley. Such space shall have access to a public alley, private driveway, or if such cannot reasonably be provided, to a public street. For the purpose of this Section an off-street loading space (exclusive of adequate access drives and maneuvering space) shall have minimum dimensions of twelve (12) feet by forty (40) feet and an overhead clearance of fourteen (14) feet in height above the alley or street grade.

Type of Use	Required Off-Street Loading Spaces
Retail Business	1 space for each 20,000 square feet of gross floor area or fraction thereof
Wholesale and Industries	1 space for each 20,000 square feet of gross floor area or fraction thereof
Office and Institutions	1 space for each 50,000 square feet of gross floor area or fraction thereof

2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)

ARTICLE IX. SIGNS

Section 9.1 **General Provisions**

The following general provisions shall apply to signs within the jurisdiction of this Ordinance. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 9.2 **In General**

The regulations in this Article specify the number, types, sizes, heights, and locations of signs which are permitted within the jurisdiction of this Ordinance. It shall be unlawful for any person to erect, place, alter or maintain a sign in the jurisdiction of this Ordinance except in accordance with the provisions of this Article. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 9.3 **Determination Sign Copy Area**

In measuring the copy area of a sign permitted under this Article, the entire face of the sign shall be included. Where both sides of a double-faced sign contain lettering or other allowable display, one side only shall be used to compute the allowable copy area of the sign. Where the sign consists of individual letters, numbers, characters, figures or displays attached in some manner to a building or a sign face of irregular shape, the sign copy area shall include the area of the smallest circle, square or rectangle that can encompass the total sign area composed of letters, numbers, characters, figures or displays or the irregular shaped sign face. Where signs have appendages or additions, such as "pop-ups" or "cutouts" that extend beyond the main sign copy area, the area of such appendages or additions may be measured separately, but included in the total sign copy area. Also to be included in the total sign copy area shall be any area designed for changeable copy. Where allowed, portable signs shall be counted toward permitted maximum total aggregate sign copy area and maximum number of freestanding signs on each public street. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 9.4 **Determination of Sign Height**

The height of a sign erected within 30 feet of a street right-of-way line shall be the distance from the grade level of the nearest edge of the street to the top of the sign or sign structure, whichever is greater. The height of all signs farther than 30 feet from a street right-of-way line shall be the distance from the grade level where the sign is erected to the top of the sign or sign structure, whichever is greater. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 9.5 **Determination of Sign Setback; Freestanding Sign Setback**

In determining setback, measurement shall be made from the nearest street right-of-way line. All freestanding signs shall be setback a minimum of five (5) feet from any street right-of-way. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 9.6 **Protection Under First Amendment Rights**

Any sign, display or device allowed under this Article may contain, in lieu of any other copy, any otherwise lawful noncommercial message which does not direct attention to a business operated for profit, or to a commodity or service for sale; provided that such sign complies with the size, lighting, spacing, setback and other requirements of this Article. This includes signs requiring and not requiring a Zoning Compliance Certificate. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 9.7 **Changeable Copy**

Unless otherwise specified by this Article, any sign herein allowed may use manual, or electrically or mechanically activated changeable copy. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 9.8 **Illuminated Signs**

Signs which are illuminated from within or from an external source must be illuminated in a manner which avoids glare or reflection which in any way or manner interferes with traffic safety. Any external source of illumination, such as spotlights or floodlights shall be placed so that the source is not directly visible from any adjacent residential zoning districts. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 9.9 **Zoning Compliance Certificate Required**

With the exception of those signs specifically exempt from requiring a certificate, it shall be unlawful for any person to print, paint, stand, stain, engrave, construct, place, erect, illuminate, attach, suspend, enlarge, move, relocate, replace or otherwise put into use or materially alter any sign or cause the same to be done, without first obtaining a zoning compliance certificate for such sign from the Zoning Administrator.

Notwithstanding the above, changing or replacing the permanent copy of an existing lawful sign shall not require a permit, provided the copy change does not change the nature of the sign such as to render the sign in violation of this Ordinance. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 9.10 **Construction Standards**

All signs shall be constructed according to the requirements of Chapter 23 of the State Building Code, as amended. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 9.11 **Maintenance Required**

Every sign and its support, braces, guys, anchors, and electrical equipment shall be maintained in safe condition at all times. All signs shall be kept in a state of good repair and aesthetic condition, free from defective, rusting, or missing parts (i.e. broken sign facing, broken supports, loose appendages or struts, disfigured, cracked, ripped or peeling paint or poster paper) or missing letters or numbers and shall be able to withstand the wind pressure as prescribed in the North Carolina Building Code. Illuminated signs shall not be allowed to operate with only partial illumination. The area within ten feet in all directions of the base of a freestanding sign shall be kept clear of debris and undergrowth.

Signs that are structurally unsafe and thereby endanger the public safety shall be removed unless they are repaired and made to comply with the requirements of Chapter 23 of the State Building Code, as amended.

The message of a sign face may be changed at any time. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 9.12 **Dangerous or Unsafe Signs**

If the Zoning Administrator shall find that any sign is dangerous or is menace to the public, he shall give written notice of such violations to the owner of the sign, or by leaving said notice with the manager or other person who is apparently in charge of the premises or by affixing a copy of the notice to the sign, sign structure or building for a period of five (5) days. The notice shall set forth the nature of the violation and order the violator to repair the sign in such a manner to be approved by the Zoning Administrator in conformance with the provisions of this Article or remove the sign forthwith in the case of imminent instability or immediate danger of falling, and in any case within ten (10) days of receipt.

If within ten (10) days the notice is not complied with, the Zoning Administrator shall have the authority to remove the sign at the recipient's expense and to destroy or otherwise dispose of same.

In cases of emergency, the Zoning Administrator may cause the immediate removal of a dangerous or unsafe sign without notice. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 9.13 **Removal of Discontinued Signs**

If a sign advertises a business, service, commodity, accommodation, attraction or other enterprise or activity that is no longer operating or being offered or conducted, that sign and sign structure including, but not limited to, the supporting braces, anchors or similar components shall be considered discontinued regardless of reason or intent and shall, within one (1) year after such discontinuation, be removed by the owner of the property where the sign is located. This Section shall not be construed to prevent the changing of the message of a sign. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 9.14 **Removal & Disposal of Signs in Right-of-Way**

The Zoning Administrator shall possess the authority to remove and destroy or otherwise dispose of any sign unlawfully placed within the right-of-way of any street. *(2000 Zoning Ordinance, O-51- 02149900, adopted 02/14/2000)*

Section 9.15 **Signs Expressly Prohibited**

The following signs, components and characteristics are expressly prohibited within all zoning districts:

A. Simulated Public Safety, Warning or Traffic Signs

Signs which by their location, color, illumination, size, shape, nature, message or appearance tend to obstruct the view of or be confused with official traffic, safety or warning signs or lights or other devices erected by governmental agencies. This prohibition includes signs having no bona fide safety necessity, involving the terms "CAUTION", "DANGER", "SLOW", "STOP" or "YIELD", or which utilize geometric figures, symbols, lights, location or message not unlike official traffic, safety or warning signs, signals or lights. Provided, however, this provision is not intended to prevent the placement on private property of signs with "stop", "yield" or other such wording or design where such is necessary for traffic control or other such legitimate notice to the public.

B. Snipe Signs

Signs placed upon or attached to any curb, sidewalk, utility pole, post, fence, hydrant, bridge, another sign or other surface, public bench, street light, or any tree, rock or other natural object located on, over or across any public street or public property. Provided, however, this provision shall not apply to the posting of public interest, security and warning signs nor to street signs placed upon poles by governmental units for designating the names of streets.

C. Flashing Signs

Signs or devices with flashing, intermittent, animated or changing intensity of illumination. Provided, however, traffic signals, railroad crossing signals and other official warning or regulatory signs and electronically controlled message center or reader boards where different copy changes, involving alphabetical or numerical characters only, present messages of a public service or commercial nature shall not be considered flashing signs.

D. Motion Signs

Signs or devices designed to attract attention, all or any part of which use movement or apparent movement by fluttering, revolving, rotating, spinning, swinging, animation or

moving in some other manner and are set in motion by movement of water or the atmosphere or by mechanical, electrical or other means. This shall not apply to authorized temporary signs.

E. Signs Below Minimum Clearance

Signs, marquees, canopies and awnings with vertical clearance of less than eight (8) feet above sidewalks and pedestrian areas and less than fourteen (14) feet above parking or vehicular passage areas.

F. Vehicle Signs

Signs placed upon, painted on, attached to or displayed on parked vehicles or trailers, where the primary purpose of the vehicle or trailer is to advertise a product or business or to direct people to a business or activity.

G. Signs Obstructing Motorist Visibility

Signs that substantially interfere with the view necessary for motorists to proceed safely through intersections or to enter onto or exit from public streets or private roads or driveways or that obstruct the motorists view of approaching, merging or intersecting traffic including, but not limited to, signs in excess of three (3) feet in sight visibility triangles.

H. Signs In Rights-of-Way

Any sign erected in or over any public right-of-way except for major special event signs by special permit; and governmental signs.

I. Signs Emitting Glare

Signs with light sources or reflectivity of such brightness that result in glare, blinding or any other such adverse effect on motorist vision or into or upon any residential building not related to the signs; or which interfere with the effectiveness of, or obscures an official traffic sign, device or signal.

J. Pennants or Streamers

Pennants, streamers or flags consecutive strung together.

K. Obscene Signs

Signs containing words or graphics that are obscene, as defined in North Carolina General Statute 14-190.1. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

L. Off-Premises Signs

A sign or structure, pictorial or otherwise, regardless of size or shape that draws attention to or communicates information about a business, profession, service, commodity, product, accommodation, event, attraction or other enterprise or activity that exists or is conducted, manufactured, sold, offered, maintained or provided at a location other than on the premises where the sign is located. This definition does not include governmental, traffic, directional, or regulatory signs or notices of the federal, state, county or town government or their public agencies. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Seasonal-Temporary Off-Premises Signs, however, may be permitted for certain permitted nonresidential uses located within the Agricultural-Residential zoning district subject to the following provisions:

1) For the purposes of this section, "Seasonal-Temporary Off-Premises Sign" is defined as: "A temporary, off-premises sign advertising the sale of locally grown seasonal agricultural products and/or seasonal food products such as locally grown seasonal fresh vegetables, locally grown seasonal fresh produce, locally grown seasonal pumpkins, locally grown seasonal fresh strawberries, locally grown seasonal live Christmas trees, locally grown seasonal fresh seafood, and similar locally grown seasonal plant and/or food produce.

2) The property on which such products are sold must be located within the zoning jurisdiction of the Town of Winterville.

3) The use posting such signage must be located within an Agricultural-Residential Zoning District and must be a legal Permitted Use or approved Special Use within the Zoning Ordinance. Nonconforming uses established prior to the date of adoption of this ordinance shall not be eligible uses for the purposes of this section.

4) Permitted off-premises signage may be located only within the following zoning districts: Agricultural-Residential, General Business, Intermediate Commercial, Industrial.

5) Signage permitted under this section may be displayed only during the specific season that the products advertised are customarily harvested locally and in no case shall such signage be displayed for greater than one hundred and eighty (180) days within one (1) calendar year.

6) The maximum number of signs permitted per use shall be four (4) and only one (1) sign may be posted on any single parcel of land.

7) Maximum sign copy area shall be twenty (20) square feet.

8) Maximum sign height shall be eight (8) feet.

9) No sign permitted under this section shall be erected unless and until a Zoning Compliance Certificate shall have been issued in accordance with Article XIV, Section 14.3 of this ordinance.

(06-O-215 , adopted 4/10/2006, 09-O-149, adopted 10/12/2009)

M. Projecting Signs

Signs which project from and are supported by a building or other structure into the public street right-of-way only when such projection is greater than twelve (12) inches.

N. Roof Signs

Signs erected in whole or in part on, upon or over the roof or parapet of a building or structure and which is wholly or partially dependent upon the roof of the building or structure for support.

O. Unspecified Temporary Signs

Temporary signs not expressly permitted by this Article.

1) All Other Signs Not Specifically Allowed

Other signs not expressly allowed by this

Article. *(2000 Zoning Ordinance, O-51-02149900,*

adopted 02/14/2000)

<u>Section 9.16</u> Signs Permitted Without A Zoning Compliance Certificate

The following signs and devices shall be permitted without the issuance of a Zoning Compliance Certificate:

A. Public (governmental, utility) Signs

Signs erected by, on behalf of, or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs, and traffic warning, directional or regulatory signs.

Official signs of a non-commercial nature erected by public utilities, including safety, warning and informational signs.

B. Warning (Health, Safety, Hazard) Signs

Temporary or permanent signs erected by government agencies, public utility companies or construction companies to warn of danger or hazardous conditions, including signs indicating the presence of underground cables, gas lines and similar devices or signs providing directions around such conditions.

C. Signs not legible off-premises

Signs which are not legible from the boundaries of the lot or parcel upon which they are located, or from any public thoroughfare or right-of-way.

D. Flags (non-advertising) (non-informational)

Flags except when such are used in connection with a commercial promotion or as an advertising device or as an integral part of a sign regulated under this Article; provided such flags are displayed on permanent pole structures. Failure to display flags in such a manner which meets Congressional protocol will be a violation of this Ordinance.

Plain flags with no advertising or information provided such flags are displayed on permanent pole structure and are properly maintained. Proper maintenance shall not permit flags which are torn, ripped, frayed, separated from their grommets or incompletely affixed to their pole structures.

All flags used in connection with a commercial promotion as an advertising device or as an integral part of a commercial sign must comply with the regulations of this Article for area, height, number and location.

E. Incidental Object or Product Signs

Small decals consolidated and affixed to window or door panes, such as indicating membership in a business group or credit cards accepted at the establishment.
Any sign, painted or affixed to an object or product, where the sign is clearly incidental and accessory to the primary use and purpose of the object or product including, but not limited to, product dispensers and point of purchase displays for newspapers, soft drinks, gasoline, ice, telephone, ATM or similar items which indicate the contents of the machine, the name or logo of the supplier, the price and/or operating instructions.

F. Signs required by law

Legal notices and signs required by law, statute or ordinance.

G. Transportation facilities signs

Informational signs indicating bus stops, taxi stands, train stations and similar transportation facilities.

H. Campaign signs at polling places

Political signs displayed at polling places provided they are displayed in compliance with general law only on the day of the election is held and must be removed within seventy- two (72) hours of close of voting.

I. Street numbers

Display of street numbers on residential and non-residential buildings, structures and mailboxes.

J. Handicapped Signs

Handicapped signs as required by the Americans With Disabilities Act.

K. Window Signs

Signs placed on or attached to the interior side of a window or door glass of a building by means of adhesive, paint or manufacturing process intended for viewing from the exterior of such buildings; or a sign within a building, placed no more that twelve (12) inches behind the window that is visible through the window.

L. Temporary Signs

Temporary signs subject to the following limitations:

Type	**No.**	**Maximum Copy Area (sq. ft.)**	**Maximum Height if Freestanding (vert. ft.)**	**Maximum Display Time**
Temporary (Grand Opening)	1	32	10	Once for 30 days
Temporary (Going out of Business)	1	32	10	Once for 30 days
Temporary (Special event of civic or non-profit organization)	2	32	8	30 days prior to event
Temporary (Remodeling/Repair)	1	4	6	Until work completed

Type	No.	Maximum Copy Area (sq. ft.)	Maximum Height if Freestanding (vert. ft.)	Maximum Display Time
Temporary (Construction - one or two family dwelling)	1	4	6	Until construction Completed
Temporary (Construction – other than one or two family dwelling)	2	32	14	Until construction completed
Temporary (Construction announcement)	2	32	14	Until building permit issued
Temporary (Political)	-	32	14	60 days prior to election
Temporary On-Premises (real estate sale/ lease/rent of one or two family dwelling or lot)	1	6	6	Until sale closed or rent/lease transaction finalized
Temporary Off-Premises (real estate sale/ lease/rent of one or two family dwelling or lot)	1	3	4	Until sale closed or rent/lease transaction finalized
Temporary On-Premises (real estate sale/ lease/rent of other than one or two family dwelling or lot)	2	32	12	Until sale closed or rent/lease transaction finalized
Temporary Off-Premises (real estate sale/ lease/rent of other than one or two family dwelling or lot)	4	6	6	Until sale closed or rent/lease transaction finalized
Temporary (Non-residential (ie. Commercial, industrial)	2	32	10	45 days in any consecutive 90 day period

Temporary signs which do not meet the provisions of this Subsection shall be considered in violation of the Ordinance. Only Temporary (political), Temporary (real estate), and Temporary (special event of a civic or non-profit organization) signs shall be permitted off-premises. No temporary sign shall be illuminated. Temporary signs shall be removed within five (5) days from the date the purpose for such sign ceased to exist.

M. Miscellaneous Signs

Miscellaneous signs subject to the following limitations:

Type	**No.**	**Maximum Copy Area (sq. ft.)**	**Maximum Height if Freestanding (vert. ft.)**
Public Interest, Security Warning (No trespassing, soliciting, hunting or fishing/posted/private parking/danger/warning)	-	1	4
Home Occupation; Rural Home Occupation	1	3	4
Open/Closed/Hours	2	2	6
Permanent Professional or Business Announcement (Wall)	1	2	-
Building Memorial (Wall)	1	2	-
Philosophical, Religious Educational or other Non-Commercial	2	2	4
Occupant/Address (Ground or Wall)	2	2	6
Private Drive	1	2	6

Type	No.	Maximum Copy Area (sq. ft.)	Maximum Height if Freestanding (vert. ft.)
Informational/Instructional (Traffic directions, restrictions or arrows, entrance, exit, location of restrooms, public telephones, parcel pick-up, freight or service entrances, parking/loading areas and the like	-	10	4
Movable non-residential	2	16	6

Miscellaneous signs which do not meet the provisions of this Section shall be considered in violation of the Ordinance. Only Private Drive signs shall be permitted off-premises. No miscellaneous signs shall be illuminated.

(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)

Section 9.17 Signs Permitted with a Zoning Compliance Certificate in All Zoning Districts

The following signs are permitted in all zoning districts upon issuance of a Zoning Compliance Certificate provided that stated specific requirements, conditions and stipulations are met:

A. All signs permitted without a Zoning Compliance Certificate and signs permitted by special permit.

B. On-premises signs identifying a single-family residential subdivision; apartment, townhouse, condominium or other multi-family residential complex; recreational facility or manufactured home park not exceeding thirty-two (32) square feet in area. There shall be a limit of one (1) double-faced sign or two (2) single-faced signs for each road or driveway entrance to the development named on the sign. Such signs shall be limited to the name and address of the premises and the on-site address and phone number of the resident agent and may be directly or indirectly illuminated. In addition one (1) identifying sign for an accessory management or rental office not exceeding six (6) square feet shall be permitted.

C. One (1) on-premises identification sign or bulletin board for each road or driveway entrance indicating the name and/or address of the premises, schedule of services or activities, hours of operation, name of person(s) in authority, founding date of the organization or other information relevant to the operation of a school, college, park, public swimming pool, church, synagogue or other place of worship, hospital, sanitarium, art gallery, museum, library, YMCA, YWCA, community building, recreation center,

coliseum or convention center, not to exceed thirty-two (32) feet in area to be located on private property where the use occurs. Such signs may be directly or indirectly illuminated. An on-premises sign for a college, university, hospital, coliseum or convention center may exceed thirty-two (32) square feet in area if approved by the Town Council as a special exception when the Council finds that the size and scale of said sign will be in keeping with the size and scale of the development and will not be detrimental to the surrounding properties.

D. Signs not exceeding thirty-two (32) square feet in area advertising the sale of subdivision lots, not more than one (1) sign to be located on private property at each major approach to the subdivision; provided that the display of such signs shall be limited to a six month period or until seventy-five percent (75%) of the lots are sold, whichever comes first, and may not be illuminated.

E. One (1) on-premises ground or wall sign not exceeding thirty-two (32) square feet in area for a legal non-conforming use in a residential zoning district in which it is located. Illumination of such signs shall be permitted only between sunrise and 10:00 p.m.

F. On-premises signs identifying private country clubs, golf courses, swimming/tennis clubs, equestrian centers, lakes, cemeteries and similar facilities operated on a profit or non-profit basis not exceeding thirty-two (32) square feet in copy area. There shall be a limit of one (1) double-faced sign or two (2) single-faced signs for each road or driveway entrance to the facility. Such signs shall be limited to the name, address, founding date and hours of operation and may be directly or indirectly illuminated.

G. One (1) on-premises identification sign for a convalescent home, nursing home, home for the care of children, medical clinic or dental clinic not exceeding twenty (2) square feet in copy area. Such sign shall be limited to the name and address of the home or clinic and may be directly or indirectly illuminated.

H. Signs which denote religious, charitable, fraternal, military or service organizations may be freestanding and may be located off-site, provided however, that no one (1) individually chartered organization may have more than one (1) off-premises sign which shall not be illuminated. A sign denoting a single chartered organization shall not exceed four (4) square feet in area. A number of such signs may be placed on one structure, provided, however, the copy area of each individual sign does not exceed three (3) square feet in copy area and the structure does not exceed thirty-two (32) square feet in copy area.

All freestanding signs permitted by this Section in all zoning districts shall have a maximum height limit of eight (8) feet and shall have a minimum setback of five (5) feet from any public right-of-way. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 9.18 **Signs for Permitted Non-Residential Uses Permitted in Residential Districts**

Signs for permitted non-residential uses in residential districts, other than those permitted with a zoning compliance certificate in all districts under the provisions of Section 9.17, shall be permitted under the provisions of the most restrictive non-residential district in which the uses are permitted except that sign copy area may not exceed seventy-five percent (75%) of the maximum size allowed. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 9.19 **Signs Permitted in Non-Residential Zoning Districts**

The following permanent signs are permitted, upon issuance of a zoning compliance certificate regarding the proposed sign(s), in non-residential zoning districts, provided that stated requirements, conditions and stipulations are met.

A. Permanent On-Premises Signs Permitted per Single Establishment on a Single Parcel or Lot

The following permanent on-premises signs are permitted in the respective non-residential zoning districts for single establishments on single parcels or lots upon issuance of a zoning compliance certificate regarding the proposed sign(s), provided stated specific requirements, conditions, and stipulations are met, as follows:

See Notes (1) and (2)	OI	CN	CB	GB	I	IC
Maximum Aggregate Sign Copy Area (1) (Sq. ft. per linear feet of each principal building wall facing a public street or alley or facing a private access way if an establishment has no frontage on a public street.	1	2	3	4	4	I 3
Up to a Maximum (Sq. ft.)	60	90	120	300	300	200
Maximum Number of Freestanding Signs	1	1	1	2	2	1
Maximum Copy Area of Freestanding Signs (Sq. ft.) (2)	24	36	48	120	120	80
Maximum Height of Freestanding Signs	12	15	18	30	30	30
Type of Illumination Permitted B = Back Lighted I = Internally Lighted E = Externally Lighted	B/E	B/E	I/B/E	I/B/E	I/B/E	B/E

(1) Maximum Total Aggregate Sign Copy Area may be increased by ten percent (10%) if no freestanding sign is used on the premises for the establishment.

(2) One additional freestanding sign is permitted for lots with frontage on more than one street. A freestanding sign on a corner lot may be increased up to twenty-five percent (25%) is one (1) freestanding sign is used where more than one would have been allowed.

B. Permanent On-Premises Signs Permitted for Multiple Establishments on a Single Parcel or Lot

One combined or common permanent on-premises freestanding sign for multiple establishments on a single parcel or lot shall be allowed on each public street and may exceed the maximum copy area for free standing signs in Subsection A. by the following percentages:

1 – 10 establishments – up to 25%
11 – 20 establishments – up to 50%
21 – 30 establishments – up to 75%
31 – 40 establishments – up to 100%
41 – 50 establishments – up to 125%
51 or more establishments – up to 150%

Maximum aggregate sign copy area in Subsection A may be exceeded by the same extent.

Other signs for each individual establishment shall be in accordance with Subsection A. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Establishments participating in combined or common freestanding signs may not also have individual freestanding signs. *(01-58, adopted 01/12/2001)*

C. Permanent On-Premises Signs Permitted for Establishments on Adjacent Parcels or Lots Utilizing Shared Parking and Driveway Connections

Establishments on adjacent parcels or lots utilizing shared parking and driveway connections may exceed maximum copy are for freestanding signs in Subsection A by twenty-five percent (25%) for a combined or common freestanding sign. Maximum copy area in Subsection A. may be exceeded by the extent. Such combined or common f freestanding sign shall not be considered to be an off-premises sign for any of the establishments advertising on the sign. Establishments participating in combined or common freestanding signs may not also have individual freestanding signs. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

<u>Section 9.20</u> Signs Permitted By Special Permit

The following signs are permitted only by special permit issued by the Town Council and shall conform to all stated regulations and to all conditions and requirements imposed by the Council in issuing the permit:

A. Festival and Major Event Signs

For the purpose of giving directions and information, temporary on-premises and off-premises signs pertaining to festivals and other major special events are permitted with

approval of the Town Council subject to a special permit specifying the size, location, lighting, design, display and duration. The number of signs shall be set by the Council.

(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)

ARTICLE X. ARCHITECTURAL STANDARDS

Section 10.1. Applicability

A. The architectural standards of this Article shall apply to new construction or expansion of commercial, office, industrial, and institutional buildings.

B. Expansions to existing structures must meet the requirements of this Article. If the expansion is equal to or greater than fifty (50) percent of the exiting square footage, the entire structure shall be made to comply with the requirements of this article. *(07-O-291, adopted 10/08/2007)*

Section 10.2. Industrial Use Standards

A. For all uses within an Industrial Zoning District that have a land use classification number of 4 or higher, in accordance with Article VI, Section 6.4 of this ordinance, if metal or unfinished concrete block are used on the lower half of any façade facing a public street, landscape screening shall be installed in accordance with Section 10.4 of this article.

B. All other uses within an Industrial Zoning District shall comply with the standards of Section 10.3 of this Article. *(07-O-291, adopted 10/08/2007)*

Section 10.3. Standards for All Other Non-Residential Uses

A. Facades **facing** a public street shall not be comprised of metal or unfinished concrete block.

B. If metal or concrete block are used on the lower half of any other façade **visible** from a public street, landscape screening shall be installed in accordance with Section 10.4 of this Article.

C. Any wall visible from an existing or proposed public right-of-way shall incorporate a minimum of two architectural accent elements of doors, windows, columns, color changes, texture change, recesses, and/or material changes such as wood, brickwork, stucco, tile, and/or canvas canopies. Fifty (50) linear feet of a wall shall be the maximum length without an architectural accent element.

D. Façade and visible roof colors shall be of low reflective earth tone, muted, subtle, or neutral colors. Neon, or similar gas tubing, is not allowed as an accent material. Colors including, but not limited to florescent, day glow, or neon shall be prohibited as a primary wall or roof color.

E. All flat roofs and rooftop mechanical equipment shall be screened by architectural treatments such as, but not limited to, parapet walls.

F. In addition to any required visual barriers or vegetation improvements, all garbage/trash container pads shall be enclosed on three (3) sides by a complete visual barrier consisting of a fence, evergreen vegetation or combination thereof. All garbage/trash container pads shall be located in a side or rear yard not adjacent to a street. In the event that a lot or tract has multiple street frontages, such that all yards are adjacent to a street, container pads shall be located in the least publicly visible yard space of the facility.

G. All accessory buildings shall be clad in materials similar in appearance to the principal structure.

H. Mobile units (units designed to be transported to the building site on its own chassis) shall be prohibited, except for temporary use during construction or for storage of materials during construction, with an approved Zoning Compliance Certificate. *(07-O-291, adopted 10/08/2007)*

<u>Section 10.4.</u> Landscape Screening Requirements

Landscape screening plants required by this Article shall:

1) Be shown in detail on the site plan and approved by the Winterville Planning Department;
2) Be installed no more than ten (10) feet apart and not further than ten (10) feet from the building wall;
3) Be a minimum of three (3) feet tall when planted;
4) Be of a species that forms a continuous year-round opaque screen within three (3) years after planting;
5) Reach a height of at least seventy-five percent of the height of the wall at maturity,
6) Be installed in addition to any other required site vegetation, buffer, or landscaping;
7) Be installed and approved before a Final Site Approval Certificate is granted, except when seasonal weather conditions are not conducive. In such case, a Temporary Final Site Approval Certificate may be issued for up to sixty (60) days.
8) Be perpetually maintained so all plantings remain in a healthy condition. Any dead, unhealthy, or missing vegetation shall be replaced at the earliest suitable planting season. *(07-O-291, adopted 10/08/2007)*

Section 10.5 Multi-Family Design Standards

A. Purpose and Intent

These multi-family residential design standards supplement the applicable zoning district and use-specific standards of this Ordinance by providing the minimum requirements for design and configuration of multi-family development within the Town's planning jurisdiction. They are intended to:

1) Ensure multi-family development takes place in a manner consistent with the contexts, scale, and proportion of surroundings;
2) Promote greater compatibility between new multi-family development and other allowable use types, particularly adjacent residential single-family detached dwellings;
3) Establish expectations for minimum level of quality for multi-family development;
4) Encourage creativity in design and promote individual project identity;
5) Create neighborhoods with enhances architectural and visual interest; and
6) Preserve property values and project public and private investment.

B. Applicability

Except where expressly exempted in writing in this Ordinance, the standards in this section shall apply to the following forms of development:

a. New multi-family dwellings;
b. New triplex and quadplex dwellings; and
c. New multi-unit residential structures within a continuing care retirement community use type; and
d. New assisted living facilities and nursing homes.

C. Timing of Review

Except where expressly exempted in writing in this Ordinance, the standards in this section shall apply to the following forms of development:

D. Design Requirements

Development subject to these standards shall be designed in accordance with the following:

1) Street Network

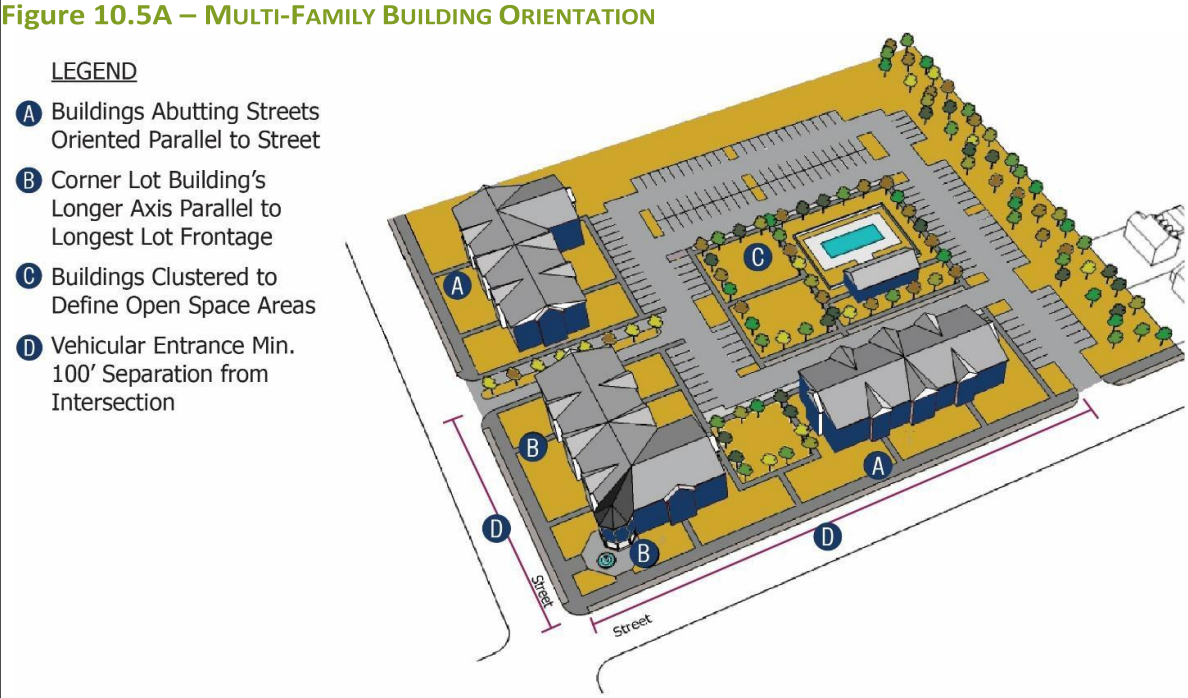
a. On sites including new streets, an interconnected network of streets shall be provided, to the maximum extent practicable, and streets shall connect to adjacent existing streets outside of the development.

b. Vehicular driveways into a development with 10 or more dwelling units shall be at least 100 feet away from any major intersection, to the maximum extent practicable.
c. Driveways shall be consolidated in order to reduce curb cuts, to the maximum extent practicable.

2) Building Orientation

a. Building that abut streets shall be oriented parallel to the street front rather than being oriented at an angle to the street.
b. On corner lots, the long axis of the building shall be parallel to the longest lot frontage unless such orientation is incompatible with adjacent, existing development along the same street (see Figure 10.5A: Multi-family Building Orientation).
c. Building within multiple-building developments shall be clustered in order to define open space recreation areas and development entry points.

Figure 10.5A – MULTI-FAMILY BUILDING ORIENTATION



3) Building Entrances

a. The facades of building abutting streets shall be configured so that entryways to individual dwelling units or shared entrances face the street.
b. Access to upper-floor dwelling unites shall be obtained from shared internal entries. In no instance shall walkaways to individual upper-story dwelling units take place on the exterior of the building.
c. Individual ground-floor and shared entryways shall be sheltered from the weather either by:
    1) Recessing the entrance at least three feet to the inside of the primary ground floor façade plane; or

2) Inclusion of an overhead architectural treatment that extends outward at least three feet from the primary façade plane.

4) Building Facades

a. Buildings subject to these standards shall maintain a consistent level of architectural detailing and composition on each building façade facing a street.
b. Building facades facing streets shall provide a minimum of three of the following architectural elements (see Figure 10.5B: Multi-family Building Facades):

1) A covered porch or terrace;
2) One or more dormer windows or cupolas;
3) Eyebrow windows;
4) Awnings or overhangs;
5) Decorative moldings;
6) Shutters;
7) Pillars, posts, or pilasters;
8) One or more bay windows with a minimum twelve-inch projection from the façade plane;
9) Multiple windows with a minimum of four-inch-wide trim;
10) Corniced parapets;
11) Eaves with a minimum of four-inch-wide trim; or
12) Integral planters that incorporate landscaped areas and/or places for sitting.

c. Garage entries, loading and service entries, utility rooms, stairs, elevators, or similar features shall not occupy more than 20 percent of the width of a building façade facing a street.
d. Attached street-facing garages serving individual dwelling units shall be recessed at least three feet inwards from the primary first floor façade plane or be associated with an upper-story projection that exists above the garage.
e. Developments with three or more principal buildings shall provide variation in building size, shape, height, color, and roofline in a manner that allows different building to be distinguished from one another.

Figure 10.5B – Multi-Family Building Facades

LEGEND

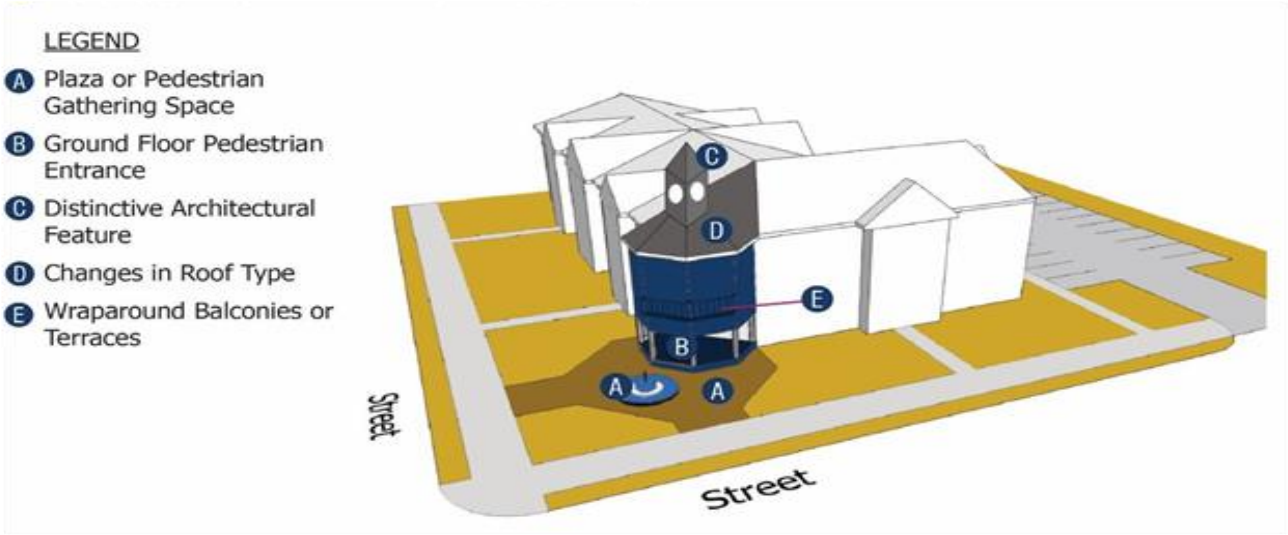
- A Covered Porch or Terrace
- B Dormer Windows or Cupolas
- C Eyebrow Windows
- D Awnings or Overhangs
- E Decorative Moldings
- F Shutters
- G Pillars, Posts, or Pilasters
- H Bay Window(s) (Min. 12" Projection)
- I Windows With Minimum 4" Wide Trim
- J Corniced Parapets
- K Eaves With Min. 4" Wide Trim
- L Integral Planters or Seating Areas

5) Building Corners

Building corners that are adjacent to one or more streets shall include at least one of the following features (see Figure10.5C: Multi-family Building Corners):

a. A plaza or other gathering space;
b. A shared ground-floor pedestrian entryway;
c. A distinctive roof feature such as a tower, turret, spire, pediment, or other architectural feature with a height above the roofline of adjacent dwelling units;
d. Changes in roof type or pitch from the adjacent building sides; or
e. Upper-story balconies or terraces that wrap both sides of the corner.

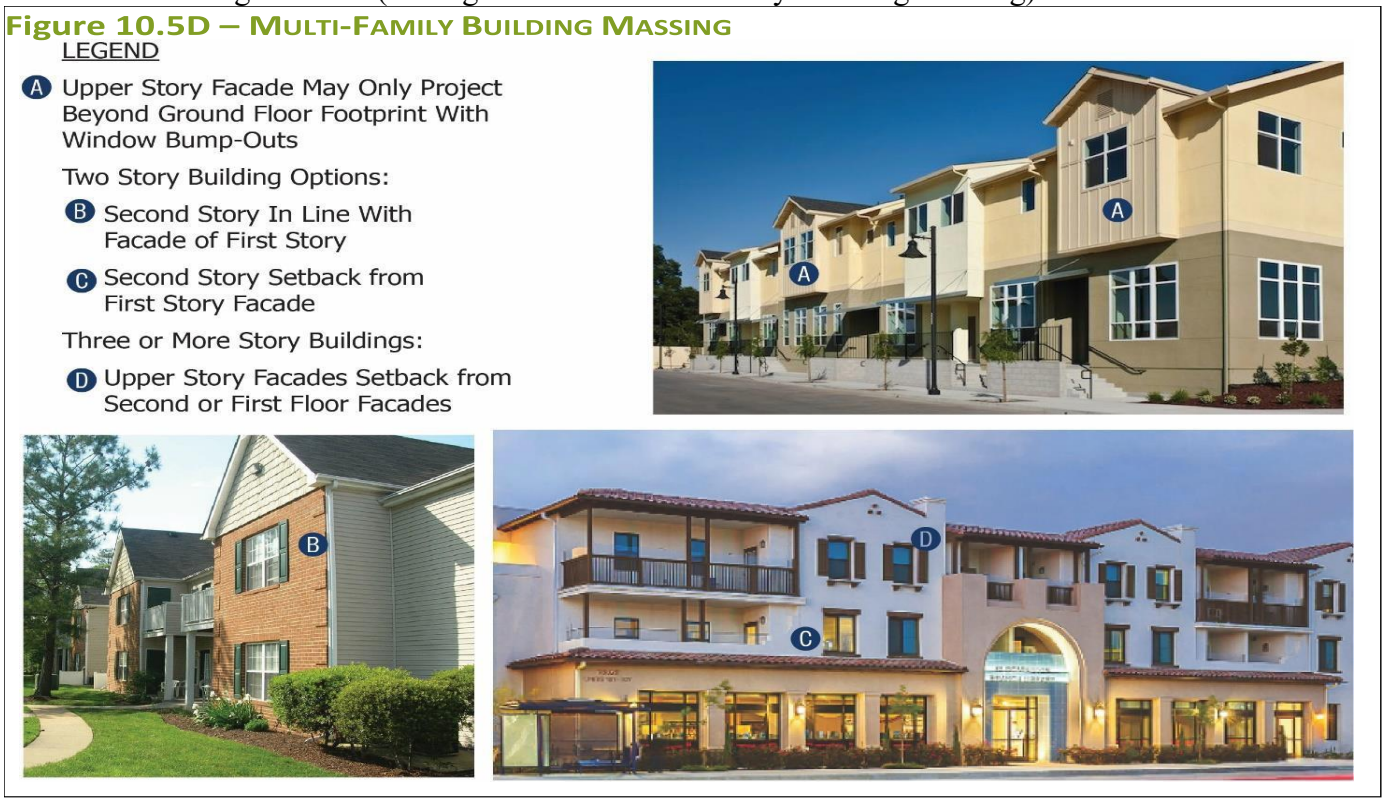
Figure 10.5C – Multi-Family Building Corners



6) Building Massing

a. Upper story façade walls shall not project beyond the ground floor footprint except to accommodate bump-outs with windows.
b. In the case of two-story buildings, the exterior façade walls of the second floor shall be in line with or setback from the first-floor façade walls.
c. In the case of three- (or more) story buildings, uppers story façade walls shall be setback from the second or ground-floor floor façade walls to preserve light and air and avoid casting shadows (see Figure 10.5D: Multi-family Building Massing).

Figure 10.5D – Multi-Family Building Massing



7) Building Articulation

a. Street-facing building facades shall be articulated with wall offsets, in the form of recesses or projections from the primary façade plane, of at least two feet for every 35 linear feet of façade frontage (see Figure10.5E: Multi-family Façade Articulation).
b. Where provided, projections or recesses shall extend from the grade to the top of the highest story in line with the ground-floor footprint.

Figure 10.5E – MULTI-FAMILY FAÇADE ARTICULATION

8) Roof Form

a. Development shall incorporate roof pitches between 3:12 and 12:12 or shall incorporate parapet walls with a dimensional cornice around a flat roof.
b. Alternative roof forms or pitches are encouraged for small roof sections over porches, entryways, or similar features.
c. Buildings with eaves shall be configured such that no single horizontal eave continues for more than 60 linear feet without being broken up by a gable, building projection, and articulation feature.
d. Buildings with overhanging eaves and roof rakes shall extend at least six inches past supporting walls.

9) Building Materials and Colors

Configuration

a. The predominate exterior material shall be brick, stone, cementitious, or other masonry material.

b. Buildings subjects to these standards shall include at least two primary exterior materials on any single building.
c. Changes in colors and materials shall take place at internal corners or in logical locations, such as: building wings, bays, bump-outs, or recesses (see Figure 10.5 F: Multi-family Building Materials). In no instance shall exterior materials or colors change at outside corners.
d. Heavier or more bulky exterior materials shall be located beneath or below lighter materials.

Prohibited Materials

The following materials shall be prohibited on any façade facing a street, open space, or district intended primarily for single-family detached development:
a. Smooth-faced concrete block;
b. Corrugated metal sliding;
c. Vinyl siding (excluding windows or soffits); or
d. Synthetic stucco within two feet of the grade.

Figure 10.5F – Multi-Family Building Materials

LEGEND
- A Minimum Two Primary Exterior Materials on Each Building
- B Material Changes at Logical Locations (Internal Corners, Wings, Bays, Bump-outs, or Recesses)
- C Heavier Materials Below Lighter Materials

10) Accessory Structures

Accessory uses and structures associated with a development subject to these standards shall comply with the following:

a. Street-facing detached garages on corner lots shall be located to the side or rear of buildings.
b. Access to accessory structures (such as garages, carports, storage areas, etc.) shall be provided from alleys or secondary streets, to the maximum extent practicable.
c. Accessory buildings shall include exterior materials, colors, and roof form designed to be consistent with the principal structure.
d. Accessory structures shall not physically obstruct pedestrian entrances.
e. Centralized refuse collection containers, if provided, shall be in an enclosed area located to the rear of principal buildings.

11) Site Features

a. Except for nursing homes, development subject to the standards shall not include a gate or obstruction that blocks access to the site for vehicles, bicycles, or pedestrians.
b. Off-street parking serving guests shall be evenly distributed throughout the development.
c. Shared refuse collection containers shall be evenly distributed throughout the development or be centrally located.
d. Detached garages or carports shall not be located between a principal building and the street in faces.
e. Utilities shall be provided underground, and utility vaults shall be clustered in areas outside of required landscaping.

ARTICLE X-A. VEGETATION AND BUFFERING REQUIREMENTS

Section 10A.1. Vegetation Requirements

The intent of these regulations is to enhance the appearance and value of property, preserve the natural environment, mitigate flood and stormwater hazards, and improve the built environment. *(07-O-291, adopted 10/08/2007)*

Section 10A.1.01. Applicability

A. The provisions of this Section shall apply to those uses having a Land Use Classification number of 2 or more, in accordance with Article VI, Section 6.4 of this ordinance.

B. Site vegetation is required for all multi-family land uses and all nonresidential land uses except those uses within the Central Business District zoning classification that have limited planting area due to minimal setback requirements. When available planting space exists on a site, a site vegetation plan shall be submitted for approval by the Planning Director, or his designee, to provide vegetation as appropriate in the available space. *(07-O-291, adopted 10/08/2007)*

Section 10A.1.02 Landscape Plan

When a site plan review is required pursuant to this ordinance or when application is made for a permit on any land to which the requirements of this Article apply, the site plan shall be accompanied by a landscape plan. The landscape plan shall include the following site data and notes:

1) *Site data*.
   a. Total per acre requirement by category.
   b. Total street tree requirement by category for each public and/or private street frontage.
   c. Total screening requirement for each individual bufferyard.
   d. Proposed vegetation by category and total number of materials to be located within each individual public utility or drainage easement.

2) *Notes*.
   a. Minimum plant sizes shall be as follows:

Planting Material Type	*Minimum Planting Size*
1. Large tree	
single stem	10 feet (height) and 2 inch caliper
multi-stem clump	10 feet (height)
2. Small tree	8 feet (height) and 1 ½ inch caliper
3. Shrub	18 inches (height)

   b. Existing substitute vegetation materials shall be noted including their specific location(s), type(s) and size(s). *(07-O-291, adopted 10/08/2007)*

Section 10A.1.03. Minimum Site Vegetation Requirements

A. Calculation of Minimum Site Vegetation

1) For the purposes of this Section, the total gross acreage of a lot or tract carried to one (1) decimal point (0.0) shall be multiplied by each of the following minimum requirements to determine the minimum site vegetation:

Three (3) large trees; and
Seven (7) small trees; and
Twenty (20) shrubs.

Any fractional requirement over 0.50 shall be rounded up to the next whole number.

Provided, however, no lot or tract regardless of acreage, shall have less than the following minimum site vegetation (these minimum quantities shall not be eligible for the substitution allowances of Section 10.A.1.05.):

One (1) large tree; and Five
(5) small trees; and Ten
(10) shrubs.

2) The area within any public utility easement, public drainage easement or other public easement, wherein the owner is prohibited from locating required vegetation materials shall not be included in the calculation of total gross acreage.

B. Site Vegetation Standards

1) Site vegetation shall be arranged so that at least twenty five percent (25%) of the required site vegetation of each plant type is located within the street yard area. The street yard area is defined as the area between any abutting street right-of-way line (public and/or private) and the adjacent minimum setback line of the lot or tract. Street yard planting areas shall be a minimum of ten (10) feet in width.
2) Site vegetation shall be arranged so that no vehicular parking space is greater than fifty (50) feet from a tree as measured from the farthest edge of the parking space to the tree trunk.
3) A *large tree* is defined as a tree growing to a height of thirty-five (35) or more feet at maturity. A *small tree* is defined as a tree growing to a height of fifteen (15) to thirty-five (35) feet at maturity. A *shrub* is defined as a low growing plant, generally characterized by several upright stems, typically not exceeding ten (10) feet in height.
4) Large trees, single stem, shall be a minimum height of 10 feet and shall have a minimum caliper of 2 inches at planting. Large trees, multi-stem clump, shall have be a minimum height of 10 feet at planting. Small trees shall be a minimum height of 10 feet and shall have a minimum caliper of 1 ½ inches at planting. Shrubs shall be a minimum height of 18 inches at planting.

5) Site vegetation shall be placed in a manner that meets the intent of this ordinance, and shall be maintained by the property owner so that all plantings remain in a healthy condition. Any dead, unhealthy, or missing vegetation shall be replaced at the earliest suitable planting season.
6) All open spaces shall be grassed, seeded with lawn, or provided with other acceptable ground cover or other erosion control material.
7) When required plantings are located in interior parking areas, planting areas for one tree shall be no less than one hundred sixty two (162) square feet and planting areas for more than one tree shall be no less than three hundred (300) square feet. The minimum width of internal planting areas shall be six (6) feet. Interior parking area is defined as the area within the property used for vehicular storage, parking, and movement.
8) Landscaping shall not obstruct the view of motorists using any street, private driveway, parking aisles, or the approach to any street intersection so as to constitute a traffic hazard.
9) In addition to any required visual barriers or vegetation improvements, all garbage/trash container pads shall be enclosed on three (3) sides by a complete visual barrier consisting of a fence, wall, evergreen vegetation or combination thereof. All garbage/trash container pads shall be located in a side or rear yard not adjacent to a street. In the event that a lot or tract has multiple street frontages, such that all yards are adjacent to a street, container pads shall be located in the least publicly visible yard space of the facility. *(07-O-291, adopted 10/08/2007)*

Section 10A.1.04. Street Yard Planting Requirements

The street yard area is defined as the area between any abutting street right-of-way line (public and/or private) and the adjacent minimum setback line of the lot or tract. Street yard planting areas shall be a minimum of ten (10) feet in width. As provided under Section 10A.1.03, B, 1, at least twenty five percent (25%) of the minimum required site vegetation of each plant type shall be located within the street yard area. In addition to this requirement, street yard areas shall also meet the following minimum vegetation requirements:

a. Street yard planting areas shall be a minimum of ten (10) feet in width.
b. A minimum of two (2) large trees shall be provided for each one hundred (100) linear feet or fraction thereof of street frontage (public or private)
c. Street yard vegetation may count toward the minimum site vegetation requirements of Section 10A.1.03, however, additional materials may be necessary as required to comply with the street yard planting requirements of this Section. *(07-O-291, adopted 10/08/2007)*

Section 10A.1.05. Credits and Substitutions

a. Credits

Credit for retention of existing trees may be granted on a one-to-one basis for each healthy, viable tree retained and protected. When using existing trees, the area under the dripline (maximum extension of the branches) must remain undisturbed. This includes grading, filling, paving, etc. During land development and construction activities, existing trees shall be screened and buffered by means of a visible barrier which identifies the limits of protection.

b. Substitutions

Subject to the provisions of Section 10A.1.03.A., the following substitutions may be permitted:

One (1) large tree may substitute for two (2) small trees;
Two (2) small trees may substitute for one (1) large tree;
One (1) small tree may substitute for two (2) shrubs.
(07-O-291, adopted 10/08/2007)

Section 10A.2. Bufferyard Requirements

Section 10A.2.01 Purpose

It is recognized that certain land uses, because of their character and intensity, may create adverse impacts when developed adjacent to other less intensive land uses. The general purpose of this Section is to establish regulations protecting and preserving the appearance, character and value of property and to recognize that the transition between certain uses requires attention to protect less intensive uses. The objectives are to identify those land use relationships that may be incompatible and to specify an appropriate buffer or screen, the purpose of which is to minimize any adverse impacts. *(07-O-291, adopted 10/08/2007)*

Section 10A.2.02 Illustration of Bufferyards.

Prior to issuance of any permit or the granting of any other approval the applicant shall indicate on all required plans, type and dimension of all bufferyards required by this article. *(07-O-291, adopted 10/08/2007)*

Section 10A.2.03 Land Use Classifications

There are five different Land Use Classifications for purposes of determining applicable bufferyard requirements. The Land Use Classification number for proposed and adjacent land uses shall be obtained from the "Table of Permitted and Conditional Uses," Article VI, Section 6.4 of this ordinance. The Bufferyard Chart under Section 10.4 of this Article identifies the Bufferyard Type required for a given development, based on the relationship between the adjacent land uses. *(07-O-291, adopted 10/08/2007)*

Section 10A.2.04 Bufferyard Chart

A. There are four different Bufferyard Types, designated as A, B, C, & D. Bufferyard Types shall be provided in accordance with the *Bufferyard Chart* under this Section.

Bufferyard Chart

Proposed Land Use Classification	DEVELOPED djacent Land Use Classification					VACANT djacent Zoning District	
	1	2	3	4	5	Residential District	Nonresidential District
2	A	na	na	na	na	A	na
3	B	B	na	na	na	B	na
4	C	C	na	na	na	C	na
5	D	D	na	na	na	D	na

B. Bufferyard Exceptions.

(1) Central Business District Zoning

The bufferyard requirements of this Article shall not apply to those uses located within the Central Business District zoning classification.

(2) Agricultural-Residential Zoning

Where the zoning classification of adjacent property is Agricultural-Residential, bufferyard requirements shall be applied based upon adjoining land use rather than zoning classification. Bufferyard requirements shall not apply to vacant, cultivated, or wooded land within an Agricultural-Residential zoning classification, however, they shall apply with respect to any developed abutting parcel. *(07-O-291, adopted 10/08/2007)*

Section 10A.2.05. Bufferyard Minimum Standards

A. The intent of this section shall be to provide a complete year round opaque visual barrier between incompatible land uses. Qualified vegetation should therefore be spaced to accomplish this end. No horizontal plane, as viewed perpendicular from the property line, may be void of vegetation within five (5) years of planting for a height of at least twelve (12) feet. Beyond this five-year time period such vegetation screening shall be expected to increase in height in accordance with the natural growth patterns of the approved materials.

B. A complete visual screen shall be installed along the entire length of the subject bufferyard in accordance with the standards set out in the *Bufferyard Standards Chart* under this section.

Bufferyard Standards Chart

Bufferyard Type	Minimum Width *Notes 1 & 2	Minimum Vegetation Material Per 100 Linear Feet		
		Large Evergreen Trees	Small Evergreen Trees	Evergreen Shrubs
A	10 feet	3	4	16
B	20 feet	4	6	16
C	30 feet	6	8	26
D	50 feet	8	10	36

Note 1: Where a bufferyard width requirement is greater than the minimum setback requirement for the subject zoning classification, the bufferyard width requirement shall become the minimum setback requirement from the adjacent property line.

Note 2: a. Fence option. Where a fence, in accordance with subsection b below, is installed the bufferyard width may be reduced to:

Bufferyard A - not less than 8 feet;
Bufferyard B - not less than 10 feet;
Bufferyard C - not less than 15 feet;
Bufferyard D - not less than 25 feet.

b. When the fence option is used for bufferyard width reduction, such fence must create a complete visual barrier for at least six (6) feet in height. Such fence shall be located on the interior side of required buffer vegetation materials. Acceptable fence materials are cedar, masonry, redwood, composite, plastic, treated lumber resistant to rot, or other materials specifically designed as fencing materials. A chain link fence with plastic, metal or wooden slats may not be used to satisfy the requirements of this section. Fence installation shall be consistent with acceptable building practices.

C. *Measurement; location of bufferyards*. Bufferyard width shall be measured from lot boundary lines except as further provided.

D. *Thoroughfares*. Where a lot is located in proximity of an existing or future thoroughfare, as show on the officially adopted thoroughfare plan, all bufferyards shall be measured from the ultimate future thoroughfare right-of-way lines or property line, which yields the greatest setback.

E. *Overlapping bufferyards*. Whenever two (2) or more bufferyard requirements are applicable to the same use or combination of uses, then the more stringent of the bufferyard requirements shall apply, except as further provided.

F. *Planned center*. In the case of planned centers containing multiple principal uses, such as shopping centers, office/commercial unit ownership type developments and the like, the initial bufferyard requirement shall be based on the anticipated primary occupancy of such center and such requirement shall apply to all subsequent uses absent any change in zoning for such planned center.

G. *Shared buffer*. A shared buffer between adjoining property owners may be permitted to be installed instead of buffers on each parcel where property owners of adjoining properties agree to install a shared buffer and record a legal instrument, such as a recorded easement, that binds each property owner and the heirs to the proper installation and perpetual maintenance of a buffer that is in compliance with this ordinance. If a shared buffer is agreed upon it shall consist of the most restrictive buffer required by this ordinance for the particular properties. The shared buffer shall be installed along the adjoining properties such that portions of the buffer width are on each property, but not necessarily centered on the property line.

H. *Easement*. No bufferyard planting materials, fence, or other improvements required by this article shall be located on property subject to utility or drainage easements without written consent of the Town and easement holder. *(07-O-291, adopted 10/08/2007)*

<u>Section 10.A.3.</u> Flexibility in Administration

A. The Town Council recognizes that due to the wide variety of types of development and property boundary configurations, the varying quantity and dimension of open spaces, the natural and built environment and other existing adverse physical conditions, it is neither possible or prudent to establish inflexible vegetation regulations. Therefore, the Planning Director, or his authorized representative, may permit deviations from the specific requirements of this article provided such deviations are in accordance with subsection B.

B. Prior to administrative approval of any deviation to the requirements of this Article, the Planning Director, or his authorized representative, shall first determine the application meets the following criteria:

1) The deviation is necessary due to unique physical conditions of the property, which may include existing vegetation conditions, and
2) The hardship in complying with the requirements is not created by a proposed building, building expansion or expansion of impervious area into available open space wherein required plantings could be located in accordance with ordinance provisions, and
3) The hardship in complying with the requirements is not related to the expense or cost of installing required materials or other improvements, and
4) The deviation represents the least possible deviation from the letter of the ordinance and will allow reasonable use of the property, and
5) The deviation is in harmony with the general purpose and intent of the ordinance and preserves its spirit. *(07-O-291, adopted 10/08/2007)*

ARTICLE XI. NON-CONFORMING SITUATIONS

The purpose of this Article is to avoid undue hardship by permitting the continued use of any building, structure, or property that was lawful at the time of the enactment of this Ordinance or any applicable amendment thereof even though such use, structure, or property does not conform with the provisions of this Ordinance. However, this Article is also established to require that non-conforming situations be terminated under certain circumstances.

Section 11.1 Continuation of Non-Conforming Situations

Non-conforming situations that were otherwise lawful on the effective date of this Ordinance may be continued, subject to the restrictions and qualifications set forth in Sections 11.2 through 11.9 of this Article. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 11.2 Non-conforming Lots of Record

Where the owners of a lot of record at the time of the adoption of this Ordinance or his successor in title thereto does not own sufficient land to enable him to conform to the area or lot width requirements of this Ordinance, such lot may be used as a building site provided all other dimensional requirements are met and provided that the use to be made of the property is not one to which larger than minimum lot area requirements are called for in the list of Permitted and Conditional Uses and the Special Requirements. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 11.3 Extension or Enlargement of Non-Conforming Situations

1. Except as specifically provided in this Section, it shall be unlawful for any person to engage in any activity that causes an increase in the extent of non-conformity of a non-conforming situation.

2. Subject to Paragraph 4 of this Section, a non-conforming use may be extended through any portion of a completed building that, when the use was made non-conforming by this Ordinance, was manifestly designed or arranged to accommodate such use. However, a non-conforming use may not be extended to additional buildings or land outside the original building.

3. A non-conforming use may not be extended to cover more land than was occupied, or manifestly designed and arranged to be occupied, by that use when it became non-conforming.

4. The volume, intensity, or frequency of use of property where a non-conforming situation exists may be increased and the equipment or processes used at a location where a non-conforming situation exists may be changed if these or similar changes amount only to changes in the degree of activity rather than changes in kind and no violations of other paragraphs of this Section occur.

5. Physical alteration of non-conforming structures or structures containing a non-conforming use is unlawful if it results in:

   a) An increase in the total number of space devoted to a non-conforming use.
   b) Greater non-conformity with respect to dimension restrictions such as yard requirements, height, limitations, or density requirements.
   c) The enclosure of previously unenclosed areas, even though those areas are or were used in connection with the non-conforming activity.

6. Minor repairs to and routine maintenance of property where non-conforming situations exist are permitted and encouraged. Major renovation – i.e. work estimated to cost more than ten percent (10%) but less than sixty percent (60%) of the taxed value of the structure to be renovated may be done provided that the work will not result in a violation of any other paragraphs of this Subsection particularly Paragraph 5. In no case however shall work costing more than sixty percent (60%) of the taxed value of the structure be done, singularly or cumulative, within any five (5) year period. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

<u>Section 11.4</u> **Reconstruction Prohibited**

Any non-conforming building or structure or any building or structure containing a nonconforming use for which a major repair or reconstruction is proposed in any amount equal to sixty-percent (60%) or more of the taxed value of the building or structure or which has been damaged by any cause to an extent equal to sixty percent (60%) or more of its taxed value shall only be repaired and/or reconstructed and used as a conforming structure and a conforming use.

Provided, nothing herein shall prevent the reconstruction of a single-family dwelling that is non- conforming as to use provided such reconstruction conforms to the dimensional requirements of the R-6 District. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

<u>Section 11.5</u> **Change in Kind of Non-Conforming Use**

1. A non-conforming use may be changed to a conforming use. Thereafter, the property may not revert to a non-conforming use.

2. A non-conforming use shall not be changed to another non-conforming use except upon finding by the Board of Adjustment that the use is more in character with the uses permitted in the District than the previous use.

3. If a non-conforming use and a conforming use, or any combination of non-conforming uses exists on one lot, the use made of the property may be changed only to a conforming use.

4. Conforming uses, except Adult Oriented Businesses, may be established or re-established in non-conforming buildings or structures provided that off-street parking is provided as

required by this Ordinance and provided no other provision of this Ordinance for the establishment of new uses is violated. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 11.6 **Replacement of Non-Conforming Mobile Homes**

1. A non-conforming mobile home on an individually lot outside of a mobile home park may not be replaced except by a conforming dwelling. A non-conforming mobile home may not be enlarged or altered externally in any way.

2. Existing mobile home parks which provide manufactured home spaces having a width or area less than that herein described may continue to operate with spaces of existing width or area provided they meet the standards of the Pitt County Health Department. In no event shall any non-conforming park be allowed to expand unless the entire park is improved to meet the requirements of this ordinance. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 11.7 **Discontinuance of Non-Conforming Uses**

1. When active operation or occupancy of a non-conforming use is discontinued regardless of the purpose or reason for a consecutive period of one hundred and eighty (180) days, the property involved may thereafter be used only for conforming uses.

2. For purposes of determining whether a right to continue a non-conforming situation is lost pursuant to this Subsection, all of the buildings, activities, and operations maintained on a lot are generally to be considered as a whole. For example, the failure to rent one apartment in a non-conforming apartment building or one space in a non-conforming mobile home park for one-hundred and eighty (180) days shall not result in a loss of the right to rent that apartment or space thereafter so long as the apartment building or mobile home park as a whole is continuously maintained. But if a non-conforming use is maintained in conjunction with a conforming use, cessation of operation or occupancy of the non-conforming use for the required period shall terminated to right to maintain it thereafter. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 11.8 **Discontinuance of Non-Conforming Adult Oriented Businesses**

Notwithstanding the provisions of Section 11.7 above, Adult Oriented Business shall be governed by the following:

1. Any Adult Oriented Business, that fails to comply with the use and locational requirements of this Ordinance but which was lawfully operating before the effective date of this Ordinance, shall be deemed to be in violation of this Ordinance but shall be a non-conformity. Any such business which ceases active operation for a period of thirty (30) days regardless of the purpose or reason shall be subject to all the requirements of this Ordinance and the property shall thereafter be used only for conforming uses.

2. Any Adult Oriented Business lawfully operating as of the effective date of this Ordinance but which subsequently fails to comply with the use and locational requirements of this Ordinance as a result of changes within the vicinity or amendment to this Ordinance, shall not be deemed to be in violation of this Ordinance but shall be a non-conformity. Any such business that ceases active operation for a period of thirty (30) days regardless of purpose or reason shall be subject to all the requirements of this Ordinance and the property may thereafter be use only for conforming uses.

3. Any Adult Oriented Business that is rendered a non-conforming use as a result of the conditions described in 1. and 2. above shall either cease to operate or meet all the requirements of this Ordinance for the use no later than sixty (60) months from the date that the Adult Oriented Business became a non-conforming use. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 11.9 Non-Conforming Signs

The following requirements are established to regulate non-conforming signs:

Section 11.9.1 Conformance Required

Any sign legally in use prior to the effective date of this ordinance or any amendments hereto which does not satisfy the requirements of this ordinance is declared to be nonconforming and may be continued subject to regulations of Section 11.7.2, provided, however, prohibited signs in Article IX other than roof or projecting signs shall immediately be brought into compliance with the requirements of this Article or removed entirely, including any associated components or equipment.

The eventual elimination, as expeditiously and fairly as possible, of nonconforming signs is as much a subject of health, safety and welfare as is the regulation of new signs. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 11.9.2 Regulations of Non-Conforming Signs

A nonconforming sign may be continued but it shall not be:

a. Changed or replaced with another nonconforming sign, except that copy may be changed.

b. Expanded or modified in any way which increases the sign's nonconformity. Nor may illumination be added.

c. Moved except to bring the sign into complete conformity with this Article.

d. Re-established once the sign structure has been removed.

e. Re-established after damage or deterioration as defined in Section 11.9.4.

f. Re-established after it has been discontinued regardless of reason or intent for one hundred-twenty (120) days or more. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 11.9.3 **Illumination of Signs for Illegal Non-Conforming Uses**

Signs for legal nonconforming uses in residential districts shall be illuminated only between sunrise and 10:00pm. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 11.9.4 **Damaged or Deteriorated Non-Conforming Signs**

If a nonconforming sign suffers more than fifty (50%) of its value by damage or deterioration it must be brought into conformance with this ordinance or removed. The value shall be determined by the Zoning Administrator or his designee as the depreciated replacement value of the sign. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 11.9.5 **Maintenance of Non-Conforming Signs**

Nonconforming signs shall be subject to all requirements of this ordinance regarding safety, maintenance and repair. Nonconforming signs shall be maintained in good conditions including necessary non-structural repairs, incidental alterations or copy alterations, such as repainting and electrical repairs which do not extend or intensify the nonconforming features of the sign. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

ARTICLE XII. BOARD OF ADJUSTMENT

Section 12.1 **Establishment of Board of Adjustment**

A Board of Adjustment is hereby established. Said Board shall consist of five (5) members; four (4) members of the Board shall be appointed by the Town Council and shall be residents of the Town of Winterville, and one (1) member shall be appointed by the Board of County Commissioners of Pitt County, all for overlapping terms of three (3) years. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment.

The member appointed to the Board by the Board of County Commissioners as representative of the extraterritorial area outside the Town of Winterville shall be a resident of such area and a citizen of Pitt County. Such member shall have equal rights, privileges, and duties with other members of the Board in all matters. The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision or determination of any administrative official charged with enforcement of this ordinance or to decide in favor of the applicant any matter upon which it is required to pass under the Zoning Ordinance or to affect any variation of such Ordinance.

In addition to the regular members, the Town Council may appoint one (1) alternate member, who shall be a resident of the Town of Winterville and the Board of Commissioners of Pitt County may appoint one (1) alternate member, who shall be a resident of the extraterritorial area, each for three (3) year terms. The Chairman of the Board of Adjustment, or in his absence the acting chairman, may appoint the alternates to sit for any regular members in case of the absence or disqualification of any regular members. In such case the alternate members shall have the same powers and duties of the regular members they are replacing during such time. In no case, however, shall more than five (5) regular members or combination of regular members and the alternate members be empowered to vote on any matter that comes before the Board. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 12.2 **Proceedings of the Zoning Board of Adjustment**

The Board of Adjustment shall elect a chairman and a vice-chairman from its members who shall serve for one (1) year or until re-elected or until their successors are elected. The Board shall appoint a secretary, who may be a municipal officer, an employee of the Town, or a member of the Board of Adjustment. The Board shall adopt rules and by-laws in accordance with the provisions of this Ordinance and of Chapter 160D of the General Statutes of North Carolina. Meetings of the Board shall be held at the call of the chairman and at such other times as the Board may determine. The chairman, or in his absence the vice-chairman, may administer oaths and compel the attendance of witnesses by subpoena. All meetings of the Board shall be open to the public. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 12.3 **Appeals, Hearings and Notice**

An appeal from the decision of the Zoning Administrator may be taken by the aggrieved party to the Board of Adjustment. Such appeal shall be taken within forty-five (45) days by filing with the Zoning Administrator a notice of appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken. The Board of Adjustment shall fix a reasonable time for

hearing the appeal, give public notice thereof, as well as due notice to the parties in interest and decide the same within a reasonable time. At the hearing, any party may appear in person or by agent or attorney.

On all appeals, applications and other matters brought before the Board of Adjustment, said Board shall inform in writing all the parties involved of its decisions and reasons therefore. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 12.4 **Stay of Proceedings**

An appeal stays all legal proceedings in furtherance of the action appealed from, unless the Zoning Administrator certifies to the Board of Adjustment after notice of appeal shall have been filed with him, that be reason of facts stated in the certificate stay would, in his opinion, cause imminent peril to land and property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment or by a court of record on application, on notice to the Zoning Administrator, on due cause shown. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 12.5 **Powers and Duties of the Board of Adjustment**

The Board of Adjustment shall have the following powers and duties:

1. Administrative Review. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the Zoning Administrator in the enforcement of this Ordinance.

2. Zoning Compliance Certificate with Vested Rights. To hear and decide Zoning Compliances with Vested Rights in accordance with Article XIV of this Ordinance.

3. Variances. When unnecessary hardships would result from carrying out the strict letter of a zoning regulation, the Board of Adjustment shall vary any of the provisions of the zoning regulation upon showing all of the following:

   1) An unnecessary hardship results from the strict application of the ordinance.
   2) The hardship results from conditions that are peculiar to the property.
   3) The hardship is not a self-created hardship.
   4) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

   ** **Important:** The applicant bears the burden of presenting sufficient factual evidence to support findings of fact that allow the Board to reasonably reach each of the required conclusions, in accordance with NC General Statute 160D-705. If the applicant fails to meet that burden, the Board has no choice but to deny the application.

4. Special Use Permits.

   To hear and decide, in particular cases, and subject to appropriate conditions and safeguards, permits for conditional uses as authorized by Article VI. In granting a Special Use Permit the Board shall make the following affirmative findings:

a) The Use requested is among those listed as an eligible Special Use in the District in which the subject property is located;

b) That the Special Use will not materially endanger the public health or safety if located where proposed and developed according to the plan as proposed;

c) That the Special Use meets all required conditions and specifications;

d) That the Special Use will not substantially injure the value of adjoining or abutting property, or that the use is a public necessity; and

e) That the location and character of the Special Use if developed according to the plan as proposed will be in harmony with the area in which it is to be located and in general conformity with the plan of development of the Town and its environs.

In granting a Special Use Permit, the Board may impose such additional restrictions and requirements upon such permit as it may deem necessary in order that the purpose and intent of this Ordinance are served, public welfare secured and substantial justice done. If all requirements and conditions are accepted by the applicant, the Board shall authorize the issuance of the Special Use Permit, otherwise the Permit shall be denied. Any Special Use Permit so authorized shall be perpetually binding upon the property included in such Permit unless subsequently change or amended by the Board, as provided for in this Article.

The Board may change or amend any Special Use Permit, after a public hearing and subject to the same consideration as provided for in this Article for the original issuance of Special Use Permit.

No proposal to amend or change any Special Use Permit shall be considered within three (3) months of the date of the original authorization of such Permit or within three (3) months of hearing of any previous proposal to amend or change such Permit. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

<u>Section 12.6</u> **Appeals from The Board of Adjustment.**

Any person or persons, jointly or severally, aggrieved by any decision of the Board, any taxpayer, or any officer, department, board or bureau of the jurisdiction of this Ordinance may, within thirty (30) days after the filing of the decision in the office of the Board, but not thereafter, present to a court of competent jurisdiction a petition duly verified setting forth that such decision is illegal, in whole or in part, specifying the ground of illegality, whereupon such decision shall be subject to review by certiorari as provided by law. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

ARTICLE XIII. AMENDMENT PROCEDURES; CONDITIONAL DISTRICTS

Section 13.1 General

The Town Council may amend, supplement or change the Zoning Ordinance text and zoning district lines and designations according to the following procedure. It is the intent of this Ordinance that the applicant for rezoning to any district other than a Conditional District shall be prohibited from offering any testimony or evidence concerning the specific manner in which he intends to use or develop the property. If the applicant believes that the development of his property in a specific manner will lessen adverse effects upon surrounding properties or otherwise make the rezoning more in accordance with the principles underlying the Town's comprehensive zoning plan, he shall apply for rezoning to the appropriate Conditional District. *(2000 Zoning Ordinance, O-51- 02149900, adopted 02/14/2000)*

Section 13.2 Amendment Initiation

Applications to change, supplement or amend this Ordinance may be initiated by:

1. Textual Amendment
   a. The Town Council;
   b. The Planning Board;
   c. Anyone who owns property or resides in the area of jurisdiction of this Ordinance or the agent of such person.
   d. Third party down-zonings are prohibited. The Town Council and/or the Planning Board may initiate down-zonings (S.L. 2019-111, Pt. 1).

2. Map Amendment
   a. The Town Council;
   b. The Planning Board;
   c. Anyone who owns property or resides in the area of jurisdiction of this Ordinance or the agent of such person. Provided, however, map amendments involving Conditional Districts may only be initiated by the owner or authorized agent of the owner. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*
   d. Third party down-zonings are prohibited. The Town Council and/or the Planning Board may initiate down-zonings (S.L. 2019-111, Pt. 1).

Section 13.3 Submittal

All applications for amendments to this Ordinance shall be in writing, signed and filed with the Zoning Administrator. Applications for conditional zonings shall be considered the applicant's/landowner's written consent to the conditions related to the conditional-zoning.

The Zoning Administrator, before scheduling any application for amendment for consideration by the Planning Board, shall ensure that it contains all the required information as specified in this Ordinance and on the application form. Applications which are not complete, or otherwise do not comply with the provisions of this Ordinance shall not be scheduled by the Zoning Administrator, but shall be returned to the applicant with a notation of the deficiencies in the application.

Completed applications shall be received a minimum of ten (10) days prior to the Planning Board meeting at which the proposed amendment is scheduled to be considered.

All applications for amendment shall contain, as a minimum, a description of the proposed change and if it would require a change of the zoning maps, the application shall include a map drawn to a scale of not less than four hundred (400) feet to the inch and not more than twenty (20) feet to the inch showing the land covered by the proposed amendment, a legal description of the property and a list of names and addresses of all owners of property involved in the map change and all adjoining owners as shown on County tax records.

Section 13.4 **Planning Board Action**

The Zoning Administrator shall present any properly completed application for amendment to the Planning Board at its next regularly scheduled meeting occurring at least ten (10) days after filing of such application with the Zoning Administrator.

The Planning Board shall either recommend in favor of an amendment or in opposition to an amendment by simple majority vote of those present and voting. The Board may also propose conditions to their recommendation. A tie vote on a proposal shall be considered to be in opposition to such amendment. If the Planning Board should fail to act on any proposed amendment within ninety (90) days after it is presented to the Board such failure to act shall be considered to be a favorable recommendation for the purposes of this procedure. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 13.5 **Town Council Action**

The Zoning Administrator shall present any proposed amendments to the Town Council at its next regular scheduled meeting, following Planning Board action, at which it hears rezoning proposals. The Zoning Administrator shall transmit to the Town Council the Planning Board's record of action on the proposed amendments.

The Town Council shall take such lawful action on such proposals as it may deem advisable provided that no zoning amendment shall be adopted until after a public hearing shall have been held. Notwithstanding the provisions of Section 13.6, a simple majority vote of the Town Council shall be required to amend this ordinance. Notice of public hearing shall be given as required by N.C.G.S. 160D.

Section 13.6 **Protest Petition (***Section Removed - Repealed by Session laws 2015-160, s.2, effective August 1, 2015 and applicable to zoning ordinance changes initiated on or after that date.***)**

Section 13.7 **Special Provisions for Conditional Districts**

Proposals for rezoning to any Conditional District shall be requested during a rezoning. Such proposals and requests shall be processed and considered in in the same procedure as conventional rezoning proposals, except as otherwise set forth herein, and the voting shall be the same as that required for zoning matters.

In approving a Conditional District, the Town Council shall make the following affirmative findings:

1. That the Use(s) requested is among those listed as an eligible Use in the corresponding General Zoning District.

2. That the Use Limitations and Conditions as proposed and/or imposed for the Conditional District meet or exceed and/or are at least as restrictive as the minimum standards for the corresponding General Zoning District.

3. That the Use Limitations and Conditions as proposed and/or imposed for the requested Conditional District can reasonably be implemented and enforced for the subject property.

4. That when implemented the proposed and/or imposed use limitations and conditions will mitigate specific land development issues that would likely result if the subject property were zoned to accommodate all those uses and the minimum standards of the corresponding General Zoning District.

5. That the applicant has agreed to the use limitations and conditions as proposed and/or imposed for the requested Conditional District. *(00-02, adopted 08/14/2000)*

Any Conditional District so authorized shall be perpetually binding upon the property involved in such Permit unless subsequently changed or amended by the Town Council, as provided for in this Article.

The Town Council may change or amend any Conditional District, after a public hearing upon recommendation by the Planning Board and subject to the same consideration as provided for in this section for the original issuance of a Conditional District.

No proposal to amend or change any Conditional District shall be considered within twelve (12) months of the date of the original authorization of such Permit or within twelve (12) months of hearing of any previous proposal to amend or change any such Permit**.** *(2000 Zoning Ordinance, 0- 51-02149900, adopted 02/14/2000)*

Section 13.8 **Maximum Number of Applications**

No application for the same zoning district applicable to the same property or any part thereof shall be filed until the expiration of one (1) year from:

1. The date of final determination by the Town Council; or

2. The date of the public hearing or scheduled public hearing if the application is withdrawn after is has been advertised for public hearing.

Fees submitted for withdrawn cases shall not be refundable. *(2000 Zoning Ordinance, 0-51-02149900, adopted 02/14/2000)*

ARTICLE XIV. ADMINISTRATION, ENFORCEMENT AND PENALTIES

Section 14.1 **Administrative Officer**

This Ordinance shall be administered and enforced by the Zoning Administrator who shall be appointed by the Town Council and is hereby empowered:

A. To issue a Zoning Compliance Certificate prior to issuance of a building permit by the County Inspections Department;

B. To collect the designated fees in the Administration of this ordinance;

C. To investigate violations of the provisions of this ordinance and enforce actions necessary for correction thereof. To enter upon private property at reasonable times in carrying out of the duties.

D. To make and keep all records necessary and appropriate to the office including record of issuance and denial of all Zoning Compliance Certificates, Special Use Permits, Amendments, Variances, Appeals, and of receipt of complaints of violations of this ordinance and action taken on the same.

E. To appoint agents to act on his behalf. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 14.2 **Zoning Compliance Certificates; Building Permits; Certificates of Occupancy Required**

Application for a Building Permit and Certificate of Occupancy shall be filed with the Building Inspector.

A. **Zoning Compliance Certificate**. Application for a Zoning Compliance Certificate shall be filed with the Zoning Administrator of the Town of Winterville, or his designate. No building permit shall be issued until a Zoning Compliance Certificate has been issued by the Town of Winterville.

B. **Building Permit**. No building permit shall be issued until the plans and specifications for a building comply with the North Carolina State Building Code, the Building Regulations set forth in the Town of Winterville Code of Ordinances, the provisions of this ordinance and until a Zoning Compliance Certificate has been issued by the Town of Winterville.

C. **Final Site Approval**. No Certificate of Occupancy shall be issued until the Town of Winterville has executed a Final Site Approval Certification and this certification has been submitted to the Building Inspector. The Town

of Winterville shall inspect the building site for conformance with Town standards for the site including site drainage, landscaping, drainage easements, street and sidewalk public improvements, electrical, water, and sewer services, and other required site features. Drainage must flow away from structures into drainage ways and not pond on site. Easements shall not be impeded or blocked by structures, fences, or other blockages. Utilities must be connected in conformance with Town standards including the water meter box being level with the ground and the sewer cleanout being just below ground level and it being in a circular cast iron box with a cast iron cover at ground level.

D. **Certificate of Occupancy**. No building which has been erected, added to, relocated, or structurally altered for which a building permit has been issued shall be used or occupied nor the use of the building or land changed until a Certificate of Occupancy has been issued by the Building Inspector stating that the building or structure or part thereof complies with the North Carolina Building Code, the Pitt County Inspections Ordinance and the provisions of this ordinance. No previously unoccupied structure shall be occupied until a Certificate of Occupancy is issued.

E. No temporary utilities shall be connected until a building permit is issued. No permanent utilities shall be connected until a Certificate of Occupancy is issued. *(03-0-24, adopted 07/14/2003)*

Section 14.3 Zoning Compliance Certificate

No land shall be used or occupied and no building hereafter structurally altered, erected, or moved, shall be used, or its use changed, until a Zoning Compliance Certificate shall have been issued by the Zoning Administrator stating that the building and/or the proposed use thereof complies with the provisions of this Ordinance. No Building Permit shall be issued and no building shall be occupied until that Permit is issued. The issuance of a valid Zoning Compliance Certificate shall confer with it the right to undertake and complete the development and/or use of property under the terms and conditions of such Certificate provided that such action as authorized by the Certificate is commenced within one hundred eighty (180) days of issuance and provided that all other permits are obtained. Otherwise the Certificate shall be void.

1. Application Procedures

Each application for a Zoning Compliance Certificate shall be accompanied by a plan in duplicate, drawn to scale, one (1) copy of which shall be returned to the Owner upon approval.

The plan shall show the following:

a. The shape and dimensions of the lot on which the proposed building or use is to be erected or conducted;
b. The location of the said lot with respect to adjacent rights-of-way;

c. The shape, dimensions, and location of all buildings, existing and proposed, on the said lot;
d. The nature of the proposed use of the building or land, including the extent and location of the use, on the said lot;
e. The location and dimensions of off-street parking and the means of ingress and egress to such space; and
f. Any other information which the Zoning Administrator may deem necessary for consideration in enforcing the provisions of this Ordinance.

2. Right of Appeal

If the Zoning Permit is denied, the applicant may appeal the action of the Zoning Administrator to the Board of Adjustment as provided for herein. Such appeal shall be made within forty five (45) days of such permit denial. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

<u>Section 14.4</u> **Zoning Compliance Certificate With Vested Rights**

1. In any case where the applicant for a Zoning Compliance Certificate desires to obtain a vested right, as authorized by NCGS 160D-102;-100(d), the applicant shall observe the following procedures:

a. The applicant shall submit to the Zoning Administrator seven (7) copies of a site specific development plan drawn to scale describing with reasonable certainty the type and intensity of use for the specific parcel or parcels of land. Such plan shall include:
1) The boundaries of the site;
2) Significant topographical and other natural features affecting the development of the site;
3) The location on the site of the proposed buildings, structures, and other improvements;
4) The dimensions, including height, of the proposed buildings and other structures;
5) The location of all existing and proposed infrastructure on the site, including water, sewer, roads and walkways; and
6) Such other information as the Zoning Administrator may determine to be necessary in order to determine the specifics of the plan.

b. Public Hearing; Notice Thereof

Upon receipt of a properly prepared site specific development plan the Zoning Administrator shall arrange to bring such plan before the Board of Adjustment in the manner of a public hearing. Complete plans shall be received a minimum of fourteen (14) days prior to the public hearing at which the proposed vested rights plan is scheduled to be considered by the Board. Notice of public hearing shall be given in the same manner as that required for a variance.

In considering an application for a Zoning Compliance Certificate With Vested Rights the Board of Adjustment shall give due regard that the purpose and intent of this Ordinance shall be served, public safety and welfare secured and substantial justice done. If the Board should find, after public hearing, that the proposed Permit should not be granted, such proposed Permit shall be denied.

In granting such Permit, the Board of Adjustment shall make the following affirmative findings:

1) The use requested is among those listed as a Permitted or Special Use in the District in which the subject property is located or is to be located and complies with all the requirements of this Ordinance and other applicable ordinances.
2) The requested Permit is either essential or desirable for the public convenience or welfare.
3) The requested Permit will not impair the integrity or character of the surrounding or adjoining Districts, and will not be detrimental to the health, safety or welfare of the community.
4) Adequate utilities, access roads, drainage, sanitation and/or other necessary facilities have been or are being provided.

In granting a Zoning Compliance Certificate With Vested Rights, the Board of Adjustment may impose such additional restrictions and requirements upon such Certificate as it may deem necessary in order that the purpose and intent of this Ordinance are served, public welfare secured and substantial justice done. Approval of a site specific development plan with the condition that a variance, Special Use Permit or modification be obtained shall not confer a vested right unless and until the necessary variance, Special Use Permit or modification is obtained. If all requirements and conditions are accepted by the applicant, the Board shall authorize the issuance of the Certificate, otherwise the Certificate shall be denied. Any Permit so authorized shall remain vested for a period of two years from the date of the action granting the Certificate.

2. Violations

Any violation of a term or condition involved in the granting of a Zoning Compliance Certificate With Vested Rights shall be treated the same as a violation of this Ordinance and shall be subject to the same remedies and penalties as any such violation. In addition, the Board of Adjustment may, after public hearing, revoke any such vested rights for failure to abide by such term or conditions.

3. Other Ordinances Apply

The establishment of a vested right shall not preclude the application of overlay zoning which imposes additional requirements but does not affect the allowable type or intensity or use, or ordinances or regulations which are general in nature and are applicable to all property subject to land-use regulation, including, but no limited to building, fire, mechanical, electrical and plumbing codes.

4. Changes or Amendments

No change or amendment to any Compliance Certificate With Vested Rights shall be made except after public hearing and except as provided for in this Ordinance for the original issuance of such Certificate. If, at the time of consideration of proposed change or amendment to an existing Certificate, such Certificate or proposed change or amendment could not be lawfully made under Ordinance conditions existing at that time, such proposed change or amendment shall be denied. In addition, in no case shall there be an extension of the two-year time period for which such development right is vested. Nothing herein shall exempt plans related to such Certificate from subsequent reviews and approvals to ensure compliance with the terms and conditions of the original approval, provided that such reviews are not inconsistent with the original approvals.

5. Status at Expiration of Term

A right which has been vested shall terminate at the end of the two-year vesting period with respect to buildings and uses for which no valid Building Permit applications have been filed. Upon issuance of a Building Permit, the provisions of G.S. 160D-403(c);-1109 and G.S. 160D-403(f);-1113 shall apply except that a Building Permit shall not expire or be revoked because of the running of time while a vested right under this Section is outstanding. Any development constructed pursuant to a Zoning Compliance Certificate With Vested Rights for which the vested term has expired and which is not in conformance with all the terms of this Ordinance because of changes made in the provisions of this Ordinance, including the Zoning Map, after the issuance of such Certificate shall be subject to the provisions of the Ordinance relating to non-conformities the same as any other non- conformity.

6. Annexation Declaration

Any landowner who signs an annexation petition to the Town pursuant to G.S. 160D shall, as part of that petition, file a signed statement declaring whether or not vested rights with respect to the property subject to the petition have been established under G.S. 160D-102;-100(d). If the statement declares that such rights have been established, the Town may require petitioners to provide proof of such rights. A statement which declares that no vested rights have been established by law shall be binding on the landowner and any such vested rights shall be terminated. (2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)

<u>Section 14.5</u> Duties of Zoning Administrator, Board of Adjustment, Courts and Town Council to Matters of Appeal

It is the intention of this Ordinance that all questions arising in connection with the enforcement of this Ordinance shall be presented first to the Zoning Administrator and that such questions shall be presented to the Board of Adjustment only on appeal from the Zoning Administrator; and that from the decision of the Board of Adjustment recourse shall be to courts as provided by law. It is further the intention of this Ordinance that the duties of the Town Council in connection with the Ordinance shall not include the hearing and passing upon disputed questions that may arise in connection with enforcement thereof, but the procedure of determining such questions shall be as herein set out in the Ordinance, and that the duties of the Town Council in connection with this Ordinance

shall be only the duty of considering and passing upon any proposed amendment or repeal of the Ordinance as provided by law. *(2000 Zoning Ordinance, O-51- 02149900, adopted 02/14/2000)*

Section 14.6 **Lawful Use**

Structures, buildings and conditions existing on a lot or parcel subject to the terms of this ordinance on the effective date of this ordinance are for purposes of this ordinance conclusively presumed to be lawful. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 14.7 **Violations; Remedies**

Any of the following shall be a violation of this Ordinance and shall be subject to the enforcement remedies and penalties provided by this Article and by State law.

A. Development Without Permit

To engage in any development, use, construction, remodeling, or other activity of any nature upon land or improvements thereon subject to the jurisdiction of this Ordinance without all required permits, certificates, or other forms of authorization as set forth is this Ordinance.

B. Development Inconsistent With Permit

To engage in any development, use, construction, remodeling, or other activity of any nature in any way inconsistent with any approved plan, permit, certificate, or other form of authorization granted for such activity.

C. Violation by Act of Omission

To violate, by act or omission, any term, variance, modification, condition, or qualification placed by the Town Council or its agent boards upon any required permit, certificate, or other form of authorization for the use, development, or other activity upon land or improvements thereon.

D. Use in Violation

To erect, construct, reconstruct, alter, repair, convert, maintain, or use any building or structure or to use any land in violation or contravention of this Ordinance or any other regulation made under the authority conferred thereby.

E. Continue a Violation

Each day's continuation of any of the above violations is a separate and distinct offense. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 14.8 **Penalties for Violation**

Violations of this Ordinance shall constitute either a misdemeanor, with a fine not exceeding fifty (50) dollars or imprisonment not exceeding thirty (30) days, or, at the election of the Town, shall subject the offender to a civil penalty upon issuance of a citation for said violation as hereinafter provided. The civil penalty, if not paid to the Town within fifteen days of issuance of a citation, may be recovered by the Town in a civil action in the nature of debt. Said civil penalties shall be in the amount of $50.00 (fifty dollars) for each violation and each day any single violation continues shall be a separate violation.

In addition to the civil penalties set out above, any provision of this Ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction. In such case, the general court of justice shall have jurisdiction to issue such orders as may be appropriate, and it shall not be a defense to application of the Town for equitable relief that there is an adequate remedy at law.

In addition to the civil penalties set out above, any provision of this Ordinance that makes unlawful a condition existing upon or use made of real property may be enforced by injunction and order of abatement by General Court of Justice. When a violation of such a provision occurs, the Town may apply to the appropriate division of the General Court of Justice for a mandatory or prohibitory injunction and/or or abatement commanding the defendant to correct the unlawful condition upon or cease the unlawful use of the property. The action shall be governed in all respects by the laws and rules governing civil proceedings, including Rules of Civil Procedure in general and Rule 65 in particular.

An order of abatement may direct that buildings or other structures on the property be closed, demolished or removed; that fixtures, furniture or other movable property be removed from buildings on the property; that abandoned or junked vehicles be removed; that improvements or repairs be made; or that any other action be taken that is necessary to bring the property into compliance with this Ordinance. If the defendant fails or refuses to comply with an injunction or with an order of abatement within the time allowed by the court, he may be cited for contempt, and the Town may execute the order of abatement. The Town shall have a lien on the property for the cost of executing an order of abatement in the nature of a mechanic's and materialman's lien. The defendant may secure cancellation of an order of abatement by paying all costs of the proceedings and posting a bond for compliance with the order. The bond shall be given with sureties approved by the Clerk of Superior Court in an amount approved by the judge before whom the matter is heard within a time fixed by the judge. Cancellation of an order of abatement shall not suspend or cancel an injunction issued in conjunction therewith.

The provision of this Ordinance may be enforced by one, all or a combination of the remedies authorized and prescribed by this section.

Upon determination of a violation of any section of this Ordinance, the penalty for which is a civil penalty, the Zoning Administrator shall cause a warning citation to be issued to the violator. Such citation shall set out the nature of the violation, the section violated, the date of the violation, and shall contain an order to immediately cease the violation. If the violation is in the nature of an infraction for which an order of abatement would be appropriate in a civil proceeding, a reasonable period of time must be stated in which the violation must be abated.

An appeal from a warning citation shall be taken within ten (10) days from the date of said warning citation and the Board of Adjustment, in considering such appeal, shall, notwithstanding other powers as may be granted, have power only in the manner of administrative review and interpretation where it is alleged that the Enforcement Officer has made an error in the application of the Ordinance, in the factual situation as it relates to the application of the Ordinance, or both.

Where the Zoning Administrator determines that the period of time stated in the original warning citation is not sufficient for abatement based upon the work required or consent agreement, the Zoning Administrator may amend the warning citation to provide for additional time. The warning citation shall specify that a second citation shall incur a civil penalty, together with costs and attorney fees.

Upon failure of the violator to obey the warning citation a civil citation shall be issued by the Zoning Administrator and either served directly on the violator, his duly designated agent, or registered agent in a corporation, either in person or posted in the United States mail service by first class mail addressed to the last known address of the violator as contained in the records of the Town or obtained from the violator at the time of issuance of the warning citation. The violator shall be deemed to have been served upon the mailing of said citation. The citation shall direct the violator to pay the civil penalty assessment in person within fifteen days of the date of citation, or alternatively to pay the citation by mail. The violation for which the citation is issued must have been corrected by the time the citation is paid, otherwise further citations shall be issued. Citations may be issued for each day the offense continues until the prohibited activity is ceased or abated.

If the violator fails to respond to a citation within fifteen days of its issuance, and pay the penalty prescribed therein, the Town may institute a civil action in the nature of debt in the appropriate division of the North Carolina General Court of Justice for the collection of the penalty, costs, attorney fees, and such other relief as permitted by law. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

ARTICLE XV. GENERAL LEGAL PROVISIONS; DEFINITIONS

Section 15.1 Interpretation, Purpose, Conflict

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, prosperity and general welfare. It is not intended by this Ordinance to interfere with or abrogate or annul any easements, covenants, or other agreements between parties; provided, however, that where this Ordinance imposes a greater restriction or imposes higher standards than those required by other ordinances, rules, regulations, or by easements, covenants, or agreements the provisions of this Ordinance shall govern so that, in all cases, the most restrictive limitation or requirement, or the requirement causing the highest standard of improvement, shall govern. *(2000 Zoning Ordinance, 0-51-02149900, adopted 02/14/2000)*

Section 15.2 Repeal and Reenactment of Existing Zoning Ordinance

The rewriting of this Ordinance in part carries forth by reenactment some of the provisions of the existing Zoning Ordinance of the Town of Winterville and it is not intended to repeal but rather to reenact and continue in force such existing provisions so that all rights and liabilities that have been accrued are preserved and may be enforced. All suits at law or in equity and/or all prosecutions resulting from the violation of the Zoning Ordinance in effect, which are now pending in any of the courts of this State or of the United States, shall not be abated or abandoned by reason of the adoption of this Ordinance, but shall be prosecuted to their finality the same as if this Ordinance had not been adopted; and any and all violations of the existing Ordinance, prosecutions for which have not been instituted, may be filed and prosecuted; and nothing in this Ordinance shall be so construed as to abandon, abate, or dismiss any litigation or prosecution now pending and/or which may have been instituted or prosecuted. *(2000 Zoning Ordinance, 0-51-02149900, adopted 02/14/2000)*

Section 15.3 Effects Upon Outstanding Building Permits, Zoning Compliance Permits and Special Use Permits

Nothing herein contained shall require any change in the plans, construction, size or designated use of any building, structure or part thereof for which a building permit has been granted by the Building Inspector prior to the time of passage of this Ordinance or any amendment thereto; provided, however, that where construction is not begun under such outstanding permit within a period of one hundred eighty (180) days subsequent to the passage of this Ordinance or any amendment thereto, or where it has not been prosecuted to completion within eighteen (18) months subsequent to passage of this Ordinance or any amendment thereto, any further construction or use shall be in conformity with the provisions of this Ordinance or any such amendment.

Nothing herein contained shall require any change in the plans, construction, size or designated use of any Special Use Permit which has been granted prior to the adoption of this Ordinance and which Special Use is no longer carried forth on this Ordinance provided that a Building Permit has been obtained and construction begun within one hundred eighty (180) days of the date of the approval of such Permit and provided that such Building Permit is prosecuted to completion as approval of such Permit and provided that such Building

Permit is prosecuted to completion as provided above. Such valid Special Uses including those already existing for non-continued uses may be constructed, continued and reconstructed the same as any permitted use subject to such use limitations and other conditions as provided for in the original issuance of the Special Use Permit. Any such Special Use that is changed to any permitted use for any period of time shall not be permitted to resume the Special Use. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

<u>Section 15.4A</u> Conflicts of Interest (G.S. 160D-1-9)

a) Governing Board. – A governing board member shall not vote on any legislative decision regarding a development regulation adopted pursuant to G.S. 160D 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 G.S. 160D 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 G.S. 160D 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 G.S. 160D 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 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 G.S. 160D 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 part 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 a particular 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 15.4B Definitions

For the purposes of this ordinance, the following terms, phrases, words and their derivations shall have the meaning given herein when not inconsistent with the context; words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The words "used for" shall include the meaning "designed for".

A. General Definitions

Accessory use or accessory building (non-residential). A subordinate non-residential use or building customarily incidental to and located on the same lot with the main use or building.

Accessory use or accessory building (residential). A noncommercial use or building customarily incidental and subordinate to but located on the same lot with the main residential use or building such as a private garage or carport, family garden, personal storage building, or workshop, all of which are totally for personal use.

Administrative decision. Decisions made in the implementation, administration, or enforcement of development regulations that involve the determination of facts and the application of objective standards set forth in this Chapter or local government development regulations. These are sometimes referred to as ministerial decisions or administrative determinations.

Administrative hearing. A proceeding to gather facts needed to make an administrative decision.

Apartment. A room or suite of rooms in a multi-unit residential building, generally rented by the occupant, which provides complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation in each separate unit.

Bed and breakfast. A dwelling in which lodging available for rent to the public, with or without meals, is provided for overnight guests for a fee.

Bedroom: A room designated as sleeping or bedroom on the plans and permit application.

Bona Fide Farm. Bona Fide farm purposes include the production of and activities relating or incidental to the production of crops, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agricultural products having a domestic or foreign market.

Brewpub. A restaurant/brewery that sells 25 percent or more of its beer on site. The beer is brewed primarily for sale in the restaurant or bar. The beer is often dispensed directly from the brewery's storage tanks. Where allowed by law, brewpubs often sell beer "to go" and /or distribute to off-site accounts.

Building. Any structure used or intended for supporting or sheltering any use or occupancy.

Building Height. The vertical distance from the mean elevation of the finished grade along the front of a building to the highest point of a flat roof, or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip and gambrel roof.

Building, main. The principal structure in which the primary use of the property is undertaken.

Building Occupancy. See "Use".

Building setback line. See "Setback".

Common open space. The open space land held in common ownership by property or unit owners in a development, normally provided for in the declaration of restrictive covenants and normally in common use.

Conditional District. A zoning district in which site plans or individualized development conditions are imposed.

Condominium. Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Congregate / convalescent care facility – A health care establishment for care, supervision, and provision of resident services on a temporary or permanent basis including dependent or independent living facilities for the elderly. The following uses shall not be considered under this definition: family care homes or group care facilities as defined by this ordinance.

Dependent living facility – Nursing homes, rest homes, and homes for disabled persons, which are designed for persons who need a wide range of health and support services, such as medical, nursing, and personal services care, central dining facilities and/or food preparation facilities, and transportation services on site. *(06-O-250, adopted 12/11/2006)*

Day care center. A facility providing care for six (6) or more non-handicapped children, more than four (4) hours per day, for payment of a fee, but without transfer or assignment of custody.

Determination. A written, final, and binding order, requirement, or determination regarding an administrative decision.

Developer. A person, including a governmental agency or redevelopment authority, who undertakes any development and who is the landowner of the property to be developed or who has been authorized by the landowner to undertake development on that property.

Development. Unless the context clearly indicates otherwise, the term means any of the following:
a. The construction, erection, alteration, enlargement, renovation, substantial repair, movement to another site, or demolition of any structure.
b. The excavation, grading, filling, clearing, or alteration of land.
c. The subdivision of land as defined in G.S. 160D-8-2.
d. The initiation or substantial change in the use of land or the intensity of use of land

Development approval. An administrative or quasi-judicial approval made pursuant to G.S. 160D that is written and that is required prior to commencing development or undertaking a specific activity, project, or development proposal. Development approvals include, but are not limited to,

zoning permits, site plan approvals, special use permits, variances, and certificates of appropriateness. The term also includes all other regulatory approvals required by regulations adopted pursuant to G.S. 160D, including plat approvals, permits issued, development agreements entered into, and building permits issued.

Development regulation. A unified development ordinance, zoning regulation, subdivision regulation, erosion and sedimentation control regulation, floodplain or flood damage prevention regulation, mountain ridge protection regulation, stormwater control regulation, wireless telecommunication facility regulation, historic preservation or landmark regulation, housing code, State Building Code enforcement, or any other regulation adopted pursuant to G.S. 160D, or a local act or charter that regulates land use or development.

Dwelling. A building intended or designed to be used, rented, leased, let or hired out to be occupied for living purposes.

Dwelling, single-family (Conventional or Modular). A detached building constructed on-site or in industrialized modules in compliance with the North Carolina State Building Code and designed for or occupied by one family.

Dwelling, single-family attached. A single-family dwelling that except for corner units is connected one each side by means of a common dividing structural or load bearing party wall of at least ten (10) linear feet to another single-family dwelling, each on its own individual lot.

Dwelling, single-family detached. A single-family dwelling which is completely surrounded by permanent open space.

Dwelling, two-family. A detached residential building arranged or designed to be occupied by two (2) families living independent of each other.

Dwelling, multifamily. A detached building constructed on-site in compliance with the North Carolina State Building Code and designed for three (3) or more dwelling units.

Dwelling unit. An enclosure of one or more rooms providing complete independent living facilities for one family, including permanent facilities for living, sleeping, eating, cooking and sanitation within the separate enclosure.

Evidentiary hearing. A hearing to gather competent, material, and substantial evidence in order to make findings for a quasi-judicial decision required by a development regulation adopted under G.S. 160D.

Family. Any number of persons related by blood, adoption or marriage or no more than four (4) persons not related by blood, adoption or marriage, living together as a single housekeeping unit sharing the same domestic facilities. It does not include congregate residential care facilities; family care and group care facilities; foster homes for children; homes for the aged and infirmed; family-care homes for the aged and infirmed; day care facilities; day care centers; and family day care homes; shelter homes; adult day care centers; day nurseries; preschool centers; hospitals, nursing homes; sanitariums; and dormitories, fraternal organizations, or other organized social or institutional residential situations.

Family day care home. A building used as a residence for a family which is also used to provide day care services on a temporary basis without transfer of custody for three (3) to five (5) unrelated children, for a fee. (The keeping of 1-2 children does not require a permit.)

Family care home. A home with support and supervisory personnel which provides room and board, personal care and habitation services in a family environment for not more than six (6) resident handicapped persons.

Family members, direct. Direct lineal descendants (children, grandchildren, and great grandchildren) and direct lineal ascendants (father, mother, grandfather and grandmother); and bothers, sisters, nieces and nephews.

Frontage. The property abutting on one side of a street measured along the street right-of-way line.

Gross Floor Area. The total area of any buildings in the projects, including the basements, mezzanines and upper floors, exclusive of stairways and elevator shafts. It excludes separate service facilities outside the store such as boiler rooms and maintenance shops. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Group care facility. A facility licensed by the State of North Carolina, (by whatever name it is other than "family care home" or "congregate care facility" as defined by this ordinance), with support and supervisory personnel that provides room and board, personal care, or habitation services. The following shall not be considered under this definition: congregate care facility, convalescent care facility, dependent living facility, independent living facility, and nursing home, as defined by this ordinance.
(06-O-250, adopted 12/11/2006)

Handicapped person. A person with a temporary or permanent physical, emotional or mental disability including but not limited to mental retardation, cerebral palsy, epilepsy, autism, hearing and sight impairments, emotional disturbances and orthopedic impairments, but does not include mentally ill persons who are dangerous to others as defined in Section 122-58.2(1)b of the General Statues of North Carolina, or any amendment thereto.

Home occupation, customary. An occupation conducted incidental to the use of property as a dwelling unit, which does not adversely impact or change the residential character of the neighborhood. The incidental use of any dwelling by the occupant(s) for the purpose of receiving or transmitting messages by mail, record or bookkeeping, filing, address listing for applicable privilege license or tax identification and other similar activities which do not involve the on-site sale, delivery, distribution, reception, storage or manufacture of goods, products or services shall not constitute a home occupation for the purpose of regulation under this ordinance.

Hotel or motel. A building which provides sleeping accommodations in six or more rooms, commonly available for pay on a daily basis to transient or permanent guests.

Independent living facility – Congregate living facilities, such as rest homes and homes for the aged, which are designed for older persons or disabled persons who do not require health and support services on site. Each living unit may be self contained and must be physically accessible to older or disabled persons. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Internet Sweepstakes. Any business enterprise, whether as a principal or an accessory use, where persons utilize electronic machines, including but not limited to computers and gaming terminals, to conduct games of chance, including sweepstakes, and where cash, merchandise or other items of value are redeemed or otherwise distributed, whether or not the value of such distribution is determined by electronic games played or by predetermined odds. This term includes, but is not

limited to internet cafes, internet sweepstakes, beach sweepstakes, or cybercafés. This term does not include any lottery approved by the State of North Carolina.
(10-0-223, adopted 05/10/2010)

Junk yard. A lot or group of contiguous lots where more than six hundred (600) square feet of area is use for the dismantling or the storage of wrecked or used automobiles or the storage, sale, or dumping of dismantled or wrecked cars or their parts, or for storage of appliances, machinery and other salvage goods.

Kennel. An establishment wherein any person engages in business or practice, for fee, of boarding, breeding, grooming, letting for hire, or training of more than three (3) domesticated animals at any one (1) time; or an establishment wherein any person engages in the business or practice, for a fee, of selling more than one (1) litter of domesticated animals at any one (1) time or the selling of any three (3) individual domesticated animals (not defined as litter herein) at any one (1) time. Domesticated animals, for purpose of this ordinance, shall be defined as dogs, cats, and other generally acceptable household pets. Litter, for the purpose of this ordinance, shall be defined as the progeny resulting from the breeding of two (2) domesticated animals. The following shall not constitute the operation of a kennel as defined above and in no way shall this provision regulate the following:

(a) The ownership of domesticated animals as household pets;
(b) The ownership of domesticated animals for hunting or tracking purposes;
(c) The ownership of domesticated animals for the purpose of exhibiting at shows, obedience or field trials; and
(d) The ownership of domesticated animals for the purpose of protection or guarding of residences or commercial establishments.

Landowner. An owner of a legal or equitable interest in real property, including the heirs, devise, successors, assigns and personal representative of such owner. The owner may allow a person holding a valid option to purchase, to act as his agent or representative for purposes of submitting a proposed site specific development plan in the manner allowed by this Ordinance.

Legislative decision. The adoption, amendment, or repeal of a regulation under G.S. 160D or an applicable local act. The term also includes the decision to approve, amend, or rescind a development agreement consistent with the provisions of Article 10 of G.S. 160D.

Legislative hearing. A hearing to solicit public comment on a proposed legislative decision.

Lot. A parcel of land, the boundaries of which are established by some legal instrument such as a deed or recorded plat (but not tax maps) and which is recognized as a separate tract for purposes of transfer of title or lease of greater than three (3) years.

Lot, corner. A lot adjacent to or abutting on two (2) streets at their intersection.

Lot, front. On a corner lot, the front is the frontage with the least dimension at the street. Where the dimensions are equal the front shall be designated by the owner.

Lot, interior. Any lot other than a corner lot.

Lot lines. The line forming the perimeter or boundary of the lot.

Lot, through. An interior lot having frontage on two (2) streets. Also called a double frontage lot.

Lot width. The distance from side lot line to side lot line measured at the required minimum front yard setback parallel to the front property line. For lots with a radial side line(s), lot width may be measured at a front yard setback greater than the minimum required front yard setback. In such case the point where the minimum lot width is measured shall become the front yard setback for that lot.

Lot of record. A lot which is a part of a subdivision, a plat of which has been recorded in the office of the register of deeds, or a lot which is described by metes and bounds, the description of which has been so recorded, prior to the effective date of this Ordinance.

Manufacturing. The processing of raw products and materials into items for sale.

Microbrewery. A brewery that produces less than 15,000 barrels (17,600 hectoliters) of beer per year with 75 percent or more of its beer sold off-site. Microbreweries sell to the public by one or more of the following methods: the traditional three-tier system (brewer to wholesaler to retailer to consumer); the two-tier system (brewer acting as wholesaler to retailer to consumer); and, directly to the consumer through carry-outs and/or on-site tap-room or tasting room.

Mobile Home. A dwelling unit that (i) is not constructed in accordance with the standards set forth in the North Carolina State Building Code, and (ii) is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site on its own chassis, and (iii) exceeds forty (40) feet in length and eight (8) feet in width.

Mobile home, class "A". A multi-sectional mobile home that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban Development that were in effect at the time of construction and that satisfies the additional criteria for Class "A" mobile homes contained in Article IX.

Mobile home, class "B". A mobile home that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban Development that were in effect as the time of construction.

Mobile Home, class "C". A mobile home which does not meet the Class "A" or Class "B" definitions.

Mobile home park. A lot(s) or tract(s) of land used or intended to be used, leased or rented for occupancy by mobile homes in conformity with the mobile home park provision of this Ordinance.

Mobile home park, non-conforming. A lot(s) or tract(s) of land used or intended to be used, leased or rented for occupancy by two (2) or more mobile homes sharing common ownership and/or facilities and which do not qualify as individual mobile homes on individual lots and which park is not in conformance with all the requirements for the initial establishment for a mobile home park as defined above.

Modular home; Building. Any building or structure which was premanufactured, all or in part, at some point other that the building site for assembly or installation later at the building site and which complies with the State of North Carolina Building Code. Further defined, such building

may be assembled from premanufactured rooms, wall panels, frame units, or other factory manufactured parts, which may be fabricated of wood, concrete, metal or other materials, and anchored on a permanent foundation or foundation material at the building site. This definition does not include mobile homes as defined in this Ordinance.

Net residential area (net land). That portion of a development or project site designated for residential lots and related common open space areas excluding dedicated public rights-of-way.

Nonconforming use. Any use which legally existed on the effective date of this Ordinance, and which does not conform with each regulation of the zoning district in which it is located, including any nonconforming use legally recognized under a prior zoning ordinance. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Nursing home. A health care establishment licensed by the State of North Carolina for care, supervision, and provision of resident services on a temporary or permanent basis. *(06-O-250, adopted 12/11/2006)*

Open space. Any land area not occupied by buildings, structures, storage areas, open or enclosed balconies, patios, porches or decks, excluding, however, any land encroaching or located within a right-of-way or easement. Open area in any required setback or land used for sidewalks, landscaping and grassing shall be considered open space.

Overlay District. A zoning district which overlays and combines with one of the principal zoning districts established by this Ordinance. In such case the property involved is subject to the requirements of both districts.

Parking lot. An area or tract or partial tract of land used for the storage or parking of vehicles.

Planned unit development. A tract(s) of land under single corporation, firm, partnership or association ownership, or otherwise unified ownership or control, planned and developed as integral unit in a single development scheme or a well defined series of development operations in accordance with an approved site plan.

Planning and development regulation jurisdiction. The geographic area defined in Part 2 of G.S. 160D within which a city or county may undertake planning and apply the development regulations authorized by G.S. 160D.

Property. Means all property subject to zoning regulations and restrictions and zone boundaries within the zoning jurisdiction of the Town.

Public Sewage Disposal System. An approved sewage disposal system serving ten (10) or more connections, including municipal and sanitary sewerage systems as well as "package" plants constructed in a location and to specifications approved by the Pitt County Sanitarian in consultation with the NC Division of Health Services.

Public Water Supply System. An approved water supply system serving ten (10) or more connections, including municipal and sanitary district water systems as well as water systems designed to serve particular subdivisions at full development and constructed to specifications approved by the Pitt County Sanitarian in consultation with the NC Division of Health Services.

Quasi-judicial decision. A decision involving the finding of facts regarding a specific application of a development regulation and that requires the exercise of discretion when

applying the standards of the regulation. The term includes, but is not limited to, decisions involving variances, special use permits, certificates of appropriateness, and appeals of administrative determinations. Decisions on the approval of subdivision plats and site plans are quasi-judicial in nature if the regulation authorizes a decision-making board to approve or deny the application based not only upon whether the application complies with the specific requirements set forth in the regulation, but also on whether the application complies with one or more generally stated standards requiring a discretionary decision on the findings to be made by the decision-making board.

Recreation or travel trailer. A vehicular, portable, structure built on a chassis designed to be used as a temporary dwelling for travel, recreational and vacation uses, permanently identified as a travel trailer by the manufacturer of the unit. Includes motor home, recreational vehicle, etc.

Regional Brewery. A brewery with an annual beer production of between 15,000 and 6,000,000 barrels.

Residential care facility. A building or facility used primarily to provide residential, social and personal care for children, the aged or others who suffer some limit on the ability for self-care, but where medical care is not a major service. It includes such uses as adult day care facilities, home for the aged and other like uses which are not otherwise specifically defined.

Screen. A devise such as a fence or planting area used to visually separate property.

Service station. A lot or building where gasoline, oil, grease and automobile accessories are supplied and dispensed to the motor vehicle trade, or where battery, tire and other similar repair services are rendered.

Setback. The horizontal distance from the property line or street right-of-way line to the nearest part of the applicable building, structure, sign, or use, measured perpendicularly to the line.

Shopping Center; Mall. Any predominately retail development whether a single business or several businesses and whether located in one or more related buildings, with planned and shared parking, that contains 15,000 square feet or more of gross floor area.

Site specific development plan. A plan which has been submitted to the Town by a landowner describing with reasonable certainty the type and intensity of use for a specific parcel or parcels of property.

Sleeping Unit. A room or space in which people sleep, which can also include permanent provisions for living, eating, and either sanitation or kitchen facilities but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

Sludge. Any solid, semisolid or liquid waste generated from a residential wastewater treatment plant.

Special Use. 1) Uses listed in the Section 6.4 -Table of Permitted and Special Uses - of this ordinance which require approval of a Special Use Permit in accordance with the procedures of Section 12.5.

Stacking space. A space to store an automobile off-street while waiting in line for a drive-through service such as an automatic teller, drive through restaurant, etc.

Street, private. A vehicular travel way not dedicated as a public street or a dedicated but unaccepted vehicular travel way.

Standard Industrial Classification (SIC). A listing of land uses published by the US Office of Management and Budget classifying uses by functional groups and assigning each a code number.

Street, public. A public right-of-way for vehicular travel which has been constructed and then dedicated to and accepted by a municipality or the North Carolina Department of Transportation for public use or which has been otherwise obtained by such agencies for such use or which is proposed to be constructed and then dedicated to and accepted by such agencies as a public right-of-way for vehicular travel for public use.

Structure. Anything constructed or erected which requires location on the ground or attached to something having location on the ground.

Structural alterations. Any change, except for the repair or replacement, in the supporting members of a building such as load bearing walls, columns, beams or girders.

Swine Farm. A tract of land devoted to raising animals of the porcine species served by or requiring animal waste systems having a design capacity of 600,000 pounds steady live weight or greater.

Tasting Room/Sampling Room/Tap Room. A taste/ sampling/ tap room allows for the on-premises consumption of malt beverages and is limited to only serving two-ounce tastings and constitutes an accessory and incidental use to the primary retail use of the wine and beer store.

Tobacco, Vape, Smoke Shop, or Other Chemically Enhanced Products. A retail outlet, service business, or establishment that sells vape products, e-cigarettes, components, or related products. This shall include all establishments, stores, or convenience stores that provide or fall into one or more of the following categories: tobacco products, smoking products, smokables, e-cigarettes, smoke shops, smoke lounges, cigar stores, head shops, pipe and smoking apparatuses. This shall also include establishments that provide any products that contain natural or non-natural chemicals intended for recreational or medical use. This shall not include "Drug Store & Pharmacies" that employ licensed pharmacist, or "Service Stations, Gasoline", that sells gasoline and sell the products above as a non-primary source of revenue. This shall not include "Grocery Stores" or "Department & Variety Stores" as described by the Standard Industrial Classification (SIC) Code assigned by the Us. Government to identify the primary business of an establishment. *(24-O-061, adopted 06/10/2024)*

Townhouse. A single-family dwelling unit constructed in a series or group of attached units with property lines separating each such unit.

Transmission Tower. A structure, either freestanding, supported by guy wires, or attached to a building, and accessory equipment related to broadcast services, private radio services, including AM, FM, two-way radio, television and cable antenna television transmission, microwave transmission and facilities such as satellite dish receiving centers. This definition does not include electrical transmission distribution poles, towers, and line, personal satellite dishes, or structures not more than 35' in height.

Travel trailer parking area. A parcel of land in which two (2) or more spaces are designed, occupied or intended for occupancy by trailers for transient dwelling purposes.

Use. The primary purpose for which land or a building is arranged, designed or intended, or for which either land or a building is or may be occupied or maintained.

Vested right or zoning vested right. The right to undertake and complete the development and use of the property under the terms and conditions of an approved site specific development plan.

Wine & Craft Beer Shop. A retail store that sells specialty alcoholic beverages that is not intended for the on-premises consumption except for an on-site tasting room or tap room.

Wireless Telecommunication Tower. A tower supporting licensed or unlicensed wireless telecommunication facilities including cellular, digital cellular, personal communication services (PCS), specialized mobile radio (SMR), enhanced specialized mobile radio (ESMR), commercial or private paging services, or similar services marketed or provided to the general public. This definition does not include services by non-commercial entities in the Amateur Radio Service, Public Safety Radio Service, or licenses assigned to non-profit organizations, such as the Red Cross, Civil Air Patrol, Military Affiliated Radio Service (MARS) that are licensed by the Federal Communications Commission.

Yard. An open space located on the same lot with a building, unoccupied and unobstructed from the ground upward, except by trees, shrubbery or as otherwise provided herein. A yard is the area created by a setback.

Yard, front. A yard extending across the full width of the lot and extending from the closest front wall of the building to the property line or established edge of a right-of-way, whichever is closer.

Yard, rear. A yard extending across the full width of the lot and extending from the closest rear wall of the main building to the rear of the property.

Yard, side. A yard which extends from the closest side wall of a building to the nearest side property line or the established edge of the street right-of-way, whichever is closer, if the lot is a corner lot.

Zoning Administrator. An employee or agent of the Town who is assigned primary responsibility for the administration and enforcement of the zoning ordinance.

Zoning Compliance Certificate. A permit issued by the Town conferring the right to undertake and complete the development of and use of the property.

Zoning Compliance Certificate with Vested Rights. A permit authorized by the Board of Adjustment concerning the right to undertake and complete the development of and use of property under the terms and conditions of an approved site specific development plan.

B. Definitions Relating to Adult Oriented Businesses

Adult Oriented Business. An adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude model studio, sexual encounter center (including adult massage parlor and adult health club), sexually oriented device

business or any combination of the foregoing or any similar business. As used in this Ordinance the following definitions shall apply:

Adult Arcade (also known as "peep show"). Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to persons in booths or viewing rooms where the images so displayed depict or describe "specific sexual activities" or "specified anatomical areas."

Adult Bookstore or Adult Video Store. A commercial establishment which as one of its principal business purposes offers for sale or rental for any form of consideration any one or more of the following:

1. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides, or other visual representations that depict or describe "specific sexual activities" or "specified anatomical areas"; or

2. Instruments, devices, or paraphernalia that are designed for use in connection with "specified sexual activities".

Adult Cabaret. A nightclub, bar, restaurant, or other commercial establishment that regularly features, exhibits or displays as one of its principal business purposes:

1. persons who appear nude or semi-nude; or

2. live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or

3. films, motion pictures, video cassettes, slides, or other photographic reproductions which depict or describe "specified sexual activities" or "specified anatomical areas".

Adult Motel. A hotel, motel or similar commercial establishment that:

1. offers accommodations to the public for any form of consideration which provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions that depict or describe "specified sexual activities" or "specified anatomical areas" as one of its principal business purposes; or

2. offers a sleeping room for rent for a period of time that is less than ten (10) hours; or

3. allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than ten (10) hours.

Adult Motion Picture Theater. A commercial establishment where, for any form of considerations, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly shown as one of its principal business purposes that depict or describe "specified sexual activities" or "specified anatomical areas".

Adult Theater. A theater, concert hall, auditorium, or similar commercial establishment which regularly features, exhibits or displays, as one of its principal business purposes, persons who appear in a state of nudity or semi-nude, or live performances that expose or depict "specified anatomical areas" or " specified sexual activities".

Escort. A person who, for any tips or any other form of consideration, agrees or offers to act as a date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

Escort Agency. A person or business that furnishes, offers to furnish, or advertises to furnish escorts as one of its principal business purposes, for a fee, tip, or other consideration.

Nude Model Studio. Any place where a person who appears nude or semi-nude, or who displays "specified anatomical areas" is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. Nude Model Studio shall not include a propriety school licensed by the State of North Carolina or a college, junior college or university supported entirely or in part by public taxation; a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or in a structure:

1. that has no sign visible from the exterior of the structure and no other advertising that indicates a nude or semi-nude person is available for viewing; and

2. where in order to participate in class a student must enroll at least three days in advance of the class; and

3. where no more than one nude or semi-nude model is on the premises at one time.

Nude or A State of Nudity.

1. the appearance of a human anus, male genitals or female genitals; or

2. a state of dress which fails to opaquely cover a human anus, male genitals or female genitals.

Semi-nude. A state of dress in which clothing covers no more than the genitals, pubic region, and areola of the female breast, as well as portions of the body covered by supporting straps or devices.

Sexual Encounter Center. A business or commercial enterprise that, as one of its principal business purposes, offers for any form of consideration physical contact in the form of wrestling or tumbling (including sexually oriented massaging) between persons of the opposite sex, or similar activities between male and female persons and/or between persons of the same sex when one or more of the persons is in a state of nudity or semi-nude.

Sexually Oriented Devices. Any artificial or simulated specified anatomical area or other device or paraphernalia that is designed principally for specified sexual activities but shall not mean any contraceptive device.

Specified Anatomical Areas. Human genitals in a state of sexual arousal.

Specified Sexual Activities. Is and includes any of the following:

1. the fondling of other erotic touching of human genitals, pubic regions, buttocks, anus, or female breasts; or

2. sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation or sodomy; or

3. masturbation, actual or simulated; or

4. excretory functions as part of or in connection with any of the activities set forth in 1. through 3. Above

C. Definitions Related to Signs

Awning. A shelter projecting from and supported by the exterior wall of a building constructed of non-rigid materials on a supporting framework.

Canopy. A permanent structure other than an awning made of cloth, metal or other material attached or unattached to a building for the purpose of providing shelter to patrons or automobiles, or as a decorative feature on a building wall. A canopy is not a completely enclosed structure.

Changeable Copy. Copy that is or can be changed manually in the field or through mechanical or electronic means, e.g. reader boards with changeable letters.

Erect. To assemble, build, construct, raise, install, attach, hang, place, suspend, affix, post, create, paint, draw, apply or in any other way bring into being or establish.

Facing or Surface. The surface of a sign upon, against, or through which the message is displayed or illuminated on the sign.

Frontage, Lot. The length of that part of a lot that fronts a public street.

Grade. The height of the top of the curb, or if no curb exists, the height of the edge of pavement in the lane of travel adjacent to a freestanding sign.

Interstate Highway System. That portion of the national system of interstate and defense highways located within the State as officially designated or as may hereafter be so designated by the Board of Transportation or other appropriate authorities and are also so designated by interstate numbers.

Logo. A business trademark or symbol.

Lot. A parcel of land, the boundaries of which are established by some legal instrument such as a deed or a recorded plat and which is recognized as a separate tract for purposes of transfer of title.

Marquee. A permanent roof-like structure other than a roof attached to, supported by, and projecting from a building, providing protection from natural elements over the ground, sidewalk or walkway.

Parapet. The portion of a building wall or false front the extends above the roof.

Person. Any natural person, firm, partnership, corporation, company, organization, association, trust or individual or any other group or combination of individuals operating as a unit and including any trustee, receiver, assignee or other similar representative thereof.

Premises. A lot or parcel of real property where a business, profession, service, commodity, product, accommodation, event, attraction or other enterprise or activity or use exists or is conducted, manufactured, sold, offered, maintained or takes place.

Setback. The shortest horizontal distance from the property line or right-of-way to the nearest point (leading edge) of a sign or its supporting member.

Sign. Any object, placard, device, display or structure, or part thereof, made of any material, except live vegetation, including any surface, fabric or other background material which is designed, constructed and/or used for the purpose of relaying information from a fixed or mobile position to visually inform, advertise, identify, display, promote, direct or attract the attention of general or privileged persons to an object, person, institution, organization, corporation, business, profession, commodity, product, service, event or location by any means including, but not limited to, words, letters, phrases, sentences, emblems, trademarks, tradenames, insignias, numerals, figures, devices, designs, symbols, pictures, logos, fixtures, colors, illumination or projected images or any other attention directing device, displayed by means of paint, bills, posters, panels, or other devices erected on an open framework, or attached or otherwise applied to stakes, poles, trees, buildings or other structures or supports. The term sign shall include the terms advertisement, announcement, insignia, billboard, bill, billet, badge, display, brand, emblem, flyer, label, message board, poster, shingle, symbol, title and trademark. The term sign shall not include the terms television, telegraph, radio, signal or transmission. If the message is removed from a structure that was originally designed and used as a sign, this structure shall still be considered a sign.

Sign, Advertising. See Sign, Billboard.

Sign, Awning. A sign placed directly on the surface of an awning. For purposes of this Ordinance an awning sign for measuring purposes will be considered a wall sign.

Sign, Billboard. A permanent, usually free-standing, off-premise sign that is affixed to the ground or to a building, owned by a person, corporation or other entity that engages in the business of selling or leasing the advertising space on that sign and which advertises an establishment, service, commodity, goods or entertainment sold or offered on premises other than that on which such sign is located. Such signs commonly referred to as “outdoor advertising signs” are generally designed so that the copy or posters on the sign can be changed frequently.

Sign, Business. A permanent, on-premise sign that is affixed to the ground or to a building which directs attention to a service, commodity, goods or entertainment sold or offered on the premises on which such sign is located.

Sign, Campaign or Election. A sign that advertises a candidate or issue to be voted upon on a definite election day.

Sign, Canopy. A sign attached to or painted onto or forms a part of a canopy. For the purposes of this Ordinance a canopy sign for measuring purposes will be considered a wall sign.

Sign, Changeable Copy. A sign message center or readerboard that is designed so that its informational content or copy can be changed or altered by manual, electrical, electro-mechanical or electronic means. A changeable copy sign shall be counted as a sign face.

Sign Clearance. The smallest vertical distance between the grade of the adjacent street, and the lowest point of any sign, including framework and embellishment, extending over that grade.

Sign, Conforming. A sign which is in compliance with all the provisions of this Ordinance.

Sign, Construction. A sign placed at a construction site giving the name or names of building owners or developers, architects, engineers, and/or lending institutions and principal contractors, subcontractors and material suppliers participating in construction on the site where the sign is placed, together with other appropriate information included thereon.

Sign, Copy. Alphabetic, pictorial, numerical and/or graphic display of permanent or removable words, letters, numbers, figures, characters, symbols, logos or insignia that are used on a sign display surface area for advertising and/or informational purposes.

Sign Copy Area. Area measured by the smallest circle, square or rectangle which will encompass all elements of informational or representational matter including all cut outs or extensions together with any materials or color forming an integral part of the display or to differentiate the sign from the background to which it is placed. The term sign copy area shall also include the terms display area, surface area and the word area as it relates to signage. The term sign copy area shall not be construed to include architectural trim, frames and structural supports that do not bear any sign copy. In computing area, only one (1) side of a double-faced sign shall be considered. The maximum angle of a double-faced sign shall be 45 degrees, except for signs located at corners in which case the maximum angle may be 90 degrees. This refers to the distance between sign faces on a single structure.

Sign, Discontinued. Any conforming or legal nonconforming sign, other than a billboard sign, which no longer identifies or advertises a bona fide business, service, product or activity, and/or for which no legal owner can be found which has been discontinued for a period of 120 days or more regardless or reason or intent, or a temporary sign for which the permit has expired. This is not intended to apply to seasonal type businesses which annually operate "in season." However, failure to operate any such seasonal business for a minimum of 190 consecutive days in a calendar year will deem these signs to have been discontinued.

Sign, Double-faced. A sign designed to be seen from two (2) opposite directions shall be considered as one (1) sign, provided that the two (2) sign faces shall be supported on the same pole(s) or other structure, are at the same elevation and form an angle of forty-five (45) degrees or less on an interior lot or ninety (90) degrees or less on the corner lot.

Sign Face. The part of a sign that is or can be used to identify, advertise or communicate information, or is used for visual representation which attracts the attention of the public for any purpose. Sign face includes any background material, panel, trim, color or backdrop, surface or object upon which or against which it is placed. The sign structure shall not be included as a

portion of the sign face provided that no identifying/advertising message, symbol or any of the aforementioned sign face criteria are displayed on or designed as part of the sign structure, whether structurally necessary or not.

Sign, Flashing. Any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation or an externally mounted intermittent light source. Automatic changing signs such as public service time, temperature and date signs or electronically controlled message centers are classified as changeable copy signs, not flashing signs.

Sign, Freestanding. A sign which is permanently affixed to and supported by structures or supports such as poles, masts or frames which are placed upon or anchored in the ground and which structures or supports are independent from any building or other structure. For the purposes of this Ordinance a freestanding sign shall be only those signs meeting the definition given above and which are located on the same premises for which its' message is carried. Pole, ground and billboard signs are examples of freestanding signs.

Sign, Government. Any temporary or permanent sign, symbol or device erected and maintained for any Federal, State, County or Municipal governmental purposes including, but not limited to, legal notices, identification and informational signs, and traffic warning, directional or regulatory signs.

Sign, Ground. A freestanding sign with a base which either appears to rest on the ground or which has a support(s) which places the base and portion of the sign copy area thereof less than ten (10) feet from the ground. A monument sign is a ground sign.

Sign Height. The vertical distance measured from the highest point of the sign, including decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less.

Sign, Identification. Means either or both of the following:

1. A sign used to display only the name, address, crest or trademark of the business, individual, family, organization or enterprise occupying the premises. The profession of the occupant; the name of the building on which the sign is displayed.

2. A permanent sign announcing the name of a subdivision, tourist home, group housing project, church, school, college, park or other public or quasi-public structure, facility or development and the name of the owners or developer but bearing information pertaining only to the premises on which such sign is located and carrying no advertising message.

Sign, Illegal. A sign which does not meet the requirements of this Ordinance and which has not received legal non-conforming status.

Sign, Incidental. A small sign, emblem or decal informing the public of goods, facilities or services available on the premises, e.g., a credit card sign or a sign indicating hours of business.

Sign, Illuminated. A sign illuminated in any manner by an artificial light source, whether internally or externally lit.

Sign, Internally or Directly Illuminated. A sign where the source of the illumination is inside the sign and light emanates through the message of the sign through transparent or translucent materials rather than being reflected off the surface of the sign from an external source. Without limiting the generality of the foregoing, signs that consist of or contain tubes that (i) are filled with neon or some other gas that glows when an electric current passes through it and (ii) are intended to form or constitute all or part of the message of the sign, rather than merely providing illumination to other parts of the sign that contain the message, shall also be considered internally or directly illuminated signs.

Sign, Indirectly or Externally Illuminated. A sign designed to have illumination from a detached light source, shielded so that no direct rays from the light source are visible elsewhere than on the lot where said illumination occurs. The term Sign, Indirectly or Externally Illuminated includes backlighted.

Sign Maintenance. For the purposes of this Ordinance, the cleaning, painting, repair or replacement of defective parts of a sign in a manner that does not alter the basic copy, design or structure of the sign.

Sign, Marquee. A sign affixed, superimposed, or painted on a marquee identifying the name of an establishment, type of product sold, manufactured or assembled, and/or service or entertainment offered on the premises where such a sign is displayed. For purposes of this Ordinance a marquee sign for measuring purposes will be considered a wall sign.

Sign, Memorial. A sign designating names of buildings and/or date of erection and other items such as architect, contractors, or others involved in the building's creation, cut into or attached to a building surface.

Sign, Motion. A sign or device designed to attract attention, all or any part of which uses movement or apparent movement by fluttering, revolving, rotating, spinning, swinging, animation or moving in some other manner and is set in motion by movement of water or the atmosphere or by mechanical, electrical or any other means.

Sign, Movable. A sign which is movable by two or fewer individuals without aid of a motor vehicle or other mechanical equipment. The term movable sign includes the terms A-frame sign, T-shaped sign and tent sign.

Sign, Noncommercial. Any sign, display or device that does not direct attention to a business operated for profit, or to a commodity, product or service for sale which displays a substantive message, statement or expression that is protected by the First Amendment to the US Constitution.

Sign, Object or Product. A sign used in conjunction with equipment or other functional elements of a use or operation. These shall include, but not be limited to, drive-through window menu boards, and signs on automatic teller machines, gas pumps, vending machines or newspaper boxes.

Sign, Off-Premise. A sign or Structure, pictorial or otherwise, regardless of size of shape that draws attention to or communicates information about a business, profession, service, commodity, product, accommodation, event, attraction or other enterprise or activity that exists or is conducted, manufactured, sold, offered, maintained or provided at a location other than on the premises where the sign is located. Several types of off-premise signs may exist or otherwise be subject to the requirements of this Ordinance. Billboards are examples of off-premise signs. This definition does not include governmental, traffic, directional, or regulatory signs or notices of the federal, state, county or town government or their public agencies.

Sign, On-Premise. A sign or structure, pictorial or otherwise, regardless of size or shape that draws attention to or communicates information about a business, profession, service, commodity, product, accommodation, event, attraction or other enterprise or activity that exists or is conducted, manufactured, sold, offered, maintained or provided on the premises or at the same location (site or tract) as that where the sign is located. Several types of on-premise signs may exist or otherwise be subject to the requirements of this Ordinance regarding said signs. Ground signs and directional signs are examples of on-premise signs.

Sign, Pole. A freestanding sign with the base and all of the sign copy area at least ten (10) feet above the ground and which is supported from the ground by one or more poles or similar support structure of narrow width (maximum of ten percent (10%) of the width of the sign face) and not attached to any building (not a ground sign).

Sign, Political. A temporary sign used in connection with a local, state, or nation election or referendum.

Sign, Portable. A sign designed or intended to be readily relocated from one location to another whether on the same premises or a different premises, is not permanently attached to the ground, building or other permanent structure and is differentiated from a Movable Sign in that it may be equipped for transportation by motor vehicle or other mechanical means. The term Portable Sign shall include signs on wheels, trailers, truck beds, or any other device which is capable of or intended to be moved from one location to another. Signs defined as temporary signs are not included in this definition.

Sign, Public Interest. A sign on private property that displays information pertinent to the safety or legal responsibilities of the general public such as warning and no trespassing signs.

Sign, Real Estate. A temporary sign that is used to offer for sale, lease, rent or development the premises upon which such sign is placed.

Sign, Roof. A sign erected or maintained in whole or in part on, upon or over the roof or parapet of a building or structure and which is wholly or partially dependent upon the roof of the building or structure for support.

Sign, Structure. Any structure which supports, has supported or is capable of supporting a sign, including any decorative cover for said sign signature.

Sign, Snipe. A temporary sign or poster affixed to a fence, pole, post, hydrant, bridge, another sign, public bench, street light or any other tree, rock or other natural object.

Sign, Temporary. Any sign, designed in structure, materials and/or copy message, which is temporary in nature to be used in connection with a circumstance, situation or event that is designed, intended or expected to take place or to be completed within a reasonably short or definite period after the erection of such sign, whether attached to a structure, fence or freestanding, and whether or not it contains a frame. The term Temporary Sign includes the terms Banner, Pennant, Valance, Flyer and Announcement. Temporary Sign materials consist of cloth, vinyl, canvas, light fabric, cardboard, paper, wall board or other light material. This definition shall not include a permanent sign display area with changeable copy, or to movable or portable signs.

Sign, Vehicle. A sign on a parked vehicle visible form the public right-of-way where the primary purpose of the vehicle is to advertise a product or to direct people to a business or activity located on the same or nearby property. For the purposes of this Ordinance, vehicular signs shall not include business logos, identification or advertising on vehicles primarily used for other business purposes.

Sign, Wall. A sign which is placed on and/or attached to and supported throughout its entire length by the façade or exterior side of a building (or fence) wall by means of adhesive, paint, manufacturing process, structural and/or mechanical attachment, which said sign is not more than twelve (12) inches from the façade or exterior wall line and when its exposed face is parallel or approximately parallel to the plane of the building or structure on which the sign is affixed. Such sign may not extend above the roof line.

Sign, Window. A sign that is placed on and/or attached to the interior side of a window or door glass of a building by means of adhesive, paint and/or manufacturing process intended for viewing from the exterior of such building; or a sign within a building, placed no more than twelve (12) inches behind the window which is visible through the window.

Special Event. A planned, temporary activity.

Street. Any publicly maintained right-of way set aside for public travel which has been accepted for maintenance as a street by the North Carolina Department of Transportation.

Structural (Architectural) Trim. The molding, battens, capping, nailing strips, latticing and platforms which are attached to a sign structure.

Use. The purpose for which a building, lot, sign or structure is intended, designed, occupied or maintained." *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 15.5 **Validity**

If any Section, Subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each Section, Subsection, clause, and phrase thereof, irrespective of the fact that any one or more Sections, Subsections, sentences, clauses or phrases be declared invalid. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

Section 15.6 **Effective Date**

This Ordinance shall become effective upon its adoption by the Town Council of the Town of Winterville, North Carolina.

ADOPTED this the 14th day of February, 2000, by the Town Council of the Town of Winterville, North Carolina. *(2000 Zoning Ordinance, O-51-02149900, adopted 02/14/2000)*

APPENDIX A

List of Amendments to Zoning Ordinance originally adopted February 14, 2000

Ordinance No: 00-02
Date of Adoption: August 14, 2000
Description: Amendment to Article VII, Section 13.7
- affirmative findings to be made when issuing a Conditional Use Permit under a Conditional Use District Zoning District

Ordinance No: 01-47
Date of Adoption: January 8, 2001
Description: Amendment to Article VI, Section 6.4
- adds non-residential cluster development as a permitted use to O&I, GB, NC, and I Districts subject to Special Requirement 40
- adds SR 40 to Section 6.5

Ordinance No: 01-58
Date of Adoption: February 12, 2001
Description: Amendment to Article IX, Section 9.19B
- establishments participating in combined or common freestanding signs may not also have individual freestanding signs

Ordinance No: 02-O-81
Date of Adoption: August 12, 2002
Description: Amendment to Article VI, Section 6.4 and Section 6.5
- adds limited service and sales as conditional use to AR district subject to Special Requirement 41
- adds SR 41 to Section 6.5

Ordinance No: 03-O-04
Date of Adoption: February 10, 2003
Description: Amendment to Article VI, Section 6.4 and Section 6.5
- allows limited residential use in Central Business District subject to Special Requirement 42
- adds SR 42 to Section 6.5

Ordinance No: 03-O-09
Date of Adoption: April 14, 2003
Description: Amendment to Article IV, Sections 4.1.3A and 4.3; Article V, Section 5.4A; Article VI, Section 6.4; and Article XI, Section 10.2
- adds new R-12.5 Zoning District

Date of Adoption: July 14, 2003
Description: Amendment to Article X, Section 10.2
- requires minimum of 6 ft. solid construction fencing in Central Business District when adjoining property used for residential purpose

Ordinance No: 03-O-24
Date of Adoption: July 14, 2003
Description: Amendment to Article XIV, Section 14.2
- adds requirement for Final Site Inspection by Town prior to issuance of a Certificate of Occupancy by the County Building Inspector

Ordinance No: 04-O-56
Date of Adoption: January 12, 2004
Description: Amendment to Article VI, Section 6.4 & Section 6.5
- adds Daycare Center as a Conditional Use in the R-6 and R-8 Districts subject to Special Requirement 43
- adds SR 43 to Section 6.5

Ordinance No: 04-O-73
Date of Adoption: May 10, 2004
Description: Amendment to Article VII, Section 7.1
- changes R-15 District minimum side setback requirement for single-family dwellings from 15' to 12.5'

Ordinance No: 04-O-126
Date of Adoption: October 11, 2004
Description: Amendment to Article IV, creating Section 4.2.1.A and to Article V, creating Section 5.14 A
- adds new Central Business Transition Overlay District

Ordinance No: 05-O-149
Date of Adoption: March 14, 2005
Description: Amendment to Article VI, Section 6.5, Special Requirement #5
- *repeals requirement "Nor shall any family day care home be located within one mile radius of any other family day care home."*

Ordinance No: 05-O-172
Date of Adoption: July 11, 2005
Description: Amendment to Article XIII, Section 13.5
- repeals requirement for 4/5's vote of Board of Aldermen when Planning Board recommends against such amendment

Ordinance No: 05-O-188
Date of Adoption: October 10, 2005
Description: Amendment to Article VII, Section 7.1, NOTE (1)
- requires that minimum lot width for residential uses may be measured at the actual building setback line which shall not be less than the minimum and shall not be more that two (2) times the minimum

Ordinance No: 05-O-189
Date of Adoption: October 10, 2005
Description: Amendment to Article III, Section 3.10
- requires that residential fences on corner lots meet the same visibility and height requirements on a side yard fronting a street as required on a front yard

Ordinance No: 05-O-198
Date of Adoption: December 12, 2005
Description: Amendment to Article III, Section 3.10
- requires that fences shall not be installed nor encroach upon any easement unless authorized by an Encroachment Permit
- requires a Zoning Compliance Certificate for fence construction

Amendment to Article III, Section 3.11
- requires that accessory buildings shall not be erected within nor encroach upon drainage and/or utility easements unless authorized by an Encroachment Permit

Amendment to Article VII, Section 7.1
- adds Note 6 stating that whenever drainage and/or utility easements extend further into a lot that minimum setback requirements, the boundary line of the easement shall become the minimum setback requirement

Amendment to Article VII, Adding Section 7.2
- adds Section 7.2 prohibiting encroachments on easements unless authorized by an Encroachment Permit
- sets out general requirements for encroachment permit application

Ordinance No: 06-O-215
Date of Adoption: April 10, 2006
Description: Amendment to Article IX, Sec 9.15, L
- deletes Off-Premises signs as permitted use

Date of Adoption: December 11, 2006
Description: Amendment to Article VI, Sec 6.4
- deletes nursing & convalescent homes
- adds congregate care facility, convalescent care facility, group care facility, and nursing home

Amendment to Article VI, Sec 6.5
- repeals SR 16
- adds new SR 16

Amendment to Article XV, Sec 15.4
- changes definitions for congregate care facility and group care facility
- adds definitions for convalescent care facility, dependent living facility, and independent living facility

Ordinance No: 07-O-291
Date of Adoption: October 8, 2007
Description:
- Repeals Article X in its entirety
- Creates new Article X "Architectural Standards"
  - exterior appearance criteria for non- residential uses
- Creates new Article X-A "Vegetation and Buffering Requirements"
  - minimum site vegetation requirements;
  - buffering requirements;
  - uses a land use classification system, under Article VI, Section 6.4 (table of permitted and conditional uses) for application of standards - i.e. specific standards applicable are based on the land use classification number of the proposed use

Ordinance No: 08-O-96
Date of Adoption: July 14, 2008
Description: Amendment to Article VI, Section 6.4
- Churches added as a Permitted Use in the Central Business District

Ordinance No: 08-O-98
Date of Adoption: September 8, 2008
Description: Amendment to Article IV, Article V, Article VI, Article VII, and Article IX
- Intermediate Commercial District created

Ordinance No: 08-O-103
Date of Adoption: December 8, 2008
Description: Amendment to Article IV adding Section 4.3.1
- Conditional Use District with a Site Specific Development Plan created

Ordinance No: 09-O-108
Date of Adoption: January 12, 2009
Description: Amendment to Article III adding Section 3.23.A
- adds Section 3.23.A - Use of Recreational Vehicle as Dwelling Prohibited

Ordinance No: 09-O-136
Date of Adoption: April 13, 2009
Description Amendment to Article IIII, Section 3.10
- repeals existing Section 3.10 Fences and Walls and adopts a revised Section 3.10

Ordinance No: 09-O-143
Date of Adoption: June 8, 2009
Description: Amendment to Article VIII, Section 8.1, G Remote Parking
- adds "Business Uses may park in Office & Institutional

Ordinance No: 09-O-149
Date of Adoption: October 12, 2009
Description: Amendment to Article IX, Section 9.15, L
- allows "Seasonal-Temporary Off-Premises Signs"

Ordinance No: 10-O-210
Date of Adoption: March 8, 2010
Description: All occurrences of the words "Board of Aldermen" replaced with the words "Town Council" in accordance with Town of Winterville Charter amendment changing the name of the governing body from "Board of Aldermen" to "Town Council"

Ordinance No: 10-O-223
Date of Adoption: May 10, 2010
Description: Internet Sweepstakes Regulations
Amendment to Section 15.4, A
- defines "internet sweepstakes"
Amendment to Section 6.5
- establishes Special Requirement SR 44
Amendment to Section 6.4
- adds internet sweepstakes as a permitted use, subject to SR 44, in the General Business and Industrial zoning districts

DRAFT

Date of Adoption: June 14, 2010
Description: Amendment to Section 6.4 Table of Permitted and Conditional Uses
- adds "tattooing" as a permitted use it the Industrial district subject to Special Requirement SR 45
Amendment to Section 6.5 Special Requirements
- adds Special Requirement SR 45

Ordinance No: 12-O-288
Date of Adoption: May 14, 2012
Description: Amendment to Article III, Section 3.10, B1 & B2
- changes maximum height for residential fences in a front yard and in a corner lot street side yard from 3 feet to 4 feet

Ordinance No: 17-O-341
Date of Adoption: January 9, 2017
Description: Amendment to Section 6.4 Table of Permitted and Conditional Uses
- adds "wine & craft beer shop", "microbrewery/brewpub", and "regional brewery" as permitted and conditional uses.
- Microbrewery/Brewpub & Regional Brewery are subject to Special Requirement SR 23.
Amendment to Section 15.4, A
-defines "wine & craft beer shop", "microbrewery/brewpub", "regional brewery" and "tasting room/sampling room/tap room.

Ordinance No: 17-O-13
Date of Adoption: November 13,2017

Description: Amendment to Section 6.4 Table of Permitted and Conditional Uses
- "Class A Single Family" -Permitted use is removed as a permitted use within the A-R district.
- "Class A Single Family- use is added as a conditional use within the A-R district. Special Requirement 3 remains unchanged.
- "Class B Single Family"- Permitted use is removed within the A-R district.
- "Shooting Ranges, Outdoor, Local Government Only" – permitted use is removed within the A-R district.
- "Landscaping Services, Farm Supplies and Stables"- permitted use is removed within the A-R district- uses were part of the "Farm Related Enterprises" category of uses.
- "Refrigerator or Large Appliance Repairs"- conditional use is removed within the A-R district.

Ordinance No: 19-O-084
Date of Adoption: August 19, 2019
Description: Amendment to Section 6.4 Table of Permitted and Conditional Uses
- adds "tattooing" as a permitted use in the General Business District subject to Special Requirement SR 45

DRAFT

Ordinance No: 20-O-122
Date of Adoption: December 14, 2020
Description: Amended Ordinance to comply with Chapter 160D of the North Carolina General Statutes, a complete reorganization of the state's planning and development regulation statutes.

Ordinance No: 21-O-051
Date of Adoption: May 10, 2021
Description: Amended Ordinance to Mini-Warehouses: remove from all zoning districts except Industrial (I) and add "Self-Storage Units" to the use type description for clarification. Remove reference to Pitt County ("County of Pitt") in Section 14.2. This language was still included in the Ordinance from when the County administered building inspections within the Town's jurisdiction. Add language to "SR 23. ABC Sales for On Premise Consumption; Bars" to exclude property within the Central Business District from separation requirements. Add "Section 10.5 – Multifamily Residential Design Standards". This section provides design and configuration requirements for multi-family developments.

Ordinance No: 21-O-112
Date of Adoption: November 8, 2021
Description: Amendment to Section 7.1 Dimensional Requirements – changed Minimum Lot Width for R-10 Zoning District from 80' to 70'; changed Side yard setback for R-10, R-8, and R-6 Zoning Districts from 10' to 8'.

Ordinance No: 24-O-061
Date of Adoption: June 10, 2024
Description: Amendment to:

- Two Family & Multi Family Amendment to A-R Zoning District: Amendment to Section 6.4: A-R Zoning District- Removing Multi-Family and Two Family as uses to the A-R Zoning District. Amendment to Section 6.5: Removing the reference of A-R from Special Requirement (SR) #2.
- Internet Sweepstakes Amendment: Amendment to Section 6.4: Altering Internet Sweepstakes from a Permitted Use to a Special Use. Amendment to Section 6.5: Altering the text and requirements of Special Requirement (SR) #44.
- Tobacco Stores Amendment: Amendment to Section 6.4: Altering Tobacco Stores title to "Tobacco, Vape, Smoke Shop, or Other Chemically Enhanced Products"; Removing the use from Central Business (C-B), Commercial (I-C), and Commercial Neighborhood (C-N). Allow the use as a "Special Use" within General Business (GB) and Industrial (I) district. Amendment to Section 6.5: Adding

Special Requirement (SR) #46 to provide additional requirements for the use. Amendment to section 15.4B: Adding a definition of the use.

- Variance Text Amendment: Amendment to Section 12.5: Altering the Variance Text to reflect the statutory changes that resulted from 160D-705(d).

Ordinance No: 26-O-
Date of Adoption: October 12, 2026
Description: Amendment to:

- Addition of Section 3.26: Sidewalks. Added/expanded on sidewalk requirements within the Zoning Ordinance.
- Modification to Section 6.5: SR 2: Two Family, Single Family Attached and Multifamily Dwellings: Addition of "Stationary Sanitary Containers" for all Single Family Attached units of more than two attached units.

_____
Richard (Ricky) E. Hines, Mayor

ATTEST:

_____
Donald Harvey, Town Clerk

DRAFT

CHAPTER 154
SUBDIVISION ORDINANCE OF THE CODE OF ORDINANCES OF THE TOWN OF WINTERVILLE, NORTH CAROLINA

DRAFT

Originally adopted February 14, 2000

Incorporates amendments adopted up to date of printing.
Latest amendment adopted - 23-O-021, adopted Feb. 13, 2023.

Printed May 2023

TABLE OF CONTENTS

		Page
Article I	***GENERAL PROVISIONS***	
Section 154.01	Title	1
Section 154.02	Authority	1
Section 154.03	Jurisdiction	1
Section 154.04	Purpose	1
Section 154.05	Subdivision Defined	2
Section 154.06	Compliance	3
Section 154.07	Subdivision Administrator	3
Section 154.08	Coordination of Plans	3
Section 154.09	Administrative Fee	3
Section 154.10	General Definitions	4
Article II	***SUBDIVISION REVIEW PROCEDURE***	
Section 154.11	Approval Levels	7
Section 154.12	Subdivision Types	7
Section 154.13	Approval Authority	8
Section 154.14	Plan and Plat Requirements	8
Section 154.15	Plan Submittal and Review Periods - Preliminary Plans	9
Section 154.16	Plat Submittal and Review Periods - Final Plats	9
Section 154.17	Effects of Approvals - Prerequisites	10
Article III	***DESIGN STANDARDS***	
Section 154.18	General	13
Section 154.19	Incorporation of Other Town Ordinances, Policies, and Plans	13
Section 154.20	Appropriate to Physical Conditions	13
Section 154.21	Connectivity and Appropriateness to Adjoining Property and Land Use	13
Section 154.22	Reserve Strips, Half Streets and Private Streets	14
Section 154.23	Intersections	14
Section 154.24	Restriction of Access	15
Section 154.25	Storm Drainage in Streets	15
Section 154.26	Storm Drainage Not in Streets	15
Section 154.27	Street Names	15
Section 154.28	Utility Easements	16
Section 154.29	Subdivision Entrance Makers and Landscaped Medians	16
Section 154.30	Construction in Public Right-of-Way and Easements	16
Section 154.31	Park, Recreation and Open Space Land	16

DRAFT

Section 154.32	Blocks	19
Section 154.33	Lots (Building Sites)	19
Section 154.34	Water and Sewer	20
Section 154.35	Sidewalks	20
Section 154.36	Connection to State Streets	21

Article IV REQUIRED IMPROVEMENTS

Section 154.36	General	23
Section 154.37	Street Improvements	23
Section 154.38	Drinking Water Improvements	24
Section 154.39	Sanitary Sewerage Improvements	26
Section 154.40	Sidewalks	27
Section 154.41	Street Name Signs	27
Section 154.42	Traffic Control Signs, Signals, and Markings	27
Section 154.43	Street Lights	27
Section 154.44	Storm Drainage Not in Public Streets	28
Section 154.45	Park, Recreation and Open Space Dedication	28
Section 154.46	Monuments and Markers	28
Section 154.47	Fire Hydrants	28
Section 154.48	Other Utilities and Services	29

Article V GUARANTEE OF REQUIRED IMPROVEMENTS; WARRANT AGAINST DEFECTS

Section 154.49	Financial Guarantee in Lieu of Immediate Installation for Approval	31
Section 154.50	Duration of Financial Guarantees	32
Section 154.51	Default	32
Section 154.52	Release of Guarantee Security	32
Section 154.53	Warranty Against Defects	32

Article VI LEGAL PROVISIONS

Section 154.54	Interpretation, Purpose, Conflict	35
Section 154.55	Repeal and Reenactment of Existing Subdivision Regulations	35
Section 154.56	Effect Upon Outstanding Preliminary Plats	35
Section 154.57	Effect Upon New Territory Added to Jurisdiction	36
Section 154.58	Modifications	36
Section 154.59	Amendment	37
Section 154.60	No Liability	37
Section 154.61	Violations; Penalties and Remedies	37
Section 154.62	Validity	40
Section 154.63	Effective Date	40

DRAFT

List of Amendments to Subdivision Ordinance originally adopted February 14, 2000

Ordinance No: 01-66
Date of Adoption: March 12, 2001
Description: Amendment to Article III, Section 154.37
- adds requirement that underground electrical conduit be installed by subdivider

Ordinance No: 01-69
Date of Adoption: May 14, 2001
Description: Amendment to Article III, Section 154.35
- requires subdivider to provide sidewalks on one side of all new Streets

Ordinance No: 02-O-99
Date of Adoption: October 14, 2002
Description: - statement added to paragraph that right-of-way encroachment permits are required for installation of utilities on Town rights-of-way

Ordinance No: 03-O-27
Date of Adoption: October 13, 2003
Description: Amendment to Article III, Section 154.47
- revises requirements for fire hydrants

Ordinance No: 04-O-74
Date of Adoption: May 10, 2004
Description: Amendment to Article III, Sections 154.41& 154.42
- requires installation of street name signs and traffic control signs by Subdivider

Ordinance No: 04-O-75
Date of Adoption: May 10, 2004
Description: Amendment to Article II, Section 154.13
- authorizes staff approval of final plats for division of single-family Attached

Ordinance No: 06-O-211
Date of Adoption: March 13, 2006
Description: Amendment to Article V, Section 154.49
- guarantee of improvements may be letter of credit or surety bond (cash no longer accepted)

Ordinance No: 06-O-242
Date of Adoption: October 9, 2006
Description: Changed recreation required dedication from 800 sq. ft. to 1,200 sq. ft.

DRAFT

Ordinance No: 07-O-259
Date of Adoption: March 12, 2007
Description: Subdivision lots on thoroughfares may not individual driveway connections to the thoroughfare, must access from internal street

Ordinance No: 08-O-002
Date of Adoption: January 14, 2008
Description: Amendment to Article II, Section 154.17
- Homeowners Association required for common areas and facilities;
Amendment to Article III, Section 154.33
- buffer with berm required for double-fronting lots

Ordinance No: O8-O-104
Date of Adoption: December 8, 2008
Description: Amendment to Section D of Appendix I
- removed *"Must be recorded within thirty (30) days of this date"* from the Certificate of Final Approval

Ordinance No: 10-O-210
Date of Adoption: March 8, 2010
Description: All occurrences of the words "Board of Aldermen" replaced with the words "Town Council" in accordance with Town of Winterville Charter amendment changing the name of the governing body from "Board of Aldermen" to "Town Council"

Ordinance No: 23-O-021
Date of Adoption: February 13, 2023
Description: Referenced NC GS 160D (Section 154.02 and Section 154.59).
Amendment to Section 154.13 – Approval Authority for Minor Subdivisions;
Amendment to Section 154.16 – Final Plats for Minor Subdivision submittal and approval requirements;
Amendment to Section 154.17 – Effects of Approvals-Prerequisites (process for acceptance of physical improvements);
Amendment to Section 154.21 – Connectivity and Appropriateness to Adjoining Property and Land Uses (number of access requirements based on number of lots);
Amendment to Article V – Guarantee of Required Improvements;
Warranty Against Defects (remove financial guarantee language);
Amendment to Section 154.53 – Warranty Against Defects (remove financial guarantee language).

DRAFT

AN ORDINANCE AMENDING
THE CODE OF ORDINANCES
OF THE TOWN OF WINTERVILLE

BE IT ORDAINED by the Town Council of the Town of Winterville, North Carolina, that the Code of Ordinances of the Town of Winterville, is hereby amended by rewriting Chapter 154, Subdivision Regulations, in its entirety to read as follows:

Chapter 154; Subdivision Regulations

ARTICLE I GENERAL PROVISIONS

Section 154.01 Title

This Ordinance shall be known as the Subdivision Regulations of the Town of Winterville, North Carolina. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.02 Authority

This Ordinance is adopted under the authority and provisions of the General Statutes of North Carolina Chapter 160D, Article 8, Subdivision Regulations. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.03 Jurisdiction

These regulations shall govern all Subdivisions of land within the Territorial Jurisdiction of the Town of Winterville as now or hereafter established. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.04 Purpose

The purpose of this Ordinance is to establish procedures and standards for the development and Subdivision of real property within the Corporate Limits and Extraterritorial Jurisdiction of the Town of Winterville, NC, in an effort to protect the public health, safety, and general welfare and to:

A) Promote orderly growth and development;

B) Provide for suitable residential and nonresidential Subdivisions with adequate Streets and utilities and appropriate building sites;

C) Provide for distribution of population and traffic in a manner which shall avoid congestion and overcrowding;

D) Provide for the coordination of streets within Subdivisions with existing or planned Streets and with other public facilities;

DRAFT

E) Provide for the Dedication or Reservation of rights-of-way or Easements for Street and utility purposes;

F) Provide for the Dedication or Reservation of adequate spaces for open space, public lands and buildings;

G) Protect and enhance environmental quality;

H) Provide for the Dedication or provision of facilities for adequate storm drainage;

I) Provide proper land records for the convenience of the public and for better identification and permanent location of real property boundaries.

(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)

Section 154.05 Subdivision Defined

For the purpose of this Ordinance "Subdivision" shall mean all divisions of a tract or parcel of land into two or more Lots, building sites, or other divisions for the purpose of sale or building development (whether immediate or future) and shall include all divisions of land involving the Dedication of a new Street or a change in the existing Streets; but the following shall not be included within this definition nor be subject to the regulations of this Ordinance; provided, however, that any document or plat to be recorded pursuant to any such exclusion shall bear the notion "Exempt pursuant to Sec. 154.5 of the Town of Winterville Subdivision Ordinance" and the signature of the Subdivision Administrator or his designated agent before being presented for certification by the Review Officer:

(1) The combination or recombination of portions of previously subdivided and recorded Lots where the total number of Lots is not increased and the resultant Lots are equal to or exceed the standards of this Ordinance;
(2) The division of land into parcels greater than ten (10) acres where no Street right-of-way Dedication is involved;
(3) The public acquisition by purchase of strips of land for the widening or opening of Streets;
(4) The division of a tract in single ownership whose entire area is no greater than two acres into not more than three Lots, where no Street right-of-way Dedication is involved and where the resultant Lots are equal to or exceed the standards of this Ordinance; and
(5) The division of land into burial plots where no Street right-of-way Dedication is involved; And,
(6) The division of land by will. (Note: Although the division of land by will is exempt from the requirements of this Ordinance, the resultant lots may

DRAFT

not be eligible for a zoning compliance certificate/building permit if the lots do not meet the standards and requirements of the Zoning Ordinance).

(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)

Section 154.06 Compliance

From and after the adoption of this Ordinance, no real property lying within the Jurisdiction of this Ordinance shall be Subdivided except in conformance with all applicable provisions of this Ordinance. In addition, after the effective date of this Ordinance, no plat for Subdivision of land within the Jurisdiction of this Ordinance shall be certified for recording by the Review Officer, nor shall the Clerk of Superior Court order the recording of a plat until it has been submitted and approved in accordance with the provisions of this Ordinance. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.07 Subdivision Administrator

This Ordinance shall be administered by the Subdivision Administrator who shall be appointed by the Town Council. The Subdivision Administrator shall administer and enforce the provisions of this Ordinance and have such other specific powers and duties as are set forth in this Ordinance. The Subdivision Administrator may designate agents to act on his behalf. The Subdivision Administrator shall have the right to enter property at reasonable hours for the purpose of making inspections. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.08 Coordination of Plans

All plans, plats and supporting documents to be submitted in connection with the procedures set forth in this Ordinance shall be submitted first to the Subdivision Administrator. The Subdivision Administrator shall develop and maintain a set of standards to serve as a basis for the type, size, graphic media, number of copies, information to be shown and other such matters in regard to the maps and documents required to be submitted in the administration of this Ordinance. Such standards may also include standards for Street, storm drainage and utility Construction Plans. A listing of such standards may be appended to this Ordinance and are presumed to be necessary to satisfy the requirements of this Ordinance. However, it is recognized that each development is unique, and therefore, the Subdivision Administrator may exercise flexible judgment in requiring less or more information and submittals according to the needs of the particular case. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.09 Administrative Fee

The Town Council shall set a fee schedule for the administration of this Ordinance. The Subdivision Administrator shall be responsible for collecting such fees. All fees relating to recording of documents shall be borne directly by the Subdivider. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

DRAFT

Section 154.10 General Definitions

Unless specifically defined in this Section, words used in this Subdivision Ordinance shall have their respective customary dictionary definitions. For the purpose of these regulations certain words, terms or phrases used herein are interpreted and defined as follows:

Words used in the present tense shall included the future tense.
Words used in the singular shall include the plural and words used in the plural shall include the singular.

The words "shall" and "will" always indicate MANDATORY.

The words "should" and "may" always indicate OPTIONAL.

The word "Lot" includes the words "plot", "tract" and/or "parcel".

The word "building" includes the word "structure".

The word "person" includes a "firm, association, organization, partnership, trust, company, corporation and/or individual".

The word "use" includes the terms "arranged", "designed" and/or "intended" for use, activity and/or purpose.

Town Council – The Town Council of the Town of Winterville, North Carolina

Dedication – A gift, by the owner, of a right to use of land for a specified purpose or purposes. Because a transfer of property rights is entailed, dedication must be made by written instrument, and is completed with an acceptance.

Easement – A grant of one or more of the property rights by the property owner of a portion of land for a specified purpose and use by the public, a corporation or other entities.

Lot – A separate and distinct unit of land described by either a metes and bounds description and/or subdivision plat of record and/or probated will. Lot includes a portion of a subdivision or any other parcel of land, intended as a unit for transfer or ownership or for development or both.

Corner Lot – A lot abutting two (2) or more streets at their intersection.

Through Lot – A lot abutting two (2) streets that do not intersect at the corner of

DRAFT

the lot.

Planning Board – The Planning Board of the Town of Winterville, North Carolina.

Reservation – An obligation, shown on a plat or site plan, to keep property free from development and available for public acquisition for a stated period of time. It is not a dedication or conveyance.

Reserve Strip – A strip of land (usually only a few feet wide) owned privately, and set aside around a development in order to prevent access to adjacent property by way of development streets.

Street – A public right-of-way for vehicular travel which has been constructed and then dedicated to and accepted by the Town of Winterville or the North Carolina Department of Transportation for public use or which has been otherwise obtained by such agencies for such use or which is proposed to be constructed and then dedicated to and accepted by such agencies as a public right-of-way for vehicular traffic for public use pursuant to this Ordinance. Street classification are as follows:

> **Major Thoroughfare Street –** Major thoroughfares consist of interstate, other freeway, expressway, or parkway links, and major streets that provide for the expeditious movement of high volumes of traffic within and through urban areas.
>
> **Minor Thoroughfare Street –** Minor thoroughfares collect traffic from collector, subcollector, and local streets and carry it to the major thoroughfare system by facilitating movement of moderate volumes of traffic within and through urban urban areas and may also serve abutting property.
>
> **Local Street –** A street whose primary function is to provide access to abutting properties.
>
> **Cul-de-sac Street –** A short local street having one end open to traffic and the other end permanently terminated by a vehicular turnaround.

Street, Half – A proposed vehicular travelway intended to be developed by constructing one-half of a required width of a street with the remainder to be provided at some future date.

Street, Marginal Access – A local street parallel and adjacent to a major thoroughfare and which provides access to abutting properties and protection from through traffic.

Street, Private – A vehicular travelway not accepted as a public street.

Street Right-Of-Way – A strip of land occupied or intended to be occupied by a travelway for vehicles and also available, with the consent of the appropriate government agency, for installation and maintenance of sidewalks, traffic control devices, traffic

DRAFT

signs, street name signs, historical marker signs, water lines, sanitary sewer lines, storm sewer lines, gas lines, power lines, and communication lines.

Subdivider – A person engaged in the act of subdividing land.

Thoroughfare Plan – A plan, adopted by the Town Council, and as may from time to time be amended, for the development of existing and proposed major streets that will adequately serve the future travel needs of the area in an efficient and cost-effective manner. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

DRAFT

ARTICLE II SUBDIVISION REVIEW PROCEDURE

Section 154.11 Approval Levels

The Subdivision review procedure shall consist of two levels of required approval:

- Preliminary Plan (followed by required Construction Plans); and,
- Final Plat

Preliminary Plan approval shall be a prerequisite to Final Plat approval except for minor Subdivisions where Preliminary Plan approval is not required.

Prior to Preliminary Plan application, the Subdivider may submit to the Subdivision Administrator a sketch plan showing the concept of the proposed subdivision. The Subdivider may at that time discuss the proposed Subdivision with the Subdivision Administrator and become familiar with the Subdivision Regulations. This procedure does not require formal application or fee. The Subdivision Administrator may, at his option, present any sketch plan to the Planning Board for review. Approval of Construction Plans are the responsibility of the Subdivision Administrator and his agents. Construction Plans are not required to be submitted as part of the Preliminary Plan approval. It is the responsibility of the Subdivider to ensure that the Preliminary Plan design is feasible for public facility services. The Subdivision Administrator may require, however, the submittal for review and approval of all or part of Subdivision Construction Plans in order for the Planning Board/Town Council to ascertain the feasibility of serving all or part of a proposed Subdivision.

Approved Construction Plans are a prerequisite to receive permission to proceed with construction of subdivision improvements and for final plat approval. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.12 Subdivision Types

The subdivision review procedure shall consist of two types of Subdivisions:

Major Subdivisions and Minor Subdivisions

Major Subdivisions are those Subdivisions which involve more than five (5) lots or more than ten (10) acres, those Subdivisions which involve the Dedication of new Street segments (but not simply widening), those Subdivisions where special developments are involved as permitted by the Zoning Ordinance, and those Subdivisions that involve Dedication or Reservation of land for open space, school sites and other public purposes. All other Subdivisions shall be considered to be Minor Subdivisions. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

DRAFT

Section 154.13 Approval Authority

The approval authority for the levels and types of Subdivision approval shall be as follows:

Preliminary Plans –

Major Subdivisions – Town Council on recommendation by the Planning Board

Minor Subdivisions – No preliminary submittal required

Final Plats –

Major Subdivisions – Town Council on recommendation by the Planning Board

Minor Subdivisions and Single-Family Attached of no more than two attached units –

Final plats for Minor Subdivision or single-family attached of no more than two units, as defined by the Winterville Zoning Ordinance, may be approved for recording by the Subdivision Administrator subject to the following provisions:

a. The final plat must meet all applicable requirements of the Zoning Ordinance, Subdivision Ordinance, and any other applicable regulations;

b. Final plats for approval by the Subdivision Administrator shall contain the following certificate:

"I certify that the subdivision plat shown hereon has been found to comply with all subdivision ordinance of Winterville, North Carolina, and is approved for recording by the Pitt County Register of Deeds.

_____

Subdivision Administrator

_____, 20____"

c. The Subdivision Administrator, at his discretion, my require any final plat for Minor Subdivision or single-family attached to be submitted for approval to the Planning and Zoning Board and to the Town Council. *(04-O-75, adopted 05/10/2004)*

Section 154.14 Plan and Plat Requirements

Plans and plats and supporting documents and material for the levels of Subdivision approval shall be submitted in the form as provided for in the standards for such submittals contained in the Appendix of this Ordinance. The Subdivision Administrator

DRAFT

may refuse to accept the submission of any plans, plats or supporting documents which in

DRAFT

his opinion do not meet the standards for such submittals as contained in the Subdivision Administrator's Mapping Standards and this Ordinance. *(2000 Subdivision Ordinance, O-52- 02149900, adopted 02/14/2000)*

Section 154.15 Plan Submittal and Review Periods – Preliminary Plans

Plans, in the proper form, shall be submitted to the Subdivision Administrator according to the following schedule:

Preliminary Plans – Major Subdivisions

Preliminary Plans for recommendation by the Planning Board may be submitted at any time, provided, however in order to be eligible to be placed on an agenda of a Planning Board Meeting, such submittal shall have been filed with the Subdivision Administrator at least twenty-one (21) days prior to that meeting. The Planning Board shall recommend approval, approval with conditions or denial of the Preliminary Plan within ninety (90) days of its first consideration. The recommendation shall be in writing and/or drawn form and dated.

Preliminary Plans for approval by the Town Council may be submitted at any time, provided, however in order to be placed on an agenda of a Town Council meeting, such submittal shall have been filed with the Subdivision Administrator at least fifteen (15) days prior to that meeting. Upon review of the Plan and the recommendation of the Planning Board, the Town Council may take whatever action it deems appropriate. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.16 Plat Submittal and Review Periods – Final Plats

Plats, in the proper form, shall be submitted to the Subdivision Administrator according to the following schedule:

Final Plats – Minor Subdivisions

Final Plats for Minor Subdivisions for approval by the Subdivision Administrator may be submitted any time. However, if warranted by unusual impacts or conditions, the Subdivision Administrator may require any Final Plat for a Minor Subdivision be approved by Town Council on recommendation by the Planning Board. Upon receipt and compilation of reviewing agency requirements, comments, and recommendations, the Subdivision Administrator shall approve, or disapprove the plat. Failure on the part of the Subdivision Administrator to act on the plat within forty-five (45) days of receipt of an acceptable plat shall constitute approval, except where the subdivider voluntarily withdraws the plat from consideration or requests that review be continued. Such requests shall be provided to the Subdivision Administrator in writing.

Final Plats – Major Subdivisions

DRAFT

Final plats for Major Subdivisions for recommendation by the Planning Board may be submitted at any time, provided, however in order to be eligible to be placed on an agenda of a Planning Board Meeting such submittal shall have been filed with the Subdivision Administrator at least twenty-one (21) days prior to that meeting. The Planning Board shall recommend approval, approval with conditions or denial of the Final Plat within ninety (90) days of its first consideration. The recommendation shall be in writing and/or dawn form and dated.

Final Plats for Major Subdivisions for approval by the Town Council may be submitted at any time, provided, however in order to be placed on an agenda of a Town Council meeting, such submittal shall have been filed with the Subdivision Administrator at least fifteen (15) days prior to that meeting. Upon review of the Plat and the recommendation of the Planning Board, the Town Council may take whatever action it deems appropriate. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.17 Effects of Approvals – Prerequisites

Preliminary Plan approval shall constitute tentative approval of the Final Plat if the Final Plat is in substantive agreement with the Preliminary Plan and shall entitle the Subdivider to proceed to prepare Street, storm drainage and utility Construction Plans, if applicable, and/or to proceed to prepare the Final Plat. Approval of Construction Plans shall entitle the Subdivider to proceed with construction of Subdivision improvements for the Preliminary Plan and no construction, including grading, shall proceed without such approval. In addition, the Subdivision Administrator may require as a prerequisite to Preliminary Plan approval, the submittal for review and approval of all or part of Subdivision Construction Plans in order to ascertain the feasibility of all or part of a proposed Subdivision.

If a Final Plat of all or part of the area shown on a Preliminary Plan is not recorded in the office of the Register of Deeds within twelve (12) months between the recording of sections, the Subdivision Administrator may require the re-submittal of the unrecorded portion as a Preliminary Plan.

Final Plat approval shall entitle the subdivider to submit the Final Plat for recording by the Subdivision Administrator. No final Plat shall be regarded as finally approved until such Plat shall be recorded. No final Plat shall be approved for recording until all required Subdivision improvements have been installed and approved or until the subdivider supplies an appropriate guarantee of Installation as provided for in this Ordinance.

In addition, no Final Plat shall be approved for recording unless such plat is in substantial agreement, as determined by the Town Council, with the approved Preliminary Plan.
Final Plats not in substantial agreement shall be resubmitted as Preliminary Plans as provided herein.

DRAFT

After the Final Plat is recorded, Lots as shown on the Plat may be sold or otherwise conveyed by reference to the Plat. Building Permits may be authorized to be issued and Certificates of Occupancy may be issued provided all improvements, including individual building connections, have been installed and inspected and approved by the Subdivision Administrator.

Approval and recording of the Final Plat shall constitute Dedication by the Subdivider of the right-of-way of each public Street and utility and drainage Easement shown on such plat. Such Dedication, however, does not constitute acceptance by the Town of such right-of-way, nor does it constitute acceptance for maintenance or for other purposes of the improvements within such rights-of-way and easements such as pavements, sidewalk, drainage facilities and other utility lines. Acceptance of physical improvements will be made by the Utility Directors, Town Engineer, and Town Manager once the required improvements have been installed and are found to be in accordance with approved plans and Town standards. Such right-of-way and improvements may be accepted by the Town Council by resolution upon completion by the Subdivider and inspection by the Subdivision Administrator, or his/her designated agents.

In addition, land designated on an approved and recorded Final Plat as public open space and similar public purposes shall be considered to be offered for Dedication until the Town has by resolution accepted such Dedication and such land is deeded to the Town. Until such Dedication has been accepted, land so offered may be used for open space purposes by its owner or his designees and the Town shall be held harmless of any liability involving such land. Land so offered for Dedication shall not be used for any purpose inconsistent with the proposed public use without the express approval of the Town Council. *(2000 Subdivision Ordinance, O- 52-02149900, adopted 02/14/2000)*

Final Plat Homeowner's Association Required Documentation

For any subdivision which contains common areas or facilities which are not being dedicated to the Town of Winterville, a Homeowners' Association for the subdivision must be established and the Homeowners' Association must have legal authority to maintain and exercise control over the common areas and facilities and to compel contributions from the owners of the lots within the subdivision to cover the expense of maintaining, repairing, or improving the common areas and facilities. The documentation required must be recorded and referenced on the final plat. The documentation required is the following:

A. Articles of Incorporation for a Homeowners' Association for the subdivision are required to be filed with the North Carolina Department of the Secretary of State.

B. Declaration of Covenants, Conditions, and Restrictions for the Homeowners' Association are required to be filed in the Pitt County Registry with the Declarant being the owner of the property being subdivided.

C. The Declaration must include the following provisions:

1) Declarant will convey to the Homeowners' Association the common areas and

DRAFT

facilities within the subdivision prior to the sale of the first lot;

2) The owner of each lot within the subdivision is subject to assessments imposed by the Homeowners' Association to cover the expense of the maintenance, repair, or improvement of the common areas and facilities;

3) The assessments are to be a lien on the lot which may be foreclosed upon by the Homeowners' Association.

(08-O-002 adopted 01/14/2008)

DRAFT

ARTICLE III DESIGN STANDARDS

Section 154.18 General

All proposed subdivisions subject to these regulations shall comply with the design standards of this Article and shall be so planned as to facilitate the most advantageous development of the entire community. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.19 Incorporation of Other Town Ordinances, Policies, and Plans

All proposed subdivision plans shall incorporate the land development requirements and provisions of all Town Ordinances, Policies and Plans as now or hereafter established or amended the same as if each were fully contained within these regulations. No subdivision plan may be approved which fails to incorporate such requirements and provisions or which is not consistent with such Ordinances, policies, and plans. Ordinances, policies, and plans include, but are not limited to, the Zoning Ordinance, the Flood Damage Prevention Ordinance, the Storm Water Drainage Ordinance, the Thoroughfare Plan and any Conditions of Approval imposed through any approval process. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.20 Appropriate to Physical Conditions

The general design of the subdivision shall take advantage of and be adjusted to the contour of the land so as to produce usable building sites and streets of reasonable gradients. Subdivision plans shall be drawn in consideration of the suitability of the land and its capability to support and maintain the proposed development. Due consideration shall be given to such factors as topography, soil conditions, flood damage prevention, erosion control, wetland preservation, storm water management, solar energy, tree preservation, noise and pollution control, habitat for endangered species, areas of historical, archeological or architectural significance, and land use relationships in addition to other factors including those prescribed by these regulations. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.21 Connectivity and Appropriateness to Adjoining Property and Land Uses

The subdivision shall be designed in relationship to adjoining property and land uses. Except where the Town Council determines that a different scheme is more appropriate, the proposed street system shall extend existing and projected streets at no less than the required minimum width for the classification of the street and shall be in conformance with the following criteria:

1) Conformance With Thoroughfare Plan
   The location and design of streets shall be in conformance with the Thoroughfare Plan.

DRAFT

2) Street Classification
All streets within and adjoining the subdivision shall be classified according to function by the Town Council. Each street segment shall be classified in accordance with the Schedule of Street Classifications contained in the Appendix of these regulations and as defined herein. The classification of a street segment shall determine the cross-section and design standard to which that street segment shall be designed and constructed. Street design standards for each street classification are shown in the appendix.

3) Connection to Adjoining Property
Proposed streets shall be extended to the boundary of the subdivision for connection to existing streets on the boundary of adjoining property or for future connection. Cul-de-sacs shall not be used to avoid connection with an existing street, to avoid the extension of a thoroughfare or collector street, or to avoid connection to adjoining property. In general, cul-de-sacs shall not be used to provide access to development on the boundary of the development. Cul-de-sacs shall not exceed 800 feet in length unless necessitated by topography or property accessibility and specifically approved by the Town Council. Measurement shall be from the point where the centerline of the deadend street intersects with the centerline of a general circulation street to the center of the turnaround of the cul-de-sac. Where one cul-de-sac extends from another cul-de-sac, the end of each cul-de-sac shall be no more than 800 feet from a general circulation street as measured by the centerline of the streets.

4) Required Subdivision Access Points
(1) When a residential subdivision borders on or contains a major thoroughfare, direct driveway access from lots within the subdivision onto the thoroughfare shall not be permitted.
(2) In order to accommodate emergency and service vehicles, the following standards shall apply:
(a) Any residential subdivision of greater than 30 lots shall include at least two separate and constructed access points.
(b) Residential subdivisions of 300 or more lots shall provide at least three separate and constructed access points.
(c) Street stub-outs to adjacent undeveloped properties shall be provided as deemed appropriate. Stub-outs to adjacent undeveloped properties shall not count towards the minimum number of required access points. All stub-outs shall be constructed to the property line.
(d) Street connections shall be made to existing stub-outs on adjacent developed properties. These street connections may count towards the minimum number of required access points.
(e) All required access points outlined in this section shall be constructed prior to plat recordation of the phase in which the access points are located.
(f) Multi-family residential developments. Multi-family projects having more than 100 dwelling units shall provide at least two separate and constructed access points. Required access points shall be constructed prior to issuance of the first certificate of occupancy for

DRAFT

the phase in which they are located.

(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)

Section 154.22 Reserve Strips, Half Streets and Private Streets

Reserve strips and non-access easements adjoining street rights-of-way for the purpose of preventing access to or from adjacent property (except those required by the Town Council to prevent access to thoroughfares) and half-streets shall not be permitted under any condition. Private streets shall only be permitted in cases where the Zoning Ordinance permits such streets. In no case shall a private street serve more than five (5) platted lots unless permitted as a modification under Section 154.58. In any case private streets shall meet the standards of Section 154.37.5. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.23 Intersections

Streets shall be designed so as to intersect as nearly as possible at right angles, and no street shall intersect any other street at an angle of less than sixty (60) degrees. Streets crossing natural areas or streams shall cross at or near to right angles as possible within limits of topographic conditions. Offset intersections are to be avoided. A minimum intersection offset of two-hundred (200) feet shall be maintained. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.24 Restriction of Access

Where a subdivision abuts or contains an existing or proposed thoroughfare, the Town Council may require marginal access streets, reverse frontage or such other treatment as may be necessary for adequate separation of through and local traffic.

Residential Subdivisions Lots located on a Major or Minor Thoroughfare shall have driveway access from an internal street and shall not have individual driveway connections to the Thoroughfare unless necessitated by topography or property accessibility and only when specifically approved by the Town Council.

For the purposes of this Section, Major and Minor Thoroughfares are defined as follows:

a. All State Highways and State Roads within the Town of Winterville and the Extraterritorial Jurisdiction of the Town of Winterville.
b. Any street so designated by the Greenville Urban Area Metropolitan Planning Organization Thoroughfare Plan within the Town of Winterville or its Extraterritorial Jurisdiction.

(07-O-259, adopted 02/12/2007)

Section 154.25 Storm Drainage in Streets

All streets must be so designed as to provide for the discharge of surface water from the right-of-way of all streets. Street drainage facilities shall be designed in accordance

DRAFT

with the Storm Water Drainage Ordinance and the Town's standard for street construction. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

DRAFT

Section 154.26 Storm Drainage Not in Streets

Storm drainage systems and facilities shall be designed in accordance with the requirements of the Storm Water Drainage Ordinance. The design of storm drainage systems and plans, including calculations, shall clearly indicate the easements and dedicated areas required for the construction and maintenance of the drainage system. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.27 Street Names

Proposed streets which are obviously in alignment with others already existing and named, shall bear the names of existing streets. In no case shall the name for proposed streets duplicate or be phonetically similar to existing street names, irrespective of the use of suffix street, avenue, boulevard, driveway, place, or court. *(2000 Subdivision Ordinance, O- 52-02149900, adopted 02/14/2000)*

Section 154.28 Utility Easements

To provide for electric, telephone and gas service, community antenna television distribution systems, water and sewer lines and other such facilities within the subdivision, appropriate utility easements not less than twenty (20) feet shall be provided on the final plat. The locations of such easements shall be based upon the approved construction plans. All subdivision plats shall have a note stating that all lot lines shall be subject to a ten (10) foot utility easement centered on the lot line. All utilities shall be placed underground. The subdivider shall be responsible for incorporating the design of all utilities and services into the easement and construction design. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.29 Subdivision Entrance Markers and Landscaped Medians

The Town Council may permit subdivision entrance markers and landscaped medians within the public right-of-way, or an easement set aside for such purposes, subject to the following conditions and any additional conditions the Town Council may find to be appropriate in the individual circumstance.

1) The Town will not be responsible for maintenance.
2) An entity responsible for maintenance shall be created.
3) No such improvements shall interfere with sight distance or with normal maintenance requirements or otherwise pose a hazard to vehicular or pedestrian traffic.
4) In the event of loss, damage or lack of maintenance, the Town may remove all improvement and maintain the area in accordance with Town standards.
5) NCDOT must approve any such developments in streets to be maintained by NCDOT.

(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)

DRAFT

DRAFT

Section 154.30 **Construction in Public Right-of-Way and Easements**

The design and construction of any facilities whether required or provided, within public right-of-way and easements shall be in accordance with Town design and construction standards. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.31 **Park, Recreation and Open Space Land**

A. General Purposes: All residential subdivisions shall entail provisions for the adequate satisfaction of park, recreation and open space needs of persons expected to reside in the development through dedication of land. The subdivider may, as an alternative, elect to pay a fee in lieu of land dedication. *(2000 Subdivision Ordinance, O-52- 02149900, adopted 02/14/2000)*

B. Standards for dedication: One thousand two hundred (1,200) square feet shall be dedicated for each dwelling unit to be situated on any lot shown on the preliminary plat, or where a preliminary plat is not required, shown on the final plat. This shall include single-family, two-family, multifamily, and manufactured homes. Land dedicated for recreation, park or open space development shall substantially meet the following criteria:

Unity. The dedicated land shall form a single parcel, except where The Town Council determines that two (2) parcels or more would be In the public interest and in such case the Town Council may require That such parcels be connected by a dedicated strip of land at least thirty (30) feet in width.

Location. The dedicated land shall be located so as to reasonably Serve the park, recreation and open space needs of the development for Which the dedication is made.

Usability. At least one-half (1/2) of the total land dedicated shall be Located outside areas of special flood hazard, including the one hundred Year flood plain, and at least seventy five (75) percent of the total land dedicated shall be outside of wetland dedication sufficient engineering data and/or detail shall be indicated to insure compliance with this section.

Shape. The shape of the area proposed for dedication shall be suitable for recreation purposes as determined by the Town Council.

Access. Public access to the dedicated land shall be provided either by adjoining street frontage or public easement at least thirty (30) feet in width.

Conformance with standards. The area dedicated shall conform to the minimum subdivision regulations and zoning standards for the district in which located and shall be of adequate dimension to constitute a

DRAFT

building site of like design and characteristics as other lots within the common development.

Plans. Municipal and county plans, particularly any park and open space plans, shall be considered when evaluating proposals for dedication.

(06-O-242, adopted 10/09/2006)

C. Private park and recreation dedication. Land that is set aside for private recreation or community open space, so long as such area meets the above criteria, will be accepted as fulfilling the requirements of this section in whole or in part. Full credit will be given for this acreage in determining the total amount that is to be dedicated. Such recreation or open space area is to be privately owned and maintained by all future residents of the subdivision, and shall be held by a homeowners' association or recreation association for the specific use of all residents of that subdivision. All such dedications shall be recorded on the final plat; maintenance shall be adequately provided for by written argument. Use of private recreation and open space areas is restricted to park and recreation purposes. Where private park and recreation space is to be used to satisfy the requirements of this Section, the documents creating the Homeowner's Association and setting up the dedication of land for such park and recreation dedication shall provide that in specific defined instances of failure to develop and maintain such areas to meet the intent of this Section that the Town Council at their election may assume ownership of the land on behalf of the Town.

D. Payments in Lieu of Dedication

1. Any person developing and/or subdividing property subject to this section, and upon approval of the Town Council, may make a payment in lieu of any required dedication of public recreational space.

2. Such payment in lieu of dedication shall be the product of the current assessed market value of the land to be subdivided (as established in subsection 3 below) multiplied by the number of acres to be dedicated.

3. The current assessed market value of the gross land area of the development or subdivision at the time of submission of the required plan and/or plat shall be used to determine the land value. The current assessed market value shall be the appropriate value as determined by and maintained on file in the Pitt County Tax Supervisor's Office. The average value per gross acres shall be calculated from this total tax value and applied to the required recreational land area in order to determine the land value.

E. Option Required. Where the minimum amount of land required for

DRAFT

dedication does not either individually, or when combined with other dedicated land jointly, meet the criteria set forth under subsection B above, the developer shall exercise the payment in lieu of dedication options set forth herein.

DRAFT

F. Procedures.

1. The developer/subdivider shall indicate on the preliminary plat, or where a preliminary plat is not required on the final plat, whether land dedication or a fee in lieu thereof is proposed. If land dedication is desired, the area (s) to be dedicated shall be indicated on the plat.

2. a. Land dedicated to meet requirements shall be shown on the final plat submitted for approval. Where the payment in lieu of dedication option is used, or where a combination of payment and dedication is used, such payment shall be deposited with the Town prior to the recording of the final plat.

   b. Where a subdivision is to be recorded in phases, acreage and/or fees sufficient to, at least, meet the requirements for those lots in the phase under final plat consideration shall be dedicated and/or deposited as provided herein.

G. Authority to sell. The Town Council shall have authority to sell land dedicated pursuant to this section with the proceeds of such sale used only for the acquisition, expansion or improvement of recreation, park, or open space sites.

H. Land Acceptance. The Town Council shall have the authority to accept or reject land dedications made as a requirement of this section. At the developer's request, the Town Council may accept a land dedication located elsewhere in the Town's jurisdiction in lieu of land dedication at the site of the proposed development.

(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)

Section 154.32 Blocks

A. Blocks shall be laid out with special consideration given to the type of land use proposed within the block.
B. Blocks shall not exceed twelve hundred (1200) feet in length nor shall they be less than four hundred (400) feet in length.

C. Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depth except where otherwise required to separate residential development from through traffic.

(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)

Section 154.33 Lots (Building Sites)

DRAFT

The size, shape and orientation of lots shall be appropriate for the location of the proposed subdivision, for the type development contemplated. It is the intent of these

DRAFT

regulations that lot size, shape and orientation shall be controlled by the provisions of the Zoning Ordinance and types of development permitted by that Ordinance. Every lot shall have sufficient area, dimensions and shape to permit a principal building to be constructed thereon in conformance with the applicable provisions of the Zoning Ordinance. Such building area shall lie at or be elevated to at least one (1) foot above the one-hundred (100) year flood elevation as provided for in the Flood Damage Prevention Ordinance. Lots shall be designed so as to provide positive drainage away from building sites and individual lots shall be coordinated with the general storm drainage plan for the Subdivision. Storm drains carrying water from street right of way shall be placed along lot lines where practical and shall extend for a minimum of thirty-five (35) feet back of the building lines. Lots boundaries shall be made to coincide with natural and pre-existing man-made drainage ways to the extent practical to avoid the creation of lots that can be built upon only by altering such drainage ways. Lots shall be arranged with due consideration given to not disturbing wetlands and other such natural features. Side lines of lots should be at or near right angles or radial to street lines. Public street access and frontage shall meet the requirements set fort in the Zoning Ordinance. Parcels created through the subdivision process which are not intended for building purposes shall be so designated and perpetually bound as "not-buildable" unless subsequently released through the development process. Double frontage lots shall be avoided except where required to restrict access as set forth in Section 154.24. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

<u>Double Frontage Lots</u>

For the purposes of this section:

"Corner Lot" is defined as a lot adjacent to or abutting on two streets at their intersection;
"Interior Lot" is defined as any lot other than a corner lot; and
"Double Frontage Lot" is defined as an "interior lot" having frontage on two streets.

Where any residential subdivision creates double frontage lots a buffer easement shall be dedicated and a berm with vegetative screening shall be installed along the rear line of such double frontage lots parallel to the adjacent abutting street frontage in accordance with the following standards:

1) The buffer easement shall be a minimum of twenty (20) feet in width;
2) The easement shall be designated as a "Buffer and Non-access Easement";
3) The buffer easement shall be dedicated to a Homeowners' Association established in accordance with the requirements of Article II, Section 154.17 of this ordinance;
3) An earthen berm a minimum of three (3) feet in height shall be installed on the buffer easement;
4) The earthen berm shall have a maximum slope of 3:1;
5) Evergreen shrubs at least three (3) feet tall when planted shall be installed on the earthen berm at a minimum rate of twenty-five (25) shrubs per one hundred (100) feet.

DRAFT

6) The buffer requirements of this section shall also be applicable to any corner lot which abuts a Major or Minor Thoroughfare subject to driveway access restrictions, as per Article III, Section 154.54 of this ordinance, with respect to the abutting thoroughfare.

The intent of this section shall be to provide a complete year round opaque visual barrier between double frontage lots and the street rights-of-way abutting the rear of such lots. Qualified vegetation shall therefore be spaced to accomplish this end. No horizontal plane as viewed perpendicular from the property line, may be void of vegetation within five (5) years of planting for a height of at least eight (8) feet.

(08-O-002 adopted 01/14/2008)

Section 154.34 Water and Sewer

All subdivisions shall be designed to provide Town water and sewer or meet Health Department requirements for on-site systems. Water and sewer system shall be designed in accordance with Town standards. The Subdivider shall be responsible for obtaining all necessary permits and approvals. (See Section 154.38 and 154.39) for water and sewer system extension requirements and Section 154.47 for fire hydrant requirements.)

Section 154.35 Sidewalks

Sidewalks shall be provided by the subdivider in accordance with the following:

1) Sidewalks shall be provided with public street extensions pursuant to Section 154.37.
2) The location of proposed sidewalks required pursuant to this section shall be in accordance with Town standards.
3) Sidewalks shall be provided along both sides of all minor and major thoroughfares as shown on the Thoroughfare Plan.
4) Sidewalks shall be provided along one side of all local streets.
   a. Sidewalks shall be provided along both sides of all streets for Non-Residential, Multi-Family Residential, Two-Family Residential, or Single-Family Attached Residential Developments.
5) Cul-de Sac Bulb Requirement- The sidewalk shall continue around the full perimeter of the cul-de-sac turnaround.
6) The arrangement of sidewalks in new subdivision shall make provision of the continuation of existing sidewalks in adjoining areas.

, adopted10/12/2026)TO be updated upon approval

Section 154.36 Connection to State Streets

An approved permit is required to connect to any existing state system street.

North Carolina General Statutes 136-102.6 “Compliance of Subdivision Streets with Minimum Standards of the Board of Transportation Required of Developers” requires

DRAFT

that new public streets outside the Town limits and changes to existing streets inside the

DRAFT

Town limits that are the responsibility of NCDOT be in accordance with the Minimum Right-of-Way and Construction Standards established by the Board of Transportation for acceptance on the State highway system. It is the intent of these standards and requirements, as set forth, to complement and not to conflict with the requirements of NCDOT as stated in NCGS 136-102.6. In all cases the most restrictive limitation or requirement or the requirement causing the highest standard of improvement shall govern. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

DRAFT

ARTICLE IV REQUIRED IMPROVEMENTS

Section 154.36 General

All required improvements set forth in this section shall be installed or constructed by the Subdivider at no cost to the Town except as may otherwise be specifically provided. Required improvements under this section shall not be installed or constructed until required construction plans have been approved by the Subdivision Administrator and an order to proceed has been issued. The Town may, in order to serve future development, require the developer to install certain oversized improvements and/or to increase such improvements to a size and/or extent beyond that necessary for the needs created by the subdivider. In such cases, the Town shall enter into an agreement to reimburse the developer for the over sizing and/or extension based upon rates as agreed to by the Town.

Subdivisions may be designated to be constructed and platted in phases. Provided, however, the Town Council may not approve a phasing plan when in its opinion such phasing will not provide for adequate public facilities to support any such phase or phases independent of the overall development plan. In approving phases the Town Council may require that additional streets, water and sewer facilities or other required public facilities be constructed as part of the phase or phases in order to ensure that sufficient public facilities will be in place to support such phase or phases independent of any future development. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.37 Street Improvements

All proposed streets shall be graded to the full width of the right-of-way and improved with a pavement width and standard curb and gutter and storm drainage section as required for the particular classification of a street. All grading, pavement and curb and gutter shall be designed and installed in accordance with Town standards and the approved construction plan. Where bridges are required, such shall be installed to fit the cross-section of the street classification. In addition, street paving and curb and gutter and storm drainage, in accordance with the above conditions, shall be installed in the following situations:

1) Any existing street segment that has not been accepted for maintenance by either the Town or the North Carolina Department of Transportation, and that is to serve as the required frontage for one or more lots created pursuant to these regulations, shall be improved and dedicated to the public, as provided for above, in such a way that the street segment meets the standards of these regulations for the particular classification of street, including right-of-way width. Such street segment shall be directly connected to the existing public street system by way of at least one public street accepted for maintenance by either the Town or the North Carolina Department of Transportation. No subdivision shall be permitted on any street that is an “island” not connected directly to the public street system.

DRAFT

2) Where a subdivision fronts on any existing street segment maintained by either the Town or the North Carolina Department of Transportation and the street does not meet the minimum standards of these regulations for the classification of street, the subdivider shall improve the portion of the street adjoining the subdivision to meet the minimum standards including construction and width. When the subdivision adjoins only one side of an existing street, one-half of the minimum right-of-way shall be provided, measured from the centerline of the street.

3) The Town Council may require pavement and widening or pavement and widening and curb and gutter and storm drainage for turning lanes along any street that forms a significant entrance to a proposed development where in the opinion of the Town Council such improvements are necessary in order to provide for safe vehicular movement into and out of the proposed subdivision.

4) Where a street is stubbed into adjoining property for future extension and such street serves as the frontage for one or more lots which are not corner lots, the Town Council may require the pavement of a temporary turn-around in a form similar to a cul-de-sac on such street where in the Town Council's opinion such turn-around is necessary for the public convenience, safety and service.

5) Private streets where permitted shall be constructed to NC Department of Transportation standards for paved residential streets in a fifty (50) foot right-of-way. Curb and gutter is not required. Private streets where provided shall be subject to an Owner's Association agreement that provides for assessment for maintenance. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Electrical Conduit

Underground electrical conduit of the size and type specified by the Winterville Electric Department shall be installed by the subdivider in new streets in areas served by underground electric service. The location of these underground electrical conduits shall be shown in the proposed construction drawings. *(01-66, adopted 03/12/2001)*

Section 154.38 Drinking Water Improvements

Any Subdivision which has public water system lines available shall be required to extend the public water system throughout the subdivision to each lot located therein. All required water line extensions shall include appropriate valves, hydrants, taps and service to the property line of each lot as required by the standards of the Town.

For subdivisions within or partially within the Town, the term "available" shall mean that there is an existing water line of adequate size and water flow and/or pressure either crossing the subdivision property or immediately available from an adjacent public right-of-way or the Town indicates its commitment to extend such a water line to the property line of the subdivision at no cost to the subdivider.

DRAFT

For subdivisions located entirely outside the boundaries of the Town but within the jurisdiction of this Ordinance, the term "available" shall mean that there is an existing water line of adequate sign and water flow and/or pressure within the distances shown on the Table below of the outside boundary line of the subdivision or the Town indicates its commitment to extend such a water line within the distances shown on the Table below of the property line of the subdivision at no cost to the subdivider and there are no legal or topographic problems which prevent the subdivider from connecting onto and extending the existing system to the subdivision. In the event there are phases to the subdivision or else the subdivision is a part of a larger tract of land owned or under the control of the subdivider, then, and in that event, public water service shall be deemed to be available if an existing or proposed public water system line extends or will be extended within the distances shown on the Table below to the larger tract of land.

In the event the Town elects not to extend a water line of sufficient size, flow and/or pressure, to the subdivision (if in the Town) or within the distance shown on the Table below of the subdivision boundary (if outside the Town) because of topographic features, legal obstacles, or financial reasons, then, the subdivider shall not be required to extend water lines to each lot nor provide water service to the subdivision.

In any case where a public drinking water system and/or supply system intended to serve more than two (2) lots is proposed to be installed in a subdivision as part of the plan approval process, such system shall be considered to be a "Required Improvement" within the context of this Section regardless of whether such a system is an extension of the Town system or not and such system shall be required to be installed by the Subdivider. This requirement includes both facilities within the Subdivision and off-site facilities which are essential to providing the service to the property.

Available Water System Lines Water is available if the subdivision contains the Number of lots listed in column one and public lines are Within the distance shown in column two.	
LOTS	**DISTANCE**
2-10	200 feet
11-20	300 feet
21-50	600 feet
51-100	1000 feet
101+	1500 feet

(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)

DRAFT

Section 154.39 Sanitary Sewage Improvements

Any Subdivision which has public sewer system lines available shall be required to extend the public sewer system throughout the subdivision to each lot located therein. All required sewer line extensions shall include appropriate manholes, lift stations pumps, clean outs, taps and service to the property line of each lot as required by the standards of the Town.

For subdivisions within or partially within the Town, the term "available" shall mean that there is an existing sewer line of adequate size and flow either crossing the subdivision property or immediately available from an adjacent public right-of-way or the Town indicates its commitment to extend such a sewer line to the property line of the subdivision at no cost to the subdivider.

For subdivisions located entirely outside the boundaries of the Town, but within the jurisdiction of the Ordinance the term "available" shall mean that there is an existing sewer line of adequate size and flow within the distances shown on the Table below of the outside boundary line of the subdivision or the Town indicates its commitment to extend such a sewer line to within the distances shown on the Table below of the property line of the subdivision at no cost to the subdivider and there are no legal or topographic problems which prevent the subdivider from connection onto and extending the existing system to the subdivision. In the event there are phases to the subdivision or else the subdivision is a part of a larger tract of land owned or under the control of the subdivider, then, and in that event, public sewer service shall be deemed to be available if an existing or proposed public sewer system line extends or will be extended to within the distance shown on the Table below of the larger tract of land.

In the event the Town elects not to extend a sewer line or sufficient size and flow, to the subdivision (if in the Town) or within the distance shown on the Table below of the subdivision boundary (if outside the Town) because of topographic features, legal obstacles, or financial reasons, then, the subdivider shall not be required to extend sewer lines to each lot nor provide sewer service to the subdivision.

In any case where a sanitary sewerage system and/or treatment system intended to serve more than two (2) lots is proposed to be installed in a subdivision as part of the plan approval process, such system shall be considered to be a "Required Improvement" within the context of this Section regardless of whether such system is an extension of the Town system or not and such system shall be installed by the subdivider. This requirement includes both facilities within the subdivision and off-site facilities which are essential to providing the service to the property.

DRAFT

Available Sewer System Lines Sewer is available if the subdivision contains the Number of lots listed in column one and public lines are Within the distance shown in column two.	
LOTS	**DISTANCE**
2-10	200 feet
11-20	300 feet
21-50	600 feet
51-100	1000 feet
101+	1500 feet

(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)

Section 154.40 Sidewalks

Any sidewalks required by preliminary subdivision approval shall be constructed to Town standards. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.41 Street Name Signs

Street name signs which meet Town of Winterville specifications shall be installed at the expense of the subdivider, or their installation guaranteed, prior to final plat approval. *(04-O-74, adopted 05/10/2004)*

Section 154.42 Traffic Control Signs, Signals, and Markings

Traffic control signs which meet Town of Winterville specifications shall be installed at the expense of the subdivider, or their installation guaranteed, prior to final plat approval. The number, type, and locations for placement of traffic control signs shall be as determined by the Town of Winterville. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.43 Street Lights

The Town will install street lights at appropriate locations inside the Town in accordance with Town standards and specifications. Where different light standards are proposed the subdivider shall enter into an agreement with the Town. Outside the Town the subdivider shall install underground wiring for street lights and may install lights at the subdivider's cost. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

DRAFT

Section 154.44 Storm Drainage Not in Public Streets

The subdivider shall install such storm drainage facilities to handle storm drainage not in public streets as required by the Storm Water Drainage Ordinance and as shown on the approved Construction Plan. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.45 Park, Recreation and Open Space Dedication

See Article III, Section 154.31 *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.46 Monuments and Markers

The developer shall install such property monuments and markers as are required by law and the standards of practice for land surveying in North Carolina. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.47 Fire Hydrants

Residential areas and subdivisions (single family and/or duplex) shall require fire hydrants located such that each structure or portion thereof will be within five hundred feet (500') of a hydrant.

Multi-family residency areas and subdivisions (apartments, townhouses, condominiums, etc.) shall require fire hydrants located such that each structure or portion thereof will be within five hundred feet (500') of a hydrant.

Non-residential areas and subdivisions shall require fire hydrants to be located such that each structure or portion thereof will be within five hundred feet (500') of a hydrant.

The above determination shall be made via vehicle access routes, (roadways, fire lanes, etc.) and by hose placement from the firefighting equipment in lieu of linear measurements. Fire hydrants shall be located at the right-of-way and the hydrant shall be located as not to exceed nine hundred feet (900') between fire hydrants in residential areas and six hundred feet (600') in non-residential areas. When practical hydrants shall be located at street intersections, with intermediate hydrants between intersections, and at entrance drives to the property. A fire hydrant shall be installed at the entrance of all new residential and non-residential developments and at all new subdivisions on the same side of a thoroughfare as the residential or non-residential development and/or subdivision.
Any existing residential or non-residential development or subdivision which is expanded shall have a fire hydrant installed at the entrance to the residential or non-residential area and/or subdivision if a fire hydrant is no already in place at the entrance on the same side of the thoroughfare as the development.

DRAFT

It is preferable that fire hydrants be located at the front of structures. When possible, fire hydrants shall be located a minimum of fifty feet (50') from any structure.

In proposed subdivisions, where all structures have not been constructed, hydrant spacing shall be measured along the street right-of-way with spacing provided as shown. Each phase of a project shall be designed and constructed to provided the minimum number of hydrants necessary to conform with the requirements upon completion of each phase.

Dead-end water mains shall be provided with a fire hydrant, except for cul-de-sacs. Water mains serving standard fire hydrants (see Section 7.4.1.1 and DWG No. W-4 and W-5 of the Town Manual for the Design and Construction of Water and Sewer Systems) shall be six inch (6") diameter minimum. Dead-end water mains at the end of cul-de-sacs will not normally have a standard fire hydrant but shall have a two inch (2") post hydrant (see Section 7.4.2.2 and DWG No. W-9 and W-10 of the Town Manual for the Design and Construction of Water and Sewer Systems) which shall not qualify as a fire hydrant for fire fighting purposes.

The determination of distance shall be made via vehicle access routes (roadways, fire lanes, etc.) and by hose placement from the firefighting equipment located adjacent to the fire hydrant in lieu of direct measurements. The distances specified are meant to reflect the actual length of fire hose which would be laid by the fire department to reach the structure in the event of a fire at or in that structure. Distances shall be measured beginning at the point of the structure farthest from the hydrant, thence along an UNOBSTRUCTED PATHWAY to a point in the centerline of the street to a point opposite the hydrant.

UNOBSTRUCTED PATHWAY means a route which may be taken by firemen in laying fire hose. The UNOBSTRUCTED PATHWAY shall be, and remain, free of trees and shrubs, walls, fences, walls, structures, or other obstacles to the passage of firefighters, hose and equipment for a width of ten feet (10') and a minimum vertical distance of thirteen feet six inches (13'6") and shall not be through, under, or over any portion of any structure, ditch or waterway.

The developer of any new subdivision, project, or development, whether it be single or multiple, or whether residential or commercial, is responsible for funding and installing the required fire hydrant(s) and water main(s) to comply with these requirements.

Plans for development shall be reviewed by the Town of Winterville Fire Chief or his designated representative. The Fire Chief is the final staff authority as to location of fire hydrants and may require more stringent hydrant locations and or separation specifications than as required herein. *(03-O-27, adopted 10/13/2003)*

DRAFT

Section 154.48 Other Utilities and Services

Electric power, telephone, cable television, natural gas lines and other utilities which are proposed to be installed in the development and which are required to be shown on construction plans are not "Required Improvements" within the context of this Article. Since the installation of such improvements are by agreement between the subdivider and the appropriate utility company, the execution of such agreements between the subdivider and the utility companies are deemed to satisfy the construction and installation requirements of these regulations as long as they are installed on Town right-of-way or easements in accordance with Town standards and ordinances for such installations. Right-of-way Encroachment Permits are required. *(02-0-99, adopted 10/14/2002)*

DRAFT

ARTICLE V –REQUIRED IMPROVEMENTS; WARRANTY AGAINST DEFECTS

Section 154.49 Installation of Required Improvements for Approval

Installation and inspection of all or any part of the required improvements as described in this Ordinance must be installed prior to Final Plat approval. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

A) Governmental Guarantee

In any case where a required improvement is to be provided by the State of North Carolina or any local government other than the Town, the Subdivider may provide, in lieu of the types of financial Guarantee as provided for above, a letter from the appropriate State or local government official Guaranteeing the installation of the improvement in the required manner and within the time allotted. Provided, however, in any case where the cost of such improvement exceeds ten thousand dollars ($10,000) as determined by the Town, such governmental Guarantee shall be in form of an approved Project Budget Ordinance where local government is to be the provider and an equivalent document where the State is to be the provider. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.53 Warranty Against Defects

Prior to the approval of the Final Plat or acceptance by the Town of any improvements in any Subdivision, the Subdivider shall furnish to the Town a written warranty against defects which shall guarantee the material and workmanship for a period of not less than one year from the date of such acceptance. Such warranty shall be accompanied by a financial guarantee payable to the Town equal to at least ten percent (10%) of the cost of the installation of such improvements. The cost estimate shall be provided by the subdivider and certified by his engineer and must be approved by the Town of Winterville.

Upon successful performance of the improvements, as determined by the Town Council, for the one-year period, the financial guarantee shall be returned to the Subdivider. Upon the failure of an improvement to perform within the generally accepted standards for the type improvement as determined by the Town Council, the Subdivider shall be notified and given a reasonable period of time to correct the defects. Should the Subdivider fail to act, fail to act in a timely manner, or otherwise fail to correct the defect(s), the Town Council shall find the Subdivider in default. Upon default, meaning failure on the part of the Subdivider to complete the required improvements in a timely manner as specified in the financial agreement, the Town, may expend said funds as deemed necessary to complete all or any portion of the required improvements.Default on a project does not release the Subdivider from liability/responsibility, financial or otherwise, for the completion of the improvements. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

DRAFT

ARTICLE VI LEGAL PROVISIONS

Section 154.54 Interpretation, Purpose, Conflict

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public safety, health, convenience, prosperity and general welfare. It is not intended by this Ordinance to interfere with or abrogate or annul any Easements, covenants, or other agreements between parties; provided, however, that where this Ordinance imposes a greater restriction or imposes higher standards than those required by other ordinances, rules, regulations, or by Easements, covenants, or agreements the provisions of this Ordinance shall govern so that, in all cases, the most restrictive limitation or requirement, or the requirement causing the highest standard of improvement, shall govern. Provided, however, in any case where the Zoning Ordinance specifically permits a development type not otherwise provided for in this Ordinance, the Zoning Ordinance shall prevail. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.55 Repeal and Reenactment of Existing Subdivision Regulations

The rewriting of this Ordinance in part carries forth by reenactment some of the provisions of the existing Subdivision Regulations of the Town of Winterville and is not intended to repeal but rather reenact and continue in force such existing provisions so that all rights and liabilities that have been accrued are preserved and may be enforced. All provisions of the Subdivision Regulations which are not reenacted herein are hereby repealed. All suits at law or in equity and/or all prosecutions resulting from the violation of the Subdivision Regulations in effect, which are now pending in any of the courts of this State or of the United States, shall not be abated or abandoned by reason of the adoption of this Ordinance, but shall be prosecuted to their finality the same as if this Ordinance had not been adopted; and any and all violations of the existing Regulations, prosecutions for which have not been instituted, may be filed and prosecuted; and nothing in this Ordinance shall be so construed as to abandon, abate, or dismiss any litigation or prosecution now pending and/or which may have been instituted or prosecuted. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.56 Effect Upon Outstanding Preliminary Plats

Nothing herein contained shall require any change in any Preliminary Plat which has received approval by the Town of Winterville prior to the time of the adoption of this Ordinance provided that such Preliminary Plat has been prosecuted to completion and a Final Plat recorded in the Office of the Register of Deeds within twelve (12) months after the time of the adoption of this Ordinance. If the Final Plat of all or part of the area shown on any previously approved Preliminary Plat is not recorded in the Office of the Register of Deeds within twelve (12) months after the time of the adoption of this Ordinance, such non-recorded area shall be subject to all the provisions of this Ordinance.

DRAFT

After the effective date of this Ordinance, any Final Plat to be recorded based upon any outstanding Preliminary Plat shall follow the Final Plat approval procedures of this Ordinance including the Guarantee of Installation provisions.

In addition, nothing herein contained shall require any change in any Final Plat which has received approval by the Town of Winterville prior to the time of the adoption of this Ordinance provided that such Final Plat is prosecuted to completion in accordance with the terms of approval. In the event of default or failure of the Subdivider to perform in accordance with the conditions as approved, the Town of Winterville may, at its option, take lawful action pursuant to the Subdivision Ordinance in existence at the time of the Final Plat approval or this Ordinance. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.57 Effect Upon New Territory Added to Jurisdiction

At any time when new territory is added to the Jurisdiction of this Ordinance, such new territory shall immediately become subject to the provisions of this Ordinance. Any proposed Subdivision or any Subdivision in progress within such new territory shall proceed only in accordance with the following:

1) Any Subdivision for which a Final Plat has been recorded in the Register of Deeds Office pursuant to the approval of another local government, but which is subject to an outstanding guarantee to such local government for the installation of Subdivision improvements, shall remain under the Subdivision control of such local government until such time as such Subdivision shall have been prosecuted to completion. Provided, however, the Town may not accept the Dedication of any Street or Street improvements unless such Street and Street improvements meet the standards of this Ordinance and the Town's Policy for Acceptance of Streets for use and maintenance by the Town.

2) All other Subdivisions shall meet all of the requirements of this Ordinance and it shall be the responsibility of the Subdivider of any proposed Subdivision or Subdivision in progress to receive approval as provided for in this Ordinance before proceeding with any development. The Subdivider shall arrange a conference with the Subdivision Administrator who shall determine the level and type of approval required and provide the Subdivider with an approval track with the particular case. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.58 Modifications

The Town Council may modify the requirements of this Ordinance where, in the Council's opinion, equal or better performance will result. In modifying any standard or requirement the evaluation shall be made with regard to the overall performance in carrying out the purpose of this Ordinance. In granting Modifications, the Town Council may require such conditions as will secure, insofar as practicable, the objectives or requirements modified. In no case however, shall the Town Council, acting pursuant to

DRAFT

this Section, modify the terms or requirements of the Zoning Ordinance or the Flood Damage Prevention Ordinance. Violation of any condition shall constitute a violation of this Ordinance. A Modification granted as part of a plan approval shall have the same duration as the plan approval. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.59 Amendment

The Town Council may from time to time amend the terms of this Ordinance after a public hearing has been held and notice given as required by North Carolina General Statues 160D-601. However, any proposed Amendment shall be submitted to the Planning Board for review and recommendation prior to the Town Council action. The Planning Board shall have forty-five (45) days from the date such Amendment is first submitted for review to the Board to make its recommendation. If the Planning Board fails to make its recommendation within the specified time, it shall be deemed to have recommended in favor of the Amendment. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.60 No Liability

Acceptance of Dedication of lands or facilities located within the Jurisdiction of this Ordinance but outside the Town limits shall not place on the Town any duty to open, operate, repair or maintain any street, utility line, or other land or facility and the Town shall in no event be held to answer in any civil action proceeding for failure to open, repair or maintain any Street located outside its corporate limits. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.61 Violation; Penalties and Remedies

After the effective date of this Ordinance, no Subdivision Plat or land within the Jurisdiction of this Ordinance shall be filed or recorded until it shall have been submitted to and approved by the appropriate approval authority.

The Review Officer shall not certify for recording a Plat of Subdivision of land subject to this Ordinance that has not been approved in accordance with this Ordinance nor shall the Clerk of Superior Court order or direct the recording of a plat if the recording would be in conflict with the provisions of this Ordinance.

After the effective date of this Ordinance, any person who, being the owner or agent of the owner of any land within the Jurisdiction of this Ordinance, thereafter subdivides his land in violation of this Ordinance or transfers or sells land by reference to, exhibition of, or any other use of a plat showing a Subdivision of the land before the plat has been properly approved under this Ordinance and recorded in the Office of the Register of Deeds shall subject the violators to the penalties and remedies set forth in this Ordinance. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring land shall not exempt the transaction from such penalties and remedies.

DRAFT

Violations of this Ordinance shall constitute either a misdemeanor, with a fine not exceeding fifty (50) Dollars or imprisonment not exceeding thirty (30) days, or, at the election of the Town, shall subject the offender to a civil penalty upon the issuance of a citation for said violation as hereinafter provided. The civil penalty, if not paid to the Town within fifteen days of the issuance of the citation, may be recovered by the Town in a civil citation in the nature of debt. Said civil penalties shall be in the amount of $50.00 (fifty dollars) for each violation and each day any single violation continues shall be a separate violation.

In addition to the civil penalties set out above, any provisions of this Ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction. In such case, the general court of justice shall have jurisdiction to issue such orders as may be appropriate, and it shall not be a defense to the application of the Town for equitable relief that there is an adequate remedy at law.

In addition to the civil penalties set out above, any provision of this Ordinance that makes unlawful a condition existing upon or made use of real property may be enforced by injunction and order of abatement by General Court of Justice. When a violation of such provisions occurs, the Town may apply to the appropriate division of the General Court of Justice for a mandatory or prohibitory injunction and/or of abatement commanding the defendant to correct the unlawful condition upon or cease the unlawful use of the property. The action shall be governed in all respects by the laws and rules governing civil proceedings, including the Rules of Civil Procedure in general and Rule 65 in particular.

An order of abatement may direct that buildings or other structures on the property may be closed, demolished or removed; that fixtures, furniture or other movable property be removed from buildings on the property; that abandoned or junked vehicles be removed; that improvements or repairs be made; or that any other action be taken that is necessary to bring the property into compliance with this Ordinance. If the defendant fails or refuses to comply with an injunction or with an order of abatement within the time allowed by the court, he may be cited for contempt, and the Town may execute the order of abatement. The Town shall have a lien on the property for the cost of executing an order of abatement in the nature of a mechanic's and materialman's lien. The defendant may secure cancellation of an order of abatement by paying all costs of the proceedings and posting a bond for compliance with the order. The bond shall be given with sureties approved by the Clerk of the Superior Court in an amount approved by the judge before whom the matter is heard and shall be conditioned on the defendant's full compliance with the terms of the order of abatement within a time fixed by the judge. Cancellation of an order of abatement shall not suspend or cancel an injunction issued in conjunction therewith.

The provision of this Ordinance may be enforced by one, all or a combination of the remedies authorized and prescribed by this section. Upon determination of a violation of any section of this Ordinance, the penalty for which is a civil penalty, the Subdivision Administrator shall cause a warning citation to be issued to the violator. Such citation shall set out the nature of the violation, the section violated, the date of the violation, and shall contain an order to immediately cease the

DRAFT

violation. If the violation is in the nature of an infraction for which an order of abatement would be appropriate in a civil proceeding, a reasonable period of time must be stated in which the violation must be abated.
An appeal from a warning citation shall be taken within ten (10) days from the date of said warning citation and the Board of Adjustment, in considering such appeal, shall, not withstanding other powers as may be granted, have power only in the manner of administrative review and interpretation where it is alleged that the Enforcement Officer has made an error in the application of the Ordinance, in the factual situation as it relates to the application of the Ordinance, or both.

Where the Subdivision Administrator determines that the period of time stated in the original warning citation is not sufficient for abatement based upon the work required or Consent Agreement, the Subdivision Administrator may amend the warning citation to provide for additional time. The warning citation shall specify that a second citation shall incur a civil penalty, together with costs, and attorney fees.

Upon failure of the violator to obey the warning citation a civil citation shall be issued by the Subdivision Administrator and either served directly on the violator, his duly designated agent, or registered agent if a corporation, either in person or posted in the United States mail service by first class mail addressed to the last known address of the violator as contained in the records of the Town or obtained from the violator at the time of issuance of the warning citation. The violator shall be deemed to have been served upon the mailing of said citation. The citation shall direct the violator to pay the civil assessment within fifteen days of the date of the citation, or alternatively to pay the citation by mail. The violation for which the citation is issued must have been corrected by the time the citation is paid, otherwise further citations shall be issued. Citations may be issued for each day the offense continues until the prohibited activity is ceased or abated.

If the violator fails to respond to a citation within fifteen days of its issuance, and pay the penalty prescribed therein, the Town may institute a civil citation in the nature of debt in the appropriate division of the North Carolina General Court of Justice for the collection of the penalty, costs, attorney fees, and such other relief as permitted by law. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.62 Validity

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each section, subsection, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid. *(2000 Subdivision Ordinance, O-52-02149900, adopted 02/14/2000)*

Section 154.63 Effective Date

This Ordinance shall become effective upon its adoption by the Town Council of the Town of Winterville, North Carolina.

DRAFT

ADOPTED this the 14th day of February 2000, by the Town Council of the Town of Winterville, North Carolina.

DRAFT

APPENDIX I

MAPPING STANDARDS
Town of Winterville
Subdivision Ordinance

The following are the Standards of Maps to be submitted as part of the subdivision process. These standards are intended to be general and the subdivider may be required to file fewer or more maps or provide less or more information depending upon the circumstances of the particular case.

A. NUMBER AND TYPE OF MAP TO BE SUBMITTED

MAP CATEGORY	SUBMITTAL REQUIREMTNES
Preliminary Plat	10 prints, 1 digital
Construction Plans	10 prints, 1 digital
Final Plat	10 prints, 2 mylars, 1 digital

1. All maps should be drawn to scale. The scale shall be not less than 1”=200’. Construction plans shall be at a scale of not less than 1”=50’. Prints may be blueline or blackline and map size shall be a minimum of 11”X17” and a maximum of 24” X 36”, except that Final Plats shall not exceed an outside dimension of 18” X 24”.** The Final Plat prints and mylar for Town file shall be copies of the Final Plat as presented for recording.

* Must be certified by Subdivider’s Engineer.
** Consult Pitt County Review Officer for Record Map requirements.

B. CONSTRUCTION PLANS

1. Plan and Profile showing Streets with complete design showing all horizontal curve data, vertical curve data, superelevation, etc. and DOT approvals such as driveway permits, DOT streets, etc.
2. Storm drainage design and calculations with size, material, grade, length and cover on all pipes, and size, type and location of all catch basins.
3. Location of all flood boundaries and temporary and permanent erosion control methods and proposed fill.
4. Utility System plan and profile to show size, material, cover, and grade on all mains; size, depth and type of all manholes, location of all hydrants and cleanouts, location of all services and meter boxes, and location of Easements.
5. Distribution systems of electric, telephone, natural gas, cable antenna television and other services in right-of-way.
6. A copy of the approved State Erosion Control Plan and approval letter prior to beginning construction.

DRAFT

C. MAP INFORMATION

Information	Preliminary Plan	Final Plat
Title Block containing:		
Name of Development	X	X
Name of map or Plan (sketch Plan, preliminary plan, etc.)	X	X
Owner's name with address and daytime Phone #	X	X
Location (including address, city, township City & state)	X	X
Date(s) map(s) prepared or revised	X	X
Scale of drawing in feet per inch (drawing shall not be at scale of not less than 1" equal to 200')	X	X
Bar Graph Scale	X	X
Name, address, & telephone # of preparer of map		
Developer's name, address, and daytime phone number (if different from owner's)	X	X
Zoning district(s) within the property & adjacent properties	X	X
Existing land use within the property & adjacent properties	X	X
Plat book or deed book references	X	X

DRAFT

Information	Preliminary Plan	Final Plat
Names of adjoining property owners (or sub-Divisions or developments of record with plat Book and/or deed book reference)	X	X
Tax Map, block & parcel(s) #	X	X
Vicinity map showing location of site relative To surrounding area typically drawn in upper right hand corner, at a scale of 1”=2000’	X	X
Corporate limits, City limits, and other Jurisdiction lines, if any, on the tract	X	X
North arrow & orientation (North arrow shall be oriented towards top of map where practicable)	X	X
Boundaries of the tract to be sibdivided or developed:		
distinctly and accurately represented and showing all distances; show bearings and distances and curve date on outside boundaries and street centerlines on preliminary with street centerline tied to boundary	X	X
tie at least one corner to NC grid and provide grid coordinates where at least one of two control monuments needed are within 2000’ feet of the boundary or tie to nearest street intersections.		X
showing locations of intersecting boundary lines of adjoining properties	X	X
Location and descriptions of all monuments, Markers and control corners		X
Existing property lines on tract to be sub- divided. If existing property lines are to be changed, label as “old property lines” and show as dashed lines	X	X

DRAFT

Information	Preliminary Plan	Final Plat
Dimensions, location and use of all existing buildings; distances between buildings measured at the closest point; distance from buildings to closest property lines; buildings to remain on final.	X	X
The name and location of any property or building on the National Register of Historic Places or locally designated historic Property	X	X
Railroad lines and rights-of-way	X	X
Water courses, ponds, lakes or streams	X	X
Marshes, swamps and other wetlands Areas to be dedicated or reserved for the public or a local jurisdiction	X	X
Areas designated as common area or open Space under control of an Owners Assoc.	X	X
Existing and proposed topography of tract and 100 feet beyond property showing existing contour intervals of no greater than 5 feet (2 feet where available) and labeling at least two contours per map and all others at 10 foot intervals from sea level	X	X
Proposed lot lines & dimensions; show bearings and distances on final	X	X
Square footage of all proposed lots under One (1) acre in size; smallest lot indicated	X	X
Acreage for all lots over one acre	X	X

DRAFT

Information	Preliminary Plan	Final Plat
Site calculations including:		
acreage in total tract	X	X
acreage in public greenways and other open space	X	X
total number of lots proposed	X	X
linear feet in streets	X	X
area in newly dedicated right-of-way	X	X
Lots sequenced or numbered consecutively	X	X
Street data illustrating:		
R/W Lines	X	X
Total R/W width dimension	X	X
R/W width dimension from centerline of existing public streets	X	X
Cul-de-sac R/W radius from centerpoint	X	X
Existing and proposed streets showing: Pavement or curb lines	X	
Pavement width dimensions		
(face-to-face) (or EP to EP)	X	X
Cul-de-sac pavement radius from centerpoint	X	
Existing & proposed street names	X	X
Location, dimension & type of all easements		
(Existing and proposed)	X	X

DRAFT

Information	Preliminary Plan	Final Plat
Utility Layout Plan showing connections to existing systems, line sizes, material of lines, location of fire hydrants, blowoffs, valves, manholes, catch basins, force mains, etc. for the following types of utility lines: (not to substitute for constructions plans)		
sanitary sewer	X	
water distribution	X	
storm sewer	X	
natural gas, electric, cable TV	X	
plan for providing water and sewer service graphic or narrative form	X	

DRAFT

D. CERTIFICATIONS, NOTES AND APPROVAL BLOCKS

The following Certificates, Notes and Approval Blocks shall appear on the appropriate plans and plats in substantially the following formats:

Preliminary Plan-Major:

Planning Board

I hereby certify that this Preliminary Plan was recommended for approval by the Planning Board of the Town of Winterville on the _____ day of _____ 20_____.

_____
Chairman, Planning Board

Town Council

I hereby certify that this Preliminary that this Preliminary was approved by the Town Council of the Town of Winterville on the _____ day of _____ 20_____,

_____
Mayor

Final Plat:

Certificate of Survey and Accuracy

I,_____, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book , page____, etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book____page____; that the ratio of precision as calculated is 1:____; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this_____day of_____, A.D.,20___

Seal or Stamp

_____
Surveyor

_____
Registration #

(maximum allowable error: 1:10,000)

DRAFT

Review Officer Certificate

State of North Carolina
County of Pitt

I,_____, review Officer of Pitt County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

_____
Review Officer

_____
Date

Certificate of Ownership and Dedication

I (We) hereby certify that I am (we are) owner(s) of the property shown and described herein, that the property is within the Subdivision Jurisdiction of the Town of Winterville and that I (we) hereby adopt this plan of subdivision with my (our) free consent and hereby establish all lots and dedicate all streets, alleys, walks, parks and other open spaces to public or private use as noted.

_____

_____
Owner(s)

Planning Board

I hereby certify that this Final Plat was recommended for approval by the Planning Board of the Town of Winterville on the_____day of _____20_____.

_____
Chairman, Planning Board

DRAFT

Certificate of Final Approval

Approved for recording by the Town Council of the Town of Winterville, N.C. on this the_____day of_____,20____pursuant to authority of Section 154.13 on the Subdivision Regulations.

_____
Mayor

NCDOT Construction Standards Certification

Department of Transportation
Division of Highways
Proposed Subdivision Road
Construction Standards Certificate

Approved: _____
District Engineer

Date: _____

Onsite Water and/or Sewer Note
(where appropriate)

Note: (ALL the LOTS) or (LOTS #_____) as shown on this Plat are proposed to be served with on-site water and/or sewer systems. The lots as shown meet the minimum size prescribed by the Pitt County Health Department for such system(s). However, the recording of this Plat does not guarantee that any such lots will meet the requirements for the approval by the Health Department for such on-site system(s).

_____
Engineer/Survey or License or Registration #

DRAFT

APPENDIX II MINIMUM PUBLIC STREET DESIGN STANDARDS

CLASSIFICATION	ROW (ft)	PAVEMENT WIDTH (ft)
MAJOR THOROUGHFARE	90-100	65-69
MINOR THOROUGHFARE	68-60	49-61
LOCAL STREET	60	35
CUL-DE-SAC	60	35
CUL-DE-SAC TURNAROUND DIAMETER	120	100

*** Dimensions in this column are from back-of-curb to back-of-curb.**

*** See Town of Winterville Standard Specifications and Details (Design Manual) for full explanation of design specifications.**

Special Flood Hazard Area Note
(word to represent actual situation)

Note: (Part of) this property (does not) lie in a Special Flood Hazard Area

Reference: Floodway Panel # _____
Date:_____(of Panel)

(If part of the property is in a Special Flood Hazard Area it shall be shown graphically on the Plat.)

DRAFT

WINTERVILLE *A slice of the good life!*	**Town of Winterville** **Town Council** **Agenda Abstract**	**Item Section***:* Consent Agenda **Meeting Date**: October 12, 2026
	Presenter: Donald Harvey, Town Clerk	

Item to be Considered

Subject: Council Meeting Minutes.

Action Requested: Approval of Minutes.

Attachment: Draft Minutes of the Council meetings listed below.

Prepared By: Donald Harvey, Town Clerk	**Date**: 9/30/2026

ABSTRACT ROUTING:

☒ **TC: 10/5/2026** ☒ **TM: 10/5/2026** ☒ **Final: tlp - 10/5/2026**

Supporting Documentation

Approval of the following set of Council Meeting Minutes:

- April 18, 2026, Multipurpose Center Workshop Minutes; and
- April 18, 2026, Town Hall Meeting Minutes; and
- May 4, 2026, Town Council Budget Progress Meeting Minutes; and
- May 21, 2026, Budget Work Session #1 Minutes; and
- May 26, 2026, Budget Work Session #2 Minutes; and
- May 28, 2026, Budget Work Session #3 Minutes; and
- June 1, 2026, Budget Public Hearing Minutes; and
- June 8, 2026, Regular Meeting Minutes; and
- September 1, 2026, Special Bike Plan Meeting; and
- September 14, 2026, Regular Meeting Minutes.

Budgetary Impact: NA.

Recommendation: Staff recommends Council approve the minutes.

20260219

WINTERVILLE TOWN COUNCIL
MONDAY, APRIL 18, 2026 – 8:00 AM
MULTIPURPOSE CENTER WORKSHOP

The Winterville Town Council met in a Regular Meeting on the above date at 8:00 AM in the Town Hall Assembly Room, with Mayor Richard E. Hines presiding. The following were present:

Richard E. Hines, Mayor
Veronica W. Roberson, Mayor Pro Tem (arrived at 8:07 AM)
Dr. Brandy Harrell, Councilwoman
Shantel Hawkins, Councilwoman (absent)
Johnny Moye, Councilman
Lisa Smith, Councilwoman
Terri L. Parker, Town Manager
Anthony Bowers, Assistant Town Manager
Charles Hamilton, Police Lieutenant
David Moore, Fire Chief
Ron Mills, Electric Director
Jessica Manning, Finance Director
Evan Johnston, Building Inspector/Code Enforcement Officer
Diane White, Parks and Recreation Director
Stephen Penn, Planning and Economic Development Director
Angela Fuller, Human Resource Director

CALL TO ORDER: Mayor Hines called the Winterville Town Council Multipurpose Center Workshop to order on Saturday, April 18, 2026, at 8:00 AM. Mayor Hines noted the nature of the meeting as a special called meeting and established ground rules for the session: a presentation would be delivered to the Council, and questions from the public would not be entertained during the workshop. Members of the public in attendance were advised to hold their questions for the Town Hall meeting scheduled at 10:00 AM. Questions from Council members, however, would be permitted during the workshop.

INVOCATION: Councilman Moye delivered the invocation.

PLEDGE OF ALLEGIANCE: Following the invocation, those in attendance rose and recited the Pledge of Allegiance.

WELCOME: Mayor Hines welcomed all attendees to the special-called meeting and reiterated the ground rules regarding public participation, clarifying that the public would have an opportunity to ask questions at the 10:00 AM Town Hall meeting.

ROLL CALL: Town Manager Parker conducted roll call. Present: Mayor Hines, Councilwoman Dr. Harrell, Councilwoman Smith, Councilman Moye

Absent: Councilwoman Hawkins (excused — email received prior to the meeting), Mayor Pro Tem Roberson (unexcused at time of roll call; arrived at the meeting at 8:07 AM)

Mayor Hines noted that a written notice had been received from Councilwoman Hawkins indicating she would not be in attendance. No communication had been received from Mayor Pro Tem Roberson at the time of roll call, and she was marked absent. Mayor Pro Tem Roberson subsequently arrived at 8:07 AM and participated in the meeting.

APPROVAL OF AGENDA:

Mayor Hines called for a motion to approve the agenda.

Motion made by Councilman Moye and seconded by Councilwoman Dr. Harrell to approve the agenda for the special call meeting. Motion carried unanimously, 3-0.

NEW BUSINESS:

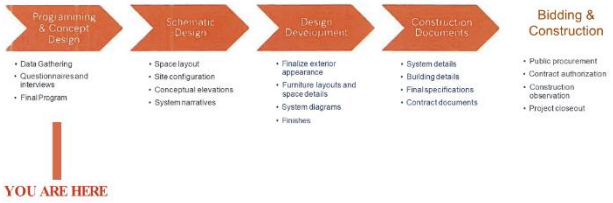
1. Multipurpose Center Workshop: Mayor Hines introduced the Multipurpose Center Workshop portion of the meeting and invited the presenting consultant, identified as Diane, to approach the podium. Town Manager Parker noted that hard copies of the presentation had been placed in council members' seats and were available to members of the audience as well.

Presentation Overview: The presentation covered the background and progress of Phase 1 of the Multipurpose Center planning process, including a summary of public input that had been gathered, design schematics, expansion considerations, and proposed next steps.

Mike Norris, McGill Associates and Craig Honeycutt, Moseley Designs gave the following presentation:

Project Approach

Phase Expectations



YOU ARE HERE

Moseley

Winterville Community Park - Input Summary

Winterville Comprehensive Recreation Master Plan (2025-2035)
+ Community Park Site-Specific Master Plan

Tools utilized in determining Community Level of Services

- Multi-modal outreach:
  1. On-line Survey Data
  2. Public meetings: 2 sessions (Aug 23 & Aug 24, 2024) held during the Watermelon Festival
  3. Focus groups: 10 stakeholder interviews with 45 participants (Sept-Oct 2024)
- Benchmarking

Community Survey- Survey Findings

Pitt County-wide (early 2024); Winterville subset= 205 survey responses representing 466 respondents

Top barriers reported: 1. not enough time (44%), 2. facility/program not offered (40%), 3. too far away (30%), 4. program too expensive (5%)

Top 10 Requested Facilities/Activities

1. Jogging/walkingtrails
2. Outdoor Playground
3. Hiking Trails
4. Open Space/Natural Areas
5. Community Recreation Centered
6. Outdoor Swimming Pool
7. Bicycle Trails
8. Outdoor Track
9. Performing Arts
10. Picnic Areas

Public Meetings (Watermelon Festival Pop-up Sessions)

Two (2) public input sessions: Fri. Aug. 23, 2024 (6:00-9:00 PM)
Sat. Aug. 24, 2024 (9:00AM-1:00 PM)

Visual Preference Exercise: Participation: 409 total participants (approx. 252 residents + 157 visitors)

Top 10	Top Resident			
#1	Gymnasium	Indoor	Natural Surface Trails	Outdoor
#2	Soccer Fields	Outdoor	Traditional Playground	Outdoor
#3	Baseball Fields	Outdoor	Dog Friendly Fountain	Outdoor
#4	Adventure Playground	Outdoor	Pickleball/Tennis court	Outdoor
#5	Natural Surface Trails	Outdoor	Paved trails	Outdoor
#6	Weightlifting/ Cardio	Indoor	Climbing Wall	Outdoor or Indoor
#7	Paved Trails	Outdoor	Tot Lot	Outdoor
#8	Football Fields	Outdoor	Teen Programing	Indoor
#9	Teen Programing	Indoor		
#10	Climbing Wall	Outdoor or Indoor	#10 Dog Agility Course	Outdoor

From approximately 252 total resident's input votes | From approximately 157 total visitor's input votes

Denotes shared interest amoung residents and visitors (400+ total participants)

Focus Groups + Elected Officials / Staff Input

- 10 focus group/stakeholder interviews with 45 participants (Sept 19-Oct 22, 2024)
- Town staff (Parks & Rec, Administration and Maintenance),
- Economic Development
- Recreation Providers (schools, nonprofits/sports Leagues)
- Elected official input: Two leadership sessions with separate pairs of Town Council members

Overall Key Themes

1. Need a Multipurpose Indoor Facility
2. Facility Maintenance is critical (Surfaces, Drainage, Parking, and Lighting
3. Focus on Partnerships and Funding
4. Develop Connectivity (Sidewalks/Greenways)
5. Improve Safety/Security
6. Include Technology (Wi-fi/GIS)
7. Encourage Staffing/Volunteers

Benchmarking Based on NRPA

Winterville Resident Interest for Community Park

Overall Desired Elements for Community Park:

- **An Indoor Recreation Center/Gymnasium**
- **Additional Walking Space**
- **Open Space Access**
- **Multi-purpose Fields**
- **Additional Playgrounds (Inclusive)**

Top 10 Requested Facilities/Activities

1. Jogging/walkingtrails
2. Outdoor Playground
3. HikingTrails
4. Open Space/Natural Areas
5. Community Recreation Center
6. Outdoor Swimming Pool
7. Bicycle Trails
8. Outdoor Track
9. Performing Arts
10. Picnic Areas

Moseley

Moseley

OPTION 1

- EFFICENT FOOTPRINT
- SIDE AND REAR EXPANSION
- SECOND FLOOR FOR STAFF SPACE

OPTION2

- LONGER FOOTPRINT
- ONE STORY
- SIDE EXPANSION, LIMITED REAR EXPANSION

OPTION 3

- ENLARGED LOBBY AND THROUGH BUILDING CIRCULATION
- ONE STORY
- REAR EXPANSION AND LIMITED SIDE EXPANSION

Moseley

Moseley

Moseley

Project Approach

Phase Expectations

Program Verification

- Data Gathering
- Questionnaires and interviews
- Final Program

NEXT STEPS

- Confirm accuracy of public input
- Review designs with Town Council
- Approve proposal to move ahead with design

Moseley

During the presentation, Mayor Hines interjected to seek a clarification on a data point, specifically asking about a figure of 409 residents and confirming that the relevant number for consideration was 252.

Council Discussion - Design Options and Facility Features.

Councilman Moye asked whether the top ten items listed in the presentation were ranked in a specific order of priority or simply represented the top ten responses, and the presenter confirmed they were not ranked.

Mayor Pro Tem Roberson, who arrived during the course of the presentation, asked the presenter to revisit the elevation drawings. She questioned whether a particular element at the top of one elevation showed an open porch, noting that this detail had caught her attention when reviewing the materials.

Councilman Moye inquired about whether the gymnasium would include bleacher-style seating to accommodate spectators. The response indicated that bleachers could be recessed into the design, and Councilman Moye acknowledged the answer, noting that further details such as interior furnishings and features would be addressed in subsequent phases.

Councilman Moye also raised a question regarding expansion limitations, specifically asking about the constraints on side versus rear expansion. He sought to understand whether, once a design was selected and constructed, the town's ability to expand further, particularly in the rear, would be limited. The presenter confirmed that rear expansion would be limited depending on the chosen design.

Discussion on Next Steps and Public Input

Town Manager Parker addressed the Council regarding the planning of next steps. She explained that Phase 1 had involved public input sessions, and that a key objective of the workshop was to obtain direction from the Council on whether additional public input sessions should be held before proceeding to Phase 2. She emphasized that holding additional sessions would affect the project timeline, and that staff and the consultants needed clear direction from Council on this point. She also noted that additional Council workshops would definitely be scheduled as the project progressed into design.

Councilwoman Dr. Harrell asked whether the public input to be confirmed in the next steps would be collected at the 10:00 AM Town Hall meeting or at a separate session. Town Manager Parker clarified that the intent was to leave the workshop with Council's direction on whether additional public input sessions were warranted, and that this was one of the primary goals of the morning.

Mayor Pro Tem Roberson, apologizing for her late arrival and noting she had been at a church event, expressed a sense of urgency and frustration with the pace of the project. She stated plainly: We've been working on this project for a long, long time, and it seems to me we just keep spinning wheels. She recalled that when she joined the Council in 2007, there was already a recreation plan identifying the need for an indoor facility. She expressed a desire to accelerate the process, stating that she was ready to see drawings and to present a conceptual plan to the public, not to re-ask citizens whether they want the facility, but to show them a plan reflecting the input already gathered. She concluded: We don't have to determine if we need it. We need it.

Town Manager Parker acknowledged Mayor Pro Tem Roberson's sentiments and noted that meaningful progress had been difficult to solidify over the years prior to the land purchase, which was a critical enabling action. She affirmed that the project was now genuinely moving forward and that the funding mechanisms and planning process had required the steps taken to date. She also acknowledged that certain Council members had raised the question of additional public input sessions and that it was Council’s decision.

Mayor Hines offered a measured perspective, agreeing with the desire to move forward but cautioning against haste. He noted that he had been approached by outside parties expressing interest in potential partnerships, including scenarios where a private entity might build the facility and staff it on the town's behalf and that these opportunities should be discussed by the Council as well. He emphasized the magnitude of the financial commitment: You're talking somewhere around 20 million dollars here. And 20 million dollars got to come from somewhere. We are not going to get it all in part of a grant. It's going to have to come from the citizens. He drew a parallel to the recent controversy over a power cost adjustment, noting the public sensitivity to financial burdens. He concluded by saying the Council must determine the right square footage, as that would cost, and that this was a one shot deal, something that must be done right the first time.

Councilwoman Smith acknowledged that the projected cost figures in materials previously distributed were not fully inclusive, noting that additional expenses outside the scope managed by the consultants would apply, as well as an estimated recurring annual staffing cost of over $500,000. She affirmed the project's necessity while seconding Mayor Hines' call for caution: It is a very needed but also very expensive project. It needs to be done cautiously and well. She further offered her view that sufficient public input had already been gathered through the consultant-led process, and that holding additional formal input sessions might constitute an unnecessary delay. She suggested that residents who wished to provide input could continue to reach out directly to Town Council or staff, thereby eliminating the need for additional formal meetings.

Mayor Pro Tem Roberson noted that the next step in the process does involve some element of community input, and she sought clarification on that point. She humorously acknowledged the time I'm just trying to make it clear for me at 8 o'clock in the morning on Saturday before reaffirming her position.

Discussion on Design Preferences

Mayor Hines noted that he and Councilwoman Dr. Harrell had both expressed a preference for Option 2 during side conversation, particularly appreciating the indoor walking track feature. He added, however, that he could also envision incorporating a track feature into Option 1, and suggested that the consultants might revisit and redesign that schematic while retaining the two-story concept. He emphasized that building two stories now would be more cost-effective than returning to add vertical space in the future, noting that construction costs would only increase over time.

Mayor Pro Tem Roberson asked about Option 1, drawing a comparison to a facility she was familiar with in New Bern. She noted that the New Bern facility has a walking trail and is two stories, with fitness equipment located upstairs. She inquired whether the gymnasium courts in the proposed designs could be configured for multiple sports — specifically calling out the needs of both pickleball and basketball communities. The presenter confirmed that multi-sport court configurations were possible. Mayor Pro Tem Roberson also asked whether a retractable partition system similar to one she had observed at another facility could be incorporated, acknowledging she was getting into specifics but viewing it as an important functional feature.

Motion to Proceed to Phase 2

Councilwoman Smith asked for clarification: if the Council reached a consensus to move to Phase 2, she understood that the schematic design phase would be when all the specific details, such as court configurations and partitions would be worked through. The consultants confirmed this understanding, and Councilwoman Smith stated she agreed with proceeding.

Mayor Hines then went around the room to gauge consensus. Councilman Moye confirmed he agreed to move forward. Mayor Hines indicated his agreement as well. Councilwoman Dr. Harrell expressed support, with an added suggestion that the Council and staff explore establishing an online channel

such as a survey or comment submission form where residents who might not attend a meeting could still provide written input on the design.

Town Manager Parker expressed support for the online input mechanism and indicated that it could be set up without difficulty. She noted this could serve as an alternative to holding an additional formal public meeting.

Mayor Pro Tem Roberson indicated she remained old-fashioned in her preference for a live public meeting but clarified she was not opposed to the online option, she wanted it to be done in addition to a meeting, and as quickly as possible. She proposed collecting public input online up to a cutoff date and holding a public meeting before that cutoff.

Town Manager Parker sought further clarification from the Council: was the desired public input session to take place before proceeding to Phase 2, or after Phase 2 work had commenced and schematics were available to present? The conversation evolved toward a consensus that the Council would move forward to Phase 2 immediately, and that once schematic designs were prepared, a public meeting and online input opportunity would be provided so that residents could review and comment on the conceptual plan. Councilwoman Smith summarized the approach clearly: move to Phase 2, develop a conceptual plan, then present it at a public meeting and post it online for input. Town Manager Parker confirmed this framing was workable.

Councilman Moye noted that the presentation materials indicated a two-month period to complete Phase 2 schematics. The consultants indicated a similar period.

Motion made by Councilwoman Dr. Harrell and seconded by Councilwoman Smith to proceed with Phase 2 of the Multipurpose Center planning process. There being no further discussion, the Motion carried unanimously, 4-0.

Following the vote, Councilman Moye asked how many total phases the project encompassed. The consultants provided clarification on the phasing structure.

Town Manager Parker asked whether there was an expected delivery date for the Phase 2 schematics, and the consultants indicated approximately two months.

Closing Remarks

Mayor Hines thanked the consultants for their time and for making themselves available on an early Saturday morning. He noted that he believed the workshop had produced meaningful answers and gave the Council a footprint that we can utilize and move forward. He commended the Council for their engagement and participation.

Mayor Pro Tem Roberson added her thanks to the presenters.

Councilwoman Smith took a moment to recognize Town Manager Parker and staff for their work in preparing and coordinating the presentation materials.

Mayor Hines echoed this sentiment, emphasizing the collaborative spirit of the effort: This is a group effort, we got to make sure that we do what's right for the community, not for what I want or what you want, it's for the community. He reiterated that while this project had been in discussion for a long time, moving carefully was essential given the financial scale: This is a one-shot deal.

DRAFT

ADJOURN:

Mayor Hines indicated that the meeting would recess rather than formally adjourn, with the session to resume at 10:00 AM for the public Town Hall meeting. No formal motion to adjourn was recorded. The meeting recessed at 9:45 AM.

Adopted the 12th day of October 2026.

Richard E. Hines, Mayor

ATTEST:

Donald Harvey, Town Clerk

DRAFT

WINTERVILLE TOWN COUNCIL
SATURDAY, APRIL 18, 2026 – 10:00 AM
TOWN HALL MEETING MINUTES

The Winterville Town Council met in a Regular Meeting on the above date at 10:00 AM in the Town Hall Assembly Room, with Mayor Richard E. Hines presiding. The following were present:

Richard E. Hines, Mayor
Veronica W. Roberson, Mayor Pro Tem
Brandy Harrell, Councilwoman
Shantel Hawkins, Councilwoman
Johnny Moye, Councilman
Lisa Smith, Councilwoman
Keen Lassiter, Town Attorney
Terri L. Parker, Town Manager
Anthony Bowers, Assistant Town Manager
Charles Hamilton, Police Lieutenant
David Moore, Fire Chief
Ron Mills, Electric Director
Jessica Manning, Finance Director
Evan Johnston, Building Inspector/Code Enforcement Officer
Diane White, Parks and Recreation Director
Stephen Penn, Planning and Economic Development Director
Angela Fuller, Human Resource Director

CALL TO ORDER: Mayor Hines called the meeting back to order, announcing that the assembly was entering the Town Hall Meeting portion of the session.

INVOCATION: The invocation was delivered by Pastor Dr. Rodney Coles, who served as the meeting's moderator.

PLEDGE OF ALLEGIANCE: Pastor Dr. Coles invited all in attendance to recite the Pledge of Allegiance, which was led collectively by the assembly.

WELCOME: Pastor Dr. Coles extended a welcome to all in attendance, noting that while it was a beautiful Saturday morning, suitable for golf or a backyard barbecue, he was grateful everyone had chosen to attend. He offered a special welcome to Judge Sutton of-Koinonia Church, inviting applause from the assembled audience.

Pastor Dr. Coles-oriented attendees to the facilities, noting the location of restrooms to the left of the main entrance. He reminded the body that there would be a hard stop at 11:30 AM. He then turned attention to the purpose of the meeting, inviting the council to explain why the community had gathered.

ROLL CALL: Pastor Dr. Coles called upon each council member to introduce themselves. Each member identified themselves in turn.

Present:
- Mayor Ricky Hines
- Mayor Pro Tem Veronica Roberson
- Councilwoman Lisa Smith
- Councilman Johnny Moye
- Councilwoman Dr. Brandy Harrell
- Councilwoman Shantel Hawkins

APPROVAL OF AGENDA

1. Town Hall Meeting

Purpose of the Meeting
Following roll call, Pastor Dr. Coles invited the council to articulate the purpose of the town hall for the benefit of those in attendance.

Councilwoman Hawkins rose to address the question with evident passion, stating: The purpose is the people. She continued, noting that the first word in Town of Winterville is town, and that there is no place without a town, and there is no town without people. She explained that the town hall was designed to open a direct platform for residents to ask questions about the governing body and its department heads and to receive direct answers, not in between, no I heard or hearsay. She described the meeting as an opportunity for elected officials, volunteers, and staff to speak directly to the people who have entrusted them. She emphasized that the goal was not merely to listen, but to hear and act, stating: We not only listen, but hear, and do. Councilwoman Hawkins noted that the event had been spearheaded by herself and Councilwoman Dr. Harrell and approved by the full council.

Mayor Pro Tem Roberson added that while today's forum was a valuable opportunity, she wanted citizens to understand that access to their council members was available year-round, 365 days a year, 24 hours a day. She noted that council members receive calls at home, that residents visit them in their neighborhoods, and that personal phone numbers and email addresses are publicly accessible via the town's website. Don't just feel that today is the only opportunity, she urged. It's wonderful today to do this, but we also know that there'll be needs beyond this.

Councilwoman Smith echoed Mayor Pro Tem Roberson's remarks, further noting that public comment is available at each monthly council meeting, providing an additional regular forum for citizen engagement. Councilman Moye offered a reflection, stating: We all work together for the good to them that is called, and encouraged both citizens and council to continue working together, noting this was not a new practice but an ongoing one.

Mayor Hines added that the council was of one accord, saying: It's not we. It is all of us. Winterville starts with a w, ends with an e, it is we. We're in this together. He acknowledged that not all decisions would be favorable to everyone but emphasized that one word should guide the community: compromise.

Councilwoman Dr. Harrell thanked everyone for their collaborative efforts, framing the meeting around the values of trust, transparency, and collaboration.

Pastor Dr. Coles reflected warmly on Winterville's rapid growth over the 21 years he had lived in the area, noting the expansion of commercial development and the influx of new residents from across the country, including himself from New York. He then opened the floor for community members to speak, inviting attendees to share what was on their hearts.

Discussion Item: Utility Bills and Rate Programs

Pastor Dr. Coles invited residents to raise concerns, specifically referencing utility bills as a topic of interest. A resident, Ms. Cannon of 2426 Myrtle Street, came to the podium.

Ms. Cannon asked whether the Town of Winterville had a program similar to Greenville's Beat the Peak program, a voluntary load management program that allows the utility to cycle off certain appliances during peak demand periods in exchange for potential savings on utility bills. She expressed interest in any program that could help reduce and stabilize her monthly electric bills, noting the wide month-to-month variance she experienced, as much as $385 one month and $202 the next.

Assistant Town Manager Anthony Bowers responded directly, acknowledging the question. He explained that the town does not currently offer a Beat the Peak-style program, as the technology infrastructure required, specifically Advanced Metering Infrastructure (AMI) is not yet in place. He explained that the town has been actively researching AMI metering systems, has received presentations from multiple companies, and has attended relevant training sessions. The town has evaluated options based on cost-effectiveness, compatibility with existing billing systems, and implementation feasibility. He noted that funding for AMI metering improvements has been placed in next year's budget as part of the staff's recommendations. Assistant Town Manager Bowers acknowledged that a load-shaving program of that type would benefit both the utility and the customer but required infrastructure not yet available.

Councilman Moye interjected with a personal perspective, noting that as a Winterville utility customer himself, residing at 582 Alma Drive, he had found that initiative-taking, incremental home maintenance such as changing HVAC filters and sealing windows had helped him manage his own bill. He acknowledged that individual control over one's home environment plays a meaningful role.

Ms. Cannon clarified that her question was distinct from individual home maintenance practices. She noted that she already changed her filters every three months, operated a programmable thermostat, and took all the steps that were within her control. Her concern was with a utility-level, system-wide mechanism that would reduce variability in billing across the customer base. I'm not happy, but satisfied, it worked, she said of what a predictable monthly bill would mean to her.

Assistant Town Manager Bowers confirmed that a Beat the Peak-style program is indeed controlled at the utility level, not the household level. He noted that while effective, such programs involve temporary reductions in power, which some customers may find inconvenient, and require enrolled customers to accept those conditions.

Mayor Pro Tem Roberson inquired whether Ms. Cannon was also asking about a budget billing program, which allows customers to pay the same flat amount each month, with a reconciliation at year's end.

Councilman Moye acknowledged the concept, noting that flat-rate billing, while appealing, does involve a true-up at the end of the billing year that may result in an upward or downward adjustment carried into the next year.

Town Manager Terri Parker confirmed this, noting from behind the monitors that true-up adjustments are typically upward but are not necessarily a bad option to explore, and that the town could look into its feasibility for customers.

Pastor Dr. Coles broadened the conversation, reflecting that while individual steps were important, the core challenge was that utility rates continue to rise while many residents have not seen increases in their own income. He observed that residents on fixed incomes are particularly strained and that something needs to be done to help residents regulate their bills.

DRAFT

Mayor Hines addressed this directly, noting that rising utility costs are a nationwide issue, not a local one. He pointed out that the town must absorb costs passed down from large electric companies and that residents seeking relief should also engage their elected officials at the state and regulatory levels. We don't want to impose a cost on our citizens, but at the same time, we have a duty to maintain and keep the lights on, he said.

Councilwoman Dr. Harrell expressed the council's commitment to balancing sustainability and affordability. She noted that the council had recently voted on a power cost adjustment, describing it as a shared cost approach, both ends, we're sharing that cost with you all. She referenced the upcoming budget season and workshops in May as an opportunity to review utility structures further. She also encouraged residents in need to contact assistance programs and emphasized her role in advocating for the smallest possible increases.

Councilwoman Hawkins reinforced the council's awareness, naming climate variability, gas prices, and global economic factors as contributing pressures. She stated plainly: People are on a budget, and so that is why we're looking at these things. She noted that an additional hundred dollars in utility cost could have been gas or food for a family, and that the council cannot simply pass the burden elsewhere. She recalled that a special called meeting had resulted in a 2.5-cent power cost adjustment rather than a full 5-cent charge, describing this as a direct result of advocacy on behalf of residents. She offered to connect residents with their state representatives and pledged to follow up personally with Ms. Cannon after the meeting.

Town Manager Terri Parker reminded the assembly that a portion of Winterville's residents, approximately 8,000 of 11,000, are served not by the town's electric system, but by Greenville Utilities Commission (GUC). She noted that decisions made by the Winterville Town Council for its electric system do not extend to those residents, and that GUC customers have not had the same direct input on their electric bills through the town's processes. She asked that the assembly keep this distinction in mind and acknowledged that utility costs will continue to rise, making it important to address these matters as they evolve.

Councilwoman Smith elaborated on this point, clarifying that only approximately 8,000 of Winterville's 11,000 residents are served by Winterville Electric. She emphasized that those customers had not seen a rate increase since 2009, a significant benefit. She explained that the current power cost adjustment was a temporary, four-month measure triggered by severe winter weather that simultaneously reduced production at the Kings Mountain plant and increased demand across the state. She emphasized that the period of adjustment fell during typically mild months and noted: Fortunately, this time it is in the 4 months that are typically the milder climate for us. She also referenced a recent Greenville rate increase affecting the 3,000 Winterville residents served by GUC.

Mayor Hines noted his own position as a GUC customer, expressing his desire for the council to bring the same vigor to advocating for GUC-served residents as for Winterville Electric customers. He referenced an anticipated $10 flat increase from GUC, with additional potential pass-downs from Duke Energy, and noted that the governor was even addressing the issue. We're their voice for all 11,000 people in town, he said.

Councilman Moye suggested that the council explore whether a flat-rate billing option for the 12-month period could be made available to customers, acknowledging the true-up dynamic but indicating it was worth investigating. Town Manager Parker confirmed this was a reasonable concept to explore and that staff could look into feasibility.

Councilwoman Hawkins then requested that Assistant Town Manager Bowers provide additional transparency to residents about the nature of recent increases in their utility bills. She noted that while there had been no electric rate increase per se, there had been other increases that appeared on utility bills.

Assistant Town Manager Anthony Bowers enumerated the relevant history: a COVID-era power cost adjustment that started at 5 cents per kilowatt hour and tapered down over approximately two years; a sewer rate increase of approximately $8; and a solid waste increase approximately two years prior, with all changes occurring since approximately 2022.

Councilwoman Smith sought clarification on whether the $8 sewer increase was related to debt service on a capital project. Assistant Town Manager Bowers clarified that the $8 increase addressed a deficit, and that the debt service increase, associated with the financing of an $8 million sewer pump station project, is scheduled to take effect in the coming year.

Discussion Item: Public Safety and Policing

Pastor Dr. Coles transitioned the meeting to the next topic drawn from the QR code question submission system. Councilwoman Dr. Harrell read the submitted question: What changes or investments are being made to improve public safety and build trust between law enforcement and residents?

Police Lieutenant Hamilton came to the podium and introduced himself as the Patrol Lieutenant for the Town of Winterville. He identified the primary challenge as a communication gap between law enforcement and the community, specifically, a gap between how law enforcement operates and the community's understanding of those operations. He described a forthcoming educational class being developed in collaboration with Councilwoman Hawkins and the Human Relations Board that would explain what to expect during traffic stops, home visits, and other law enforcement interactions, as well as citizens' rights and responsibilities in those encounters. He described the initiative as designed to build transparency and dispel misconceptions. Lieutenant Hamilton noted that his office at the police department is open from 8:00 AM to 5:00 PM, and that he is willing to extend those hours to meet with community members who have questions, concerns, or complaints. He noted that all officers undergo continuous training beyond basic law enforcement certification, including specialized classes in Crisis Intervention Training (CIT), special needs engagement, and interaction with diverse communities.

Pastor Dr. Coles asked Lieutenant Hamilton to explain CIT for the benefit of the audience.

Lieutenant Hamilton explained that CIT, Crisis Intervention Training, equips officers to respond to individuals experiencing mental health crises, substance abuse situations, or other non-routine emergencies. The training not only prepares officers to respond appropriately at the moment but also gives them pathways to connect individuals with the correct agencies or support services. He noted that the department is at or near 98–100% CIT certification among its officers.

Mayor Pro Tem Roberson expressed personal appreciation for the department's engagement with Winterville's senior community, noting the officers' presence at senior meetings and the department's senior check-in program, which dispatches officers to visit seniors living alone. She reflected on a cultural shift in her own feelings toward law enforcement, saying: As a citizen of Winterville, I don't have that fear that I once had as a child when I see a police car. She pointed to specific community engagement activities, including police officers distributing food boxes to seniors at a recent Ripe for Revival event and officers playing basketball with young men at Hillcrest Park, as evidence of meaningful relationship-building.

Lieutenant Hamilton welcomed the opportunity to share information about the senior check-in program, noting that applications are available at the police department and that the program is open not just to seniors, but to any household with a vulnerable individual who would benefit from regular wellness checks. He noted that officers conducting these visits may also assist with small tasks such as changing smoke detector batteries or light bulbs.

DRAFT

Councilwoman Hawkins commended Lieutenant Hamilton and affirmed Winterville's strong safety record, describing the town as among the safest in the state. However, she stressed that effective and safe policing must also be balanced, accountable, and equitable, particularly regarding traffic stops. She noted that data from the State Bureau of Investigation showed black residents being stopped at twice the rate of white residents in Winterville, despite white residents comprising 67 - 68% of the population and black residents approximately 36%. We cannot ignore that or dispel that, she said. She called for expanded Coffee with a Cop event beyond the current single monthly morning session, noting that working residents and parents cannot attend at that time. She described her ongoing advocacy for the establishment of a Civilian Review Board, not as a punitive measure against law enforcement, but as a mechanism to track trends, complaints, and improvements in police-community interactions. This is not being anti-police. This is encouraging effective policing, she stated.

Lieutenant Hamilton responded, stating: The Town of Winterville nor the Winterville Police Department will encourage or allow any biases in any traffic stop or interactions. He described the department's multi-layered internal review process, including his own daily review of body-worn camera footage, report reviews, and a formal citizen complaint process. He emphasized that any indication of bias is reviewed and not tolerated.

Councilwoman Hawkins thanked Lieutenant Hamilton and expressed her enthusiasm for the upcoming Citizen Academy and for expanding Coffee with a Cop to more accessible times.

Discussion Item: Civilian Review Board
Resident Brandy Daniels of 2945 Fox Glove Drive came to the podium with three questions. Her first concern was with the Civilian Review Board and whether a police union might complicate its establishment.

Councilwoman Hawkins responded at length, recounting that she had begun formally introducing the concept of a Civilian Review Board to the council in January 2026, supported by traffic stop data broken down by race, demographic, and reason. She noted that council feedback had been limited, with the exception of Mayor Pro Tem Roberson, who had recently requested a standard format document outlining what such a board would look like. Councilwoman Hawkins described the proposed board as a volunteer citizen body that would meet quarterly, biannually, or annually to track trends and traits in policing data, particularly traffic stops patterns, complaint follow-up, and measurable improvements. She cited FBI and State Bureau of Investigation data as the source of the disparities she had been highlighting, noting that the data is publicly available online under Winterville's traffic stop records. She stated: Why is this important? It is important because it shows a red flag, and when a red flag is shown, something needs to be done about it. We cannot ignore it away.

Mayor Hines noted that he had raised the topic of Civilian Review Boards at a Mayor's Association meeting in Southern Pines in February, gathering information from towns of similar and larger size that had implemented such boards. He indicated that legal counsel through the municipality had also been consulted. He stressed the importance of placing the right people on such a board, individuals with genuine understanding of the legal and procedural nuances involved not just general civic interest. You wouldn't want to put me on a board to do brain surgery, he said, illustrating the need for appropriate expertise. He characterized the process as ongoing information gathering toward a sound decision.

Councilwoman Dr. Harrell expressed support for the concept, invoking the phrase change comes at the speed of trust. She framed the Civilian Review Board as a mechanism that would enhance transparency, accountability, and community connection, extending the work of community-based safety programs already underway. She affirmed: I am in favor of that to enhance the accountability and also the transparency.

Town Manager Parker advised the assembly that staff are working on a detailed report on traffic stops to be presented to the council in the near future. She also referenced a publication by John Stevens, a

long-standing professor with the UNC School of Government in Chapel Hill, noting that it outlines the wide variety of civilian review board models in existence, their structures, responsibilities, and which municipalities across the state currently employ them. She indicated that staff would provide this informational report to council as the topic moves forward.

Councilman Moye raised a philosophical concern about the review board concept, questioning how such a body could evaluate whether a stop was justified without access to the full context of an officer's decision. He posed the question directly: How do you judge not to stop a person? If an officer stops a person for any reason or cause, it is for a purpose. It's not just for a conversation. He noted that violations of law, speeding, illegal weapons, reckless driving, are the driver of police action, and that the issue of who is breaking the law is equally important to consider alongside questions of disproportionate enforcement. He acknowledged the concept had merit but questioned whether a review board could effectively address the root issue: How do we get the information out to the ones that come into the Town of Winterville to say, please abide by the law?

Resident Brandy Daniels responded to Councilman Moye's comments, citing widely documented data that black residents are disproportionately represented in incarceration statistics relative to their share of criminal activity, and that this disparity is correlated with income rather than conduct. She described firsthand experiences of traffic stops in Winterville where interactions escalated beyond what she felt was proportionate to the alleged infraction, as well as observations of vehicle searches being conducted on individuals of color at locations such as gas stations and food lines, without comparable occurrences involving white residents. She acknowledged that accountability and compliance are both important but questioned what mechanism would ensure equitable treatment absent a review body. I think we won't know if we don't do it, she concluded.

Pastor Dr. Coles reflected that some arrests are appropriate and necessary when crimes are committed but noted that the core challenge is ensuring that enforcement is consistently fair and not influenced by race. He also acknowledged the reality of outside criminal activity entering Winterville from neighboring areas, citing a recent Wells Fargo robbery and ongoing car break-ins. He encouraged the council to continue its deliberations on the Civilian Review Board and pivoted to the residents' second and third questions.

Discussion Item: Meeting Length and Presentation Time Limits
Resident Brandy Daniels raised concern about the length of the monthly council meetings, noting that she regularly rises at 4:00 AM, has a 6-year-old child and a 5-month-old infant, and frequently finds that by 8:00 PM, when meetings often continue, fatigue has set in just as the most relevant agenda items are being discussed. She suggested that while council members themselves should not be time-limited in their remarks, given that citizens elected them to speak, presentations by staff and outside parties might benefit from time constraints. She pointed out that the public comment period limits residents to three minutes per speaker, yet no comparable limitation exists for presentations, which can extend meetings significantly.

Mayor Pro Tem Roberson agreed that meeting length was an appropriate topic for the council to examine, suggesting that the council could explore limits on both public and staff comments and presentations to make meetings more accessible to working residents and parents. She indicated this could be discussed during planning sessions.

Discussion Item: Free Use of Town Facilities, BNI Group
Resident Brandy Daniels raised concern regarding the council's recent vote to grant the group BNI (Business Network International) free and indefinite use of the town's community room. She noted that she had researched the organization and found that its individual members pay a $594 annual membership fee to participate. She questioned the equity of providing free town space to an organization whose members have demonstrated financial capacity, and suggested that at a minimum,

the group could be asked to cover housekeeping costs, particularly given that the town had recently renewed a cleaning contract valued at approximately $100,000 annually.

Councilwoman Hawkins offered important context, noting that BNI's approved use was indefinite, with no end date and no occasion-specific purpose, and that this stood in contrast to how most other organizations use the space. She noted that the Winterville Senior Citizens Group, for example, must reapply annually. She also highlighted the need to consider Winterville's youth, who have limited indoor gathering options during inclement weather. She stated clearly: We cannot continue to have excuses. We have a Winterville Chamber of Commerce, and everybody has their right to their opinions, but let's be clear, this was indefinitely.

Town Manager Terri Parker provided an overview of organizations currently using town community space without charge, including the Buffalo Soldiers, the Winterville Senior Citizens Group, the Chamber of Commerce, and on a past occasion, the Democratic Party for specific events. She noted that these arrangements have been long-standing relationships tied to a demonstrated community service purpose.

Mayor Hines asked Town Manager Parker whether a Memorandum of Understanding (MOU) or similar agreement was in place for such arrangements.

Town Manager Parker clarified that no blanket MOU framework exists for all groups, but that each request is presented to council and decided on the record. She confirmed that anyone wishing to make such a request may do so, and it would be processed and presented to council accordingly. She noted that council has historically reserved free space usage for groups that serve a demonstrated community need.

Mayor Pro Tem Roberson noted that groups using the space, including the senior citizens group, are required to leave the room in proper order, disposing of trash and complying with all facility use guidelines.

Mayor Pro Tem Roberson further suggested that during planning sessions, the council consider establishing a formal policy for nonprofit use of town facilities, referencing a model in Greenville where a reduced fee is charged to nonprofit groups rather than full waiver.

Resident Brandy Daniels clarified that her concern was not that she personally needed the space, but rather that the policy as applied lacked consistent criteria. She questioned whether the service-in-lieu arrangement offered by BNI, a community service project in exchange for free space, would be equally available to other, less-resourced nonprofits. She characterized this as a fairness and documentation issue. Town Manager Parker reiterated that any group wishing to request free space should submit a formal request, and it should be presented to the council. She noted that the council tries to ensure the space is left in proper order.

Closing Remarks
With approximately six minutes remaining before the 11:30 AM hard stop, Pastor Dr. Coles invited each council member to offer closing reflections.

Councilman Moye thanked Pastor Dr. Coles for his excellent moderation, praised the staff, and acknowledged the value of the meeting for transparency. He reminded the audience and his colleagues that utility costs affect him personally as a resident too, and affirmed: What counsel has said, transparency, this right here is part of it.

Councilwoman Smith echoed Councilman Moye's appreciation for all who attended, particularly the two residents who came forward to speak. She raised a practical follow-up question about the QR code

DRAFT

submissions, asking how Lieutenant Hamilton or staff might be able to follow up with residents who had submitted questions anonymously via the QR code, since no email addresses were collected.

Mayor Pro Tem Roberson thanked everyone for their participation, offering an invitation to anyone interested in lunch at Mount Shiloh Church.

Councilwoman Dr. Harrell thanked everyone for contributing to what she described as a productive and transparent meeting, affirming: Every decision that we make reflects the needs of all the residents and not just some of the residents. All of the initiatives, all the partnerships, and decisions go back to improving the quality of life of every resident.

Councilwoman Hawkins offered extended thanks to citizens, residents, guests, department heads, staff, Town Manager Parker, and the full council. She recognized that the two residents who came forward to speak represented the more than 11,000 residents of Winterville, noting that there are more people watching, and there will be more and more people watching because we are engaged. She addressed the QR code question directly, noting that the form was designed to solicit general topic choices, not personal contact information, and encouraged residents whose questions had been answered to reach out directly to Lieutenant Hamilton to continue building trust.

Mayor Hines thanked Pastor Dr. Coles for his moderation, thanked staff for coming in on a Saturday, and thanked the council for agreeing to participate. He acknowledged that significant work remains, including the need for the council to submit policy proposals, something he noted had been requested but not yet received. He closed with a direct appeal to the residents: These forums here are meant for you. We want to hear from you. Reach out to us. You have a question; we'll get back with you.

ADJOURN:

Motion made by Councilman Moye and seconded by Councilwoman Dr. Harrell to adjourn the meeting. Motion carried unanimously, 5-0. Meeting adjourned at 11:30 AM.

Adopted the 12th day of October 2026.

_____
Richard E. Hines, Mayor

ATTEST:

_____
Donald Harvey, Town Clerk

DRAFT

WINTERVILLE TOWN COUNCIL
MONDAY, MAY 4, 2026, AT 6:00 PM
BUDGET PROGRESS MEETING

The Winterville Town Council met in a Regular Meeting on the above date at 6:00 PM in the Town Hall Assembly Room, with Mayor Richard E. Hines presiding. The following were present:

Richard E. Hines, Mayor
Veronica W. Roberson, Mayor Pro Tem
Dr. Brandy Harrell, Councilwoman
Shantel Hawkins, Councilwoman
Johnny Moye, Councilman
Lisa Smith, Councilwoman
Terri L. Parker, Town Manager
Anthony Bowers, Assistant Town Manager
Charles Hamilton, Police Lieutenant
David Moore, Fire Chief
Cliff McGuffin, Public Works Director
Ron Mills, Electric Director
Jessica Manning, Finance Director
Evan Johnston, Building Inspector/Code Enforcement Officer
Diane White, Parks and Recreation Director
Stephen Penn, Planning and Economic Development Director
Angela Fuller, Human Resource Director
Willie Gay, Building Inspector/GIS Technician
Donald Harvey, Town Clerk

CALL TO ORDER: The Winterville Town Council Budget Progress Meeting was called to order by Mayor Hines at 6:00 PM on Monday, May 4, 2026, at Winterville Town Hall Assembly Room, 2571 Railroad Street, Winterville, NC 28590. Mayor Hines noted that this was the first of four budget progress meetings, initially misstating it as three, and graciously accepted a correction from Town Manager Parker.

INVOCATION: Councilwoman Dr. Harrell delivered the invocation.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Mayor Hines, with all in attendance participating.

WELCOME: Mayor Hines welcomed members of the public in attendance and those viewing the meeting remotely, expressing appreciation for their participation.

ROLL CALL: Mayor Hines conducted roll call verbally. All members were present. Present: Councilman Johnny Moye, Councilwoman Lisa Smith, Mayor Pro Tem Veronica Roberson, Councilwoman Dr. Brandy Harrell, Councilwoman Shantel Hawkins, and Mayor Richard Hines. Absent: None.

APPROVAL OF AGENDA: The agenda was presented for approval without discussion.

Motion made by Councilwoman Dr. Harrell and seconded by Councilwoman Smith to approve the agenda. Motion carried unanimously, 5-0.

ITEMS FOR DISCUSSION:

1. Update on FY 2026-2027 Budget.

Town Manager Parker introduced the item, reminding Council that budget progress meetings are designed to focus on revenue streams. She invited Finance Director Manning to the podium to present the revenue projections for the upcoming fiscal year, which were also distributed as a handout to Council members.

Revenue Projections Presentation - Finance Director Manning

Finance Director Manning delivered a comprehensive overview of projected revenues for FY 2026-2027. She noted that a draft budget is anticipated to be delivered on May 18th, and that the fiscal year budget calendar had already been approved by Council.

Property Tax: Finance Director Manning reported that the current year tax rate is 45 cents, having been reduced from 47.5 cents following the 2024 tax revaluation. The property tax budget will be calculated using a 98% collection rate, consistent with historical practice. The present year's valuation stands at $1,359,307,000, and the new valuation comes in at $1,363,418,000.

Sales and Use Tax: Finance Director Manning acknowledged that sales and use tax revenue remains difficult to budget for due to economic uncertainties. She noted that economists anticipate moderate growth in statewide sales tax revenues, with ongoing uncertainty related to inflation and international conflicts complicating projections. Positive factors cited include expected population growth, potentially higher tax refunds, and increased economic activity. She noted that these revenues run on a three-month lag. Staff recommended using a 2% growth factor, which is more conservative than the 3.1% recommended by the North Carolina League of Municipalities. Finance Director Manning indicated this approach is expected to generate an estimated increase of $232,488 over the current fiscal year's original budgeted revenue.

Powell Bill: Powell Bill distributions are expected to remain consistent with the current fiscal year at an estimated $386,000.

Utility Franchise Tax: Finance Director Manning explained that while utility franchise tax revenues have historically been stable, an upward trend has emerged over the last three fiscal years, due to rising electricity prices and increased weather volatility. Economists project a 0.85% increase in electricity sales tax revenue for the next fiscal year, with revenues estimated at $459,000, representing an increase of approximately $8,772.

Building Inspections: Revenues from building inspections are expected to remain constant at approximately $185,000, based on conversations with the Planning and Inspections Department confirming that developers are continuing to move forward at a solid pace.

Interest Income: Total interest income is projected to decrease compared to the prior year, as economists anticipate the federal funds rate to fall to a range of 3% to 3.25% by the end of 2026. Interest income for the general fund is estimated at $516,000.

DRAFT

Other General Fund Revenues: All other general fund revenues are expected to be slightly higher in the coming fiscal year.

Enterprise Funds: Electric: Electric revenues are expected to increase slightly, with an estimated growth rate of 1%, reflecting an increase in electric sales of approximately $70,957, bringing the total to approximately $7,166,000. Finance Director Manning confirmed this projection does not assume any rate increase.

Enterprise Funds: Water: Water revenues are also expected to increase at an estimated 1% growth rate, with water sales projected at approximately $1,614,000, likewise without any rate increase.

Enterprise Funds: Sewer: Sewer revenues are expected to increase by approximately 1%, with sewer sales projected at approximately $3,229,000. Finance Director Manning noted that this figure includes a proposed $8.20 sewer rate increase needed to cover the debt service on the pump station rehabilitation project. She also reported that Winterville's contribution to the Contentnea Metropolitan Sewerage District (CMSD) is expected to increase by $88,000, from $1,263,000 to $1,351,000, representing a 7% increase in the town's proportionate contribution based on flow volume.

Stormwater: Stormwater sales revenues are projected to increase by approximately 1%, from $535,000 to $540,000.

Notable Items for FY 2026-2027

Finance Director Manning then outlined notable items affecting the upcoming budget:

Health Insurance: First National Insurance is anticipating an 18.94% increase in health insurance premiums, with no increase in dental premiums. Finance Director Manning noted this figure was received as late as that day.

Debt Service - Retiring Loan: One loan in the general fund will no longer be on the books in the coming fiscal year: the E-One ladder truck loan in the amount of $88,000.

New Debt Service Payments: New debt service payments are scheduled for FY 2026-2027 as follows:

- General Fund: $176,350, covering an inspections truck, two police cars, a fire truck (Ford F-150), air packs, a public works dump truck, and mowers.
- Water Fund: $44,740, for a radar GPR unit and a valve exerciser trailer.
- Sewer Fund: $59,281, for a new camera system.

Finance Director Manning also reminded Council that the town received an $8,397,000 sewer loan for the pump station rehabilitation project, structured as a 20-year loan with annual payments of $419,863, with repayment commencing in May 2027.

Grant Funding: The town is expected to receive grant funding in FY 2026-2027 in the following amounts: $510,000 for police radios, $750,000 for the construction of fire training grounds, and $1,000,000 for the water looping project.

Council Discussion

Health Insurance Costs: Town Manager Parker's Remarks

Following the presentation, Town Manager Parker offered additional context on the health insurance increase. She emphasized that the initial proposed increase had been 24% and was negotiated down

to 18.94% with no change in benefit levels, calling it the highest increase in the 16 and a half years I've been here. She noted this would result in an additional approximately $300,000 in costs if no changes are made to the current plan. To provide historical perspective, Town Manager Parker recited a decade of annual premium increases: 9.7% in 2015, 12.68% in 2016, 9.2% in 2017, 7% in 2018, 5% in 2019, 7% in 2020, 2% in 2021, 0% in 2022, 2% in 2023, 1.59% in 2024, and 2.98% the prior year. She characterized 18.94% as a stark increase, comparatively speaking, and indicated that staff would evaluate whether any adjustments to benefit levels are necessary and report their recommendations at the next meeting.

Enterprise Fund Revenue Without Rate Increases - Councilman Moye

Councilman Moye asked whether the projected increases in electric revenue (approximately $70,000) and water revenue ($1,614,000) were projections made without any rate increases. Finance Director Manning confirmed both figures assume no rate increase. Town Manager Parker added important context, noting that those numbers represent the revenue side only, and that expenditures, when factored in, would reveal a deficit requiring further address.

Community Room Revenues - Councilwoman Hawkins

Councilwoman Hawkins raised a question about revenues derived from the rental of the town community room, noting that the current rates are $425 per day for in-town renters (inclusive of a refundable $225 deposit) and $300 for out-of-town renters. She asked where those revenues are tracked and how they are allocated. Finance Director Manning confirmed that community room rental revenues are recorded in a dedicated line item and deposited into the general fund, though she did not have the specific figure available at the meeting. Councilwoman Hawkins requested that this information: including a breakdown of in-town versus out-of-town rental frequency: be provided at the next budget meeting. Finance Director Manning agreed to provide the data.

Proposed $8.20 Sewer Rate Increase - Councilwoman Hawkins

Councilwoman Hawkins sought clarification on whether the proposed $8.20 sewer rate increase was specific to Winterville or related to CMSD. Town Manager Parker clarified that the $8.20 is an in-town proposed rate increase, intended solely to cover the debt service on the pump station rehabilitation project, and that it would be included in the draft budget to come before Council. Councilwoman Hawkins further asked about a previously discussed electric rate increase expected to go into effect in July. Assistant Town Manager Bowers clarified that no electricity rate increase has been recommended; rather, what was mentioned previously was a power cost adjustment effort to recoup funds lost due to prior events, not a rate increase. He noted that a rate study is underway and would be brought back to Council before any rate increase could be proposed. Councilwoman Hawkins acknowledged the distinction and thanked staff for the clarification.

Town Manager Parker also clarified the CMSD contribution increase of $88,225, explaining that Winterville, Ayden, and Grifton are all members of the Contentnea Metropolitan Sewerage District, and that Winterville pays based on its proportionate share of flow sent to Grifton for treatment. The increase reflects a higher volume of flow from Winterville over the preceding 12 months.

Sales Tax Growth Factor Rationale - Councilwoman Harrell

Councilwoman Dr. Harrell asked staff to explain the rationale for recommending a 2% sales tax growth factor rather than the 3.1% figure recommended by the League of Municipalities, noting that the community is experiencing rapid and visible growth. Finance Director Manning explained that the lower figure is based on historical data and a deliberately conservative approach, stating that the town has consistently performed well by estimating slightly below the League's recommendation. Councilwoman Harrell expressed appreciation for the explanation and noted it was important for the public and those

watching to understand the reasoning. She further asked what would happen to revenues exceeding the 2% projection. Finance Director Manning replied that any excess revenues would flow into the general fund. Town Manager Parker elaborated, noting that department budgets are fixed upon adoption effective July 1st, and excess revenues are not redistributed to departments unless formally amended through a budget amendment process.

Non-Town Agency Funding Reports - Town Manager Parker

Town Manager Parker directed Council's attention to a separate packet of information distributed at the meeting: comprehensive reports from non-town agencies that received funding in the current budget year, submitted as required at the end of March. She indicated that one of the anticipated discussion points at the May 21st meeting would be to gauge Council's desire to fund non-town agencies for FY 2026-2027. She noted that no applications have been sent out and no process has begun pending Council direction. The packet was provided so that Council could review how each agency utilized its funding and the services rendered to Winterville residents.

Grant Funding Status and Timing - Councilman Moye

Councilman Moye asked for an update on when the expected grant funds might be received and whether the grant amounts would fully cover the associated project costs. Assistant Town Manager Bowers explained that all three grants were made through Congressman Murphy's office. He noted that the town has been contacted by the department overseeing the police radios grant but has not yet received communication from the departments responsible for the fire training grounds or water looping project grants. He indicated that no firm timeline has been established, though communication with Congressman Murphy's office is ongoing. Town Manager Parker noted that the total cost for the radio project: covering both police and fire, is approximately $1.2 million. With the $510,000 grant secured, the remaining balance would need to be covered either by additional funding sources currently sought or through borrowing.

Regarding the fire training facility, Assistant Town Manager Bowers stated that the project is currently going out for bid under a design-build procurement model, and cost information will be provided to Council once it is available. On the water looping project, he indicated that one component will be incorporated into the Railroad Street project, with remaining funds directed toward designing a water tower. No bids have been received yet on that component.

Mayor Hines noted that he has had ongoing conversations with state legislators, including Dr. Reeder and Representative Brown, at a recent State Dinner event, and had provided them with the town's legislative wish list. Dr. Reeder indicated that any additional funding would be contingent on what emerges from the short session. Mayor Pro Tem Roberson requested copies of the town's legislative wish list, noting that Council members would be meeting with legislators that week and should be speaking with a consistent message. Mayor Hines agreed to distribute the document.

Radio Purchase Status - Councilwoman Hawkins

Councilwoman Hawkins asked for confirmation that the radios had already been purchased and inquired whether they are functioning and interoperable between agencies. Town Manager Parker confirmed the purchase and invited Fire Chief David Moore to address the operational status. Fire Chief Moore reported that the police radios are fully in service. The fire department's mobile radios are also in service. The portable fire radios are awaiting shipment of batteries, after which the deployment will be complete. Mayor Hines added that he had personally received a demonstration of the new police radios during the Easter event, noting their touchscreen interface and mapping capabilities.

Councilwoman Hawkins reiterated that she had voted against the radio purchase, as she had not believed at the time that the existing radios required immediate replacement. Councilwoman Smith

offered additional context, explaining that the radio system change was driven by a need to enable effective communication between police, fire, rescue, and EMS: services that had been experiencing interoperability issues: and was therefore an operational necessity for public safety. Town Manager Parker affirmed that this was a widespread need affecting many departments regionally, not unique to Winterville. Assistant Town Manager Bowers further noted that Motorola, the primary radio provider, had been sunsetting service on older equipment, meaning departments that did not upgrade could face a situation in which their radios could no longer be serviced.

Mayor Pro Tem Roberson asked whether the new radios allow interoperability with neighboring jurisdictions such as Greenville and Ayden. Town Manager Parker and Assistant Town Manager Bowers both confirmed that they do.

Fund Balance and Tax Rate Considerations - Town Manager Parker

Town Manager Parker offered a broader fiscal perspective to the Council. She noted that in recent years the town has relied on fund balance or retained earnings to balance the budget and acknowledged that Council has expressed a desire to balance the budget without drawing on fund balance or retained earnings. She shared that a basic mathematical calculation on the general fund suggested that covering the $1.8 million used to balance the current year's budget through a tax rate increase alone would require a 20-cent increase in the tax rate. She was careful to note, however, that the budget is lean relative to comparable jurisdictions, with the town employing fewer staff given its full-service nature, and that the ongoing challenge is identifying additional revenue sources to address recurring annual deficits.

Vacancies - Mayor Pro Tem Roberson

Mayor Pro Tem Roberson asked how many vacancies currently exist. Town Manager Parker deferred to Human Resources Director Angie, who indicated there are approximately 12 vacancies, including the position of Police Chief. Town Manager Parker noted that vacancies have been fluid, with new hires offset by additional departures, and that Human Resources staff have been working diligently to fill the open positions.

Sewer Loan Term - Councilman Moye

Councilman Moye asked about the term of the pump station rehabilitation loan and sought to confirm that the $8.20 rate increase is intended to cover debt service on that project specifically. Town Manager Parker confirmed that the loan term is 20 years, and that the proposed $8.20 rate increase is designed to cover the annual debt service payments on that one project, not any other capital needs or operating costs.

Developer Contributions and Growth - Mayor Pro Tem Roberson

Mayor Pro Tem Roberson, speaking as both a Council member and a long-time resident since 1998, raised a broader policy question about the benefits the town receives from the ongoing influx of development, noting that more population places greater strain on services such as sewer and water infrastructure. Town Manager Parker and Assistant Town Manager Bowers provided an explanation of the system development fee structure. Assistant Town Manager Bowers explained that system development fees, authorized by General Statute, are assessed per meter based on meter size at the time of development. He noted that when the town adopted its current system development fee, it chose to set the fee at 50% of what is permissible under state law, averaging approximately $3,500 per residential unit between water and sewer, compared to the maximum allowable $7,000. This decision was made to remain competitive with surrounding markets. He confirmed that all funds collected through system development fees are placed into a capital reserve fund to offset costs associated with infrastructure expansion, thereby reducing the burden on existing ratepayers.

Assistant Town Manager Bowers also discussed the upcoming sewer system improvement plan, expected to be presented at the May Council meeting, which identifies approximately $54 million in sewer-related capital projects over the next ten years. He noted that updated project data from this plan would inform the next evaluation of system development fees, potentially allowing the town to recalibrate charges. Mayor Pro Tem Roberson acknowledged that while the capital funds from development help maintain growth-related infrastructure, it remains a cyclical challenge. She expressed appreciation for the explanation.

Infrastructure Condition and Preventive Assessment - Councilman Moye

Councilman Moye asked whether the town waits until pipes have completely failed before investing in repairs, or whether deterioration is addressed proactively. Assistant Town Manager Bowers indicated that each situation is assessed individually, with factors such as affected volume, location, number of residents impacted, and cost all informing the urgency of response. He referred to emergency repairs that were required the prior year as an example of reactive maintenance. He also noted that the recently completed Stormwater Asset Inventory and Assessment (Stormwater AIA), conducted by Rivers and Associates, has enabled staff to identify drainage infrastructure issues proactively and prioritize repair based on condition data: a capability the town had not previously had.

Councilman Moye raised a specific concern regarding an apparent infrastructure issue on Myrtle Avenue, describing a partial collapse visible at street level. Assistant Town Manager Bowers indicated he was not aware of the specific situation but committed to investigating it the following day. Councilman Moye offered to accompany him on a site visit on Friday. Mayor Hines also noted that the recently acquired camera system will assist systematically identifying similar issues in both the sewer and stormwater systems going forward, with Assistant Town Manager Bowers confirming that new regulations will require the town to camera its stormwater system in the same manner as the sewer system.

ADJOURN:

Motion made by Councilman Moye and seconded by Mayor Pro Tem Roberson to adjourn the meeting. Motion carried unanimously, 5-0. Meeting adjourned at 6:55 pm.

Adopted the 12th day of October 2026.

Richard E. Hines, Mayor

ATTEST:

Donald Harvey, Town Clerk

DRAFT

WINTERVILLE TOWN COUNCIL
THURSDAY, MAY 21, 2026 - 6:00 PM
BUDGET WORK SESSION #1 MINUTES

The Winterville Town Council met in Budget Work Session #1 on the above date at 6:00 PM in the Town Hall Assembly Room, with Mayor Richard E. Hines presiding. The following were present:

Richard E. Hines, Mayor
Veronica W. Roberson, Mayor Pro Tem
Dr. Brandy Harrell, Councilwoman (arrived at 6:48 PM)
Shantel Hawkins, Councilwoman
Johnny Moye, Councilman
Lisa Smith, Councilwoman
Terri L. Parker, Town Manager
Charles Hamilton, Police Lieutenant
Cliff McGuffin, Public Works Director
Ron Mills, Electric Director
Jessica Manning, Finance Director (arrived at 7:15 PM)
Evan Johnston, Building Inspector/Code Enforcement Officer
Diane White, Parks and Recreation Director
Angela Fuller, Human Resource Director
Willie Gay, Building Inspector/GIS Technician
Kim-Shular-Moore, Executive Staff Assistant
Donald Harvey, Town Clerk

CALL TO ORDER: Mayor Hines called the Winterville Town Council Budget Work Session #1 to order at 6:00 PM on Thursday, May 21, 2026, at 2571 Railroad Street, Winterville, NC 28590.

INVOCATION: Mayor Pro Tem Roberson delivered the invocation.

PLEDGE OF ALLEGIANCE: Following the invocation, Mayor Hines invited all present to stand and recite the Pledge of Allegiance.

WELCOME: Mayor Hines welcomed those in attendance and those watching remotely. He took a moment to recognize the town's staff, noting that the day had been marked by an employee appreciation event. Mayor Hines offered heartfelt remarks on the essential role of town employees, stating, They are the ones that keep the lights on, keep the water flowing, and everything else in this town. But we are the ones that sit up here and make these decisions, but it's truly all our employees that makes this town go. On behalf of the full Council, he extended thanks to the staff.

ROLL CALL: Town Manager Terri Parker conducted the roll call.

Present: Mayor Hines, Mayor Pro Tem Roberson, Councilwoman Hawkins, Councilman Moye, Councilwoman Smith. Absent: Councilwoman Dr. Harrell (noted as potentially arriving later in the meeting; she did arrive at 6:48 PM during the Items for Discussion portion).

APPROVAL OF AGENDA:

Prior to a vote on the agenda, Mayor Pro Tem Roberson raised a question, noting that she had previously submitted a list of items she wished the Council to discuss and did not see them reflected on the agenda. Town Manager Parker explained that she had interpreted Mayor Pro Tem Roberson's email as a request for the next regular meeting, rather than for the budget work session, and apologized for any miscommunication. Town Manager Parker offered to place the items on either the following Tuesday or Thursday workshop agenda.

Councilwoman Hawkins offered clarification, stating that she had also received Mayor Pro Tem Roberson's email and had interpreted it as pertaining to a planning meeting, given that it included policy matters. She noted, these meetings are budget meetings, and indicated she had understood the planning items to be scheduled for July. Councilwoman Hawkins also formally requested a physical, hard copy of the budget document, noting she preferred to be able to page through it. Town Manager Parker acknowledged the request and clarified that the budget had been distributed digitally that year and invited any council member or staff member who preferred a hard copy to request one.

Mayor Pro Tem Roberson expressed her desire to begin the process of scheduling dedicated meetings for the items on her list, acknowledging they would require multiple sessions. She stated, It's very important that we begin the process with these things, and indicated a willingness to defer to the June regular meeting as a starting point for scheduling dates, provided no new items were added to the planning list before the existing ones were addressed.

Councilwoman Smith agreed that scheduling dates was a meaningful step forward and asked that the Council commit to doing so in June. Mayor Hines affirmed his view that the primary focus of the current series of meetings should remain on the budget, noting, This budget is going to be a heavy lift. He acknowledged Mayor Pro Tem Roberson's concerns as valid and agreed that planning dates should be established. Town Manager Parker confirmed that she would utilize Mayor Pro Tem Roberson's submitted list to develop individual special workshop dates, noting that many of the items would likely each require their own dedicated meeting.

Motion made by Councilwoman Smith and seconded by Councilman Moye to approve the amended agenda. Motion carried unanimously, 4-0.

The meeting was recessed for approximately thirty minutes for dinner prior to the Items for Discussion.

BREAK FOR DINNER

ITEMS FOR DISCUSSION:

1. Fiscal Year 2026-2027 Recommended Budget. Version 1.

Town Manager Parker opened the budget discussion by framing the evening's presentation. She noted that Parks and Recreation Director White was briefly absent but expected shortly, and that staff would be distributing copies of the draft budget message. Town Manager Parker reminded the Council that the version before them was the first, fully unedited draft, and explained the purpose: The first night, I want you all to look at the budget to see that it is totally unedited. You see a full scope of what's been requested versus the amount of revenue we have to cover all of the requests.

Budget Overview and Structure

Town Manager Parker explained that the budget is organized into distinct funds: the General Fund, which encompasses most town departments; a Parks and Recreation Fund; and four enterprise funds

— Electric, Water, Sewer, and Stormwater. She clarified the distinction between enterprise funds and the General Fund for the benefit of the public, explaining that enterprise funds operate similarly to a business and are funded primarily by the rates charged to customers for services such as electricity, water, sewer, and stormwater. The General Fund, by contrast, is funded through property taxes and state-shared revenues such as sales tax and utility franchise tax and is not designed to operate at a profit.

Key Highlights of the Unbalanced Draft Budget

Town Manager Parker outlined several highlights of the draft budget, emphasizing that it is unbalanced and represents an unedited version intended to show the full scope of requests:

- The draft budget includes no property tax adjustments of any kind — up or down.
- It includes a $8.20 per month sewer flat rate increases to cover the forthcoming debt service on the Chapman Street, Church Street, and Robinson Heights pump station project, which was described as approximately 90 percent complete.
- There are no fee adjustments in the current draft, though Town Manager Parker indicated some could come later in the budget year as staff review their fee schedules.
- The draft includes some restructuring, new positions, and capital outlay requests.
- Funding for non-town agencies is denoted as a discussion item with a $100,000 placeholder.
- Enterprise funds contribute to the General Fund to offset administrative services costs.
- A 5 percent Cost of Living Adjustment (COLA) and an average of 2 percent merit increase are proposed for all employees.
- Health insurance premiums increased by 18.94 percent over the current year. The draft budget absorbs the increased cost for both employee and partial dependent coverage.
- Dental insurance premiums remained unchanged.
- An annual contribution of $25,000 to the Other Post-Employment Benefits (OPEB) reserve is included, which covers health insurance costs for eligible retirees until they reach Medicare age.

Fund-by-Fund Summary

Town Manager Parker then walked the Council through the deficit status of each fund:

- General Fund: Out of balance by $5,187,232. No fund balance is currently appropriated. A transfer of $350,000 from the Electric Fund to the General Fund — the same amount as the current fiscal year — is included. Town Manager Parker noted that property tax revenue is estimated to increase by only approximately $85,000 due to new construction, attributing the modest figure to the lag between development approvals and actual tax revenue generation. She explained that while many rooftops are under construction or approved, revenue is realized in stages and not immediately upon approval.
- Parks and Recreation Fund: Out of balance by $917,972. Approximately 87 percent of the fund's revenues come from a transfer from the General Fund. The draft budget includes a transfer of $1,002,093 — the same as the current fiscal year — and the fund remains out of balance by nearly $918,000 even with that transfer included.
- Electric Fund: Out of balance by $2,100,000. No fund balance or retained earnings currently appropriated. The $350,000 transfer to the General Fund is reflected here as well.
- Water Fund: Out of balance by $1,068,000. Includes $700,000 for water purchases for resale paid to Greenwood Utilities. No fund balance appropriated.
- Sewer Fund: Out of balance by $404,000. No fund balance appropriated. Town Manager Parker noted that the budget includes the town's proportionate share payment to the Content Metropolitan Sewage District (CMSD), a three-member entity comprised of Greenville, Ayden, and Winterville, at $1,351,521 — approximately $88,000 more than the current fiscal year appropriation, based on wastewater flow volume.
- Stormwater Fund: Out of balance by $239,486. No fund balance appropriated.
- Total Deficit Across All Funds: $10,011,890.

DRAFT

Town Manager Parker described this as a big number and acknowledged the serious challenge ahead, noting, Our goal is to collaborate with council to discuss ways that we might look at this budget differently to try to shrink that deficit. She added that Finance Director Jessica Manning had already directed all departments to begin preparing internal cuts.

Revenue Sources and the Need for Rate Increases

Town Manager Parker spoke at length about the structural revenue challenge facing the town. She stated plainly, We need a tax increase, and reiterated that utility rate increases are also necessary. She acknowledged the difficulty of the timing — May 21st being early in the process — and stated she did not intend to bring forward a proposed tax increase in the current budget cycle but affirmed that increases must come. She indicated that state and federal funding agencies have told the town that its rates are too low, making it ineligible for certain grant funding and low-interest loans. Mayor Hines echoed this, noting that the town had become ineligible for USDA funding due to its population size, and that even when applying for loans, funding agencies would require rate increases as a prerequisite, as low rates signal an inability to service debt.

Town Manager Parker expressed a desire for the Council to collectively develop a schedule for incremental, planned increases rather than large, infrequent adjustments. She acknowledged the difficulty for residents: That's hard to do particularly when gas is right at $5 and everything else is expensive. But unfortunately, we've got to pay the bills and the only way to do that is to increase our revenue streams.

Positions and Capital Equipment Requests

Town Manager Parker highlighted two categories of requests that account for a sizable portion of the deficit but can be partially addressed through financing:

- Most capital equipment requests can be financed. Under a financing arrangement, debt proceeds would appear as a revenue line item offset by a corresponding expenditure, netting to approximately zero in the first budget year, with debt service payments then beginning in subsequent years.
- The largest single equipment request is from the Fire Department, which is requesting a new squad truck estimated at approximately $1,300,000.
- Additional requests include dump trucks and pickup trucks.
- Two new positions were requested in Parks and Recreation, and two and a half new positions were requested in Fire.

Town Manager Parker praised the lean nature of the department requests overall, stating, These were some of the leanest budget requests I've seen in a long time. They took the direction literally. She added that the majority of what was requested reflected urgent needs rather than wants.

Health Insurance

Councilman Moye raised the health insurance cost increase as particularly significant, noting he could not recall such a significant increase during his time on the Council. Town Manager Parker confirmed that the increase began at 24 percent before negotiation and was brought down to 18.94 percent, translating to approximately $300,000 in additional cost across all funds. She explained that the town currently pays 100 percent of employee-only coverage and a proportionate share of dependent coverage, and that the town has historically absorbed increases rather than passing them to employees. She acknowledged that this approach may need to be revisited in future years.

Town Manager Parker also said that the town had explored other insurance carriers, including Cigna and Aetna, but expressed caution: They'll give you a fantastic cost the first year to come in and get you to change over and then they sock it to you in subsequent years. She indicated that Human Resources

staff were reviewing innovative options in the insurance field but that any major change would require ample time and notice for employees. She noted the broader context, stating that some entities in Pitt County had seen over 50 percent increases in health insurance premiums, with one jurisdiction experiencing a 57 percent increase.

Councilman Moye expressed strong personal commitment to protecting employee benefits, saying, My vote is yes. I want to do all I can to make sure our staff is well taken care of. Town Manager Parker affirmed the sentiment, noting that the town's workforce accomplishes a great deal with comparatively small staff and that the quality of the benefits package has been a critical recruitment and retention tool.

Councilwoman Hawkins asked that the next meeting include comparative information on what other jurisdictions in the area are providing for COLA, and requested specifics on the merit increase process — how it is justified, verified, and how many employees would receive it.

COLA Discussion

Mayor Pro Tem Roberson raised the proposed 5 percent COLA in the context of the current Consumer Price Index (CPI), which had been reported at approximately 3.8 percent as of April. Town Manager Parker acknowledged that the CPI-based figure is one benchmark used and noted that she, Finance Director Manning, and Human Resources Director Anthony had discussed the figure. She indicated that an adjustment to a rate more closely aligned with the CPI — around 3 to 3.5 percent — may be appropriate and offered to bring comparative data from other local jurisdictions for the next meeting.

Councilwoman Hawkins added that while she values the work of town employees, the Council should consider the cumulative benefit to employees of the town absorbing the health insurance increase, and that a lower COLA rate in combination with maintained health benefits could be a reasonable approach.

Service Level Reductions

Town Manager Parker raised the option of cutting service levels as one mechanism to address the deficit, stating, I'm not suggesting that, but that is an option in a way to save money. So, I just wanted to make sure that's put out there. She cited solid waste services as an example, noting that Winterville picks up everything at a small cost compared to surrounding jurisdictions.

Councilwoman Hawkins responded directly, urging specificity if service level cuts are to be discussed: When you say this and the public is listening, that then brings them to uncertainty — service levels in what area, what department, when and how and how does that look. She asked that future presentations to include specificity about which service areas are under consideration, to allow for meaningful public discussion.

Fund Balance

Councilwoman Hawkins noted that the town had previously reported approximately $12,400,000 in unassigned general fund balance and inquired about its current status and flexibility. Town Manager Parker clarified that, following approved budget amendments since that figure was reported, the current unassigned general fund balance stands at approximately $8,126,457. She cautioned the Council that some of those funds may roll back in after the year-end audit but also warned against drawing heavily on fund balance to close a structural deficit: I just do not see $10 million in actual cuts coming forward. She noted the town's internal policy requires maintaining a fund balance of 25 percent of operating expenditure, well above the state minimum of 8 percent, and stressed that for a smaller jurisdiction, a higher percentage is prudent given the need to cover emergencies and budget gaps.

DRAFT

Budget Process and Transparency

Councilwoman Hawkins asked how citizens and Council members could understand which requests were most urgent within the budget document. Town Manager Parker explained that at the end of each department's section, notes are provided explaining significant changes in line items, and that capital outlay requests are consistently found in the line item with the last four digits 7150. She further explained the budget workflow: departments submit requests, then go back in to log their own recommended cuts under a department head modified column, followed by a manager review and modification column. The Council receives the unedited version first, so they see the full scope of all requests before any cuts are made. She expressed confidence that the requests in the current draft are genuinely needed, noting, I will say that anything that's included currently from a sizable amount, equipment request or otherwise, are considered pretty important. Maybe not all urgent but certainly needed.

Councilwoman Hawkins also asked that, in future budget cycles, the budget document be distributed to the Council one to two weeks earlier to allow for more thorough review prior to the first work session.

Fire and EMS Master Plan

Mayor Pro Tem Roberson raised the question of how Pitt County's fire and rescue master plan might affect the town's fire department requests. Town Manager Parker noted that the town's own master plan is nearing completion and accounts for some elements of the county plan. She explained that the county's 750-page plan advocates for a voluntary reduction in the number of fire departments and noted that there is active conversation about whether the Town of Winterville Fire Department and the community rural fire department — which had historically been one entity before separating — might consider merging. She indicated the town's own master plan should provide meaningful guidance on this and related questions.

Regarding EMS, Town Manager Parker clarified that the EMS department is not currently a town department: the town employs and funds two paramedics whose salaries and benefits are reimbursed by the EMS department, but the EMS entity itself must eventually find a permanent institutional home — either under the town of Winterville or Pitt County. She stated the fire and EMS master plan is expected to address this lingering question.

Councilwoman Hawkins indicated she would continue to advocate strongly for fire department funding, noting that with two trucks in service, full staffing is essential so that if one truck is at an active emergency, the department is not left scrambling to respond to a second incident.

Animal Control

Councilwoman Hawkins inquired about the status of animal control, which had been listed in the budget even though the department has not been operational. Town Manager Parker explained that the town has been in ongoing discussions with Pitt County about entering into a contract under which the town would adopt the county's animal control ordinance and pay an annual contract fee of $25,000 — the same rate currently paid by Ayden and Farmville. The process had been delayed by a change in leadership in the county's animal services department and by the significant animal hoarding incident in Grimesland that temporarily closed the county shelter. Town Manager Parker expressed optimism that the contract could go into effect by July 1st and indicated she hopes to bring it to the Council for consideration in June. She noted that the nominal animal control funds budgeted in the current year simply rolled back into the General Fund at year's end since the service was not operating.

DRAFT

Parks and Recreation Positions

Councilman Moye asked about the rationale for the two new positions requested in Parks and Recreation, noting the department had grown significantly. Parks and Recreation Director Diane White confirmed that the department currently operates with five full-time staff members responsible for running all programs and maintaining all grounds. She described the two requested positions as: one park maintenance position and one recreation inclusive position, the latter being an all-around role capable of supporting programming, sports activities, special events, and work with special populations — including potential collaboration with an autism program and the exceptional children's department of the local school system.

Councilwoman Hawkins also asked about the girls' flag football program she had previously brought to the Council's attention, inquiring how Parks and Recreation was supporting it. Director White explained that the department is collaborating and partnering with the program by assisting with advertising, setting up registration, providing field access at Hillcrest Park, and lending available equipment.

Non-Town Agency Funding Discussion

Town Manager Parker directed the Council's attention to the question of non-town agency funding, which she indicated needed to be resolved before the budget could be further developed. She noted that a placeholder of $100,000 had been inserted in the budget as a discussion item and that no applications had been sent out.

Councilwoman Dr. Harrell, who had arrived during the session, shared remarks she had previously submitted by email in anticipation of an absence. She stated, It is concerning that we have the $10 million unbalanced budget, and expressed a conservative, strategic position: At this time, I'm not in favor of allocating town funds to non-town agencies unless there is a direct, measurable, and immediate benefit to the residents. This is no reflection by any means on the value of the agencies, but rather a matter of fiscal responsibility. She identified core town obligations — infrastructure, public safety, staffing, utilities, parks and recreation, and resident-facing needs — as the priority. Councilwoman Harrell did carve out the Winterville Public Library as a distinct case, characterizing it as a direct community asset serving our residents that should be treated differently from general outside agency funding.

Councilwoman Smith noted that she had expressed similar concerns the prior year, stating that it is difficult to choose among agencies and that her belief is that the money from Winterville taxes should remain in Winterville and serve Winterville. She affirmed that she voted the previous year against funding outside agencies and remained in that position, while expressing support for in-kind contributions and for organizations with a direct community connection such as the Historical and Art Society, the Winterville Chamber, and the Watermelon Festival.

Councilwoman Hawkins stated that, given the scale of the deficit and the fact that citizens are already facing a forthcoming $8.20 per month sewer rate increase and a 2.5-cent utility increase, I do not think that we are at a place where we can fund any non-town agencies. She added that she would not want to appear to be selecting one agency over another and asked what measurable returns had historically come back to the town in exchange for funding. She concluded, In the place where we are at this time, I am against funding all non-town agencies.

Councilman Moye shared that he had attended a session on essential municipal government in February of the current year, during which the North Carolina League of Municipalities presented guidance that municipalities should not be funding nonprofits. He stated the session made rude awakening for him, that he had questioned the presenter directly after the session, and was told plainly: If you are doing it, you need to stop it. While he expressed personal support for the organizations, he acknowledged the significance of the league's guidance. Councilwoman Harrell echoed his remarks,

suggesting that in-kind contributions could remain in place but that cash allocations should be suspended given current fiscal conditions.

Mayor Pro Tem Roberson expressed agreement with the sentiment that residents must not be burdened further while services are maintained, stating, Anything that we can cut to cut the burden on them, I feel like it's worth it. She supported maintaining in-kind contributions, viewing all of the agencies as contributing meaningfully to the community.

Town Manager Parker clarified for the Council what in-kind contributions currently entail:

- Winterville Historical and Art Society (depot and Ainge House grounds maintenance): approximately $14,000 per year
- Winterville Chamber (office space and associated costs): approximately $1,200
- Watermelon Festival (event support): approximately $67,000–$68,000
- Wonderful Senior Citizens Club (use of the community room at no cost): to be formally added to the next iteration of the budget message at Mayor Pro Tem Roberson's suggestion.

Town Manager Parker also noted that the Shepherd Memorial Library had been listed under non-town agencies historically but functions more as a quasi-governmental entity — the town owns the building, contributes $176,921 (the same as the current fiscal year, with no increase requested), and the library benefits from economies of scale through its relationship with the broader Shepherd Memorial Library system in Greenville. She recommended formalizing a separate application and reporting process for the library distinct from the non-town agency process.

Councilwoman Hawkins and Town Manager Parker confirmed that even if cash contributions to outside agencies were eliminated, the Wonderful Senior Citizens Club would continue to have access to programming through the Parks and Recreation Department's senior drop-in program, which meets on the second and fourth Thursdays of each month.

Mayor Pro Tem Roberson raised the question of whether suspending cash contributions would affect the town's ability to be named as a sponsor of the Watermelon Festival. Councilwoman Harrell and Town Manager Parker acknowledged the distinction between cash contributions through the non-town agency process and potential in-kind sponsorship. Councilwoman Harrell suggested that the approximately $67,000 in in-kind festival support could serve as the town's sponsorship contribution if the Watermelon Festival committee accepted it as such.

After discussion, Town Manager Parker noted that removing the $82,000 in total cash contributions would theoretically free up those funds, though she observed that the town would still be providing substantial in-kind value — particularly for the Watermelon Festival — and that the net savings in actual cash are modest against a $10 million deficit.

Motion made by Councilwoman Dr. Harrell and seconded by Councilwoman Hawkins to not fund non-town agencies in cash amounts, to continue all existing in-kind contributions, and to remove the Shepherd Memorial Library from the non-town agency reporting process and reclassify it as a quasi-town agency with its own separate process. Motion carried 3-2. Councilman Moye and Councilwoman Smith opposed.

ADJOURN:

Mayor Hines announced that the next budget work session would be held on Tuesday, May 26, 2026, at 6:00 PM. Town Manager Parker reminded Council members who had requested hard copies of the budget that they would be delivered the following day and invited all members to reach out with questions as they reviewed the document.

DRAFT

Motion made by Mayor Pro Tem Roberson and seconded by Councilwoman Dr. Harrell to adjourn the meeting. Motion carried unanimously, 5-0. Meeting adjourned at 8:07 PM.

Adopted the 12th day of October 2026.

Richard E. Hines, Mayor

ATTEST:

Donald Harvey, Town Clerk

DRAFT

WINTERVILLE TOWN COUNCIL
TUESDAY, MAY 26, 2026, 6:00 PM
BUDGET WORK SESSION #2

The Winterville Town Council met in a Regular Meeting on the above date at 6:00 PM in the Town Hall Assembly Room, with Mayor Pro Tem Veronica Roberson presiding. The following were present:

Richard E. Hines, Mayor (absent)
Veronica W. Roberson, Mayor Pro Tem
Dr. Brandy Harrell, Councilwoman
Shantel Hawkins, Councilwoman
Johnny Moye, Councilman
Lisa Smith, Councilwoman
Terri L. Parker, Town Manager
Anthony Bowers, Assistant Town Manager
Chris Williams, Police Chief
David Moore, Fire Chief
Cliff McGuffin, Public Works Director
Ron Mills, Electric Director
Jessica Manning, Finance Director
Evan Johnston, Building Inspector/Code Enforcement Officer
Diane White, Parks and Recreation Director
Angela Fuller, Human Resource Director
Willie Gay, Building Inspector/GIS Technician
Kim Shular-Moore, Executive Staff Assistant
Donald Harvey, Town Clerk

CALL TO ORDER: Mayor Pro Tem Roberson called the meeting of the Winterville Town Council to order.

INVOCATION: Councilwoman Smith delivered the invocation.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited by those in attendance following the invocation.

WELCOME: Mayor Pro Tem Roberson welcomed everyone to the meeting, noting that it was the second budget meeting for the Town of Winterville. She emphasized that the purpose of the session was to examine how the town could best utilize its available funds for the benefit of its citizens.

ROLL CALL: Present: Mayor Pro Tem Roberson, Councilwoman Dr. Harrell, Councilwoman Hawkins, Councilman Moye, Councilwoman Smith. Absent: Mayor Hines. Mayor Pro Tem Roberson confirmed that a quorum was present and that the meeting could proceed.

APPROVAL OF AGENDA: Mayor Pro Tem Roberson presented the agenda for review.

Motion made by Councilwoman Smith and seconded by Councilwoman Dr. Harrell to approve the agenda. Motion carried unanimously, 5-0.

BREAK FOR DINNER.

Mayor Pro Tem Roberson called a recess for dinner as indicated on the agenda, noting that Councilwoman Smith had already provided a blessing during the invocation. The Council recessed to the break room for dinner and subsequently reconvened.

ITEMS FOR DISCUSSION:

1. Fiscal Year 2026-2027 Recommended Budget

Mayor Pro Tem Roberson reconvened the meeting and directed the Council's attention to the sole item for discussion: the Fiscal Year 2026–2027 Recommended Budget. Town Manager Parker came forward to present an update, expressing appreciation to staff who had been working up until the moment the meeting was called to order.

Overview of Updated Budget Documents

Town Manager Parker advised the Council that updated revenue and expenditure sheets, as well as a revised budget message, had been distributed both digitally and in hard copy just prior to the meeting. She noted that additional supplementary documents had also been included in the packet.

Town Manager Parker addressed a question raised at the previous meeting by Councilwoman Hawkins regarding changes to the general fund unassigned fund balance, which had decreased from $12.4 million to $8.1 million. She explained that the town had processed six budget amendments during the current fiscal year, with five of the six having some effect on the general fund balance. She further clarified that Budget Amendment 4 had no effect on the general fund. The total drawn from the general fund through the original budget appropriation and the six amendments combined amounted to $4,285,000.

Discussion of Fund Balance Clarification

Councilwoman Hawkins sought clarification, asking whether the $12.4 million unassigned fund balance figure that had been presented to the Council approximately two months prior reflected the current balance at that time, and whether the expenditures were documented in the current packet.

Town Manager Parker explained that the $12.4 million figure was the audited balance as of June 30, 2025; the close of the prior fiscal year (FY 2024–2025) and that all of the transactions reducing that balance had occurred during the current fiscal year beginning July 1, 2025. The current unassigned balance, as reflected in the fund balances and retained earnings schedule located behind Tab 9 of the budget packet, stood at $8,126,004.57. She confirmed that one additional budget amendment was anticipated before the close of the fiscal year, which could further affect the balance.

Councilwoman Hawkins expressed her concern that the distinction between the audited figure and the current balance had not been made sufficiently clear when the information was originally presented, particularly in the context of a prior special called meeting at which the Council reviewed prospective expenditures with the assumption that the full $12.4 million was available and current. She thanked staff for providing the clarification.

DRAFT

COLA, Merit, and Salary Information

Town Manager Parker directed the Council's attention to a survey report from the North Carolina League of Municipalities detailing how peer jurisdictions were approaching cost-of-living adjustments (COLA) and merit increases in their upcoming budgets. She noted that the town typically benchmarks itself against municipalities with populations of 10,000–24,999 and 25,000–99,999, as both categories represent the competitive labor market from which Winterville draws employees. She noted that the current recommended budget still included a 5% COLA and a 2% merit increase, but that staff was now considering scaling the COLA back to approximately 3.5%, which was closer to the Consumer Price Index over the prior twelve months. She also indicated that a table had been prepared, though not yet distributed showing the incremental cost per 1% of COLA and merit for each fund.

Budget Status Summary

Town Manager Parker summarized the overall budget situation. She stated that staff had worked to close off half of what had been a $10 million deficit across all funds, bringing the remaining imbalance to just over $5 million. She directed the Council to page 2 of the updated budget message for the fund-by-fund breakdown:

- General Fund: Out of balance by $2.2 million. All 4.5 new positions that had been requested in the general fund have been eliminated. Most equipment purchases had been retained but were planned to be financed. Town Manager Parker noted that an in-kind contribution to the senior citizens group for use of the community room had not yet been formally added to the document due to the rushed preparation timeline.
- Recreation Fund: Out of balance by $143,609, with most of that imbalance flowing from the general fund.
- Electric Fund: Out of balance by $1.5 million.
- Water Fund: Out of balance by $920,000.
- Sewer Fund: Out of balance by $374,000.
- Stormwater Fund: Out of balance by $224,000.
- Total Deficit Across All Funds: $5,421,750.

Town Manager Parker emphasized that, as presented, this version of the budget did not include any appropriation of fund balance or retained earnings to offset these deficits.

She also referenced a pending change related to the Winterville Chamber of Commerce, noting that the Mayor had circulated a communication to the Council regarding a potential further discussion of that matter, and that staff were ready to assist, however the Council wished to proceed.

Water Fund and Cost Share Agreements

Town Manager Parker identified the water fund as the most pressing challenge, noting that the fund's available retained earnings of $747,082 were insufficient to cover the $920,271 by which the fund was out of balance - meaning appropriation of retained earnings alone could not balance that fund.

She invited Assistant Town Manager Bowers to explain the cost share agreement line items appearing in both the water and sewer fund budgets under capital outlay (line item ending in 7150).

Assistant Town Manager Bowers explained that the water fund cost share agreement related to the South Brook development and specifically to a ten-inch waterline. For the sewer fund, he described two components: a commitment to upsize a wet well and force main in the same development, and a need to modify the gravity system to accommodate growth to the north and south of the development. He characterized these cost share agreements as being part of the town's broader regionalization strategy, noting that while they carry upfront costs, they represent significant long-term savings.

Public Works Director McGuffin was invited to provide additional context on the water fund's structural challenges. Public Works Director McGuffin noted that all costs had increased in recent years, that materials costs, while slightly softened, remained five to six times higher than pre-inflationary levels, and that the town's workforce was already stretched thin relative to peer municipalities. He pointed out that the town's water service area was geographically limited, covering only approximately 4,500 customers, meaning that even modest rate increases generate minimal aggregate revenue. As an example, he noted that a $3 increase to the base water rate would yield only approximately $13,500 per month. He stated plainly, This rate's kind of been lacking for a long time, and we're at a point now that's do or die. I mean, you cannot pull from savings anymore. You've spent everything you got.

Town Manager Parker acknowledged Public Works Director McGuffin's framing and reiterated that the fundamental solution was a structured plan for ongoing, incremental rate increases, something that had not been implemented in a sustained manner. She noted the difficulty of the current situation was compounded by years without meaningful general increases, which now required a catch-up period.

Sewer Fund Balance and Pending Reimbursement

Councilwoman Smith inquired about a possible final reimbursement related to a sewer project and whether such a reimbursement might help cover the sewer fund's negative retained earnings balance. Town Manager Parker noted that the sewer fund's retained earnings showed a negative balance of approximately $488,000, which she characterized as not entirely representative of the fund's actual financial condition.

Assistant Town Manager Bowers clarified that the sewer project in question had been 100% funded through a DEQ loan with $500,000 in debt forgiveness, and that once the related reimbursement transactions were caught up, the fund balance would return to a more normal condition. He declined to provide a specific reimbursement estimate to avoid misstating information.

System Development Fees

Councilwoman Smith raised the question of system development fees charged to developers and whether an increase might provide meaningful additional revenue.

Assistant Town Manager Bowers explained that the town's system development fees currently applied only to water and sewer and had been adopted at approximately 50% of the maximum amount permitted by state statute. The fees had been calculated by an outside engineering firm as required by statute and had been implemented approximately four years prior. He noted that when the fees were adopted, the Council at that time chose to align them more closely with what neighboring jurisdictions, including the Town of Ayden and Greenville Utilities, were charging, rather than maximizing the statutory limit. He further noted that the timing of when developers actually pay such fees is difficult to predict and budget for, making it challenging to treat them as a reliable, recurring revenue stream.

Equity, Revitalization, and the Rate Increase Question

Councilwoman Hawkins raised substantive concerns about the equity implications of rate increases, particularly for long-established areas of Winterville. She asked what investments were being made in central Winterville and other foundational neighborhoods that would also bear the burden of any rate increases. She questioned whether existing citizens were effectively subsidizing growth and new development and called for a visible plan around revitalization, not just infrastructure repair to demonstrate to all residents that rate increases benefit everyone, not just new development areas. She noted, If we are building, and we're responsible for the water and our land and this on our properties, where is the equity in terms of the benefit to our citizens?

DRAFT

She also raised the matter of development incentives, expressing frustration that the town was in a position of absorbing costs to enable new development without adequate tools to ensure reciprocal benefit to the broader community. She further noted the cumulative impact of recent increases, the power cost adjustment, the pending $8.20 sewer rate increase and expressed reluctance to add a water rate increase on top of those, particularly given national economic pressures such as gas prices and the ongoing impacts of trade policy uncertainty.

Town Manager Parker and Assistant Town Manager Bowers responded by acknowledging the distinction between infrastructure serving existing residents (funded through rates) and infrastructure enabling growth (ideally funded through system development fees and cost share agreements). Assistant Town Manager Bowers provided a detailed account of the various Capital Improvement Plans (CIPs) in place or recently adopted, including the sewer CIP (approximately $54 million over 10 years, adopted last month), the stormwater CIP (presented two months prior), and the water CIP (adopted previously and instrumental in securing grant funding for waterline looping projects). He noted that the electric CIP was currently in development. He cautioned, however, that CIPs are planning tools, and execution depends on available funding.

Assistant Town Manager Bowers also explained the structural reason why the water fund has a limited growth horizon: territorial agreements established long ago mean that much of the town's future residential growth will be served by Eastern Pines or Bell Arthur water systems, not the town's own water utility, a constraint that does not apply to sewer or electric.

Public Works Director McGuffin added a pointed remark about the Farmstead development, expressing regret that certain service territory decisions in past years had permanently removed potential revenue from the town's water system: That money, that revenue is gone now forever. He characterized water and electric meters as the town's cash registers.

Councilwoman Hawkins acknowledged the Farmstead situation as a decision made prior to her tenure and with no available documentation to dispute the commitments that had been made at the time. She reiterated her concern about revitalization and equity, stating that areas that have historically formed the foundation of Winterville still pay into the system and deserve visible investment, and that this must be communicated clearly to residents whenever increases are proposed.

Structural Reliance on Fund Balance

Councilwoman Dr. Harrell returned to Town Manager Parker's earlier comments about fund balance appropriation and expressed support for responsible, one-time use of reserves, but cautioned against structural dependence on them. She observed that the current situation - where the town was in a do or die position appeared to be the result of a multi-year pattern of using fund balance rather than implementing incremental rate increases: Now we have to say, you know what, we have to charge 8 dollars or whatever the case may be. She asked directly whether the water fund's operating budget was balanced without any reserve appropriation, and expressed her hope that after this budget cycle, the Council would not find itself in a similar position in future years.

Town Manager Parker validated Councilwoman Harrell's concerns, affirming that using fund balance to structurally balance budgets was not sound practice, and that she had communicated this to prior councils as well. She explained that the town had managed to keep operating costs low by maintaining a lean workforce, and that there was pride on the part of elected officials in protecting citizens from rate increases, but that this had come at a long-term cost. She stated, Our rate structure, taxes, that's part of the rate structure when I mention it. A plan needs to be put in place where we're looking at increases. She also tempered expectations, noting that the budget challenges were unlikely to be fully resolved within a year or two.

DRAFT

Councilwoman Harrell clarified that her comments were not a critique of prior councils, but rather a call for a holistic, forward-looking approach. She also reiterated her advocacy for a multipurpose cultural center that could generate diverse streams of revenue for the town through concerts, tournaments, and other events.

Sanitation Rates and Comparative Rate Analysis

Councilwoman Smith requested that staff compile a comparison of utility rates across peer municipalities for all utility areas, similar to what had previously been done for sanitation. Town Manager Parker noted that such a comparison was already included in the budget packet behind Tab 9, near the end, before the filler page for non-town agency funding requests.

Town Manager Parker noted that sanitation rates remained particularly far below where they needed to be, while acknowledging the sensitivity of this issue among residents. She observed that the town provides an extensive array of solid waste services, and that the cost of maintaining the equipment to do so is substantial. She referenced a sanitation truck that had been in and out of service for extended periods during the current fiscal year, noting that approximately $30,000 had been spent on repairs in the current year alone, yet the problem remained unresolved.

Public Works Director McGuffin elaborated, explaining that the truck in question had a manufacturer defect from day one, had been cut in half and returned to the factory, and had never functioned correctly. A replacement vehicle would cost approximately $600,000. He further described the town's vulnerability to sole-source service providers due to territorial agreements, citing the example of street sweeper brushes that had increased in cost from $75 to $178 each within six months, with no alternative vendor available. He praised the town's employees for their extraordinary effort given the constraints: You have Ayden, they have more employees than us and they provide less services, have a smaller service area.

Fire Department Background

Councilwoman Hawkins raised a question about the existence of two fire departments in close proximity to one another and what impact that had on the town's budget and service capacity. Town Manager Parker provided historical context, explaining that the town's fire department had originally encompassed both a municipal component and a volunteer rural component, jointly funded by the town and the county respectively, but overseen by a separate volunteer board on the rural side. Due to governance conflicts, the rural department issued notice that it was separating and subsequently obtained permission to construct its own station on property it already owned inside of town limits. Town Manager Parker characterized the resulting split as something that was not initiated by the town and that the Council at the time did not take lightly.

Councilwoman Hawkins expressed continued frustration, noting that regardless of the historical circumstances, having two fire facilities in such close proximity, while the town's own department was in financial need was an inconvenient situation for citizens to understand: People and lives and rescue and response matters first.

Councilman Moye, who had been on the Council at the time of the separation, affirmed that those present when it happened understood why it occurred, but urged the group to focus on what could be done going forward rather than relitigating the past: What can we do this day forward to make this town better?

DRAFT

Police Department

Town Manager Parker raised the matter of the ongoing recruitment process for a new Police Chief. She indicated that 13 applications had been received and that she and Human Resources were working through the selection process, with the expectation that a chief could be in place within approximately three months, assuming a suitable candidate had emerged.

Non-Town Agency Funding and the Chamber of Commerce

Councilwoman Smith drew the Council's attention to the council budget's travel, meals, lodging, and mileage line item, which stood at $65,000 in the proposed budget. She noted that given the cuts being asked for by all departments, the Council itself might consider a reduction in that line item. She also observed that the $65,000 figure was comparable to or greater than the Chamber of Commerce's historical funding request and pivoted to a discussion of the chamber's value and potential reclassification.

Motion made by Councilwoman Smith to reduce the council travel, meals, lodging, and mileage line item by $50,000, from $65,000 to $15,000. The motion failed for lack of a second.

Mayor Pro Tem Roberson expressed concern that the proposed reduction would be too severe, noting that the major council conferences; City Vision and ElectriCities carried substantial registration costs. Town Manager Parker clarified that registration fees for those events would typically be covered under the separate professional development and education line item ($30,000) and that dues and subscriptions ($28,000) covered memberships to the League of Municipalities, the School of Government, and similar organizations. She recommended the Council do not reduce the dues and subscriptions line.

Councilman Moye offered extended remarks reflecting on the evening's overall discussion. He expressed concern about piecemeal cuts and wondered aloud how the town could say it would save $100,000 in the context of a $10 million structural gap. He expressed the view that training and conference attendance for which the town pays membership fees to the League and other bodies was important and should be preserved. He also reiterated the value of the Watermelon Festival, noting that such community-building events attract prospective residents and contribute to Winterville's reputation as one of the safest communities in North Carolina. He raised concern about the upcoming debt service obligations tied to items already approved for financing and asked whether those were fully reflected in the current budget. Town Manager Parker confirmed that currently approved items were reflected but that any new financing approved in the new budget would be addressed at that time.

Councilman Moye then made an impassioned personal request that the town consider, as a matter of future hiring policy, encouraging department heads to reside within the town limits. Town Manager Parker gently noted that while the Council is required to live in town, state law does not permit such a requirement to be imposed on department heads. She noted it could be encouraged but not required.

Town Manager Parker also addressed Councilman Moye's question about what had caused the large budget gap, emphasizing clearly and for the public record: There's no money missing. There is no lack of managing our money appropriately. It is $10 million dollars more across all funds in costs and requests than there is revenue to cover.

Motion made by Councilwoman Smith and seconded by Mayor Pro Tem Roberson to direct staff to investigate the possibility of creating a quasi-governmental classification for the Winterville Chamber of Commerce, and to bring back findings based on legal guidance and input from the North Carolina League of Municipalities. Motion failed, 2-3. Councilwoman Harrell, Councilwoman Hawkins, and Councilman Moye opposed.

DRAFT

Councilwoman Dr. Harrell provided additional context on her position, stating that she believed the chamber provided genuine value to the community and that if the town were to fund it, the relationship should be structured as a specific economic development contract or service agreement with clear deliverables, not as a non-town agency line item. She requested formal guidance from Town Manager Parker, the finance officer, and the town attorney on the proper classification, legal authority, funding source, and reporting expectations before any further action was taken.

Non-Town Agency Funding Generally

Councilwoman Hawkins raised a question about transparency and accountability for non-town agency funding, asking what reports were provided to the public regarding how those funds were spent, and whether that information was publicly accessible. Town Manager Parker explained that all non-town agencies receiving funding are required to submit an annual application detailing how they would use the requested funds, and to submit an annual report by March 31 of each year showing their budget, how the town's allocation was spent, and how many Winterville residents were served. She confirmed that these reports had recently been provided in hard copy to the Council.

Councilwoman Hawkins also raised the question of how the town determines which non-town agencies are deemed essential, noting that cutting one while retaining others could send unintended messages. Councilwoman Dr. Harrell clarified that her advocacy for restructuring the chamber's funding relationship was not a statement that other non-town agencies such as the senior citizens group or historical society lacked value, but that the chamber's specific economic development function warranted a different structural classification.

Final Motions and Direction to Staff

After extensive discussion, Councilwoman Dr. Harrell moved to direct staff to review and revise the current budget in order to bring all funds to balance, utilizing fund balance and retained earnings where applicable. Councilwoman Hawkins expressed her view that a water rate increase should not be considered at this time, citing the cumulative burden on residents of the ongoing power cost adjustment, the pending $8.20 sewer rate increase, elevated gas prices, and broader national economic pressures: I would discourage a rate increase at this time. This position was reflected in the motion.

Mayor Pro Tem Roberson asked for clarification to ensure the motion did not inadvertently prohibit staff from exploring rate increases. Councilwoman Harrell confirmed that the intent of the motion consistent with Town Manager Parker's guidance was to rely on fund balance and retained earnings to close the gap for this budget cycle, with the water fund being acknowledged as the exception where those resources were insufficient. Town Manager Parker affirmed that for the water fund specifically, a rate increase would be the most appropriate course, though she acknowledged it had not been formally brought forward and that staff would present options.

Motion made by Councilwoman Dr. Harrell and seconded by Councilwoman Hawkins to direct staff to review and revise the Fiscal Year 2026–2027 budget to bring all funds to balance, utilizing fund balance and retained earnings, without implementing a rate increase in the current budget cycle. Motion carried unanimously, 5-0.

DRAFT

Scheduling the Third Budget Work Session

Town Manager Parker asked whether the Council wished to reconvene in person on Thursday to review staff's updated balanced budget presentation, noting that the public hearing was scheduled for the following Monday, June 1st. Councilwoman Hawkins expressed a preference for an in-person meeting, noting that it afforded more thorough discussion and the opportunity to review materials and deliberate prior to any vote. The Council agreed to reconvene on Thursday evening, May 28th and Town Manager Parker confirmed staff would be prepared.

ADJOURN:

Motion made by Councilwoman Dr. Harrell and seconded by Councilman Moye to adjourn the meeting. Motion carried unanimously, 5-0. Meeting adjourned at 8:17 PM.

Adopted the 12th of October 2026.

_____

Richard E. Hines, Mayor

ATTEST:

_____

Donald Harvey, Town Clerk

DRAFT

WINTERVILLE TOWN COUNCIL
THURSDAY, MAY 28, 2026, 6:00 PM
BUDGET WORK SESSION #3

The Winterville Town Council met in a Regular Meeting on the above date at 6:00 PM in the Town Hall Assembly Room, with Mayor Pro Tem Veronica Roberson presiding. The following were present:

Richard E. Hines, Mayor (absent)
Veronica W. Roberson, Mayor Pro Tem
Dr. Brandy Harrell, Councilwoman (absent)
Shantel Hawkins, Councilwoman
Johnny Moye, Councilman
Lisa Smith, Councilwoman
Anthony Bowers, Assistant Town Manager
Charles Hamilton, Police Lieutenant
David Moore, Fire Chief
Cliff McGuffin, Public Works Director
Ron Mills, Electric Director
Jessica Manning, Finance Director
Evan Johnston, Building Inspector/Code Enforcement Officer
Diane White, Parks and Recreation Director
Stephen Penn, Planning and Economic Development Director
Angela Fuller, Human Resource Director
Kim Shular-Moore. Executive Staff Assistant
Donald Harvey, Town Clerk

CALL TO ORDER: Mayor Pro Tem Roberson called the meeting of the Winterville Town Council to order.

INVOCATION: Councilman Moye delivered the invocation.

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Roberson led the assembly in the Pledge of Allegiance.

WELCOME: Mayor Pro Tem Roberson welcomed all those in attendance, noting that this was the third budget work session meeting, held on Thursday, May 28th, 2026, at 6:00 p.m. She expressed appreciation to council members, citizens present in the chamber, and those watching via video, whether live or at a later time.

ROLL CALL: Assistant Town Manager Bowers conducted the roll call. Present: Councilwoman Hawkins, Councilman Moye, Councilwoman Smith, Mayor Pro Tem Roberson. Absent: Mayor Hines (previously announced absence), Councilwoman Dr. Harrell (previously announced absence)

APPROVAL OF AGENDA:

Motion made by Councilwoman Smith and seconded by Councilman Moye to approve the agenda. Motion carried unanimously, 4-0.

VII. ITEMS FOR DISCUSSION:

1. Fiscal Year 2026-2027 Recommended Budget

Assistant Town Manager Bowers opened the discussion by providing a comprehensive overview of the balanced budget as presented for this third work session, noting that significant changes have been made since the previous sessions. He recalled that prior council directions had been to use fund balance and retained earnings to work toward a balanced budget, acknowledging that the town had been facing a pretty significant deficit.

Summary of Budget Changes and Fund-by-Fund Overview

Assistant Town Manager Bowers walked through the council through each fund, explaining how balance was achieved:

General Fund: An appropriation of $2,350,000 from fund balance, described as the town's rainy day fund or savings, was required to balance the general fund. The COLA for employees was reduced to 3%, and merit pay was set at an average range of 1.25% to 2.25%. Assistant Town Manager Bowers noted that it is common for unexpended funds to roll back into fund balance at the close of the fiscal year, though he cautioned it was a little too early to tell exactly what that amount might be, as some invoices are not received until August. He acknowledged that while fund balance is traditionally reserved for one-time expenditures, this year's situation is a little bit different.

Recreation Fund: Balanced through an increased transfer from the general fund.

Electric Fund: Balanced using retained earnings of $1,351,000.

Water Fund: Assistant Town Manager Bowers described this fund as having a bigger deficit there than as far as percentagewise than any other fund. He explained that cuts were made to the bare minimum in collaboration with staff, and that the fund was balanced using $515,841 in retained earnings not reserved for capital outlay. He characterized the situation plainly: It is bare bones at best. It does not leave the town any room for emergencies, things of that nature. He noted the remaining fund balance was everything available that was not already reserved.

Sewer Fund: Balanced with retained earnings of $257,707.

Stormwater Fund: Balanced with a contribution from retained earnings of $492,623.

Sewer Rate Discussion

Mayor Pro Tem Roberson opened a line of questioning regarding whether the recently approved sewer rate increase to $8.20 was sufficient to balance the sewer fund. Assistant Town Manager Bowers clarified that the $8.20 rate increase was calculated specifically to cover the new debt service payment and was just enough to cover the debt service payment, meaning it alone was not enough to fully balance the funds without the use of retained earnings.

Councilwoman Smith contributed broader context, noting that surrounding municipalities were implementing continual, incremental rate increases, citing examples of a neighboring town increasing water rates by 3.7%, sewer by 3.9%, gas by 4%, and electric by 1.9% for the current budget year. She

acknowledged the personal burden of rate increases but stated plainly: We are going to run out of reserve in General at some point. So that's something that we really need to consider.

Assistant Town Manager Bowers echoed on the value of a long-term incremental rate strategy, observing that while it would not get the town out of the woods really quickly, it would avoid placing a sudden, large burden on citizens.

Fund Balance Clarification and Unassigned Funds

Councilwoman Hawkins asked for a clear distinction to be drawn between reserved fund balance and the unassigned funds, specifically referencing an $8 million unassigned fund balance, for the benefit of both the council and the public. She wanted it to be clearly understood that the town is not like they spent their last dime balancing the budget.

Assistant Town Manager Bowers explained the distinction in detail. He noted that certain funds are restricted by general statutes and cannot be used freely. He offered the Powell Bill fund as a primary example, a state grant distributed to municipalities based on population and road miles, reserved strictly for transportation purposes. He also explained that purchase orders and encumbrances established prior to fiscal year-end are held in reserve, and that system development fees collected in the enterprise funds are reserved specifically for capital projects. He confirmed that the town still has a healthy unassigned general fund balance of approximately $8 million but noted the concern: The rate at which we're having to use it in each fund is what is starting to get a little concerning. He further explained that using fund balance to cover standard operating costs, rather than one-time expenditure, is what signals a structural fiscal problem.

Councilwoman Smith reinforced the concern by calculating that over the two-year span of FY 2025-26 and FY 2026-27, the town would have drawn more than $4 million from the general fund balance. She recalled that the prior year's appropriation was approximately $1,886,000 and that the current year's appropriation of $2,350,000 brought the two-year total to roughly $4.1 million. At that rate, she warned, we would deplete it very quickly and we would no longer have at least the minimum that we're required to have on reserve in case of catastrophe or emergency. Assistant Town Manager Bowers confirmed the prior year figures from his records.

Mayor Pro Tem Roberson added that she had spoken with Assistant Town Manager Bowers earlier about how much money is typically returned at the end of the fiscal year, noting that he had indicated more than $1 million had been returned at year-end. She acknowledged this as a meaningful offset, while also noting that it reflects a pattern of budgeting more than was needed. Assistant Town Manager Bowers confirmed that, baring some extenuating circumstance, there would be some money going back into fund balance as of June 30th of the current year, though the exact amount was too early to determine. Mayor Pro Tem Roberson expressed cautious optimism: Hopefully next year everything'll be a little bit better for us if we do rate adjustments and, of course, with the return on our money.

Assistant Town Manager Bowers also confirmed the town has adopted a minimum 25% fund balance requirement for the general fund, established many years prior, and clarified that this requirement applies only to the general fund and not to the enterprise funds.

Broad Budget Questions and Process Explanation

Councilwoman Hawkins offered a wide-ranging and candid set of observations and questions, prefacing her remarks by noting the time (approximately 6:20 p.m.) and expressing that she had substantial concerns to work through. She questioned the trajectory of the budget as presented across the three sessions, from over $10 million in deficit to $5 million, and then to a balanced position, asking what specific line items and departmental decisions drove the initial overages and how the dramatic reductions were achieved. She also questioned the Parks and Recreation budget, which she described

as approaching $2 million, and asked where the equitable distribution of that investment was, noting that the majority appeared concentrated in baseball, T-ball, and football programming, while youth and young adults have broader interests. She asked pointedly: How do we explain that explicitly? And when do we do that?

She raised further questions about police vehicle purchases, the timing and urgency of new patrol cars, and the broader equity of spending given what she described as unmet community transportation needs and staffing shortfalls in the fire department. She also referenced the sewer project as an example of expenses that were leading to utility rate increases and questioned how the budget could move from deep deficit to balance in a short span without sufficiently detailed public justification. This is people's money that we were left to be in charge of, she said my concern is to speak on behalf of people who have entrusted me.

Assistant Town Manager Bowers took the opportunity to walk through the full budget development process for the benefit of the council and public. He explained that the process begins in February, with staff establishing major milestones anticipated in the upcoming fiscal year, followed by revenue forecasting. He noted that most of the town's revenues grow at approximately 1–2%, while inflation is higher, creating a structural gap. 1 to 2% when inflation is much higher than that is a deficit right out of the gate, he explained. The initial $10 million figure reflected the full scope of departmental needs and council goals, a baseline of what would be required if we had the ability to go out and get all this work done. The second iteration, which reduced the deficit to approximately $5 million, was the product of each department head reviewing and cutting their own budgets, as they know their departments intricately. The final balanced budget was achieved through a combination of debt financing (approximately $2 million), reductions to pay raises, cuts to the water fund to bare minimums, and the use of fund balance across all funds.

Councilwoman Hawkins pressed further, reiterating that her desire for a detailed workshop where department heads would walk through their specific expenditures and justify each line item, particularly in capital outlay, was essential before approval. She expressed concern that passing the budget without that granular review amounted to rubber-stamping decisions without sufficient accountability.

Capital Outlay and Financed Items

Assistant Town Manager Bowers explained that items over $5,000 with an extended useful life fall into the capital outlay account, and that each department has included notes in the budget document describing those purchases. He then provided a detailed breakdown of all items being financed in the current budget:

- Police Department: Two vehicles with upfit packages, estimated at $120,575.
- Fire Department: One new squad/fire truck at approximately $1,300,000; a SCBA air pack compressor (mobile unit) at approximately $140,000 for self-contained breathing apparatus for staff.
- Public Buildings: Replacement of the roof at the police, fire, and rescue facility at $300,000, described as having exceeded its useful life and beginning to deteriorate.
- Public Works: One large dump truck at $250,000 and one pickup truck at $75,000.
- Recreation Fund: Hillcrest ballpark lights at $145,000; a park maintenance building at $200,000.
- Water Fund: A cost-share agreement for the 10-inch water line in Southbrook (first phase) at $92,000, the only item remaining after all other water fund capital was cut.
- Sewer Fund: Quail Trace regionalization and Quail Trace cost-share agreement for pump station capacity increase and force main, totaling $222,000 combined across two items.

Councilwoman Hawkins expressed surprise at the $1.3 million fire truck figure, to which Assistant Town Manager Bowers clarified: It's not like a personal vehicle. That is a full apparatus outfit. He added that it would be a replacement, not an addition to the fleet.

Park Maintenance Building and Hillcrest Park

Councilwoman Hawkins asked about the $200,000 park maintenance building, questioning where it was located and why the need was arising now. Assistant Town Manager Bowers explained that the building is located behind the older brick office building at Winterville Recreation Park, nestled in the woods back behind the playground, and between there and the ball field, and that the project had originally been planned two to three years prior. However, during that planning process it was discovered that adequate fire protection was lacking, requiring the installation of a new water line, which was completed the previous summer. With that infrastructure now in place, the construction project could proceed, financed through the budget.

Councilwoman Hawkins then turned to the condition of the basketball court at Hillcrest Park, citing a visible crack running from the base of the basketball goal through the court surface and around the perimeter. She expressed concern about safety and noted that in her view, the court was overdue for repair under any reasonable maintenance cycle. Assistant Town Manager Bowers acknowledged that the court had been inspected by the company that does playing surface work. He summarized the inspector's findings: the court is not quite ready for full surface improvements from a professional standpoint, with the recommendation being a couple of years before intervention would be warranted. He noted that staff had gone out and addressed the perimeter by banking the sides so there's not a trip hazard. The inspector did not find a safety concern at the time of review but acknowledged the town could move forward sooner if it chose to. Assistant Town Manager Bowers offered to share the written report with the council.

Councilwoman Hawkins was not fully satisfied with that assessment. She urged that the basketball court be prioritized, calling it overdue per the improvement cycle, and invited council members to physically inspect the court. Somebody can twist their ankle, she said. That is not okay. She recommended that the upgrade be advanced and noted that the inspector's timeline for a couple of years would kind of double the cycle in which it needs to be fixed. She also asked whether the walking trail improvements at both parks had been addressed; Assistant Town Manager Bowers confirmed that purchase orders had already been issued for that work and improvements were forthcoming, though a specific date had not yet been set.

Police Vehicles and Staffing

Councilwoman Hawkins questioned the purchase of two police vehicles, noting that she had observed patrol vehicles parked behind Winterville Square and questioned whether vehicles were being acquired in excess of current staffing levels.

Councilwoman Smith, addressing the staffing situation, clarified that the department had recently made three conditional offers to new officers and was working toward more, stating: Within this year I will be back, hopefully, full staff. She explained the specific vehicles being requested:

The first vehicle replaces a 2016 Explorer with over 112,000 miles that currently does not run and carries approximately $4,000–$5,000 worth of outstanding electrical and maintenance issues. The second replaces a 2016 Charger with approximately 113,000 miles, 10 years on a vehicle, 113,000 miles of rough mileage. She also noted that one officer, described as 6'8 and 360 pounds, was currently operating a vehicle that was physically too small for safe egress: one of these vehicles is specifically so we can have a safe egress out of that vehicle in case something happens. The second vehicle, a lower-cost F-150, is intended for the patrol lieutenant position, for which no vehicle currently exists. That vehicle would also serve a utility function: pulling the hot dog trailer, the Governor's Highway Safety trailer, the golf cart trailer, and transporting equipment to the range.

Councilwoman Smith concluded: We're still operating on a level of vehicles below what we should have and trying to be financially responsible in managing trading out the vehicles, at the same time trying to upkeep the vehicles we have.

Councilwoman Hawkins followed up, noting her observation of multiple vehicles sitting unused in the parking area. Councilwoman Smith accounted for each one: a vehicle for an officer on light duty, a vehicle for an officer on FMLA leave, and two non-functioning vehicles awaiting decommission. The three remaining vehicles were pre-allocated for the three incoming new officers. So, although it looks like a lot's sitting over there in that parking lot, they're either allocated already, or they're being decommissioned.

Councilwoman Hawkins acknowledged the clarification: It helps to clarify like a need for more vehicles. You got vehicles sitting there, and these are really just logical questions, so thank you.

Multipurpose Center

Councilwoman Hawkins raised the long-standing matter of the multipurpose community center, noting that the town had been discussing the project for over 21 years. She expressed frustration that the discussion has been ongoing while the community, particularly youth without transportation, continues to lack adequate indoor programming space beyond what is offered by the Boys & Girls Club.

Assistant Town Manager Bowers confirmed that nothing is budgeted for in the current FY 2026-27 budget to advance the project. He outlined what he believed the next appropriate steps would be: reaching out to the engineering firm to assess their schedule and capacity, determining the cost of a full design process, and bringing that information back to the council for a decision on how to proceed. He noted that council had previously approved moving forward to the next phase at an April 18th workshop with Moseley, and that preliminary estimates had been developed, but specifics of the building design had not yet been finalized.

Councilwoman Hawkins challenged the adequacy of the citizen engagement process that had accompanied the project thus far, referencing input collection that took place outdoors at the Watermelon Festival using sticky notes. She stated: There was no building, there was no place in which the citizens specifically were invited publicly. She called for a formal public meeting, separate from a festival, where community members could meaningfully participate in the visioning process. We need community people who live here, who have children or elders or whomever, doesn't matter the economic or demographics, but for the community to say what they want. She requested documentation of how previous input was collected and how many participants were actual Winterville residents.

Assistant Town Manager Bowers, acknowledging that Town Manager Parker was absent, indicated he did not want to speak on her behalf but expressed confidence that this would be a topic for discussion upon her return, and that additional input sessions were not off the table.

Mayor Pro Tem Roberson added that planned workshops would be public meetings and would be used to gather information on assorted topics, with staff directed to prepare information on each subject in advance.

Fire Department Staffing and Master Plan

Councilwoman Hawkins raised the question of fire department staffing in relation to the new fire apparatus being budgeted. She asked whether there was a plan to staff the new truck alongside the existing apparatus, noting that having the equipment without the personnel would be an incomplete solution.

Human Resource Director Angie Fuller responded that the fire department master plan was approximately six weeks from a draft being available. She described it as covering the whole spectrum, staffing, equipment, and facilities, projected out five to ten years. Councilwoman Hawkins confirmed her understanding that the master plan would include a framework for utilizing budget funds toward staffing growth: So we'll be awaiting the master plan to move forward.

Neighborhood Revitalization

Councilwoman Hawkins, reflecting on remarks she had made at a prior meeting, asked that the concept of neighborhood revitalization remain at the forefront of the council's priorities. She expressed concern that while Winterville is experiencing new development, established central neighborhoods have become dilapidated and run-down by comparison. When do we as a town, where we're growing and we're getting all of these new developments in, when do we invest in neighborhoods and areas that have been there? she asked. She acknowledged that budget constraints are real but argued: There are ways of doing some things, even financing things. I think if there's a will, there's a way.

Assistant Town Manager Bowers mentioned that the town had historically made use of Community Development Block Grants through USDA, though he was uncertain whether the town currently qualifies. He indicated a willingness to research available grant opportunities of a similar nature. Mayor Pro Tem Roberson suggested that HOME funding would also be a relevant avenue to explore. Councilwoman Hawkins asked whether a formal motion was needed to initiate that research; Assistant Town Manager Bowers indicated it was not, and that he would coordinate with Town Manager Parker upon her return, noting she has prior experience with the HOME program and would be better positioned to lead that effort.

Employee Compensation: COLA and Merit Pay

Councilwoman Smith and others revisited the compensation adjustments made to achieve budget balance. It was confirmed that four and a half staff positions had been cut from the budget, and that the COLA was reduced to 3%. The merit pay range was adjusted from a flat 2% in the prior year to a range of 1.25% to 2.25%, with the midpoint of that range used for budgeting purposes. Mayor Pro Tem Roberson noted that while the previous budget's maximum was 2%, the current budget's maximum of 2.25% is nominally higher, even as the floor was reduced.

Councilwoman Hawkins pressed the council and staff on the merit evaluation methodology, asking how employees are assessed to determine where they fall within the merit range. She questioned whether there was a formal, documented evaluation tool, drawing on her background in education to illustrate that evaluation systems should be measurable and evidence-based, and expressed concern that council members were being asked to vote on merit pay without visibility into the evaluation framework. She asked: Are we just going by good faith?

Assistant Town Manager Bowers acknowledged that evaluation documentation is not typically something we provide with the budget document, but indicated it could be made available. Human Resource Director Fuller confirmed that a formal evaluation form does exist for both part-time and full-time employees, used by supervisors to assess strengths and areas for improvement, with ratings corresponding to merit percentages. Mayor Pro Tem Roberson added context on the tiered evaluation structure: employees are evaluated by supervisors, supervisors by department heads, department heads by the town manager, and the town manager by the town council.

Councilwoman Hawkins requested that the evaluation form be shared with the council, and Human Resource Director Fuller agreed to provide it along with the percentage scale. Councilwoman Hawkins stated she hoped the form was current and reflective of modern performance standards: Hopefully it's not 10 or 20 years old, that it's updated, because 21st century, we have technologies.

New Positions and Additional Vehicles

Mayor Pro Tem Roberson asked whether any new positions were included in the budget. Assistant Town Manager Bowers confirmed there were no additional positions in any department. Mayor Pro Tem Roberson also asked about non-public-safety vehicles; Assistant Town Manager Bowers confirmed that the only standard vehicle in the budget was a pickup truck for Public Works (either an F-150 or F-250), with all other items being specialized apparatus or equipment.

Public Access to the Budget

Mayor Pro Tem Roberson and Assistant Town Manager Bowers informed the public that the FY 2026-27 budget document (Budget Three) is available online, with physical copies also available in the lobby of Town Hall and at the town library, three copies in total. Citizens with questions were invited to attend the public hearing scheduled for the following Monday at 6:00 p.m., where they would have the opportunity to formally speak on the budget. They were also welcome to email the town management team or contact council members directly.

ADJOURN: Mayor Pro Tem Roberson, finding no further discussion, entertained a motion to adjourn.

Motion made by Councilman Moye and seconded by Councilwoman Smith to adjourn the meeting. Motion carried unanimously, 4-0. Meeting adjourned at 8:00 pm.

Mayor Pro Tem Roberson thanked all those in attendance and the meeting was adjourned.

Adopted the 12th day of October 2026.

_____
Richard E. Hines, Mayor

ATTEST:

_____
Donald Harvey, Town Clerk

DRAFT

WINTERVILLE TOWN COUNCIL
MONDAY, JUNE 1, 2026 – 6:00 PM
BUDGET PUBLIC HEARING MINUTES

The Winterville Town Council met in a Regular Meeting on the above date at 6:00 PM in the Town Hall Assembly Room, with Mayor Richard E. Hines presiding. The following were present:

Richard E. Hines, Mayor
Veronica W. Roberson, Mayor Pro Tem
Brandy Harrell, Councilwoman
Shantel Hawkins, Councilwoman
Johnny Moye, Councilman
Lisa Smith, Councilwoman
Anthony Bowers, Assistant Town Manager
Charles Hamilton, Police Lieutenant
David Moore, Fire Chief
Cliff McGuffin, Public Works Director
Ron Mills, Electric Director
Jessica Manning, Finance Director
Evan Johnston, Building Inspector/Code Enforcement Officer
Diane White, Parks and Recreation Director
Stephen Penn, Planning and Economic Development Director
Angela Fuller, Human Resource Director
Kim Shular-Moore, Executive Staff Assistant
Donald Harvey, Town Clerk

CALL TO ORDER: Mayor Hines called the Winterville Town Council Fiscal Year 2026–2027 Budget Public Hearing to order at 6:00 PM on Monday, June 1, 2026, at 2571 Railroad Street, Winterville, NC 28590.

INVOCATION: The invocation was offered by Mayor Hines, who asked those present to bow their heads.

PLEDGE OF ALLEGIANCE: Following the invocation, Mayor Hines invited all in attendance to rise for the Pledge of Allegiance. All those in attendance recited the Pledge of Allegiance.

WELCOME: Mayor Hines welcomed all those present in the chamber as well as those watching remotely and introduced himself by name and title for the record.

ROLL CALL: Mayor Hines conducted roll call by individually calling each Council member's name. Present: ; Mayor Hines; Councilwoman Hawkins; Councilwoman Dr. Harrell; Mayor Pro Tem Roberson; Councilwoman Smith; and Councilman Moye.

Absent: None. Mayor Hines confirmed that a quorum was established.

APPROVAL OF AGENDA: Mayor Hines called for a motion to approve the agenda.

Motion made by Councilman Moye and seconded by Councilwoman Dr. Harrell to approve the agenda. Motion carried unanimously, 5-0.

PUBLIC HEARING:

Mayor Hines noted that Town Manager Parker was absent for the evening and that Assistant Town Manager Bowers would be conducting the public hearing portion of the meeting in the manager's absence.

1. Fiscal Year 2026-2027 Recommended Budget

Presentation by Assistant Town Manager Bowers

Assistant Town Manager Bowers thanked Mayor Hines and the members of the Council and extended his best wishes to Town Manager Parker. Assistant Town Manager Bowers then proceeded to present the proposed Fiscal Year 2026–2027 budget to those assembled.

Assistant Town Manager Bowers opened by characterizing the overall posture of the budget, stating that in its current form the budget is balanced, and that the total budget across all funds stands at $39,621,555. He highlighted several items of particular interest before moving into a fund-by-fund breakdown.

Most notably, Assistant Town Manager Bowers emphasized that the proposed budget includes no tax rate adjustments or increases for the current year. He did, however, note one rate change: an increase of $8.20 as a flat rate for the sewer fund, which he explained was necessary to cover debt service payments associated with large sewer pump station projects previously undertaken within the town.

Assistant Town Manager Bowers then walked the Council through each individual fund:

- General Fund: Total budget of $20,452,000, utilizing a fund balance appropriation of $2,350,000 and debt proceeds of $2.4 million.
- Recreation Fund: Total budget of $1,834,000, with debt proceeds of $345,000 being utilized. Assistant Town Manager Bowers paused to double-check this figure before confirming it for the record.
- Electric Fund: Total budget of $9,156,896, with retained earnings being used in the amount of $1,351,000. Assistant Town Manager Bowers noted that there were no new debt proceeds in the electric fund.
- Water Fund: Total budget of $2,336,000, with retained earnings contributions of $515,841 and debt proceeds of $92,000.
- Sewer Fund: Total budget of $4,016,000, with $257,700 in retained earnings used to balance the fund, and debt proceeds of $222,000.
- Storm Water Fund: Total budget of $1,078,881, with a contribution from retained earnings of $492,623.

Assistant Town Manager Bowers acknowledged that the Council would notice a common trend across the funds, specifically, the deliberate use of fund balance and retained earnings to help balance the budget for the current fiscal year, consistent with the direction given by the Council at prior budget workshops.

Looking ahead, Assistant Town Manager Bowers offered a candid note of caution on behalf of staff, stating that it is staff's recommendation that the Council really look at our rates as we move forward in the next fiscal year. He indicated that staff would be prepared to work with the Council through rate

studies and presentations to help navigate this issue as the town prepares for the following fiscal year. He then yielded the floor back to Mayor Hines.

Opening of Public Hearing; Mayor Hines formally declared the public hearing open, inviting any member of the public who wished to comment on the proposed Fiscal Year 2026–2027 budget to approach the podium and state their name for the record.

Public Comment, Ross Peterson, Town of Winterville Resident

Ross Peterson, a 30-year resident of the Town of Winterville, came forward to address the Council. His remarks were delivered in a candid, conversational, and warm tone, reflecting his evident affection for the community and his familiarity with municipal governance.

Mr. Peterson opened by expressing his appreciation to the Council for not raising taxes, acknowledging that he himself works for a municipality and understands the pressures that rising gas prices and construction costs place on budgets, saying, I get it. I got a big budget. Gas prices, construction costs, it all, have jumped. It's crazy.

Mr. Peterson then turned to the subject of employee compensation. He noted the difference between state and local government, observing that at the state level he received no raise, whereas local government employees rely directly on the Council's decisions. He expressed support for employee rises in principle, but asked the Council to be mindful, noting that the raise had been originally proposed at 7%, and is now at approximately 3% plus an additional 2 to 2.25%. He stated, I'm all for raises, but again, budget 2 to 3%.

Mr. Peterson also expressed genuine appreciation for the town's decision to absorb the increased costs of healthcare for employees, calling it a big jump of cost. He added a personal note, reflecting that he is fortunate to have a pension and employer-covered healthcare, while his three sons will have neither, underscoring the value he places on these benefits for the town's workforce.

He then offered a broader observation about growth in Winterville, urging the Council to be mindful of the pressures that rapid growth places on the town's utilities and infrastructure. In his words, Growth is hurting us and not helping us. I mean, tax revenue is great, but when it oversees our ability to do utilities, do our infrastructure, it just causes us more pain than it's worth. He characterized Winterville as a wonderful, simple community, one where residents are not demanding new amenities, and noted, by way of illustration, the modest turnout at the evening's meeting as evidence of a contented citizenry.

Mr. Peterson closed by thanking the Council for their service, acknowledging that their compensation is more like a volunteer, and reiterated his gratitude for the decision not to raise taxes. Mayor Hines thanked Mr. Peterson for his comments.

Continuation of Public Comment Period; Mayor Hines asked on multiple occasions whether any additional members of the public wished to speak on the proposed budget. No further members of the public came forward.

Closing of Public Hearing; Having received no further public comment, Mayor Hines formally declared the public hearing closed.

Assistant Town Manager Bowers addressed the Council following the closure of the public hearing, advising that the budget item would appear on the Council's agenda for Monday night's regular meeting, at which time formal action on the budget could be taken.

DRAFT

ADJOURN: Mayor Hines called for a motion to adjourn.

Motion made by Mayor Pro Tem Roberson and seconded by Councilwoman Dr. Harrell to adjourn the meeting. Motion carried unanimously, 5-0. Meeting adjourned at 6:19 pm.

Adopted the 12th day of October 2026.

Richard E. Hines, Mayor

ATTEST:

Donald Harvey, Town Clerk

DRAFT

WINTERVILLE TOWN COUNCIL
MONDAY, JUNE 8, 2026 – 6:00 PM
REGULAR MEETING MINUTES

The Winterville Town Council met in a Regular Meeting on the above date at 6:00 PM in the Town Hall Assembly Room, with Mayor Richard E. Hines presiding. The following were present:

Richard E. Hines, Mayor
Veronica W. Roberson, Mayor Pro Tem
Dr. Brandy Harrell, Councilwoman
Shantel Hawkins, Councilwoman
Johnny Moye, Councilman
Lisa Smith, Councilwoman
Keen Lassiter, Town Attorney
Terri L. Parker, Town Manager
Anthony Bowers, Assistant Town Manager
Charles Hamilton, Police Lieutenant
David Moore, Fire Chief
Cliff McGuffin, Public Works Director
Ron Mills, Electric Director
Jessica Manning, Finance Director
Evan Johnston, Building Inspector/Code Enforcement Officer
Diane White, Parks and Recreation Director
Stephen Penn, Planning and Economic Development Director
Angela Fuller, Human Resource Director
Willie Gay, Building Inspector/GIS Technician

CALL TO ORDER: Mayor Hines called the Winterville Town Council Meeting to order at 6:00 PM on Monday, June 8, 2026, at the Winterville Town Hall Assembly Room, 2571 Railroad Street, Winterville, NC 28590.

INVOCATION: Pastor Benny E. Williams of the Armor of God Christ Church delivered the invocation.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance followed the invocation.

WELCOME: Mayor Ricky Hines welcomed those present in the assembly room as well as those watching remotely.

ROLL CALL: Roll Call was taken, and a quorum was confirmed.

APPROVAL OF AGENDA: Assistant Town Manager Bowers presented the agenda, noting that there were no items to be amended or adjusted, and that the agenda as presented stood ready for approval.

Councilwoman Shantel Hawkins indicated she had a question regarding Consent Agenda Item No. 2, Budget Amendment 2025-2026-7, and asked whether she should raise it immediately or wait until that

point in the meeting. Town Attorney Lassiter explained that the item could be pulled from the consent agenda or discussed after the consent agenda, and that if her questions were minimal, it could potentially be answered then. Councilwoman Hawkins indicated her question might be lengthy and elected to wait until the council reached the consent agenda, noting she wanted to flag it prior to the agenda being approved.

Motion made by Councilwoman Smith and seconded by Pro Tem Veronica Roberson to approve the agenda. Motion carried unanimously, 5-0.

PROCLAMATIONS:

1. Parks and Recreation Month.

Building Inspector/Code Enforcement Officer Johnston read aloud the proclamation designating the month of July as Parks and Recreation Month in the Town of Winterville, citing the many benefits of parks and recreation including promotion of health and wellness, encouragement of physical activity, support of childhood development, contribution to community economic prosperity, and enhancement of environmental well-being. The proclamation referenced the U.S. House of Representatives' designation of July as Parks and Recreation Month and resolved that the Town of Winterville recognizes July, accordingly, bearing the signature of Mayor Richard E. Hines dated June 8, 2026.

PRESENTATIONS:

1. Nobel Canal and Railroad Street Stormwater Project and Update. (The Wooten Company, Will Larsen and Justin Bright).

Assistant Town Manager Bowers introduced the presentation, noting the Noble Canal and Railroad Street Stormwater project had been ongoing for many years. He introduced Will Larsen of The Wooten Company, who was joined by a representative from ARK Consulting.

The presenter, identified in context as a representative of The Wooten Company and ARK Consulting, opened by expressing appreciation for the opportunity to partner with the Town on one of its critical infrastructure projects. He provided a comprehensive overview of the Noble Canal stormwater project, beginning with its historical context. Noble Canal has been a longstanding stormwater issue for the greater downtown area of Winterville, with nuisance flooding frequently occurring after acute precipitation and tropical events, presenting both environmental and public health concerns. The Town undertook a 2017 study by CEPI and ARK Consulting, followed by a hydraulic study conducted by The Wooten Company in late 2023. Both study efforts led to the current construction recommendations.

The presenter explained that the Noble Canal watershed carries approximately 240 to 250 acres of watershed predominantly centered in downtown Winterville. Water flows from the east, funnels through the open channel known as Noble Canal, and continues westward toward Highway 11. The studies documented several existing infrastructure deficiencies: many pipe sections were set at reverse grade, causing water to attempt to flow uphill; numerous pipes were undersized; and the open channel geometry of Noble Canal did not promote effective flow for such a large watershed.

The presenter directed the council's attention to presentation materials in the council packet depicting a project overview divided into two distinct phases. Phase 1 encompasses improvements to the open channel portion of Noble Canal, the open ditch located to the west side of Mill Street, and the Tyson Street corridor extending to Railroad Street. Phase 2 encompasses the remaining upstream closed system work, including the area in front of W.H. Robinson Elementary School along Railroad Street. He explained that, just as with gravity sewer, stormwater projects must begin downstream and work upstream.

DRAFT

With respect to the open channel, the presenter stated that the canal will remain in its current location with minimal disruption to environmental and residential features. The canal is a blue-line stream subject to protected permitting. The cross-sectional geometry will be modified to convey a greater volume of stormwater flow without relocating the channel itself.

Regarding the Tyson Street corridor, the presenter described the complex nature of the design. The existing utility easement behind residences on the south side of Tyson Street contains a 72-inch pipe conveying 170 acres of the Noble Canal watershed. The recommended alternative is to disconnect a portion of that flow and convey it through a new stormwater pipe under Tyson Street, specifically a 36-inch storm line on the north side of Tyson Street. This approach was selected to decrease the overall capacity burden on the existing stormwater pipe, which is already partially compromised.

The presenter also noted that because the project required significant work along Tyson Street, staff and The Wooten Company determined it was efficient to simultaneously replace the existing undersized 2-inch water line along Tyson Street with a new 12-inch water line, upsizing to match the 12-inch line from GUC along Mill Street that currently bottlenecks down to 2 inches along Tyson before returning to 12 inches at the elevated storage tank. This work will improve water pressure for residents. Additionally, in coordination with the Town's pedestrian task force and given the required CSX permitting along Railroad Street, the project scope was expanded to include three pedestrian crossings, at Main Street, Depot Street, and directly in front of W.H. Robinson Elementary School, to avoid separate permitting processes and inspection fees in the future.

The presenter outlined a preliminary project schedule reflecting that 90 percent of plans had been presented to town staff for review, with permitting submissions in progress. Phase 1, encompassing the open channel and Tyson Street work, was estimated at approximately 100 construction days. Phase 2, which involves Railroad Street work near the school, was specifically timed to minimize disruption to school operations, with construction along the Railroad Street school frontage targeted during summer months when school is not in session.

Mayor Hines asked about the Tyson Street alignment, seeking to confirm that the new pipe would run along Tyson rather than in the rear. The presenter confirmed the 36-inch storm line would be installed under the northbound lane of Tyson Street from Railroad Street working westward to Mill Street, while the 12-inch water line would be on the south side of Tyson Street.

Mayor Pro Tem Roberson, noting that her family still lives on Tyson Street and that she was present when an earlier line was installed, asked why the project required going through the front of the properties rather than through the backyards where an existing line connects to Noble Canal. The presenter explained that both alternatives were evaluated in the 2023 memo. The primary advantage of the Tyson Street alignment is that it separates the watershed, decreasing the burden on the existing compromised backyard pipe, and allows both the stormwater and water line replacements to be accomplished simultaneously in a single project. He acknowledged that the houses on Tyson Street sit close to the edge of pavement, many within 5 to 10 feet of the back of curb, making behind-pavement installation impractical and risky due to potential structural impacts from construction equipment and vibration. By placing the utilities under the pavement, construction is more controlled and predictable.

Mayor Pro Tem Roberson expressed concern about disruption to residents, noting that the majority of those on Tyson Street are senior citizens who rely on access to doctors and grocery stores. The presenter acknowledged this as a distinct challenge and emphasized that the contractor will be contractually required to maintain accessibility to all residences throughout construction, to provide regular communication and updated construction schedules, and to use steel plates to bridge open excavations where needed. Town Manager Terri Parker interjected to clarify that the existing storm line behind the houses would remain active and in operation throughout the project; only a portion of the flow would be rerouted, resulting in a smaller quantity of stormwater flowing through the existing line at the project's conclusion.

Councilwoman Hawkins asked whether a final visual model of the finished Tyson Street project had been prepared so that council members could understand what constituents would experience. The presenter explained that the 90 percent plan sheets represented a final design level, and that the finished product along Tyson Street would essentially be a completely reconstructed road from curb to curb, with new storm and water utilities below, and fully repaved and restriped pavement as the end result. He noted this provided the additional benefit of not having to remobilize and disturb new asphalt at a later date for the water line work.

Councilwoman Hawkins noted that Phase 1 was estimated at 100 construction days but that summer months are only approximately 60 days. The presenter clarified that Phase 2 would be planned such that the work immediately in front of W.H. Robinson would be concentrated during the summer window, with Phase 2 construction beginning before the official end of the school year but focused away from the school's drop-off zone initially, then progressing toward the school frontage as summer recess begins. He further confirmed that downstream construction must be completed before upstream work can begin.

Councilwoman Hawkins asked about the impact to water pressure and water quality during construction. The presenter explained that during construction, the existing water line would remain active throughout the installation of the new line so that all existing customers retain access to the water system. After the new line is constructed, tested, and disinfected, customers will be transferred from the old line to the new line. This transfer results in approximately one to two hours of water service disruption per connection, and customers will be notified well in advance of the specific window.

Councilwoman Dr. Harrell asked whether future growth projections had been incorporated into the design. The presenter confirmed that the stormwater system was designed using predictive storm events set by NOAA, including 10-year and 25-year storm events based on regional historical trends, to size the infrastructure appropriately.

Mayor Hines thanked the presenter and expressed the council's anticipation of seeing the long-ongoing project move forward to completion.

2. Neighborhood Bike Program. (Anthony Bowers, Assistant Town Manager).

Assistant Town Manager Bowers presented an update on the Town's Neighborhood Bike Program, describing the item. He noted that Dr. Kat Dale, the Town's Safe Routes to School coordinator who also serves on the Vision Zero task force, developed a pilot neighborhood bikeway program, though she was unable to attend the meeting that evening.

Assistant Town Manager Bowers explained the program's origins: citizen John Relford brought the idea to Parks and Recreation Director White, who worked with Dr. Dale to develop a route. The pilot program's goals include helping residents identify safe bike routes in town and to key destinations, identifying infrastructure improvement locations, engaging community members in the bicycle-pedestrian plan, fostering a culture of active mobility through events such as bike parties, and demonstrating that low-cost roadway activity can encourage more biking trips.

The route is a 4.2-mile bidirectional loop covering the core part of town. It passes two schools, three parks, public service facilities, and downtown businesses, and leverages the existing bike lanes on Jones Street as well as connections to Hillcrest Park and the Neighborhood Connector. Temporary shared bike lane markings were installed throughout the route and are expected to last three to five months depending on traffic volume. QR code signage was placed along the route to collect resident feedback through an online survey.

DRAFT

Dr. Dale developed a series of three associated community events: one was held on May 23rd, with subsequent events planned for June 27th and July 25th, most involving ice cream social components. The program runs from approximately May through August with an evaluation planned at the end of August. The total cost of the pilot was $2,112.87, funded entirely through the Safe Routes to School grant, with no cost to the general fund.

Assistant Town Manager Bowers noted that the team evaluated route options on the east side of Old Tar Road, the core part of town, and the west side, ultimately determining the core part of town to be the best starting point for the pilot. Results from the survey and citizen response will be brought back to council after the pilot concludes.

Mayor Hines recognized Luke, a Safe Routes to School task force member in attendance, as well as Mr. Johnny Fleming, who volunteers on Saturday mornings teaching children how to ride bikes safely, including using strider bikes without pedals to develop balance. Mayor Hines noted that all children who participate leave with a helmet provided through the grant.

Town Manager Terri Parker thanked Assistant Town Manager Bowers, Dr. Dale, and staff for putting the program together and expressed hope that it would become a long-term initiative.

Councilman Moye thanked the presenters and encouraged riders to exercise caution even where road markings are present, noting that marked shared lanes do not confer the same separation as a dedicated bike lane.

Councilwoman Hawkins praised the program and asked whether the three events include safety instructions and guidance, and whether provisions exist for youth who arrive without helmets or bikes. Mayor Hines confirmed that helmets are provided to all participants through the grant, and that children who arrive without a bike are provided with one for use during the event. He recounted personally witnessing an event where children who had never ridden a bike were fitted with strider bikes, pedal-less bikes, and guided through an obstacle course to develop balance and safe riding skills. Assistant Town Manager Bowers added that Dr. Dale is a strong advocate for educating children and families on safe riding protocols, and that the Vision Zero task force's overarching goal is accident reduction.

Councilwoman Hawkins further stated she would personally like to donate a bicycle for any child who comes to an event without one, acknowledging her means as an educator are limited, but expressing a desire to promote equitable participation. She also noted concern about the visibility of any children walking alongside riders who do not have bikes. Assistant Town Manager Bowers clarified that the town's bikes, obtained through the grant, are loaner bikes used during events and not available to take home. He noted the town provides helmets and learning opportunities and that various programs exist through which children may eventually obtain a bike.

PUBLIC HEARINGS:

1. Ange Plaza Lot 19 Annexation

Planning and Economic Development Director Penn presented the annexation request for Ange Plaza Lot 19, located off Beacon Drive near the intersection of Beacon Drive and Vernon White Road. The applicant and owner is Carlos Moore Junior. The property is a 3.317-acre parcel zoned General Business. Notification was provided to adjoining property owners and published in the Daily Reflector. Staff recommended effective June 30, 2026.

Mayor Hines opened the public hearing. No members of the public came forward to speak either in favor of or against the annexation. Mayor Hines closed the public hearing.

DRAFT

Motion made by Councilman Moye and seconded by Councilwoman Smith to approve the annexation of Ange Plaza Lot 19, effective June 30, 2026. Motion carried unanimously, 5-0.

2. Town Owned Property Annexation - Jeanette Street; Parcel Number 89181.

Planning and Economic Development Director Penn presented the annexation of a 10-acre town-owned parcel located at the termination of Jeanette Street and Milton Drive, adjacent to Worthington Heights and Robinson Heights subdivisions, just north of Robinson Heights. The parcel is zoned Agricultural Residential. The Town of Winterville is the applicant. Notice was provided to adjoining property owners and published in the Daily Reflector. Staff recommended effective June 30, 2026.

Mayor Hines opened the public hearing. No members of the public came forward. Mayor Hines closed the public hearing.

Motion made by Councilwoman Smith and seconded by Councilwoman Dr. Harrell to approve the annexation of the town-owned property at Jeanette Street, Parcel Number 89181, effective June 30, 2026. Motion carried unanimously, 5-0.

3. Town Owned Property Annexation - Church Street Ext.; Parcel Number 92244.

Planning and Economic Development Director Penn presented the annexation of a 10.96-acre town-owned parcel located on Church Street Extension, just south of the Winterville Operations Center, zoned General Business. The Town of Winterville is the applicant. Notice was provided to adjoining property owners and published in the Daily Reflector. Staff recommended effective June 30, 2026.

Mayor Hines opened the public hearing. No members of the public came forward. Mayor Hines closed the public hearing.

Motion made by Councilwoman Dr. Harrell and seconded by Councilman Moye to approve the annexation of the town-owned property on Church Street Extension, Parcel Number 92244, effective June 30, 2026. Motion carried unanimously, 5-0.

4. Town Owned Property Annexation - Laurie Ellis Road; Parcel Number 92799.

Planning and Economic Development Director Penn presented the annexation of a town-owned parcel on Laurie Ellis Road, located opposite the Brookfield subdivision and east of the proposed Southbrook subdivision. The acreage was initially stated as 1.85 acres; Mayor Hines noted a correction to 1.65 acres, which Planning and Economic Development Director Penn confirmed. The parcel is zoned Agricultural Residential. The Town of Winterville is the applicant. Notification was provided to adjoining property owners and published in the Daily Reflector. Staff recommended effective June 30, 2026.

Mayor Hines opened the public hearing. No members of the public came forward. Mayor Hines closed the public hearing.

Motion made by Councilman Moye and seconded by Mayor Pro Tem Moye Roberson to approve the annexation of the town-owned property on Laurie Ellis Road, Parcel Number 92799, consisting of 1.65 acres, effective June 30, 2026. Motion carried unanimously, 5-0.

5. Vernon Crossing Rezoning.

Planning and Economic Development Director Penn presented a rezoning request for the property known as Vernon Crossing, located on Railroad Street Extension between the intersections of Worthington Street and Vernon White Road. The applicant is Ward and Smith, representing property owner Ashley Elks. The property is 13.48 acres currently zoned Agricultural Residential (AR), and the

proposal seeks rezoning to an R-6 Conditional District with the following conditions: all lots shall be exclusively used for single-family detached residential homes; all lots shall contain a minimum of 8,000 square feet; all homes shall contain a minimum of 1,800 square feet of heated space; at original construction, all homes shall include brick or stone accents on the front elevation; at original construction, all homes shall include vinyl shake or board-and-batten accents; all homes shall include a two-car garage; all front yards shall be sodded with construction of the home; and a landscaping berm shall be installed along Railroad Street.

Planning and Economic Development Director Penn provided contextual information about the site, noting it is vacant agricultural land surrounded predominantly by residential and some agricultural uses. The site is designated as Urban Neighborhood in the Town's Future Land Use Plan, which calls for predominantly medium-sized lots with single-family detached residential homes, at a density range of 3 to 8 dwelling units per acre, with potential zonings including R-12.5, R-10, R-8, or R-6. Planning and Economic Development Director Penn noted the primary distinction between R-6 and R-8 is lot width: R-6 requires a 50-foot lot width versus R-8's 70-foot lot width. He noted that an ideal site with 8,000 square foot lots at 50-foot widths could theoretically yield approximately 4.2 to 4.6 units per acre, but the applicant's own design anticipates fewer lots than that theoretical maximum.

Planning and Economic Development Director Penn reviewed the history of a prior rezoning request on the same property, previously known as Waterford Crossing, which was considered in 2023 under different ownership. That prior request, which featured 7,000 square-foot minimum lots, 1,500 square-foot minimum homes, vinyl exterior construction, and no brick or stone conditions, was denied by the Planning and Zoning Board in January 2023 and by the Town Council in March 2023. He noted that the current proposal represents a new rezoning request by a new owner with more stringent conditions, including larger minimum lot sizes, larger minimum homes, and enhanced architectural requirements. The current proposal was heard by the Planning and Zoning Board at their April meeting, which recommended approval by a vote of 8 to 1.

Planning and Economic Development Director Penn stated that staff recommends approval, finding the R-6 Conditional District request to be consistent with the intent and purpose of the Comprehensive Land Use Plan and compatible with existing development and trends in the area. He reminded council that the motion before them was a rezoning request, and that when considering it they should look at the comprehensive land use plan and the reasonableness of the request.

Councilman Moye asked Planning and Economic Development Director Penn to explain what the Winterville Comprehensive Land Use Plan is. Planning and Economic Development Director Penn explained that it is a community-developed document adopted in 2019 following extensive public input, designed to guide future zoning decisions by identifying what type of development is appropriate for each area of town. He noted that for this specific site, the recommendation in the plan is Urban Neighborhood use, which contemplates the range of zonings and densities described. Councilman Moye indicated he understood.

Councilwoman Hawkins stated she would hold her questions until after the public hearing.

Public Hearing Opened. Speakers in Opposition:

Michael Moore, a 20-year resident of 237 Foxcroft Lane in Winterville and member of the Waterford subdivision, spoke in opposition. He noted that the prior proposal had contemplated approximately 55 lots and observed that the new applicant's map shows a similar number. He stated that while the 8,000 square-foot lot minimum sounds larger, the R-6 lot width of 50 feet allows the developer to maximize density within that constraint by placing many narrow widthwise by side, even if their area exceeds 8,000 square feet, characterizing this as shoving as many houses in there as he can width-wise. He said the actual density difference from the denied 2023 proposal is minimal, with roughly 40 lots now versus 55 before. He stated that Waterford residents are not against development, but that their main

concerns are density and stormwater drainage. He explained that there is a ditch between Waterford and the subject property, that all stormwater from Waterford flows to that ditch and diagonally through the property to Vernon White and Railroad Street, and that the existing pipe under Vernon White is undersized, causing flooding at that intersection and within Waterford itself. He noted there is a similar undersized pipe under Beacon Drive. He cautioned that adding impervious surface without correcting those deficiencies would worsen flooding. He also cited language from the Town's Comprehensive Land Use Plan indicating that survey respondents strongly support larger lots, that new subdivisions should set aside usable open space beyond floodplains and wetlands, that intersection improvements are needed at Vernon White and Highway 11 and at Vernon White and Railroad Street, neither of which have been addressed, and that the plan itself states it may be necessary to deny rezonings that are premature or do not fit well with surrounding areas even if the future land use map supports the rezoning.

Jeff Greenberg, a resident of 2216 Wolf Trap Road in the Waterford subdivision, spoke in opposition, focusing on the traffic safety implications. He argued that Railroad Street is not properly designed or intended for the volume of traffic this development would generate. He referenced a DOT study indicating that this type and density of development would exponentially increase daily vehicle trips on Railroad Street. He described the intersection of Vernon White and Railroad Street as one of the most dangerous in all of Winterville, if not Pitt County, and shared that his daughter and a close friend's daughter had each been involved in accidents at that intersection through no fault of their own. He noted that W.H. Robinson Elementary School sits directly on Railroad Street and that he witnesses the volume of school drop-off and pickup traffic firsthand, as his wife is a kindergarten teacher at the school. He further noted that a newly approved commercial property around the corner on Vernon White and increasing commercial activity on Beacon Drive would compound traffic in that corridor. He reminded the council that traffic safety was one of the primary reasons the prior rezoning was unanimously denied three years ago and asked the council to consider those same safety concerns again, stating that the intersection has no plans to be redesigned to manage additional volume.

Bill King, a 23-year resident of Waterford, spoke in opposition. He offered that when he built his home, he and his neighbors cooperatively addressed stormwater issues between their properties by installing yard inlets at their own initiative. He said that when the current developer approached Waterford residents, he presented essentially the same plan that was denied previously, and that residents were again resistant. He reiterated that residents' concern is not with development per se but with compatibility, the jump from an R-20 standard to an R-6 standard is large and asked that the developer work collaboratively with the neighborhood to reach something more compatible. He stated simply, We could all work together with it.

Jeff Foster, a 15-year resident of 175 Foxcroft in Waterford, spoke in opposition. He recalled that at the time of the 2023 denial, Councilwoman Dr. Harrell asked him what it would take for the neighborhood to support the development, and he responded that they were willing to collaborate with any developer. He stated that the new developer acquired the property approximately one year ago, held one meeting with some Waterford residents, and sent a mailer to over 50 owners, receiving only one reply. He expressed frustration that the developer's version of collaborating with us consisted of showing us a plan and saying this is what I'm going to do. Mr. Foster emphasized that residents are not opposed to the property being developed but want it to be consistent with the character of the surrounding neighborhood. He noted that under the proposed plan, approximately three new lots would back up to each existing Waterford lot along Foxcroft Lane. He acknowledged the council's prior decision was unanimous and called it a solid decision based on information that has not materially changed, the density concerns remain, the drainage issues remain, and assurances made at the prior hearing about the improvements needed have not been fulfilled. He asked the council to again deny the request.

DRAFT

Speakers in Favor:

Sam Frank of Ward and Smith, representing applicant Ashley Elks, presented on behalf of the applicant. Ashley Elks, the property owner, and civil engineer Brian Fagundis of ARK Consulting joined him. Mr. Frank stated he would address the concerns raised by neighboring residents, including the prior rezoning, density, drainage, traffic, the level of community engagement, the lot width alignment, and the concept, which he characterized as incorrect, that neighbor approval is required for a rezoning.

Mr. Frank confirmed the site is 13.5 acres currently zoned AR, which by right permits a wide variety of uses including farming, livestock farming with a special use permit, a community recreation center, public or private schools, and government administration facilities. He noted that immediately to the south of the subject site is a 2.9-acre parcel already zoned R-6 and owned by the same party, containing 8 R-6 lots, none yet developed. The proposed development contemplates combining those two parcels into a unified community of 49 total lots, with 40 lots on the parcel being rezoned tonight.

On the prior rezoning, Mr. Frank stated that zoning is a purely legislative act and that each case must be considered with its own merits at the time of consideration. He noted the prior request was made by a different developer with a different plan at a different time when the comprehensive plan had only recently been adopted and not yet well exercised.

On community engagement, Mr. Frank stated that the current owner acquired the property approximately one year ago and almost immediately held a meeting with Waterford residents to understand their concerns. Following that meeting, a mailer was sent to all 50-plus Waterford property owners; only one reply was received. Outreach continued through the summer and fall of 2025. The conditions proposed for the rezoning, including the requirement for single-family homes only (R-6 permits townhomes and duplexes), the 8,000 square-foot minimum lot size (R-6 permits 6,000), the 1,800 square-foot minimum home size, the brick or stone accent requirements, the vinyl shake or board-and-batten requirements, the two-car garage requirement, the sodded front yards, and the landscaping berm along Railroad Street, arose directly from comments received from neighbors.

On density, Mr. Frank noted that the 40-lot design on 13.5 acres yields just under 3 dwelling units per acre, barely meeting the minimum density threshold of the Urban Neighborhood character area designation of 3 to 8 units per acre. He argued this demonstrates a design intentionally calibrated to minimize density concerns while still being consistent with the comprehensive plan.

On traffic, Mr. Frank presented a comparison showing that the most intense use currently permitted by right under AR zoning, a community recreation center, would generate 122 peak-hour trips, compared to 51 peak-hour trips from the proposed residential development. He characterized the proposal as downzoning when it comes to traffic intensity. He also noted that because the new road through the development would be built entirely on private property, construction would have no impact on public infrastructure except for the nominal connection points.

On drainage, Mr. Frank explained that the Waterford development was built at a time when stormwater management was not required and therefore contains no stormwater management facilities, only drainage infrastructure. The proposed development, however, is required by state law (for disturbances greater than one acre) to incorporate stormwater management facilities. A stormwater management pond will be located at the north end of the site to collect, filter, and slowly discharge runoff. The design includes a proposed new drainage easement on the Vernon Crossing side of the shared property boundary, in addition to the existing easement on the Waterford side, creating a minimum of 60 feet of separation between potential building envelopes on each side of the boundary before setbacks are even considered. A 20-foot vegetative buffer is also proposed within that easement. He stated that nothing about the proposed development will change how drainage leaves the Waterford community, and that Vernon Crossing will be responsible for maintaining its share of the shared drainage facility along the common boundary.

On the berm, Mr. Frank confirmed a landscaped berm with shrubbery along Railroad Street is included to improve visual appeal and serve as a buffer between the right-of-way and the homes.

On the lot width misunderstanding, Mr. Frank clarified that the claim that three Vernon Crossing lots would back up to each Waterford lot is mathematically inaccurate. With 80-to-100-foot-wide lots on the Waterford side and 50-foot-plus wide lots on the Vernon Crossing side, at most two Vernon Crossing lots would abut one Waterford lot before even accounting for the 60-foot buffer.

Mr. Frank concluded by reiterating that staff and the Planning and Zoning Board, which voted 8 to 1 to recommend approval, found the proposal consistent with the comprehensive plan and in the best interest of the community. He offered to answer questions and introduced Ashley Elks and Brian Fagundis for technical questions.

Mayor Pro Tem Roberson asked about recreation space within the development. Planning and Economic Development Director Penn clarified that at the preliminary plat stage, the developer would be required to either dedicate recreation land or pay a fee in lieu. Mr. Frank acknowledged this and noted there is also a sidewalk requirement along Railroad Street. He was candid that, given the 13-acre site with its stormwater pond, buffer, berm, and road requirements, there is not sufficient land area remaining for a large active recreational space, and he did not anticipate that being part of the final plan. He confirmed, however, that the proposal exceeds the town's minimum open space requirements.

Councilman Moye asked about the one reply received to the community mailer. Ashley Elks responded that the reply was not a statement of opposition but a technical question, related to car counts or a similar matter, which was addressed by informing the respondent it would be resolved at the preliminary plat stage. The respondent also inquired whether his wife could list houses in the development.

Councilman Moye also asked about the location of the stormwater pond and whether it would interfere with a nearby utility substation. Civil engineer Brian Fagundis confirmed that the pond would not interfere with the substation, as it would be designed to handle normal storm events with an overflow spillway for larger events.

Councilwoman Dr. Harrell noted the theme of compromise that residents had articulated and said she still believed in a collaborative approach. She asked Planning and Economic Development Director Penn what factors influenced the Planning and Zoning Board's approval this time compared to 2023. Planning and Economic Development Director Penn reiterated that every rezoning must be reviewed as a brand-new application on its own merits and that there were notable differences from the prior proposal.

Councilwoman Smith asked Mr. Frank to clarify his earlier reference to a misunderstanding about lot widths. Mr. Frank clarified that his reference was to the misconception that three Vernon Crossing lots would sit behind each Waterford lot, which he said, mathematically doesn't work and is not reflected in the actual plan layout.

Councilwoman Hawkins asked whether the total number of proposed lots is between 40 and 50 or closer to 50. Mr. Frank confirmed that the full conceptual plan shows 49 lots, but that 9 of those are on the already-R-6-zoned parcel to the south, not on the parcel being rezoned tonight. The parcel before the council will have 40 lots.

Charles Lewis, a 25-year Waterford resident at 2293 Wolf Trap Road, spoke in favor of the Vernon Crossing proposal, offering a perspective from within the Waterford neighborhood in support. He stated his belief that it is the most practical use of the land and that he would rather see Vernon Crossing built than see the land converted to commercial use, citing the example of a property on Vernon White Road

where a house was demolished for commercial development, or to an industrial use such as a data center substation, or to multifamily housing such as apartments, duplexes, or townhomes. Mr. Lewis noted that homes in the development would sell for approximately $400,000, which would increase property tax revenue for the town and, he believed, increase rather than decrease property values in Waterford. He spoke favorably of the proposed drainage easement expansion on the Vernon Crossing side, noting it would allow the town to access the Waterford storm drainage system from the downstream end to clean out accumulated debris, pine straw, mulch, sediment, beaver dams, which he said he does not believe has ever been cleaned since the Waterford development was constructed. He concluded that the Vernon Crossing design is being built under modern regulations that require stormwater management, unlike the older Waterford infrastructure, and that this represents an improvement for the overall drainage system.

No further speakers came forward. Mayor Hines closed the public hearing.

Mayor Hines reminded council that the matter before them was a rezoning request.

Councilwoman Smith stated that after reviewing phone calls from residents received prior to the meeting, conducting personal research, and considering all that was presented, she believed the proposed rezoning is consistent with the Town's Comprehensive Land Use Plan, is reasonable, and is in the public interest.

Councilwoman Hawkins expressed concern with approving the R-6 rezoning. She stated her concern was not personal but philosophical, about the type of growth Winterville is pursuing and whether it prioritizes people over profit. She referenced the difficulty the council experienced during recent budget meetings, struggling to align infrastructure with growth, and argued that approving more dense development before infrastructure is properly in place is counterproductive. She noted that the estimated home price of $350,000–$400,000 places ownership out of reach for many teachers and civil service workers. She said that 45 homes multiplied by two persons per home represents approximately 90 additional people, impacting traffic, trash and recycling, electricity, citing a recent transformer failure, and school conditions at W.H. Robinson, where students have reduced lunch periods due to overcrowding. She stated her position as people over profit and opposed approval at this time, arguing the town should first align its underground infrastructure before approving additional development.

Councilwoman Smith responded in rebuttal. She noted that for this particular development, infrastructure is already in place, the site would be served by Winterville Electric, the town's only self-sustaining enterprise fund. She emphasized that the sidewalk addition represents a safety and walkability improvement the town frequently discusses. She acknowledged that housing costs have increased nationwide but noted programs such as the Good Neighbor program exist to assist those in service roles. She reminded herself of her fiduciary duty to the town as a whole and cited specific benefits: a local builder who would bring local jobs and accountability, a site with varied surrounding zoning where development of some kind is inevitable, and the risk that waiting might invite an out-of-state developer with less community accountability.

Motion made by Councilwoman Smith and seconded by Mayor Pro Tem Roberson to approve the rezoning request. Motion carried 3-2. Councilwoman Harrell, Councilwoman Hawkins opposed.

A short recess was taken following the public hearings.

PUBLIC COMMENT: Mayor Hines read the Town's public comment policy into the record, noting that the period provides a maximum of 30 minutes for residents to comment on any agenda item or any other matter related to the Town of Winterville, with individual speakers limited to three minutes and no more than three speakers on a single matter.

1. Pastor Benny E. Williams - Christ and Cars; Armor of God Christian Church.

Jermaine Clark, a member of the Armor of God Christian Church in Winterville, addressed the council on behalf of the church's outreach efforts. He described the church's Christ in Cars event as a vehicle for naturally integrating Christian fellowship in a welcoming and inclusive manner, providing a vital space for young generations to feel valued and connected. He formally requested permission from the Town Council to host the Christ in Cars event within the Town of Winterville, stating the church believes the event would significantly contribute to local fellowship and provide a welcoming space for youth and community members to connect and grow.

Mayor Hines asked whether a date had been identified. Mr. Clark indicated the church is very flexible, mentioning July 11th as one possibility, or any Saturday in July or August, including Saturday mornings, Saturday evenings, or Sunday afternoons following church.

Town Manager Terri Parker and Mayor Hines noted the event would use the Sylvania Street park area and suggested that Mr. Clark and Pastor Williams coordinate with Recreation Director White to identify available dates and work through logistics.

Pastor Benny E. Williams then addressed the council to elaborate on the event. He described the Christ in Cars event as a community gathering designed to bring people together, particularly youth, and characterized it as family-focused and open to all ages. The event will feature car shows with a variety of vehicles, a gaming truck with the latest games, free food, and other family-friendly activities, at no cost to the town. He explained that the church had originally considered Hillcrest Park, but the anticipated attendance was too large for that venue, which is why they came before the council to seek a suitable location. Pastor Williams emphasized his passion for working with youth and expressed hope that investing in children today will produce future community leaders.

Councilwoman Dr. Harrell thanked Pastor Williams and his church for investing in the town's youth and moved to approve the event.

Motion made by Councilwoman Dr. Harrell and seconded by Councilwoman Hawkins to approve the Christ in Cars Family Faith Fellowship Funday event, to be coordinated with the Parks and Recreation Department and Recreation Director White for date and logistics. Motion carried unanimously, 5-0.

During discussion, Councilman Moye asked whether the church would need public safety officers present and what size group was anticipated, so that appropriate staffing could be arranged. Mayor Hines and Town Manager Terri Parker indicated that those logistics would be worked out during the coordination meeting with Director White and the police department. Councilman Moye also asked about cleanup, and Mr. Clark confirmed the church would have a dedicated cleanup team and would leave the park as they found it. Town Manager Terri Parker confirmed that the town's standard requirement for park event hosts is that they perform their own cleanup.

Mayor Pro Tem Roberson used the occasion to commend Pastor Williams and the Armor of God Church for the many contributions they have already made to Winterville, including prior food distribution efforts and regular free food giveaways on Saturdays.

Speaker 2: Brandy Daniels (Winterville Resident and Planning and Zoning Board Member)

Brandy Daniels, a resident at 2945 Foxglove Drive, Winterville, and a member of the Planning and Zoning Board, addressed the council with two observations. First, she noted that the meeting had passed 8:00 PM without completing the first page of the agenda and suggested the council consider rearranging the agenda structure to address this recurring issue. She specifically proposed that presentations, often given by parties who are investing in the town or seeking approvals and who leave

once their portion is complete, be moved later in the agenda, while new business and public comment be moved earlier so that committed community members and council are not waiting until late in the evening for items of broad interest. She noted that at the Planning and Zoning Board, the rezoning presentation heard that evening took the bulk of their meeting, but the board itself took only three minutes to vote. She suggested a time limit for presenters, such as 10 minutes, might help manage meeting length. Second, Ms. Daniels thanked Mayor Pro Tem Roberson, Councilwoman Hawkins, and Councilwoman Dr. Harrell for their advocacy on behalf of the senior residents of Tyson Street during the stormwater project presentation, noting she does not live on Tyson Street herself but appreciated hearing those concerns raised.

CONSENT AGENDA:

Items included in the Consent Agenda:
1. Approval of Council Meeting Minutes.
2. Budget Amendment 2025-2026-7.

Prior to the motion, Councilwoman Hawkins requested clarification on Consent Agenda Item No. 2, Budget Amendment 2025-2026-7, noting that the title's formatting, 2025-2026-27, was confusing and had prompted questions from citizens she had spoken with who could not determine what the item entailed or what year it covered.

Town Manager Terri Parker asked Finance Director Jessica Manning to come forward. Finance Director Manning clarified that the item designation 2025-2026-7 refers to the seventh budget amendment for the current fiscal year 2025-2026 and does not affect the upcoming 2026-2027 budget year.

Councilwoman Hawkins thanked Finance Director Manning for the clarification and suggested that in the future, the seventh amendment indicator be placed in parentheses or otherwise formatted more clearly to distinguish it from a fiscal year designation.

At Councilwoman Hawkins' further request, Finance Director Manning walked through the details of the budget amendment:

Item 1 reflected increases to year-end revenue estimates, including current-year taxes by $120,000; prior-year taxes by $17,000; vehicle property taxes by $30,000; heavy equipment tax by $10,000; local option sales tax by $150,000; and beer and wine excise tax by $8,700, collectively increasing the fund balance appropriation.

Item 2 decreased the school resource officer grant proceeds due to resource officers being out for a period of time, while increasing asset forfeiture fund receipts by $39,000.

Item 3 included several small adjustments: increasing site plan construction review by $5,500; decreasing building inspections by $18,000; adjusting EMS reimbursement budget by $5,000; and adjusting police event pay by $23,400.

Item 4 accounted for the radio purchase grant of $510,000, reduced the debt service proceeds line by $765,000, and moved $255,000 from fund balance toward the radio purchase.

Item 5 accounted for a $65,000 insurance check received for a fire department truck that was in an accident and totaled.

Item 6 increased the Mill Street sidewalk project line by $25,100 for the local match.

Item 7 decreased various salary and wage line items and corresponding payroll line items across departments to true up year-end figures due to vacancies and other factors. Town Manager Terri Parker specifically noted these were decreases, not increases, to avoid public concern.

Item 8 increased the power bill distribution revenue budget by $7,100.

Item 9 decreased electric sales budget by $385,000 and electric sales tax by $10,000 due to a reduction in the power cost adjustment, meaning less revenue than originally projected; while electric purchase for resale increased by $260,000 to account for increased power costs.

Item 10 trued up debt proceed line items for small differences between financed amounts and actual costs.

Item 11 increased capital reserve accounts for funds collected during the fiscal year: Recreation $12,715; Electric $67,000; Water $55,800; Sewer $107,500.

Item 12 increased asset forfeiture by $43,980 to cover anticipated lease expenditures from that fund.

Finance Director Manning estimated that the net effect on the general fund would be approximately $750,000 returning to fund balance. Town Manager Terri Parker noted this is an estimate subject to audit adjustment, and that the money would remain in the unrestricted fund balance until council appropriates it for a specific purpose.

Councilwoman Hawkins asked why this amendment was presented at this meeting rather than at a budget meeting. Town Manager Parker explained that the last budget amendment of a fiscal year is customarily presented at the last regular council meeting of that fiscal year. Councilwoman Hawkins asked whether the $750,000 would roll over into the new fiscal year. Finance Director Manning confirmed it rolls over as fund balance. Town Manager Parker clarified that it stays in the fund balance account, restricted and unrestricted portions, and is not available to spend without subsequent council appropriation.

Councilwoman Hawkins also asked where the full details of the amendment could be found, noting she had not seen it in her packet. Town Manager Parker directed council and the public to pages 121 through 123 of the full agenda packets posted on the town's website.

Motion made by Councilwoman Smith and seconded by Mayor Pro Tem Roberson to approve the consent agenda including the Approval of Council Meeting Minutes and Budget Amendment 2025-2026-7. Motion carried unanimously, 5-0.

OLD BUSINESS: There was no old business.

NEW BUSINESS:

1. FY 2026-2027 Budget Ordinance.

Town Manager Terri Parker presented the FY 2026-2027 Budget Ordinance, noting that after many meetings, budget sessions, and considerable back-and-forth discussion, the document before the council represents the formal budget ordinance required for adoption of the fiscal year 2026-2027 budget. She explained the ordinance is organized by funds, with revenues and expenditures outlined by department, and includes enterprise fund budgets. She noted that Section 17 establishes the tax rate at 45 cents per $100 of valuation, unchanged from the current fiscal year 2025-2026, and clarified that contrary to some discussion in the public, there is no tax increase in this budget.

Councilwoman Hawkins raised a series of detailed questions during discussion. First, regarding Parks

and Recreation, she asked how the approximately $1.8 million Parks and Recreation budget reaches all residents equitably, noting that the line items she reviewed appeared to focus on baseball (including Cal Ripken Baseball, T-ball, and adult baseball) and football, with other programs charging participant fees. She asked specifically what programs are accessible to senior residents, residents with disabilities, and the broader diverse community. Town Manager Terri Parker acknowledged that the budget covers salaries and benefits for all parks and recreation employees, including part-time staff, as well as the costs of maintaining all park facilities, and that a senior citizen drop-in program currently exists. She noted that Parks and Recreation is actively working to expand programming and that upkeep of park facilities extends benefits to all residents and visitors regardless of where they live.

Recreation Director White stepped forward to elaborate. She stated that staff discussions have included looking at programs for seniors with disabilities, teen programming, and outreach to senior centers to identify desired activities. For teen programming, Director White proposed having a QR code available at school open houses to solicit student input on desired programs. She indicated the goal is to have teen outreach ready by the time school begins in the fall, and to reach out to South Central High School and A.G. Cox Middle School, as well as to senior centers in the summer.

Councilwoman Hawkins pressed for a timeline and expressed concern that the town has approximately 2,500 children and 750 veterans with disabilities to whom deserve programming from the general fund they collectively contribute. She also raised the multipurpose center, noting that no funding was included in the new budget for a community or multipurpose center that could serve youth, seniors, and diverse populations, despite prior allocations and discussion. She stated that without a covered, indoor facility, children are left in the sun and inclement weather during recreation activities.

Councilwoman Hawkins then asked about a line item she identified as $1.3 million for two police vehicles and Uplift equipment. Assistant Town Manager Bowers clarified that $1.3 million is for the new fire department squad (fire truck), not police vehicles. The two police vehicles were separately budgeted at approximately $120,574 combined, which is a more standard cost.

Councilwoman Hawkins then asked about a $795,000 item she described as facility upgrades or repairs, and whether any of it included a $60,000 storage unit. Town Manager Terri Parker and Assistant Town Manager Bowers walked through the components: a major portion covers the fire department roof replacement; there is a temporary 15,000 storage barn for interim use; a new permanent shop/barn budgeted at $200,000; HVAC replacement across multiple buildings including the library and operations center at $60,000; and $60,000 for flooring at the Public Safety Building. Town Manager Parker noted that the town's budget notation system presents the dollar figure before the description, which can cause confusion when reading line items, and expressed appreciation for the clarifying discussion.

Councilwoman Hawkins then asked about a $55,000 line item for police evidence room expansion. Police Lieutenant Charles Hamilton explained that the current evidence room, approximately 13 by 16 feet, is operating at full capacity from floor to ceiling. The expansion will use the existing Sally Port garage bay area to expand the evidence room by approximately 130 percent, cutting through the wall and adding a separate access point, to comply with the League of Municipalities risk assessment recommendation for separate secure storage of money, drugs, and jewelry. The town is also pursuing a grant from the League of Municipalities beginning in August to help offset the cost. Lieutenant Hamilton also described the HVAC improvements associated with the expansion needed for ventilation of drug evidence.

Councilwoman Dr. Harrell asked how long evidence must be held. Lieutenant Hamilton explained that evidence must be retained until the disposition of the case, and that a court order is required to destroy it. Cases can remain open for two to six years or longer, making expanded storage a genuine operational necessity.

Councilwoman Dr. Harrell proposed that the council establish a formal quarterly budget review process going forward, to allow questions and concerns to be addressed throughout the year rather than only at the time of adoption. She also suggested developing a multi-year financial forecast to allow for strategic planning beyond a single fiscal year.

Mayor Pro Tem Roberson responded to concerns about the lateness of budget questions, noting that the council had conducted three or four budget meetings and was given many opportunities to review all expenditures through digital and printed formats, and that materials had been made publicly available at Town Hall, online, and at the library. She stated her strong support for the motion to adopt the budget ordinance, noting the council is farther along than we've ever been in the past.

Motion to approve the FY 2026-2027 Budget Ordinance, made by Mayor Pro Tem Roberson, seconded by Councilman Moye. Motion carried 4–1, with Councilwoman Smith voting no and Councilwoman Hawkins abstaining. Town Attorney Lassiter clarified that per North Carolina law, the abstention is counted as a vote in favor; the minutes reflect it as an abstention.

Following the vote, Councilwoman Smith, explaining her no vote, stated her dissent was not a reflection on staff or the considerable effort made during budget sessions, but rather on the need for the Council to examine its fee structures and sustainability practices. She noted that borrowing from the general fund had increased from $1.8 million the prior year to $2.35 million in the proposed budget, and that the one motion made by a council member to reduce travel expenditures had failed for lack of a second.

Councilwoman Hawkins explained her abstention, stating that she was not fully comfortable with a yes vote given unresolved questions about certain line items and the absence of multipurpose center funding, but also not comfortable with a no vote given the budget's overall necessity to provide services to residents. She affirmed that her right to ask questions is fundamental to her role as a council member.

2. Southbrook Phase 3 Preliminary Plat.

Planning and Economic Development Director Penn presented the third and final preliminary plat for the Southbrook subdivision, located on Church Street Extension and Laurie Ellis Road. Phase 3 encompasses 7.47 acres of the 245-acre total subdivision and features 54 townhomes in 10 buildings, 20 guest parking spaces, a mail kiosk, and two ingress and egress points via Middlecrest Drive and Timbergreen Drive. The site was rezoned several months prior to allow for single-family attached use. Staff recommended approval. The Planning and Zoning Board had unanimously recommended approval at their May meeting.

Motion made by Councilwoman Dr. Harrell and seconded by Councilman Moye to approve the Southbrook Phase 3 Preliminary Plat. Motion carried, 4-1. Councilwoman Hawkins opposed.

3. Willow Green Preliminary Plat.

Planning and Economic Development Director Penn presented the Willow Green Preliminary Plat, which is more commonly known as Stella Little during the rezoning phase, located at the northeastern corner of Reedy Branch Road and Davenport Farm Road, adjacent to Pitt Community College and Sam's Club. The applicants were ARK Consulting Group and Lennar Corporation. The site is 25.055 acres and will feature 74 single-family detached lots. Over 8 acres are dedicated as open space, exceeding the 10-percent open space requirement of approximately 2.5 acres under the conditional zoning. The plat includes a mail kiosk, two ingress and egress points on Reedy Branch Road and Davenport Farm Road, and a 70-foot-wide road dedication to allow potential future extension of Dr. Fulford Road to Reedy Branch Road. Staff recommended approval. The Planning and Zoning Board had unanimously recommended approval at their May meeting.

Mayor Pro Tem Roberson asked about the relationship between the road dedication and the nearby church, and whether a buffer was required. Planning and Economic Development Director Penn clarified that there is no required buffer between the proposed single-family residential development and the adjacent church.

Motion made by Councilman Moye and seconded by Councilwoman Dr. Harrell to approve the Willow Green Preliminary Plat. Motion carried, 4-1. Councilwoman Hawkins opposed.

4. Purchase of Electrical Cable.

Electric Director Mills presented a request for authorization to purchase 6,000 feet of 750 MCM underground electrical cable for use in the town's territorial expansion into the Southbrook subdivision.

Motion made by Mayor Pro Tem Roberson and seconded by Councilwoman Smith to approve the purchase of 6,000 feet of 750 MCM underground electrical cable. Motion carried, 4-1. Councilwoman Hawkins opposed.

5. Board of Adjustment Appointments.

Town Manager Parker and Planning and Economic Development Director Penn presented three Board of Adjustment seats expiring at the end of June. The board is composed of five regular members (four in-town, one ETJ) and one in-town alternate. The following actions were taken:

Reappointment of Garrett Killian: Mr. Killian expressed willingness to continue serving.

Motion made by Councilwoman Smith and seconded by Mayor Pro Tem Roberson to reappoint Garrett Killian to the Board of Adjustment. Motion carried unanimously, 5-0.

Appointment to Regular In-Town Seat No. 2 (Vacant): Following discussion, it was determined that Devin Micah Johnston, the existing in-town alternate, was eligible and willing to move into the regular seat. Mayor Hines noted that the Council was not required to elevate the alternate and could select from the full applicant pool, which included Dennis Bottoms, Kiesha Adams Counsel, Michael McFadden, and Dee Parker. The Council elected to appoint the alternate.

Motion made by Councilwoman Smith and seconded by Councilman Moye to appoint Devin Micah Johnston to the Regular In-Town Seat No. 2 on the Board of Adjustment.
Motion carried unanimously, 5-0.

Motion made by Councilwoman Hawkins and seconded by Councilwoman Dr. Harrell to appoint Kecia Adams Counsel as the in-town Alternate on the Board of Adjustment Motion carried unanimously, 5-0.

6. Recreation Advisory Board Appointments.

Parks and Recreation Director White presented three Recreation Advisory Board members whose terms were expiring and who wished to continue serving: Carolyn (C.J.) Wanczyk, Anthony Yoakum, and John Powell. Additional applicants with the Recreation Advisory Board as a preference were also on file: Chanel Flowers, Michael McFadden, Mary Yu, Dee Parker, Kiesha Council, and Amy Allen. Staff recommended reappointing the three incumbents.

Mayor Hines offered a comment that while he was glad the existing members wished to continue, the town asks people to submit applications, and those applicants should be given consideration for opportunities to serve as well.

Motion made by Mayor Pro Tem Roberson and seconded by Councilwoman Smith to reappoint C.J. Wanczyk, Anthony Yoakum, and John Powell to the Recreation Advisory Board. Motion carried, 4-1. Councilwoman Hawkins opposed.

7. Human Relations Board Appointment.

Councilwoman Hawkins, as the Chair of the Human Relations Board, presented the item. Two current board members, Rashana Carman and Dedra Gregory, were eligible and willing to serve additional terms. Additional applicants with the board as a preference were Dee Parker and Amy Allen.

Motion made by Councilwoman Hawkins and seconded by Councilwoman Harrell to reappoint Rashana Carman and Dedra Gregory to the Winterville Human Relations Board. Motion carried unanimously, 5-0.

Mayor Hines again noted his standing view that new applicants deserve consideration alongside incumbents.

8. Temporary Street Closure – Market on the Square.

Police Lieutenant Hamilton requested approval of temporary closure of Church Street between Main Street and Cooper Street from 4:00 PM to 7:00 PM on the second Friday of each month, June 12, July 10, August 14, and September 11, 2026, to accommodate the Market on the Square Summer Event Series. He cited increased pedestrian traffic crossing Church Street as events expanded into the Winterville Baptist Church lot, creating the need for traffic management during those hours.

Motion made by Mayor Pro Tem Roberson and seconded by Councilwoman Dr. Harrell to approve the temporary closure of Church Street between Main Street and Cooper Street from 4:00 PM to 7:00 PM on June 12, July 10, August 14, and September 11, 2026. Motion carried unanimously, 5-0.

OTHER AGENDA ITEMS: The Mayor introduced the agenda items and recognized Councilwoman Hawkins.

1. Trash Bin Rollback/Curbside Assistance. (Councilwoman Hawkins).

Councilwoman Hawkins opened by acknowledging both the viewing audience and the residents still present in Town Assembly Hall. She prefaced her remarks with a demographic overview of Winterville, noting that the town is home to more than 11,000 residents, including over 2,500 children, more than 1,600 seniors, approximately 750 veterans, and many residents living with disabilities. She stated that effective governance requires us to consider policies that affect all segments of the community.

Councilwoman Hawkins formally requested that the Town of Winterville review and consider adopting a policy regarding trash and recycle cart rollback and curbside assistance for residents who are unable, due to disabilities, age, or physical limitations, to return their bins from the curb after collection. She acknowledged that at some point there had been mention of a service to assist residents in pulling out trash carts on collection days, but she expressed uncertainty as to whether that practice had ever been formalized into a set policy. She stated plainly, I don't think there's a set policy. She added that when bins remain at the curb for extended periods, it creates sanitation concerns, including attracting stray animals, specifically cats, rodents, and other nuisance conditions that impact neighborhood safety and public health. She requested the council consider establishing either a formal cart rollback service or a curbside assistance program for qualifying residents.

Town Manager Parker responded, directing the council's attention to Public Works Director McGuffin, and advised that GFL, the town's contracted trash and recycle provider, already offers a service to assist residents in bringing their carts out and returning them after collection. She stated that the town could get information out to the public on how to sign up for that program.

Councilwoman Hawkins thanked Town Manager Parker for that information and asked a follow-up question about what happens in cases where residents do not want to participate in the rollback program, clarifying that her concern was directed specifically at older and disabled citizens who would qualify. Town Manager Parker clarified that if the council wished to develop a separate enforcement policy, which would be a distinct matter from the GFL assistance program.

A staff member (identified in the transcript as speaking in relation to Public Works) confirmed that residents can apply for the GFL service, that it requires an application, and that it is not available to all residents indiscriminately, applicants must qualify as disabled or elderly. They noted that residents typically contact the town's office manager, Kim, who facilitates the connection with GFL. Town Manager Parker added that she would work with Kim to publish outreach materials for residents who believe they may qualify.

The Mayor interjected with hypothetical enforcement considerations, suggesting that if residents leave their carts out and the town had to retrieve them, the residents should be required to pay to get them back, as a deterrent. The Mayor acknowledged he was just throwing something out.

Town Manager Parker responded that without some type of enforcement mechanism, a policy would be difficult to enforce and offered to bring back options for council's consideration.

Councilwoman Hawkins cautioned against purely monetary punitive measures, noting that a fine might cause some residents to leave trash bags on the street instead, potentially creating a worse situation. She nonetheless agreed that some policy against leaving trash out was warranted and suggested that educational outreach, such as pamphlets or website notices, could serve as a good interim alternative, saying, I feel we have good people in the community that will do this with prompting.

Councilwoman Dr. Harrell raised the question of what role the town's code enforcement officer plays in addressing situations involving trash bins left at the curb. Town Manager Parker explained that the town's code enforcement officer, Mr. Johnston, primarily handles overgrown lots and minimum housing issues, and that his caseload is already more than full. She noted that, much as junk cars are referred to the police department, trash bin enforcement may need to be housed in a different department and committed to researching what other municipalities do.

Councilwoman Hawkins thanked Councilwoman Dr. Harrell for raising the code enforcement angle and agreed it should be part of any future policy framework, connecting it to the existing approach used for junk vehicles, whereby a vehicle is tagged, and if not removed, the town removes it, and the owner is responsible for the towing costs.

When Councilwoman Hawkins asked when options could come back to the council, Town Manager Parker indicated she could have something prepared by the August meeting.

Councilwoman Hawkins wrapped up by reiterating that in the interim, any friendly reminders, website postings, or flyers the town can distribute to encourage residents to act would be welcome. Town Manager Parker confirmed that staff would proceed with those friendly reminders pending no objection from the council. There was no objection, and no formal motion was required to direct staff to begin exploring policy options.

DRAFT

2. Winterville Traffic Stops: More data to support for CRB. (Councilwoman Hawkins).

Councilwoman Hawkins stated that she had been presenting traffic stop data to the council since January, consistently advocating for the creation of a Civilian Review Advisory Board (CRB). She noted that there had been mention of the North Carolina Law Enforcement Accreditation (NCLEA) process in prior discussions, but that she had received very little substantive feedback with respect to the CRB proposal itself.

She distributed data covering the period of March 1 through April 30, 2026, detailing the initial purpose of traffic stops broken down by sex, race, and ethnicity, as well as stops in which drivers and passengers were searched. She stated plainly that the data shows Black residents being stopped more than any other demographic, regardless of whether they are Winterville residents, and characterized this as a red flag. She drew attention to historical consistency in this disparity, noting that when the 2026 data is compared to 2025, 2024, 2023, 2022, and 2021, the same pattern holds. She further noted that the same demographic is disproportionately receiving verbal warnings following stops for registration, equipment, and investigative purposes, which she called concerning.

Councilwoman Hawkins reiterated that the CRB is not punitive in nature: This is not about assigning any blame. This is about council's responsibility to ensure transparency, accountability, and consistency in policy oversight in terms of our public safety. She noted that while Winterville had recently been recognized in SafeWise's top ten safest cities, that recognition does not reflect the lived experience of those on the other side of a traffic stop. She stated: Unless and until you're on the other side of blue lights and things happen and your car is searched and ransacked and then you're told you can go ahead, you don't feel safe.

She observed that she had brought this issue before the council every month from January through June, and that while other matters she raises tend to generate substantive feedback or pushback, this issue has been met with relative silence. She expressed her conviction that the matter is rightfully being communicated given the magnitude of the disparity.

Mayor Pro Tem Roberson acknowledged that the CRB had been discussed repeatedly without ever being formally voted upon. She encouraged Councilwoman Hawkins to make a formal motion so the council could take a definitive position. Councilwoman Hawkins indicated she had previously attempted to get feedback but had encountered resistance, then formally moved:

Motion made by Councilwoman Hawkins and seconded by Councilwoman Dr. Harrell to compose a Civilian Review Advisory Board for the Town of Winterville.

During discussion, Councilwoman Dr. Harrell raised several questions: whether the board would be purely advisory in nature with no investigative authority, how members would be selected and trained, and what information could legally be shared under North Carolina law, directing those questions to Town Attorney Lassiter.

Councilwoman Hawkins responded that approximately two months prior she had distributed a detailed packet outlining the CRB framework, including its non-punitive nature, composition, and legal parameters. She explained that the board would review data and trends, examining questions such as whether stops increase during certain seasons, what types of stops are most common, and what the town can do to improve outcomes. Members would be neutral citizens of Winterville, selected through an established process, serving in rotating cycles, and meeting periodically, approximately four times per year, once per season. She offered to resend the packet the following day and noted that the framework was drawn from Department of Justice guidance on civilian review boards.

Town Attorney Lassiter advised that should the council approve the formation of the board, staff would need to develop foundational documents identifying the board's authority, appointment process, and

structure, similar to the process used for other town boards, and bring those documents back for council approval. He clarified that the vote before the council that evening would be the approval of creation, with the foundational documents to follow.

Councilwoman Smith raised questions about staff capacity, asking specifically which staff members would compile data for the board and how oversight would be handled, given the stated intention that the board be free from council member or staff influence. She expressed that there remained considerable lack of clarity in the proposal.

Town Attorney Lassiter suggested that Town Manager Parker and he could collaborate on the foundational work, as they had done previously with the Human Relations Board. Town Manager Parker confirmed she would work on whatever she was directed to work on.

Councilwoman Hawkins acknowledged the legal parameters involved and offered that the packet she had previously distributed addressed those intricacies directly.

The council voted by clicker. The Mayor announced the result: three votes in opposition and two votes in favor.

The motion failed, 2-3. Mayor Pro Tem Roberson, Councilman Moye, and Councilwoman Smith opposed.

Following the vote, Councilwoman Hawkins expressed that while she respected each council member's right to vote as they saw fit, she was perplexed that Mayor Pro Tem Roberson, who had specifically suggested a motion be made so the council could vote, voted against the measure. She stated: I'm not clear on what was said to change your mind, but this was proposed in the spirit of transparency, accountability, and a civilian review board is needed.

Mayor Pro Tem Roberson clarified her rationale, explaining that after months of discussion without any vote ever being taken, she felt it was important to bring the matter to a formal vote one way or another: Each month or two we discuss the civilian review board, but we've never ever had a vote on it. And we needed to go either see if the council was in favor of it or against it. And that's why I proposed that we need to vote.

3. Councilmember Duties: Representation, Rights and Restrictions. (Councilwoman Hawkins).

Councilwoman Hawkins opened this item by apologizing to the residents of Winterville who were watching the meeting late in the evening, attributing the length of the meeting to the entirety of the agenda rather than to any single item. She then addressed the substance of the item, which centered on articulating the scope of a council member's authority and responsibilities.

Councilwoman Hawkins cited Article I, Section 12 of the North Carolina Constitution, which she stated gives citizens the right to instruct their representatives, and gives council members the right to receive concerns from constituents and bring them before the governing body. She enumerated the powers she exercises on behalf of constituents, including the right to ask questions, request reports and reviews, and oversee policies.

She continued by referencing North Carolina General Statute Section 160A, noting that council members possess legal legislative authority, policy-making power, oversight of the town manager, rights of access to information, policy oversight of the police department, budget authority, public meeting and speech rights, constituent representation, and the power to create advisory boards. She stated: If you do not articulate that, I'm not understanding why I would be up here if I'm not doing that. She affirmed her intention to continue exercising these duties fully and without reservation.

ITEMS FOR FUTURE AGENDA/FUTURE WORK SESSIONS:

1. – 6. Development of a Strategic Plan; Revision of Council Rules and Procedures (Length of Meetings, Mayor Pro Tem, Discussion Guidelines, Boards); Travel Reimbursement; Items for the Agenda; Media and Public Meetings; Progress on the Multipurpose Building.

Mayor Pro Tem Roberson indicated that all items bearing her name under this section could be addressed together to save time. She characterized them as a brainstorming collection of topics that had been previously identified as needing attention through future work sessions. She noted that convening work sessions around these topics had proven difficult to schedule, but stated plainly: Our list keeps growing of things that we need to do workshops on, and we need to find some time to do it.

Town Manager Parker interjected to advise that she had prepared a draft workshop calendar for 2026 and 2027 and offered to distribute it immediately for the council's consideration. She described the document as a starting point for discussion, noting that it was deliberately structured to schedule workshops toward the end of each month, except December, and that it reflected a goal of incorporating quarterly workshops into the town's regular meeting calendar going forward. She added that some of the smaller issues on the list might be resolvable within a regular council meeting, while larger topics would require dedicated workshop time.

Copies of the draft calendar were distributed. Councilwoman Smith asked whether the council could take the calendar home and provide responses by a set deadline. The Mayor suggested the deadline of the 23rd of the month, which would provide sufficient notice ahead of a potential first workshop date of the 29th. After discussion about the 48-hour public posting requirement, the council agreed that all members would review the draft calendar and respond to Town Manager Parker with any conflicts or alternative suggestions by the 23rd of the month.

Town Manager Parker clarified that responses should address the full calendar, not just the first proposed date, and that alternative suggestions were welcome.

Mayor Pro Tem Roberson confirmed that this addressed all six of her items under this section.

7. Town Ordinances and Policies.

Councilwoman Hawkins noted that this item deserved prioritization above the others listed for future work sessions, as she observed that ordinances and policies form the foundation underlying many of the other items on the list. She suggested the topics could be rolled together into a consolidated workshop discussion. She also confirmed that the 23rd deadline for calendar responses worked for her. No further action was taken on this matter beyond its inclusion in the workshop planning process.

ANNOUNCEMENTS:

Town Manager Parker noted that Town Clerk Harvey, who typically handles announcements, was absent due to illness and that a full list of upcoming announcements had been posted on the town's website for public reference. She offered to read each item but yielded to the council for any items they wished to highlight specifically.

Councilwoman Hawkins announced that the Winterville Human Relations Board, with support from Winterville Parks and Recreation and the Winterville Police Department, would be hosting a Juneteenth movie in the park at the Winterville Recreation Park on June 19th, beginning at sundown (approximately 8:29 PM). She encouraged community members to arrive early for a good spot and noted that free popcorn, hot dogs, and chips would be provided. She described it as an evening of dancing, singing, and the community gathering together in commemoration of Juneteenth.

DRAFT

The Mayor added that the Police Department's Coffee with the Cops program had been rebranded as Coffee and Conversations and would take place on June 12th at the Market on the Square, featuring iced coffee. He also noted that Town Hall would be closed on July 3rd in observance of the Juneteenth holiday on June 19th.

Town Manager Parker added that the annual Summer Bash would be held that Saturday from 11:00 AM to 2:00 PM at the Winterville Recreation Park and encouraged all interested residents to attend. The Mayor reminded the council that the next regular meeting would be held on August 3rd, the first Monday of the month rather than the second, at 6:00 PM in the same location.

REPORTS FROM THE TOWN ATTORNEY, MAYOR, AND TOWN COUNCIL, AND TOWN MANAGER:

Councilwoman Hawkins thanked citizens for attending and those still watching. She offered remarks about her philosophy of service: I'm not here to be average. I'm here to be advantageous. She acknowledged the current national climate and reiterated her commitment to advocating for the Civilian Review Advisory Board, stating she would continue to raise the issue. She specifically named vulnerable populations, Black residents, women, people with disabilities, the elderly, and youth, as those for whom she feels obligated to speak. She offered congratulations to the class of 2026 and urged students to stay safe over the summer, noting that she would follow up with Town Manager Parker via email regarding a summer job program for young people.

Councilman Moye expressed thanks to Town Manager Parker, noting he was glad to see her back, and extended appreciation to all department heads for their continued service to what we consider a slice of good life. He acknowledged Public Works Director Lawson's earlier storm water presentation, expressing hope that the remediation would not take as long as projected but acknowledging it would benefit the community. He wished everyone a safe Fourth of July, noting that there would be no July council meeting.

Councilwoman Dr. Harrell thanked the three residents still present in chambers, all viewers watching remotely, the town's staff, and the council as a whole.

Councilwoman Smith thanked residents who volunteer their time to serve on the town's advisory boards, noting some were present in chambers. She extended special recognition to Parks and Recreation staff during their appreciation month, asking that thanks be extended to all staff within that department for their programming efforts. She then directed a question to Assistant Town Manager Bowers regarding the status of the downtown parking project, noting that at the time of the contract approval, the hope had been to complete the work before the end of August ahead of the new school year.

Assistant Town Manager Bowers confirmed that work has already begun, specifically coordinating with telecommunications companies to relocate infrastructure. He acknowledged that the project would create some disruption at the Market on the Square and that the team is working to minimize that impact. He noted that the contract has been approved by the council and is in the final stages of signature execution and notice-to-proceed issuance. He stated that the team cannot advance construction activities until telecommunications relocations are complete, but that progress is visible: If you ride by, you'll see a lot of fluorescent paint and a lot of markings. Councilwoman Smith acknowledged the temporary nature of the disruption, saying, There's always pain and growth and improvement.

Mayor Pro Tem Roberson echoed thanks to all town employees, noting that the town could not function without them. She offered special thanks to the department heads, the Assistant Town Manager, and all staff involved in the budget process. She looked forward to the upcoming Juneteenth and Fourth of July celebrations and expressed appreciation for volunteers and residents in attendance.

Town Attorney Lassiter offered no formal report, extending wishes for a happy and safe summer to all and noting he would see everyone in August.

Town Manager Parker wished everyone a wonderful summer and encouraged residents to stay cool.

The Mayor closed the reports with reflective remarks directed to both the council and the public, acknowledging that governing requires making tough decisions that impact residents, and that those decisions are sometimes constrained by law. He noted the recent loss of a community member and asked residents to keep that family in prayer. He wished everyone a safe and enjoyable Fourth of July.

ADJOURN:

Motion made by Councilman Moye and seconded by Councilwoman Dr. Harrell to adjourn the meeting. Motion carried unanimously, 5-0. Meeting adjourned at 10:32 pm.

Adopted the 12th day of October 2026.

_____
Richard E. Hines, Mayor

ATTEST:

_____
Donald Harvey, Town Clerk

DRAFT

WINTERVILLE TOWN COUNCIL
TUESDAY, SEPTEMBER 1, 2026 – 4:00 PM
BICYCLE AND PEDESTRIAN PLAN BRIEFING MINUTES

The Winterville Town Council met for a Bicycle and Pedestrian Plan Briefing on the above date at 4:00 PM in the Town Hall Assembly Room, with Mayor Richard E. Hines presiding. The following were present:

Richard E. Hines, Mayor
Veronica W. Roberson, Mayor Pro Tem
Shantel Hawkins, Councilwoman
Terri L. Parker, Town Manager
Anthony Bowers, Assistant Town Manager
Charles Hamilton, Police Lieutenant
David Moore, Fire Chief
Ron Mills, Electric Director
Jessica Manning, Finance Director
Evan Johnston, Building Inspector/Code Enforcement Officer
Diane White, Parks and Recreation Director
Stephen Penn, Planning and Economic Development Director
Angela Fuller, Human Resource Director
Donald Harvey, Town Clerk

CALL TO ORDER: Mayor Hines called the meeting to order.

BICYCLE AND PEDESTRIAN PLAN BRIEFING:

Presenters: Scott Curry and Amy Grace with Kittleson and Associates and Preston Hunter from NCDOT.

Good afternoon, Mayor Hines and Town Council Members, on behalf of the Town of Winterville and the project team, I would like to welcome you to the Town of Winterville Bicycle and Pedestrian Plan Open House briefing today.

This drop-in Town Council briefing session will run from 4:00 to 5:00 PM in the Town Council Assembly Room, 2571 Railroad Street. This session will provide an opportunity for Council Members to review the project materials, discuss key findings and preliminary recommendations, and ask questions of the project team before the public event begins.

As Town leaders, your perspective is especially valuable as we work to develop a practical and implementable vision for improving safety, connectivity, and mobility throughout Winterville. We hope you will be able to join us for both the Council briefing and the public Open House.

Please find the event flyer attached and ask questions of those presenting the information.

ADJOURN:

Meeting adjourned at 5:00 pm.

A public Open House will follow from 5:00 to 7:00 PM, providing residents and stakeholders with an opportunity to gain experience about the Plan, review key findings, and share feedback on future bicycle and pedestrian improvements in Winterville. We welcome and encourage Council Members to stay and engage with community members throughout the event.

Adopted the 12th day of October 2026.

Richard E. Hines, Mayor

ATTEST:

Donald Harvey, Town Clerk

DRAFT

WINTERVILLE TOWN COUNCIL
MONDAY, SEPTEMBER 14, 2026 - 6:00 PM
WINTERVILLE TOWN HALL ASSEMBLY ROOM
REGULAR MEETING MINUTES
2571 RAILROAD STREET, WINTERVILLE, NC 28590

The Winterville Town Council met in a Regular Meeting on the above date at 6:00 PM in the Town Hall Assembly Room, with Mayor Richard E. Hines presiding. The following were present:

Richard E. Hines, Mayor
Veronica W. Roberson, Mayor Pro Tem
Dr. Brandy Harrell, Councilwoman
Shantel Hawkins, Councilwoman
Johnny Moye, Councilman
Lisa Smith, Councilwoman
Keen Lassiter, Town Attorney
Terri L. Parker, Town Manager
Anthony Bowers, Assistant Town Manager
Chris Williams, Police Chief
David Moore, Fire Chief
Ron Mills, Electric Director
Evan Johnston, Building Inspector/Code Enforcement Officer
Diane White, Parks and Recreation Director
Stephen Penn, Planning and Economic Development Director
Angela Fuller, Human Resource Director
Willie Gay, Building Inspector/GIS Technician
Donald Harvey, Town Clerk

I. Call To Order

Mayor Richard E. Hines called the Winterville Town Council meeting to order on Monday, September 14, 2026, at 6:01 PM. He welcomed everyone watching via the live stream.

II. Invocation

Councilwoman Smith led the invocation.

III. Pledge Of Allegiance

The Pledge of Allegiance was recited following the invocation.

IV. Welcome

Mayor Hines again welcomed everyone, including the members of the public, in attendance.

V. Roll Call

Roll was taken by electronic voting clicker, and the Mayor announced that everyone was present.

Present: Mayor Richard E. Hines; Mayor Pro Tem Veronica Roberson; Councilwoman Lisa Smith; Councilwoman Shantel Hawkins; Councilwoman Dr. Brandy Harrell; Councilman Johnny Moye. Absent: None.

Staff members who participated in the meeting included Town Manager Terri Parker, Assistant Town Manager Anthony Bowers, Town Attorney E. Keen Lassiter, Police Lieutenant Charles Hamilton, Ron Mills, Electric Director, and Donald Harvey, Town Clerk.

VI. Approval Of Agenda

The Mayor turned the item over to Town Manager Parker, who reviewed the changes to the amended agenda placed at members' seats. Two proclamations have been added under the Proclamations section, one for Fire Prevention Week and one for National Recovery Month. An additional public comment speaker was denoted in red. Manager Parker also said a further statutory section had to be added for Closed Session: N.C.G.S. § 143-318.11, subsection 3. She asked Council to consider the amended agenda.

Motion made by Councilwoman Dr. Harrell and seconded by Councilman Moye to approve the amended agenda. Motion carried unanimously, 5-0.

VII. Recognition Of Employees

1. Britnee McMahon, Police Officer, Police Department

Police Lieutenant Hamilton introduced Officer Britnee Shyanne McMahon, who came to Winterville by way of Pennsylvania and the United States Navy. She joined the Navy in 2020 and was responsible for steering one of the largest aircraft carriers, the USS Gerald R. Ford. After leaving the Navy she moved to Pitt County and worked in the local community. Lieutenant Hamilton said she told him several times that she was going to work for the Town of Winterville because she loved the people here. She put herself through Basic Law Enforcement Training (BLET). The department extended a conditional offer and brought her on in July. Lieutenant Hamilton said she had about 16 working shifts remaining in her Field Training Officer (FTO) program, after which she would work C Shift under Sergeant Santiago.

When the Mayor invited her to speak, Officer McMahon thanked the Council for the opportunity to work in the great town of Winterville. The Mayor replied, welcome aboard. As I always said, we are family here.

VIII. Proclamations

1. National Hispanic Heritage Month

Mayor Hines noted that guests were present and Town Clerk Harvey read the proclamation. It recognizes National Hispanic Heritage Month, observed each year from September 15 to October 15. It cites Hispanics as roughly 11.4 percent of North Carolina's population and 8 percent of Pitt County's population as of 2023. It states that the Town of Winterville openly welcomes and supports its distinct cultural diversity and is inspired by the economic, social, and cultural contributions of the Hispanic community. September 15 through October 15, 2026, was proclaimed, as Hispanic Heritage Month in Winterville and the seal of the Town on September 14, 2026.

2. Public Power Week – October 4 – 10, 2026

Town Clerk Harvey recognized Public Power Week, October 4 through 10, 2026.

3. Fire Prevention Week - October 4 – 10, 2026

Town Clerk Harvey recognized Fire Prevention Week, October 4 through 10, 2026.

He acknowledged both departments are ones that lead us in many ways.

4. National Recovery Month

Councilwoman Dr. Harrell read the National Recovery Month (September 2026) proclamation. It celebrates the strength and resilience of individuals in recovery from mental health and substance use challenges. It recognizes the families, professionals, peer support, and communities who support them. It states that recovery is possible and that every person deserves access to compassionate, evidence-based care. It describes recovery not as an individual journey but as a community responsibility and cites the importance of reducing stigma. It also honors those walking the journey of recovery, remembers those whose lives have been lost, and thanks first responders, faith communities, and community organizations. The proclamation concluded: Recovery is real. Recovery is possible. And in Winterville, no one should have to walk the journey alone. It was dated September 14, 2026.

IX. Public Comment

The Mayor stated that two speakers had signed up and read the Public Comment Policy aloud. The policy provides a thirty-minute period, a three-minute limit per speaker, and no more than three speakers on a single matter. It also says Council may take no action, schedule the matter for a future meeting, or refer it to staff.

1. Michael Ball, Speed Limit Signs in Villa Grande

Michael Ball, a resident of the Villa Grande neighborhood off Forbes Road, spoke with his wife, Carolyn. They have lived there three years and moved to be near their grandchildren. He said they had fallen in love with Winterville.

Mr. Ball raised a concern about speeding in the neighborhood. His research found that Ordinance 21-041, approved in 2021, set a 25 mile-per-hour speed limit, but no signs were ever posted. He said the neighborhood has many children and a lot of outdoor activities. Winterville Police officers who visited the neighborhood told him they cannot enforce the limit without posted signs. He asked Council to take action to get signs posted.

The Mayor responded, Yes. We can get them. Town Manager Parker said she would coordinate with staff to make sure the signs were erected throughout the neighborhood.

2. Mat de Jesus, Loss of Dr. Henry Lewis Suggs, outstanding Trailblazer

Mat de Jesus thanked the Mayor for reading at the author event at the museum the previous day. He then spoke in remembrance of Dr. Henry Lewis Suggs, PhD, whom he interviewed for the Winterville Historical and Art Society after Mayor Pro Tem Roberson suggested it. Mr. de Jesus said he organized a birthday celebration for Dr. Suggs, who called it the best birthday celebration that I ever had and said it would not have happened without Mr. de Jesus.

Mr. de Jesus described helping Dr. Suggs locate his book copyright and, later, a publishing contract, for which Dr. Suggs again credited him. He said that despite Dr. Suggs's health challenges, Dr. Suggs

called him in March of this year to say his book had been published. Mr. de Jesus said he had doubted this was possible and confirmed it on the publisher's website. He said Dr. Suggs beat the odds, that August was his last birthday, and that in September he fell asleep to take a rest. He called Dr. Suggs a trailblazer.

Mayor Pro Tem Roberson added that Dr. Suggs was an example to Winterville's youth. He was raised in a single-parent household in Winterville. A loan from Mr. Langston of the Bank of Winterville allowed him to attend North Carolina Central University, where he graduated, and he later earned his PhD. She said he was the first African American professor at Clemson University, among other firsts, and was an example of what can happen and come out of a small town like Winterville.

Councilman Moye asked for the title of the book and the title was given.

X. Consent Agenda

Motion made by Mayor Pro Tem Roberson and seconded by Councilwoman Smith to approve the consent agenda. Motion carried unanimously, 5-0.

During discussion, Councilwoman Hawkins asked that the consent agenda be posted in the lobby and that its contents be stated aloud before approval for those without a copy. That included residents watching from home. The Mayor confirmed copies were available to the public and that the items were listed on the agenda. At Councilwoman Hawkins's request, Town Manager Parker read the three items aloud.

Councilwoman Hawkins then asked whether the details of the two public hearings would be explained when the hearings were called, using the sidewalks and dumpsters ordinance proposal as an example. She asked how residents would learn the context in advance. Manager Parker said the October 12 agenda packet would contain abstracts and applicable documentation. It would be posted on the Town website, available in hard copy at Town Hall, and available in the Assembly Room the night of the meeting. Backup information on both items was already in the current packet, along with the minutes to be approved. That packet was posted in the front lobby and sent to the agenda distribution group. Councilwoman Hawkins thanked staff and said she wanted to ensure that those without a packet in hand, or not present, were aware.

XI. Old Business

1. None - The Mayor stated there was no old business and moved to New Business.

XII. New Business

1. Request Use by Human Relation Board of The Market for Hispanic Heritage Event

Motion made by Mayor Pro Tem Roberson and seconded by Councilwoman Dr. Harrell to approve the Human Relations Board's request to use The Market for a Hispanic Heritage event. Motion carried unanimously, 5-0.

Councilwoman Smith asked whether The Market square was confirmed available at that time. Councilman Moye asked about the hours, and it was stated that the event would run from 10 AM to 2 PM.

2. Select Mid-East Commission Representative

The Mayor explained that Mayor Pro Tem Roberson had long served as the Town's representative to the Mid-East Commission. When she stepped down, Council did not nominate a replacement, and the

Town still needed representation. Councilwoman Hawkins asked about meeting times and location. Town Manager Parker described the commission as meeting roughly quarterly, at the NC TeleCenter, 415 East Boulevard, Williamston, NC.

A nomination was made for Councilman Moye. He thanked the nominator but declined, noting that he already serves on the library board and would welcome another Council member having the opportunity to serve on an additional board. Mayor Pro Tem Roberson said her resignation was due to health problems. She added that the commission was working on matters such as Internet access that could benefit Winterville. The Mayor offered to fill the vacancy, saying he would gladly relinquish it later if another member wished to serve.

Motion made by Mayor Pro Tem Roberson and seconded by Councilwoman Smith to appoint Mayor Hines as the Town's representative to the Mid-East Commission.

Before the vote, Councilwoman Hawkins asked what public information the Town offered about the commission and what it provides to the community. Manager Parker said she did not believe the website had anything detailed but that it was a good idea. She explained that the Mid-East Commission is the council of governments serving, she believed, five counties, including Pitt. It provides a wide variety of services, and the Town would work to publish information. Mayor Pro Tem Roberson noted that for a good while the representative had been a citizen rather than a Board member. Manager Parker said she would verify whether that had changed. In response to Councilwoman Hawkins, she committed to a thirty-day timeline for the information.

Motion carried unanimously, 5-0.

3. Old Tar Road Electric Relocation Change Orders

Electric Director Mills requested approval of three change orders for the Old Tar Road widening project, totaling $49,896 (Manager Parker later stated $49,896.09). He said field conditions required deviating from the plan and relocating infrastructure. The work was complete, had been approved by the North Carolina Department of Transportation (NCDOT), and would be reimbursed by NCDOT. Town Manager Parker said staff had to make a quick decision in the field so as not to slow down the work, knowing retroactive Council approval would be needed.

Mr. Mills explained the changes. At the corner of Old Tar Road and Cooper, a planned pole conflicted with the NCDOT traffic signal pole. A pole at the same location had to be removed, requiring an underground bore across the vape shop's parking lot, which accounted for two change orders. The third arose because a Greenville Utilities guy wire crossed the work area and clearance was lacking, so three additional taller poles were set.

Motion made by Councilwoman and seconded by Councilwoman to approve the three change orders Old Tar Road Electric Relocation Change Orders as presented.

Councilwoman Hawkins asked when the change orders occurred. Mr. Mills said the first was in May and the others were at the end of May and in June. She asked how important it was for Council to know then rather than in September. Manager Parker explained that the engineer and contractor prepare change orders and submit them to the Town. She noted that June was fiscal year-end, Council did not meet in July, and the August meeting was held earlier in the month than normal. She said staff usually try to bring such items forward quickly.

Councilwoman Hawkins said she appreciated the explanation but thought that when changes are made, a prospective or itemized cost should be given so it can be considered in budgeting. She asked that changes incurring cost be brought to Council going forward. Manager Parker said the May change order might have been considered in the budget, but the June ones likely could not, because the

budget had already been completed. She added that NCDOT reimburses the Town under the existing electric agreement and that the point was well taken. At the Councilwoman's request, the total was restated as $49,896.09.

Motion carried unanimously, 5-0.

4. Interlocal Agreement with Pitt County Sheriff – Telecommunications

Town Manager Parker said the Sheriff's department provides dispatching to the Police Department, and discussions about the Town sharing the cost of one additional telecommunicator had continued for several years. Discussions picked up in the fall of the previous year, when numbers were provided showing how much time the Sheriff's telecommunicators spend dispatching Winterville calls. The Town's share, $50,000 for fiscal year 2026–27, was included in the budget approved by Council. The interlocal agreement is with Pitt County and the Pitt County Sheriff. It also creates a telecommunications services agreement outlining each party's responsibilities, which did not previously exist.

Manager Parker explained the structure of the service:

- The Police Department's office manager, Amber Owens, is DCI (Division of Criminal Information) certified and manages nonemergency calls from 8 AM to 5 PM, Monday through Friday.
- The Sheriff's office provides dispatching and telecommunication services for all emergency and nonemergency Town calls between 5 PM and 8 AM, and whenever the office manager is unavailable.
- The full annual cost of the telecommunications position, including benefits, is $72,646. The Town reimburses Pitt County $50,000 annually, because Pitt County funds the Sheriff's department budget and has already funded the position.
- The agreement runs for one year and renews automatically, with an 180-day written notice of termination by either party. On termination, the Town pays amount due through the effective date.

The agreement was reviewed by the town, county, and sheriff's attorneys and signed off by the county manager, the Sheriff, and the county's finance officer. Town Manager Parker said the Town had studied providing dispatch in-house, which would cost well over $350,000 and more now. The Town had also considered another agency but was satisfied with Pitt County's service. She noted that the six-month notice provision was new and gave the Town time to explore alternatives if needed.

Town Attorney Lassiter said interlocal agreements must be approved by resolution under state statute. He distributed a draft resolution authorizing either the Mayor or the Manager to enter into the agreement regarding dispatch and telecommunication services. He recommended a motion approving the agreement by resolution pending his final review. He said he had looked at the agreement and was comfortable with it but wanted to go over a couple of items with the Manager.

Motion made by Councilman Moye and seconded by Councilwoman Smith to approve, by resolution, the interlocal agreement with Pitt County and the Pitt County Sheriff for dispatch and telecommunication services, pending attorney review.

During discussion, Councilwoman Hawkins asked whether the resolution was the agreement itself. Manager Parker clarified that the resolution at her seat related to the next agreement and that the actual interlocal agreement was in the distributed agenda packet. Councilwoman Hawkins said she had not read it and did not recall a detailed discussion during the budget process. Manager Parker said $50,000 was included in the budget and had been referenced. Councilwoman Hawkins asked who would perform the dispatching and how the arrangement would work for someone unfamiliar with the

jargon, and whether the $50,000 went to the Sheriff's Office, the office manager, or the County. Manager Parker said it is paid to Pitt County.

Councilwoman Hawkins asked how many calls were involved. Lieutenant Hamilton cited figures for a two-year period (2023 to 2025). The Winterville Police Department had 13,536 calls for service out of 133,410 countywide calls. Manager Parker added that no other municipality the Sheriff dispatches for currently pays a proportionate share of a telecommunicator position, though that could change. Responding to a final question, she said the agreement covers only the Police Department, and that Pitt County 9-1-1 dispatches fire and EMS calls. Manager Parker thanked the Police Department, the Pitt County Sheriff's Department, and the county manager for their help in negotiating the agreement.

Motion carried unanimously, 5-0.

5. Interlocal Agreement with Pitt County - Animal Services

Town Manager Parker said the Town had finally received a draft interlocal agreement for Pitt County Animal Services to provide full-time animal control to Winterville. Council had adopted the Pitt County Animal Services ordinance on August 4, 2025, which satisfied one of the requirements. The agreement was in the packet and would be approved by resolution, as with the previous item. For fiscal year 2026–27 the County would charge a prorated amount of $17,708.33 for approximately 8.5 months, with service beginning October 12 if Council approved. Thereafter the annual cost would be $25,000, which was included in the approved budget.

Manager Parker cautioned that the service would differ from the part-time service residents previously received:

- The County has few officers on duty for the entire county each day, so response times could vary and sometimes be lengthy.
- Shelter space is limited, particularly for cats.
- The shelter may no longer allow individuals to drop off animals.
- The County may not retrieve cats if it has no room for them.

She said it would still be a very welcome service and that the Town would publish information for citizens.

Mayor Pro Tem Roberson asked whether any rules would directly affect citizens. Manager Parker said the County ordinance is lengthy, but most of the main points were similar to the Town's. She would review it for differences and share the specifics. Councilwoman Hawkins asked what the County would actually do if it could not take animals or respond quickly. Manager Parker clarified that officers would respond but not always as quickly as local staff, for example if they were working in Bethel. She noted that shelter space has always been an issue, and she praised the County's adoption efforts, the Friends of the Animal Shelter, and its foster network. Another speaker noted that the shelter also serves Greenville and that a parvo case a few months earlier had forced a full shutdown. Manager Parker added that Ayden, Farmville, Bethel, and Wilson have similar agreements and that she strongly recommended approval because the Town currently offers no animal services.

Motion made by Councilwoman Smith and seconded by Councilman Moye to approve, by resolution, the interlocal agreement with Pitt County Animal Services.

Before the vote, Councilwoman Smith encouraged responsible pet ownership, including spaying and neutering. Councilman Moye urged residents to keep their dogs on a leash when in the yard or street, noting that dogs can be vicious and can be kind, so you do not know.

Motion carried unanimously, 5-0.

6. Contracts With Pitt County Schools for Resource Officers

Lieutenant Hamilton presented the contract for the 2026–2027 school year for three school resource officers (SROs), covering Robertson, Creekside, and A.G. Cox. Two SROs were currently employed, one at A.G. Cox and one at Robertson, and the Department was in the process of filling the Creekside position. In the interim, officers were rotating through the school as needed. For the vacant position, the contract uses the last salary line for Officer Kreiner, the prior SRO. Pitt County Schools reimburses the Town monthly.

Manager Parker stated that the maximum salary and benefits reimbursement is $281,777.30, and it could be less depending on when the Creekside position is filled. Uniforms, vehicles, and equipment are provided by the Town. The officers are Town employees who report to and are supervised by the Town aside from their school duties.

Motion made by Councilman Moye and seconded by Councilwoman Dr. Harrell to approve the contract with Pitt County Schools for school resource officers.

Councilwoman Hawkins asked whether the total covered three officers and what was being reimbursed. Manager Parker confirmed it covers salary and benefits for three officers and that the figure is a maximum. Councilwoman Hawkins asked whether the general fund still pays for equipment, vehicles, and uniforms, and Manager Parker confirmed it does. She added that the contract covers only time spent at school. When officers work for the Town, for example in the summer or at special events, the Town pays them.

Motion carried unanimously, 5-0.

7. T.A. Loving Final Change Order for Pump Station Rehabilitation

Assistant Town Manager Bowers presented the final adjustment change order for T.A. Loving, the contractor on the 2020 sewer pump station project, which he said is now complete. The change order reduces the contract amount and grants T.A. Loving a 50-day extension for completion. (The recording reflects differing figures for the reduction, approximately $326,000 by Assistant Town Manager Bowers and approximately $346,000 as restated by Councilwoman Dr. Harrell; the change order document controls.) He said the final punch list was complete, and the Town had accepted the work. The change order would go to the North Carolina Department of Environmental Quality (NCDEQ) for final approval. Manager Parker remarked that such a reduction is rarely reported. Assistant Town Manager Bowers said adjustments made along the way reduced costs and the amount the Town must borrow, which benefits ratepayers.

Motion was made by and seconded by. The motion carried.

Motion made by Mayor Pro Tem Roberson and seconded by Councilwoman Smith to approve the T.A. Loving final change order for the pump station rehabilitation.

During discussion, Councilwoman Hawkins asked what a change order is and why it was needed. Assistant Town Manager Bowers explained that on a project originally estimated at about $8 million, field conditions often differ from plans and plans may become outdated over many years. Examples included removal of bypass piping at Chapman Street, underruns on the 8-inch force main, a 12-inch force main reduction, and an 18-inch gravity line adjustment. The full list is in the packet. Asked who determined the project was finished, he said it had been inspected and walked through by the contractor, the Town, the Town's engineers, and NCDEQ, which is the last to sign. The Town received the document September 3. Manager Parker added that the process involved negotiation among the engineer, contractor, and Town over how many extension days to accept.

Councilwoman Dr. Harrell asked where the savings would be reallocated. Staff explained that the funds were borrowed and will simply not be borrowed, reducing the annual debt service payment. Councilwoman Hawkins asked the engineer's name, and Assistant Town Manager Bowers identified Rivers and Associates.

Motion carried unanimously, 5-0.

8. S.T. Wooten Final Adjusting Change Order for Downtown Parking Project

Assistant Town Manager Bowers presented a final change order for S.T. Wooten of $86,291.91, an increase. He identified two major contributors:

- Additional paving on the north end of Church Street and on the portion near the library parking lot and town square, areas not included in the original design, so the street would not look unsightly.
- A cost-saving change to the generator plan. The generator at the police, fire, and rescue facility can power both buildings, so the Town added conduit, cable, and an automatic transfer switch (ATS) at Town Hall instead of a new generator behind Town Hall. This saved about $150,000.

The project was completed on schedule over the summer, and the overall project came in $99,815 under budget. Only the gates on the dumpster pad remained to be finished.

Councilwoman Hawkins asked how the remaining funds would be used. Assistant Town Manager Bowers suggested an electronic sign to replace the brick Town Hall sign removed during construction, no estimates for which had yet been obtained. He also suggested installing the ATS to connect Town Hall to the generator. Manager Parker clarified that the $99,815 is the amount under budget after the $86,291.91 increase. Assistant Town Manager Bowers explained that the total cost with the change order was roughly $475,000 against a budget of roughly $575,000.

Manager Parker noted that Church Street behind Town Hall is now two-way and asked about striping. Assistant Town Manager Bowers said most town-owned residential streets have no center striping but have stop bars, and three stop bars still needed to be added. Striping could be added if Council wished.

Motion made by Councilwoman Smith and seconded by Councilwoman Dr. Harrell to approve the S.T. Wooten final adjusting change order for the downtown parking project. Motion carried unanimously, 5-0.

The Mayor said the project looked good, that residents thanked him, and that it added about 25 spaces compared with about 17 originally anticipated. Councilwoman Smith thanked S.T. Wooten and all who worked on the project for completing it under budget and supporting small businesses. Manager Parker thanked staff for the steps installed behind Town Hall.

XIII. Other Agenda Items

1. Multi-purpose Center (Community Center): Inquiry of Progress (Phase I). (Councilwoman Hawkins)

Councilwoman Hawkins recalled the special called meeting on April 18 on the multi-purpose center. She said Council moved the project forward in a phase that she understood to include further community engagement, such as surveys, to hear what residents wanted. She noted that the recreation master plan claimed to have heard from residents during the Watermelon Festival without confirming that those people were residents. She asked what work had been completed since April 18 and where the project stood.

Manager Parker said Phase 1 had been completed, and she believed Council had voted to move into Phase 2. She said she needed to check the minutes before saying anything incorrect, and her recollection of what was voted on differed from the Councilwoman's. Councilwoman Hawkins clarified that her question concerned Phase 2. She said she had never received minutes, only the presenters' packet, and had submitted the item weeks earlier. She asked how an inquiry-of-progress item could yield nothing to report. Manager Parker said staff sometimes need additional clarity on an item's intent, and that she now better understood the request. She committed to providing an update by the end of the week. Councilwoman Hawkins said she expected some semblance of information by then and hoped the April 18 minutes would also be made available to the public.

2. Flock Cameras in Winterville: Request of Info. 5 W's (Who, What, When, Where & Why). (Councilwoman Hawkins)

Councilwoman Hawkins asked how many working Flock cameras were in Winterville. She also asked who authorized them, when they were authorized and installed, where they are located, what they cost, what funding was used, and what Council action or administrative authority permitted them. She asked what information residents received before or after installation and what opportunity they had to ask questions or raise concerns.

Lieutenant Hamilton said seven cameras had been purchased but one was not yet installed, so six were working. The cameras have been up since 2024. The annual cost is $19,302.01, which excludes tax of roughly 7 percent on the two newer cameras, and some figures include installation fees. The cameras monitor vehicles entering town:

- Mill Street southbound.
- NC 11 southbound.
- NC 903 near the town limits.
- Worthington Street westbound.
- Old Tar Road southbound.
- NC 11 northbound.

He explained that an automated license plate reader (ALPR) recognizes only a vehicle's physical description and tag and does not access personal or DMV information. It checks tags against the NCIC hot list, which covers violent offenders, felony wanted persons, missing persons, and Amber Alerts. Minor misdemeanor warrants are not entered, and the vehicle itself must be entered in NCIC. The vendor's standard retention is longer, but the Town proactively set retention at seven days. He said that window allows investigations to proceed without holding data longer than necessary. Safeguards include:

- Officers must enter an incident number to search or complete an operations report explaining the search.
- An automatic audit-assist function flags multiple searches of the same vehicle.
- Sergeant Hobbs (investigations) conducts a monthly audit, with a second review by Lieutenant Hamilton.

Manager Parker said Council approved the Flock contract about two years ago and that she would get the specific date. She said no specific workshop or town hall was held on the cameras. She also noted that ALPR technology predates Flock; Lieutenant Hamilton added that Motorola and Axon systems exist, as do ALPRs on toll roads and at Lowe's. Councilwoman Hawkins replied, They are Flock cameras. So that is why I am saying they are Flock cameras.

Councilwoman Hawkins requested a copy of the Town's written ALPR policy required by statute, with its adoption date and approver. Lieutenant Hamilton said he had dates for when the policy was generated, put in place, and last reviewed. Manager Parker said Council approved the contract, but she did not recall the policy, and she committed to providing the agreement date, the packet, and the

internal policy before the end of the week. Councilwoman Hawkins said that the make, model, and license plate identify a person's car, so the cameras read personal information, and that residents had no knowledge. Lieutenant Hamilton disagreed, saying the camera reads only the vehicle's exterior, that vehicles on public roads have no expectation of privacy, and that accessing owner information requires a secondary authentication by an officer.

Councilwoman Hawkins said that is not a misconception. That is a fact that these cameras were put up without residents having a voice. She asked when it was authorized and why the public was not given an opportunity to be heard. She invited residents with concerns to come forward. She said she was just literally doing my job.

Lieutenant Hamilton then described the program's results. Since installation there have been 35 arrests based on Flock hits, three of which he took part in. One involved a stolen vehicle and a wanted person with multiple felonies, guns, and drugs. About $10,400 in stolen property and nine vehicles or tags had been recovered. Other cases included a hit-and-run on NC 11 involving a red truck and a stolen credit card used at Sam's Club. The seven-day window allowed investigators to find the vehicle and identify the suspect. Councilwoman Hawkins responded that she would still like to know why the cameras were installed without residents being notified.

3. Parks and Recreation: Public Information and Accessibility. (Councilwoman Hawkins)

Councilwoman Hawkins asked how the Parks and Recreation Advisory Board communicates its meetings to the public and Council. She had attended its August 25 meeting and wanted to know where its minutes can be found. She noted that many plans were discussed at that meeting, but few items came before Council, and she contrasted this with the Human Relations Board, which seeks approvals for its actions.

Mr. Harvey said advisory board minutes are emailed with the departmental reports in the agenda packet sent to the distribution group. Councilwoman Hawkins asked whether they are published for the public. Manager Parker said she was not aware that the minutes of the Human Relations Board, the Parks and Recreation Advisory Board, or the Stormwater Advisory Board are posted on the website, and staff confirmed none have been. They are available with the agenda for the following meeting when they are presented for approval. Councilwoman Hawkins said these are public meetings and asked how the public could track what is happening and how access could be improved.

Manager Parker said she thought it was a good addition for the website. She said it would take until the end of September to create space for the advisory board meeting minutes. Mr. Harvey added that, as keeper of the records, he can provide them to anyone upon request.

XIV. Items For Future Agendas/Future Work Sessions

1. Monday, September 28, 2026, at 5:30 pm in the Town Hall Assembly Room; Town Council Workshop - Policies, Procedures and Ordinances

Town Manager Parker confirmed the workshop for Monday, September 28, at 5:30 PM in the Town Hall Assembly Room. Council will begin work on policies, procedures, and needed ordinance changes, which she said would likely take more than one workshop. Staff will ensure that each member has a copy of the ordinance book and the Council Rules of Procedure. Councilwoman Hawkins asked that Council be emailed the sections to be reviewed and an estimated overall plan so members can prepare. Manager Parker said she would suggest content for the first meeting and welcomed suggestions.

XV. Announcements

Town Clerk Harvey summarized several announcements:

- The Council workshop is September 28th.
- The Human Relations Board moved its meeting up to September 17 from September 24 to better plan the event Council approved at The Market.
- Coffee with a Cop is September 18.
- Agenda abstracts and information for the October meeting are due to him by September 30.
- The mobile market is at The Market every Thursday afternoon from 2:30 to 4:00.
- Information for the November newsletter is due October 7.
- Agenda review is October 8 for the October 12 Council meeting.

XVI. Reports From The Town Manager, Town Attorney, Town Council, And Mayor

Town Attorney Lassiter had no report. He noted the Closed Session on the agenda would involve two statutory grounds: the attorney-client privilege provision (subsection 3) and the contract negotiation provision (subsection 5).

Councilman Moye thanked veterans for their service. He reminded residents that early voting begins October 15 for the midterm election, welcomed the new employee, and thanked citizens, the Council, and the Town Manager and her staff.

Councilwoman Smith echoed Councilman Moye's remarks. She said it is always good to hear from people new to the community, like the Villa Grande residents who spoke in public comments, because it assures me that we are doing things right.

Mayor Pro Tem Roberson urged residents to vote. She said she was heartbroken to hear that Tiebreakers (as transcribed) were leaving and urged that everyone work to bring another business into the space quickly. She said the County Commissioners were reportedly going to consider Uber on a trial basis for Winterville and Ayden. She thought it relevant to Councilwoman Hawkins's earlier discussion of in-town transportation, and suggested the Town watch the trial and inform citizens.

Councilwoman Hawkins thanked Mayor Pro Tem Roberson and invited Assistant Town Manager Bowers to elaborate on prospective town-based transportation. Assistant Town Manager Bowers said he has been working with the Metropolitan Planning Organization (MPO) extending the Greenville Area Transit (GREAT) bus route into Winterville. Costs had historically been prohibitive. Earlier proposals for stops on Mill Street and at the Food Lion shopping center were revised, since Food Lion was too far out. The MPO proposed a Mill Street stop and, hopefully, one near the Lowe's Foods and Beacon Drive area. The aim is to get North Winterville residents safely to shopping or on to Greenville. The funding is granting money, so any location must meet the grant's qualifications. He said this work ties into the bike and pedestrian plan and a sidewalk network. Councilwoman Hawkins said she looked forward to updates and noted the benefit for residents who cannot drive because of age or disability.

Councilwoman Hawkins then shared that her 21-year-old daughter recently had a medical emergency at the Food Lion in Winterville, and that she was unable to travel with her in the Winterville EMS transport. She said these raised concerns about Winterville EMS policies and procedures, not just for my daughter and for myself, but for any and every citizen. She asked if information on oversight be provided without delay, because people call Winterville EMS and we do not know who the oversight lies with. She said she had asked Town Manager Parker for information the previous Saturday, which was now over seven days earlier, going on ten to twelve. She also listed eight items on which she said she had unanswered questions:

- Accountability when Council members' questions go unanswered.
- Notice of town manager agenda meetings.

- Two major paving projects were to be implemented in July.
- The trash bin policy.
- The police chief selection process.
- The $19,000 rebranding decision and who made it.
- Hiring practices and public job posting.
- Winterville EMS oversight.

She said that these are all important matters. This is not an instance of anybody being emotionally out of touch or out of line.

Councilwoman Dr. Harrell thanked the citizens in attendance, saying your presence matters and your voices matter. She acknowledged the passing of Dr. Julius Mallette, an OB-GYN known across Pitt County, North Carolina, and nationally. She described him as a giant in medicine and gentle in spirit, compassionate toward pregnant mothers affected by addiction, and she said she was mentioning him because September is Recovery Month. She thanked staff and her fellow Council members.

Town Manager Parker answered Councilwoman Hawkins's question about Winterville EMS on the record. She said Winterville EMS is a separately chartered 501(c)(3) nonprofit organization that governs itself. It has historically had a chief and currently has an interim supervisor, and a five-member board that includes Chief Moore. It resides in the Town's building, works collaboratively with Fire and Rescue, and has a contractual relationship with Pitt County for services in the Winterville area and with the Town for space use. Two full-time paramedics are Town employees assigned to Winterville EMS, and Winterville EMS reimburses the Town for their salary and benefits. She said Winterville EMS funding comes from Pitt County, not the Town's general fund. She said Councilwoman Hawkins should soon receive an answer from Winterville EMS to her public records request.

Councilwoman Hawkins noted that EMS carries the Winterville name, is housed in town, has a contract, and receives reimbursement, and she concluded that it falls under oversight in Winterville. She asked who has absolute oversight. Manager Parker said the Town has no oversight of Winterville EMS beyond the two assigned paramedics. She said Winterville EMS would provide the information, including board members, and that it was hoped to be wrapped up that week. Councilwoman Hawkins replied, I will be expecting it.

Mayor Hines reflected on the recent 9/11 anniversary, saying he could hardly believe it had been 25 years. He recalled that he had a family member working at the Pentagon that day. The family could not reach him because the phone lines were down, but he was safe because he had pink eye and did not go to work. The Mayor said that in a recent conversation with young people about being mayor, he compared the job to a marathon. He said government runs slow, and a project can take ten years, such as the one that began in 2020 and was just completed. Some projects come in over budget and some under, and some decisions will not benefit everyone. Council members are elected to listen to citizens, but we are the ones that are sitting up here that make the decisions. He advised young people to have thick skin, make decisions they can stand behind, and remember that they may not be around when the work is done, but you were trying to make a difference.

XVII. Closed Session

Town Attorney Lassiter reminded the Mayor that a vote was required to go into closed session. The closed session was held under N.C.G.S. § 143-318.11, subsection (a)(5) as listed on the agenda, and subsection (a)(3), which was added with the amended agenda.

Motion made by Councilwoman Smith and seconded by Councilman Moye to go into Closed Session under N.C.G.S. § 143-318.11, subsection (a)(3) and subsection (a)(5). Motion carried unanimously, 5-0. Entered into Closed Session at 8:17 pm.

Motion made by Councilwoman Smith and seconded by Councilwoman Dr. Harrell to return to Open Session. Motion carried unanimously, 5-0.

No action was announced upon return to open session.

XVIII. Adjourn.

Motion to adjourn was made by Councilwoman Hawkins and seconded by Councilwoman Dr. Harrell. The motion carried. The Mayor declared the meeting adjourned.

Motion made by Councilwoman Hawkins and seconded by Councilwoman Dr. Harrell to adjourn the meeting. Motion carried unanimously, 5-0. Meeting adjourned at 9:07 pm.

Adopted the 12th day of October 2026.

Richard E. Hines, Mayor

ATTEST:

Donald Harvey, Town Clerk

WINTERVILLE *A slice of the good life!*	**Town of Winterville** **Town Council** **Agenda Abstract**	**Item Section**: Consent Agenda **Meeting Date**: October 12, 2026
	Presenter: Stephen Penn, Planning and Economic Development Director	

Item to be Considered

Subject: Old Tar Village Section 2 - Lots 3 & 4 Annexation Petition.

Action Requested: Direct Town Clerk to Investigate Sufficiency of Annexation.

Attachment: Annexation Petition, Legal Description, and Annexation Map.

Prepared By: Stephen Penn, Planning and Economic Development Director	**Date**: 9/28/2026

ABSTRACT ROUTING:

☒ TC: 10/5/2026 ☒ TM: 10/5/2026 ☒ Final: tlp - 10/5/2026

Supporting Documentation

Applicant: Old Tar Village Properties, LLC (Matt Soddy, Property Owners).

Location: Old Tar Village Road (adjacent to the Winterville Pediatrics Office).

Parcel Numbers: A portion of existing parcel number 54700.

Site Data: 1.656 acres.

Zoning: General Business (GB).

Staff Analysis:

Applicant is requesting annexation of Old Tar Village Section 2, Lots 3 & 4 for the construction of two commercial buildings that will feature 5 units each (10 units total). Each building will total 6,000 sf.

Anticipated Annexation Schedule:

10/12/26: Direct Town Clerk To Investigate Sufficiency.

11/9/26: Schedule Public Hearing.

12/14/26: Hold Public Hearing.

If approved, anticipated Effective Date will be December 31, 2026.

Staff recommends approval of the annexation petition.

Budgetary Impact: TBD.

Recommendation: Staff recommends Council direct the Town Clerk to Investigate the Sufficiency of Annexation.

20260219

PETITION REQUESTING ANNEXATION

Date: September 15, 2026

To the Mayor and Town Council of the Town of Winterville:

1. We the undersigned owners of real property respectfully requested that the area described in Paragraph 2 below be annexed to the Town of Winterville.

2 The area to be annexed is contiguous to the Town of Winterville and the boundaries of such territory are as follows:

Description

Old Tar Village Lots 3 and 4 – Legal description is attached

Name Old Tar Village Properties, LLC

Address 1906 Old Creek Road
Greenville, NC 27834

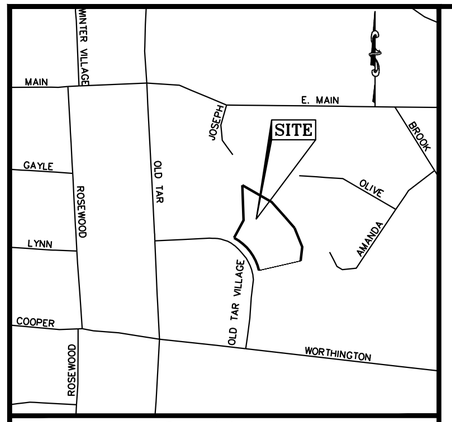
Signature Matt M. Soddy
Mathew M. Soddy, Manager

Legal description for Annexation of

Lot(s) 3 & 4, Old Tar Village, Section Two

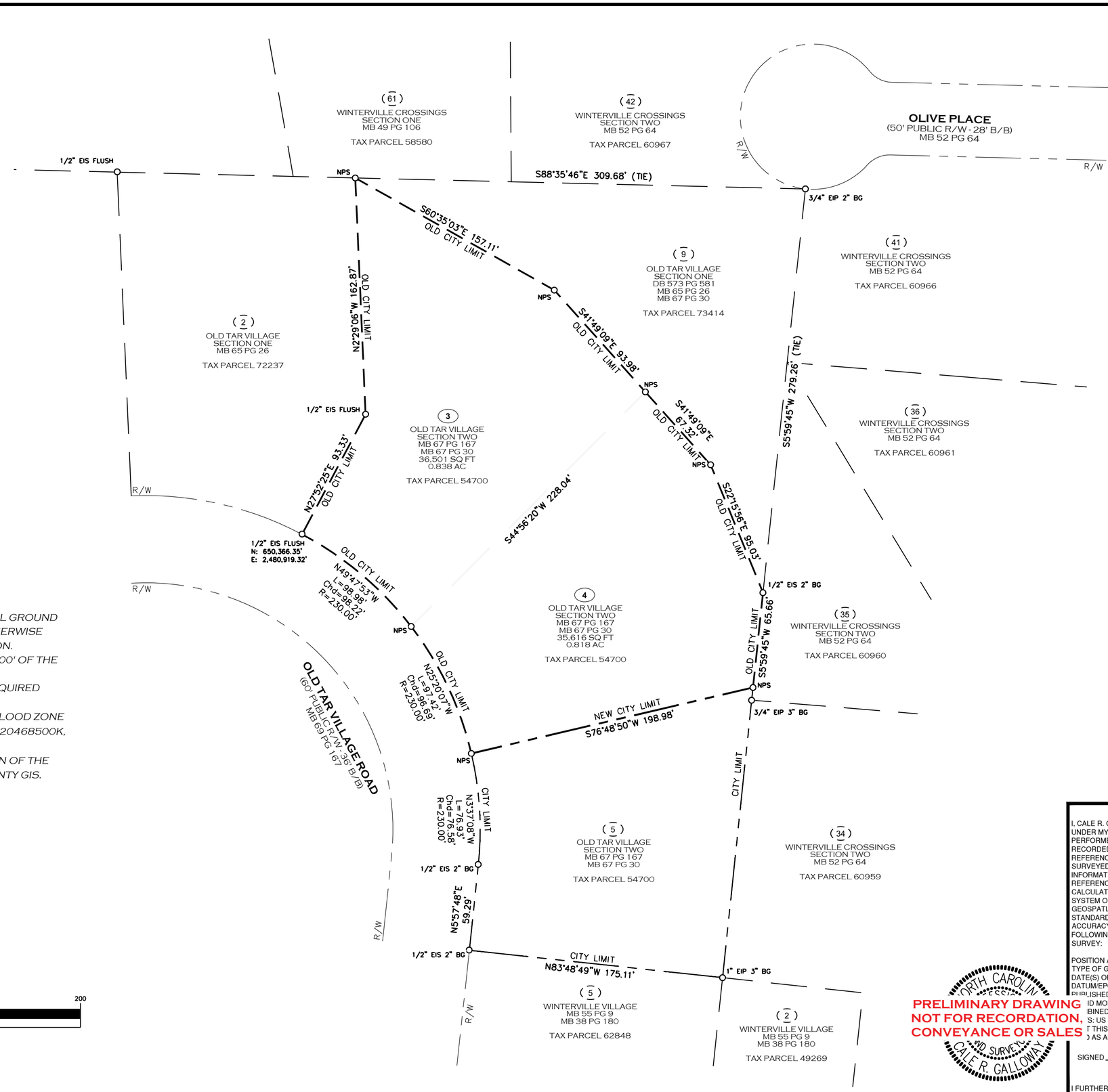
Commencing at an iron stake, said iron stake having North Carolina State Plane grid coordinates of Northing: 650,366.35' and Easting: 2,480,919.32' (NAD 83 datum) and being located at the southeast property corner of Lot 2, Old Tar Village, Section One, as recorded in Map Book 65, Page 26, and along the northern right-of-way of Old Tar Village Road, and being the **Point of Beginning** for this description.

Thence from said **Point of Beginning**, leaving said road right-of-way, and following along the eastern property line of said Lot 2, N 27°52'25" E, 93.33' to an iron stake; thence N 02°29'06" W, 162.87' to a point, said point being the northeast property corner of said Lot 2 and being located along the southern property line of Lot 61, Winterville Crossings, Section One, as recorded in Map Book 49, Page 106, said point also being the northwest property corner of Lot 9, Old Tar Village, Section One, as recorded in Map Book 65, Page 26; thence from said point and following along the western property line of said Lot 9, S 60°35'03" E, 157.11' to a point; thence S 41°49'09" E, 93.98' to a point, said point being a common property corner of Lot 3 and Lot 4, Old Tar Village, Section Two, as recorded in Map Book 67, Page 167; thence continuing S 41°49'09" E, 67.32' to a point; thence S 22°15'56" E, 95.03' to an iron stake, said iron stake being located along the western property line of Lot 35, Winterville Crossings, Section Two, as recorded in Map Book 52, Page 64; thence from said iron stake and following along the western property line of said Lot 35, S 05°59'45" W, 65.66' to a point; thence cornering and running along the southern property line of said Lot 4, Old Tar Village, Section Two, S 76°48'50" W, 198.98' to a point, said point being the southwest property corner of said Lot 4 and being located along the northern right-of-way of Old Tar Village Road; thence from said point and following along the northern right-of-way of Old Tar Village Road with a curve to the left, a chord bearing and distance of N 25°20'07" W, 96.69' to a point; thence continuing with said curve along said right-of-way, a chord bearing and distance of N 49°47'53" W, 98.22' to an iron stake, the **Point of Beginning**, containing 1.656 acres and being all of Lot(s) 3 & 4, Old Tar Village, Section 2, as recorded in Map Book 67, Page 167.



VICINITY MAP

SCALE: 1" = 500'



BASIS OF BEARINGS
NC GRID NAD83 (NSRS 2011)

SURVEY LEGEND

Adjoiner Line	— — — —
Iron Property Corner	O
Existing Iron Pipe	EIP
Existing Iron Stake	EIS
No Point Set	NPS
Below Grade	BG
Above Grade	AG
Deed Book	DB
Map Book	MB
Page Number	PG
Right of Way	R/W
Chord	CHD
Length	L
Radius	R
Northing	N
Easting	E

GENERAL NOTES:

1. ALL DISTANCES SHOWN HEREON ARE HORIZONTAL GROUND MEASUREMENTS IN US SURVEY FEET, UNLESS OTHERWISE NOTED. AREAS ARE BY COORDINATE COMPUTATION.
2. NO GEODETIC MONUMENT WAS FOUND WITHIN 2000' OF THE PROJECT LOCATION.
3. REFERENCES ON THE FACE OF THE MAP WERE ACQUIRED FROM THE PITT COUNTY REGISTER OF DEEDS.
4. THE SUBJECT PARCEL(S) SHOWN HEREON LIE IN FLOOD ZONE X (MINIMAL FLOOD RISK) PER FEMA FIRM PANEL 3720468500K, EFFECTIVE DATE 07/07/2014.
5. THE SUBJECT PARCEL(S) ARE UNDER JURISDICTION OF THE TOWN OF WINTERVILLE, ZONED GB, PER PITT COUNTY GIS.

ANNEXATION LEGEND

NEW CITY LIMIT
OLD CITY LIMIT
CITY LIMIT

GRAPHIC SCALE

50 0 25 50 100 200

(IN FEET)
1 inch = 50 ft.

PRELIMINARY DRAWING
NOT FOR RECORDATION,
CONVEYANCE OR SALES

NORTH CAROLINA PROFESSIONAL SEAL LAND SURVEYOR CALE R. GALLOWAY

CERTIFICATION

I, CALE R. GALLOWAY, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY PERFORMED UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 573, PAGE 581, OR FROM BOOKS REFERENCED HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOK _____, PAGE _____, OR AS REFERENCED HEREON; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; THAT THE GLOBAL POSITIONING SYSTEM OBSERVATIONS WERE PERFORMED TO THE GEOSPATIAL POSITIONAL ACCURACY STANDARDS, PART 2: STANDARDS FOR GEODETIC NETWORKS AT THE CLASS "A" ACCURACY CLASSIFICATION (95% CONFIDENCE) AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE GPS SURVEY:

POSITION ACCURACY: DOES NOT EXCEED 0.07'
TYPE OF GPS FIELD PROCEDURE: VRS
DATE(S) OF SURVEY: 05/04/2026
DATUM/EPOCH: NAD 83/2011
PUBLISHED/FIELD CONTROL MONUMENTS USED: VRS
ID MODEL: GEOID 12B
BINED GRID FACTOR: 0.999886433
S: US SURVEY FOOT
T THIS PLAT WAS PREPARED IN ACCORDANCE WITH GS
) AS AMENDED.

SIGNED _____
REGISTRATION NO. L-5352

I FURTHER CERTIFY PURSUANT TO G.S. 47-30 (f)(11)(c1). THE SURVEY IS OF AN EXISTING PARCEL OF LAND AND ONE OR MORE EXISTING EASEMENTS AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE ____ DAY OF _____, 2026.

REVIEW OFFICER'S CERTIFICATE

I, _____, A REVIEW OFFICER OF PITT COUNTY, N.C. CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

REVIEW OFFICER _____ DATE _____

OLD TAR VILLAGE

SECTION TWO - LOT(S) 3 & 4

REFERENCE: BEING A PORTION OF THE PROPERTY DESCRIBED IN MAP BOOK 67, PAGE 167 OF THE PITT COUNTY REGISTRY.

GALLOWAY PLLC
GEOSPATIAL
INFORMATICS & SURVEYING
463 Second Street - Ayden - NC - 28513
252-565-2657 - NC FIRM # P-2153

SURVEYED: JLS/DAH	APPROVED: CRG
DRAWN: JGG	DATE: 09/03/2026
CHECKED: CRG	SCALE: 1" = 50'

MAP NO.	PLATS RECORDED	BOOK	PAGE
	OLD TAR VILLAGE SECTION 2	67	167
	OLD TAR VILLAGE SECTION 1	67	30

MAP SHOWING AREA ANNEXED BY THE TOWN OF WINTERVILLE, N.C.

DATE: _____ ORDINANCE NO.: _____ AREA: 1.656 ACRES

WINTERVILLE TOWNSHIP, PITT COUNTY, NC

	Town of Winterville **Town Council** **Agenda Abstract**	**Item Section**: Consent Agenda **Meeting Date**: October 12, 2026
	Presenter: Charles Hamilton, Police Lieutenant	

Item to be Considered

Subject: Temporary Street Closures for the Annual Fright Fest Event – October 25, 2026.

Action Requested: Approval Requested.

Attachment: None.

Prepared By: Charles Hamilton, Police Lieutenant	**Date**: 9/29/2026

ABSTRACT ROUTING:

☒ **TC: 10/5/2026** ☒ **TM: 10/5/2026** ☒ **Final: tlp - 10/5/2026**

Supporting Documentation

The Winterville Police Department requests approval for the temporary closure of portions of Railroad Street on Sunday, October 25, 2026, from 0800 hours until 2000 hours to accommodate the annual Fright Fest event.

The requested closures are as follows:

• Railroad Street from Main Street to Depot Street, on both the east and west sides of the railroad tracks.

• Railroad Street from Main Street to Cooper Street, on the west side of the railroad tracks.

These temporary closures will allow for event setup, pedestrian traffic, event activities, and breakdown while providing a safer environment for attendees and participants. The Winterville Police Department will coordinate the placement and removal of traffic control devices and will maintain access for emergency vehicles as necessary.

Staff recommends approval of the requested temporary street closures for the annual Fright Fest event on October 25, 2026, from 0800 to 2000 hours.

Budgetary Impact: TBD.

Recommendation: Staff recommends Council approve the temporary street closings.

20260219

WINTERVILLE *A slice of the good life!*	**Town of Winterville** **Town Council** **Agenda Abstract**	**Item Section**: Consent Agenda **Meeting Date**: October 12, 2026
	Presenter: Jessica Manning, Finance Director	

Item to be Considered

Subject: Budget Amendment 2026-2027-2.

Action Requested: Approval of the Budget Amendment.

Attachment: Budget Amendment 2026-2027-2.

Prepared By: Jessica Manning, Finance Director	**Date**: 9/30/2026

ABSTRACT ROUTING:

☒ TC: 10/5/2026 ☒ TM: 10/5/2026 ☒ Final: tlp - 10/5/2026

Supporting Documentation

This is the second Budget Amendment for the 2026-2027 Fiscal Year.

The first item in this budget amendment addresses the need to increase the Grant Revenue line item in the amount of $150,000 to account for the North Carolina Office of State Budget and Management Grant for the purchase of radio communication hardware and related equipment. The Fire department's capital outlay line item will be increased by $150,000.

The second item in this budget amendment increases the Electric Capital Outlay line item by $49,896 to account for the additional cost for the Old Tar Road widening project. These additional funds will be reimbursed by the NCDOT.

The third item in this budget amendment increases the Recreation Grant line item by $1,500 to account for the NCRPA New Initiative Paint in the Park Grant. The Recreation Supplies and Materials line item will be increased by $1,500 as well.

Budgetary Impact: Total budget amendment $201,396.

Recommendation: Staff recommends Council approve the Budget Amendment.

20260219

BUDGET ORDINANCE AMENDMENT 2026-2027-2

BE IT ORDAINED by the Governing Board of the Town of Winterville, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2027:

SECTION 1. Revenues are to be changed as follows:

LINE ITEM DESCRIPTION	Fund		Account		Increase	Decrease
Misc Grant Revenue	General		10-0000-00	3420	$ 150,000	
Grant	Recreation		15-0000-00	3415	$ 1,500	
Grant	Electric		60-0000-00	3415	$ 49,896	
Total					**$ 201,396**	**$ -**

SECTION 2. Appropriations are to be changed as follows:

LINE ITEM DESCRIPTION	Fund	Department	Account		Increase	Decrease
Capital Outlay	General	Fire	10-4320-00	7150	$ 150,000	
Supplies and Materials	General	Parks & Recreation	15-6010-00	4230	$ 1,500	
Capital Outlay	Electric		60-8010-00	7150	$ 49,896	
Total					**$ 201,396**	**$ -**

Adopted the 12th day of October 2026.

Richard E. Hines, Mayor

Donald Harvey, Town Clerk

WINTERVILLE *A slice of the good life!*	**Town of Winterville** **Town Council** **Agenda Abstract**	**Item Section**: Old Business **Meeting Date**: October 12, 2026
	Presenter: Terri L. Parker, Town Manager	

Item to be Considered

Subject: Trash Container (Can) Policy (Proposed).

Action Requested: Council Direction.

Attachment: Proposed Policy Verbiage and Current Ordinance verbiage.

Prepared By: Terri L. Parker, Town Manager	**Date**: 10/5/2026

ABSTRACT ROUTING:

☒ **TC: 10/5/2026** ☒ **TM: 10/5/2026** ☒ **Final: tlp - 10/5/2026**

Supporting Documentation

Council directed Staff to bring forward proposed language related to the procedures/times for bringing Trash Containers to the curb and removing them from the curb for each week's pickup. GFL begins its pickup in Winterville by 6:00 am.

Staff is proposing policy which would state that Trash containers are to be pulled to the curb for pickup before 6:00 am on the scheduled day of pickup and said containers should be pulled back to the house by 7:00 am on the morning after scheduled day of pickup.

Violators will be given an initial warning by the Town (Complaint driven) and repeat offenders will be assessed a $25 citation for each offense. Every day the violation occurs constitutes a separate offense.

Staff seeks Council guidance and direction on said issue.

Budgetary Impact: TBD.

Recommendation: Staff seeks Council guidance and direction on this Item.

20260219

ORDINANCE NO. 26-O-104

ORDINANCE AMENDING CHAPTER 51 OF THE CODE OF ORDINANCES OF THE TOWN OF WINTERVILLE, NORTH CAROLINA

BE IT ORDAINED by the Town Council of the Town of Winterville, North Carolina that Title V Chapter 51 of the Code of Ordinances of the Town of Winterville is hereby amended as follows:

CHAPTER 51: GARBAGE AND REFUSE

Amended as follows:

§ 51.07 HOUR FOR PLACING CANS.

Trash containers are to be pulled to the curb for pickup before 6:00 am on the scheduled day of pickup and said containers should be pulled back to the house by 7:00 am on the morning after scheduled day of pickup.

§ 51.26 FEES AND CHARGES FOR SOLID WASTE COLLECTION SERVICES.

Violators of the trash containers pull back policy will be given an initial warning by the Town (Complaint driven) and repeat offenders will be assessed a $25 citation for each offense. Every day the violation occurs constitutes a separate offense.

The remainder of Chapter 51 is not amended pursuant to this Ordinance.

Adopted the 12th day of October 2026.

_____
Richard E. Hines, Mayor

ATTEST:

_____
Donald Harvey, Town Clerk

GENERAL PROVISIONS

§ 51.01 DEFINITIONS.

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

BUILDING MATERIAL SCRAPS. Scrap building material from the construction, reconstruction, remodeling or repair of a building, walkway, driveway, sign and other structure including, but not limited to excavated earth, tree stumps, rocks, gravel, bricks, plaster, concrete, lumber or other similar material used in construction or the containers or wrappings, therefore.

GARBAGE. All putrescible waste, including animals and vegetable matter, animal offal and carcasses, and recognizable industrial by-products, but excluding sewage and human wastes.

REFUSE. All non-putrescible waste.

SOLID WASTE. Garbage, refuse, rubbish, trash and other discarded solid materials, including solid waste materials resulting from homes, businesses, industrial, commercial and agricultural operations, and from community activities, but does not include solids or dissolved materials in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows or other common water pollutants.

TREE TRIMMINGS. Tree limbs, leaves, shrubbery trimmings and cuttings and all other trimmings from the natural growth of trees, shrubbery, weeds, plants, or grass.

(1992 Code, § 51.01)

§ 51.02 REFUSE REQUIRED TO BE DEPOSITED IN APPROVED CONTAINERS.

It shall be unlawful for any person to throw, place, or deposit any garbage or refuse of any kind on any public or private property, except in approved containers or as otherwise provided in this chapter.

(1992 Code, § 51.02) Penalty, see § 51.99

§ 51.03 BURNING OR BURYING GARBAGE AND REFUSE REGULATED.

It shall be unlawful to burn, set fire to, or bury any garbage for the purpose of disposal. In addition, it shall be unlawful to bury any refuse for the purpose of disposal unless a permit therefore has been granted by the Fire Chief.

(1992 Code, § 51.03) Penalty, see § 51.99

§ 51.04 ACCUMULATION OF GARBAGE AND REFUSE PROHIBITED.

All garbage and refuse shall be collected and placed in containers as required by this chapter, and it shall be unlawful for any person to permit garbage or refuse to accumulate or remain on any premises longer than is reasonably necessary to remove and deposit the same in approved containers as required herein.

(1992 Code, § 51.04) Penalty, see § 51.99

§ 51.05 CONTAINERS REQUIRED.

The occupant of every building or premises where garbage and refuse does or may exist shall provide containers made of substantial galvanized iron, plastic, rubber or other non-rusting material in which all garbage and refuse existing at the building or premises shall be deposited. Each container

shall be provided with handles or bails and with a tight-fitting cover made of the same material as the container. All containers shall be watertight, and they shall be of a size that can be conveniently handled by the collectors, and no container shall be more than 22 inches in diameter, nor 30 inches in height. All containers shall be kept in a clean manner by the use of lye or other effective cleaner. Barrels shall not be used as garbage cans. Containers not meeting these standards shall be condemned and a sticker stating the condemnation placed on the container. If the containers are not removed by the owner within one week, the garbage collector shall remove them.

(1992 Code, § 51.05) Penalty, see § 51.99

§ 51.06 PRE-COLLECTION PRACTICES.

All garbage and refuse shall have the liquid drained therefrom and shall be wrapped in paper or other like material before it is placed in the container provided for that purpose, and no ashes shall be deposited in any container until they are cold. Containers which fail to have a cover as required in § 51.05, or which become rusted or broken and therefore are unable to contain garbage and refuse in a satisfactory manner shall not be used.

(1992 Code, § 51.06) Penalty, see § 51.99

§ 51.07 HOUR FOR PLACING CANS.

Proposed: Staff is proposing policy which would state that Trash containers are to be pulled to the curb for pickup before 6:00 am on the scheduled day of pickup and said containers should be pulled back to the house by 7:00 am on the morning after scheduled day of pickup.

(Proposed Amended 10/12/2026) (1992 Code, § 51.07)

§ 51.08 UNLAWFUL TO DISPLACE CONTAINERS.

It shall be unlawful for any person to damage, displace or otherwise interfere with garbage containers or their contents, except the owner or upon permission or at the request of the owner.

(1992 Code, § 51.08) Penalty, see § 51.99

§ 51.09 REMOVAL OF DEAD ANIMALS.

Dead animals will be removed from any premises by the town upon notice to the Town Manager of the existence of the dead animal.

(1992 Code, § 51.09)

§ 51.10 TRANSPORTATION OF GARBAGE AND REFUSE BY PRIVATE CITIZENS.

No person or persons shall collect, handle, or transport over or along any of the streets, alleys, or other public ways in the town any garbage or refuse without first having obtained a permit therefore from the Council, except enroute to the garbage and trash dump of the town.

(1992 Code, § 51.10) Penalty, see § 51.99

§ 51.11 CONTRACTOR RESPONSIBILITY.

Any person or company who is compensated for activities which generate building material scraps, garbage, solid waste, or tree trimmings shall be responsible for the removal and disposal of such items.

(Ord. 09-O-195, passed 10-12-2009) Penalty, see § 51.99

FEES AND CHARGES

§ 51.25 DEFINITIONS.

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

INSTITUTIONAL UNIT. Any room or group of rooms used for religious or similar purposes.

NONRESIDENTIAL UNIT. Any room or group of rooms used for business, commercial, or other nonresidential use.

OCCUPANT. Any person who, alone or jointly with others, is in actual possession of any residential unit or of any other improved real property, either as owner or tenant.

RESIDENTIAL UNIT. Any room or group of rooms forming a single habitable unit, including houses, apartment units, mobile homes, condominium units, and townhouses, but not including hotel or motel living quarters.

SOLID WASTE COLLECTION. The collection of solid waste, including garbage, recyclables, and refuse, without regard to whether the collection is from trash cans, roll-out carts, containerized service, trash collection, or any combination of these services.

(1992 Code, § 51.11) (Ord. 01-91, passed 6-25-2001)

§ 51.26 FEES AND CHARGES FOR SOLID WASTE COLLECTION SERVICES.

(A) The person or organization whose name utility service is listed shall be liable for and shall pay the charges for solid waste collection service provided for under this subchapter.

(B) All residential and institutional units shall be charged a monthly fee as established in the Town Fee Schedule.

(C) The monthly charge for solid waste collection services shall be billed by the town to each residential and institutional unit on a monthly basis and shall be payable with utility charges within the time limit fixed for the payment of utility bills by the town.

(D) The charge for solid waste collection service for residential unit shall accrue on the first day of the billing cycle.

(E) Nonresidential units shall be responsible for obtaining solid waste collection services from private haulers, or making other lawful and satisfactory arrangements for disposal of solid wastes.

(F) Residential units owned, utilized, or occupied by any federal, state or local governmental body, institution or agency located wholly or partially in the town may receive an exemption from the payment of fees and charges for solid waste collection upon satisfactory showing to the Town Manager that the governmental body, institution or agency can remove and dispose of all solid waste at the subject location in a safe and sanitary manner.

(G) The Town Manager is authorized to establish, and to change as needed, whatever rules, regulations, interpretations and policies as are necessary to implement and effectively administer the collection and enforcement of the fees and charges in this subchapter. In establishing or amending the rules, regulations, interpretations and policies authorized by this division, the Town Manager shall be guided by the following principles:

(1) Rules, regulations, interpretations, and policies shall be consistent with applicable state, federal and local law;

(2) Rules, regulations, interpretations, and policies shall be consistent with generally accepted accounting principles, effective management oversight and control, and efficient operation; and

(3) Rules, regulations, interpretations and policies shall not allow termination of electric, water, or sewer service.

(H) Proposed: Violators of the trash containers pull back policy will be given an initial warning by the Town (Complaint driven) and repeat offenders will be assessed a $25 citation for each offense. Every day the violation occurs constitutes a separate offense.

(Proposed Amended 10/12/2026) Hours of Placing Cans, see § 51.07. (1992 Code, § 51.12) (Ord. 01-91, passed 6-25-2001) Penalty, see § 51.99

§ 51.27 PRESUMPTION OF SERVICE.

(A) It is presumed that all residential units in the town receive service. This presumption may be rebutted, and the fee for service released or refunded in accordance with rules, regulations, interpretations and polices established by the Town Manager.

(B) The Director of Public Works, or a designee, shall hear and decide appeals on presumption of service questions. The Director of Public Works may release or refund fees for service charged or collected under circumstances described in division (A) above, and in other circumstances as defined by rules, regulations, interpretations and policies adopted by the Town Manager pursuant to authority granted by this subchapter.

(C) Residential and nonresidential units unoccupied for more than 30 consecutive days will be allowed an exemption from fees and charges. The burden of proof for showing that a unit has been unoccupied for more than 30 consecutive days shall be upon the party responsible for paying the fees and charges established in this subchapter and shall be done on a month-to-month basis on forms provided or approved by the town.

(1992 Code, § 51.13) (Ord. 01-91, passed 6-25-2001)

§ 51.99 PENALTY.

(A) Anyone who violates any provision of this chapter for which no specific penalty is provided shall be subject to the terms of § 10.99.

(B) Any willful and knowing refusal to pay fees assessed for solid waste collection services shall subject the offender to a civil penalty in the amount of $50. It is presumed that payment of the total utility bill, minus the amount of the solid waste collection fee, is a willful and knowing refusal to pay.

(C) Unpaid accounts for fees or charges under §§ 51.25 through 51.27 may be enforced by appropriate civil actions for the collection of amounts due, or by other appropriate relief.

(D) Unpaid solid waste collection fees shall be included in the fees and charges which must be repaid before utility service is resumed in those cases where failure to pay utility charges has resulted in discontinuance of utility service.

(1992 Code, § 51.99) (Ord. 01-91, passed 6-25-2001)

WINTERVILLE *A slice of the good life!*	**Town of Winterville** **Town Council** **Agenda Abstract**	**Item Section**: New Business **Meeting Date**: October 12, 2026
	Presenter: Stephen Penn, Planning and Economic Development Director	

Item to be Considered

Subject: Blackstone Section 3 Final Plat.

Action Requested: Review Final Plat for Approval.

Attachment: Final Plat.

Prepared By: Stephen Penn, Planning and Economic Development Director	**Date**: 9/23/2026

ABSTRACT ROUTING:

☒ TC: 10/5/2026 ☒ TM: 10/5/2026 ☒ Final: tlp - 10/5/2026

Supporting Documentation

Applicant: ARK Consulting Group.

Location: Within the existing Blackstone Subdivision on the corner of Old Tar Road and Vernon White Road.

Parcel Numbers: 67856.

- 12 Single Family Detached Lots.
- Zoning: R-12.5.
- Provides ingress and egress via Blackstone Drive. An emergency access with a gate will provide a second means of emergency access (via the Greenville South Congregation of Jehovah's Witness property, to Vernon White Road).

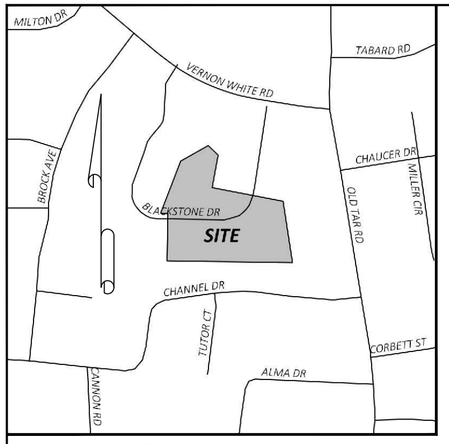
Staff Analysis:

- Blackstone Section 3 Final Plat matches the approved Preliminary Plat.
- The Planning and Zoning Board unanimously voted to recommend approval of Blackstone Section 3 Final Plat to Town Council at their August 17, 2026 meeting.

Budgetary Impact: TBD.

Recommendation: Staff recommends Council approve Blackstone Section 3 Final Plat and acceptance of the subdivision.

20260219



Vicinity Map

SCALE: 1" = 500'

Notes

1. THIS IS A FINAL PLAT OF PITT COUNTY PARCEL NUMBER 67856.
2. ALL DISTANCES SHOWN ARE HORIZONTAL FIELD DISTANCES IN US SURVEY FEET; NO GRID FACTOR APPLIED. THE COMBINED NC GRID FACTOR USED FOR GRID COORDINATE CALCULATIONS IS 0.99988378 AND THE BEARING BASIS FOR THIS MAP IS NC GRID NORTH (NAD 83/2011).
3. AREA COMPUTED BY COORDINATE COMPUTATION METHOD UNLESS OTHERWISE SHOWN.
4. THIS SURVEY WAS CONDUCTED UTILIZING CONVENTIONAL AND GNSS SURVEY TECHNIQUES. HORIZONTAL CONTROL WAS SET USING NETWORK RTK SOLUTION. BOUNDARY SURVEY WAS CONDUCTED USING CONVENTIONAL METHODS FROM CONTROL SET BY NETWORK RTK SOLUTION.
5. THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE EXAMINATION REPORT AND IS SUBJECT TO ANY AND ALL TITLE MATTERS OF RECORD WHICH MAY AFFECT THIS PROPERTY.
6. AS SHOWN IN THE CURRENT FEMA FLOOD INSURANCE RATE MAP 3720468500K DATED 07/07/2014, NO PORTION OF THE SUBJECT PROPERTY IS WITHIN A SPECIAL FLOOD HAZARD AREA.
7. THE CURRENT CITY OF WINTERVILLE ZONING DESIGNATION FOR THIS PROPERTY IS R-12.5.
8. EASEMENTS ABANDONED: 60' UTILITY EASEMENT AND UTILITY EASEMENT OVER SANITARY SEWER MAIN DEDICATED BY FINAL PLAT FOR BLACKSTONE SECTION 2, LOT 2 (M.B. 77, PG. 41) ARE TO BE ABANDONED BY THIS PLAT. THE UTILITIES SERVED BY THESE EASEMENTS HAVE BEEN ABANDONED AS PROPOSED BY THE PRELIMINARY PLAT FOR BLACKSTONE SECTION 3. THESE EASEMENTS TO BE ABANDONED ARE NOT MAPPED HEREON FOR CLARITY.
9. IN ACCORDANCE WITH CONSTRUCTION DRAWINGS/SITE DEVELOPMENT PLANS APPROVED BY THE WINTERVILLE TECHNICAL REVIEW COMMITTEE (APPROVAL DATED OCTOBER 1, 2025), THE MAXIMUM ALLOWABLE IMPERVIOUS AREA PER LOT SHALL BE 5,120 SF.

Legend

⊕	EXISTING IRON BAR OR REBAR	D.B.	DEED BOOK
○	EXISTING IRON PIPE	M.B.	MAP BOOK
●	IRON PIPE SET	PG.	PAGE
□	NO POINT SET	R/W	RIGHT OF WAY
		B/B	BACK-TO-BACK

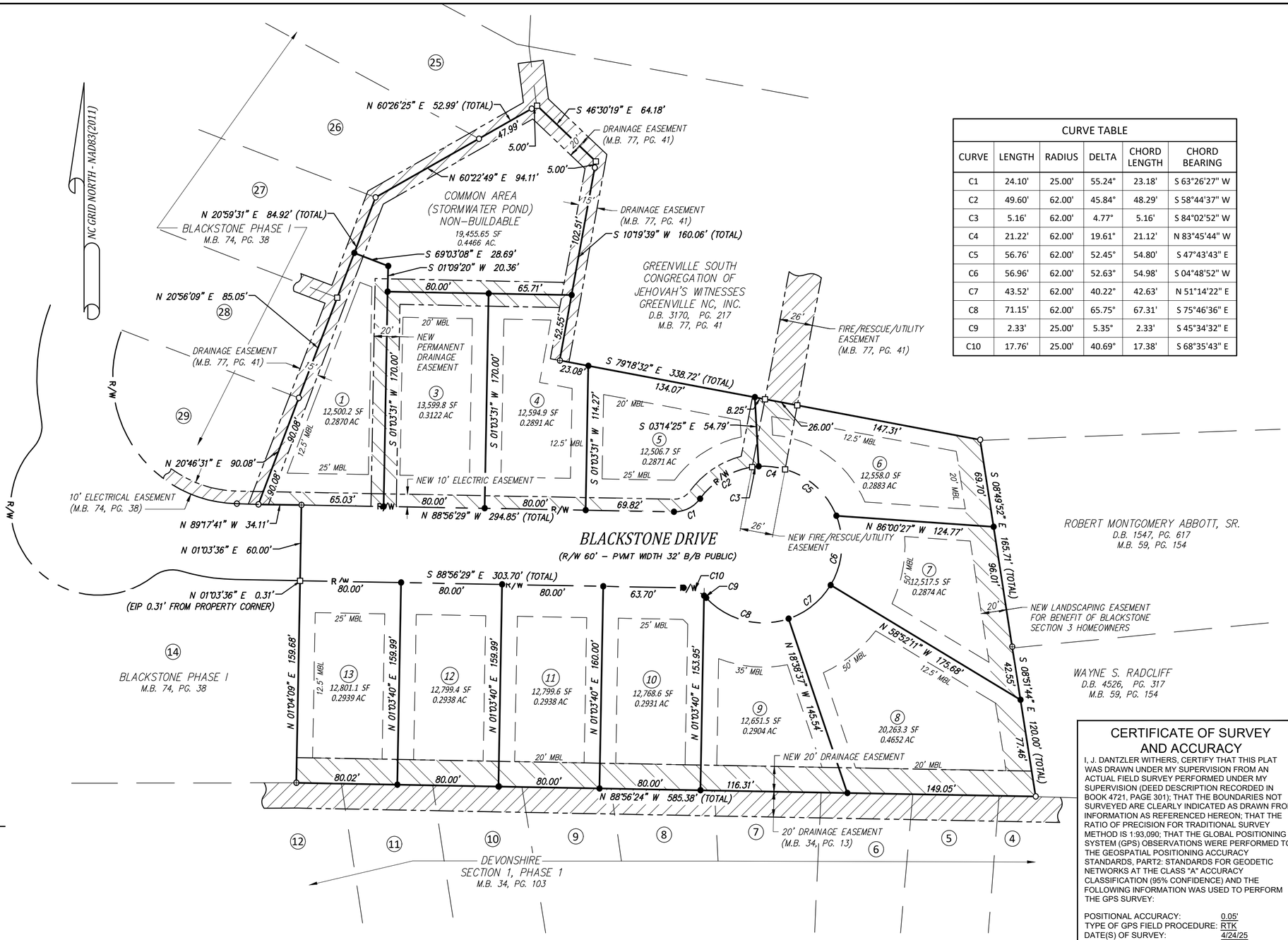
EXISTING EASEMENT

NEW EASEMENT

BOUNDARY LINE

ADJOINER LINE

MINIMUM BUILDING LINE (MBL)



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD LENGTH	CHORD BEARING
C1	24.10'	25.00'	55.24°	23.18'	S 63°26'27" W
C2	49.60'	62.00'	45.84°	48.29'	S 58°44'37" W
C3	5.16'	62.00'	4.77°	5.16'	S 84°02'52" W
C4	21.22'	62.00'	19.61°	21.12'	N 83°45'44" W
C5	56.76'	62.00'	52.45°	54.80'	S 47°43'43" E
C6	56.96'	62.00'	52.63°	54.98'	S 04°48'52" W
C7	43.52'	62.00'	40.22°	42.63'	N 51°14'22" E
C8	71.15'	62.00'	65.75°	67.31'	S 75°46'36" E
C9	2.33'	25.00'	5.35°	2.33'	S 45°34'32" E
C10	17.76'	25.00'	40.69°	17.38'	S 68°35'43" E

SITE DATA

NUMBER OF LOTS: 12
AREA IN TOTAL TRACT: 4.8294 AC
AREA IN RESERVED AREA: 0
LINEAR FEET OF STREETS: 360± LF

60' 0 30' 60'

SCALE 1 inch = 60 ft

RECEIVED

PRELIMINARY PLAT; NOT FOR RECORDATION, CONVEYANCES OR SALES

CERTIFICATE OF SURVEY AND ACCURACY

I, J. DANTZLER WITHERS, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL FIELD SURVEY PERFORMED UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 4721, PAGE 301); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION AS REFERENCED HEREON; THAT THE RATIO OF PRECISION FOR TRADITIONAL SURVEY METHOD IS 1:93,090; THAT THE GLOBAL POSITIONING SYSTEM (GPS) OBSERVATIONS WERE PERFORMED TO THE GEOSPATIAL POSITIONING ACCURACY STANDARDS, PART2: STANDARDS FOR GEODETIC NETWORKS AT THE CLASS "A" ACCURACY CLASSIFICATION (95% CONFIDENCE) AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE GPS SURVEY:

POSITIONAL ACCURACY: 0.05'
TYPE OF GPS FIELD PROCEDURE: RTK
DATE(S) OF SURVEY: 4/24/25
DATUM/ EPOCH: NAD 83(2011)
PUBLISHED/FIELD CONTROL MONUMENTS USED:
NC CORS NETWORK

GEOID MODEL: NGS2018
COMBINED GRID FACTOR: 0.99989243
UNITS: US SURVEY FT

THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.
I, FURTHER CERTIFY PURSUANT TO G.S. 47-30(f)(11)(a). THIS SURVEY CREATED A SUBDIVISION OF LAND WITHIN A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND. WITNESS MY OWNER SIGNATURE AND SEAL THIS THE ____ DAY OF _____, 2026.

SIGNED_____
N.C. LICENSE NO. L-5508

FINAL PLAT

BLACKSTONE SECTION 3

DEED BOOK 4721, PAGE 301
WINTERVILLE TOWNSHIP, PITT COUNTY, N.C.
ARK DRAWING NO. C-1123

OWNER(S): SUTTON LAND HOLDINGS, LLC
ADDRESS: 1101 SOUTH BOULEVARD, STE. 106, CHARLOTTE, NC 28203
PHONE: (704) 226-2588

ARK CONSULTING GROUP, PLLC
NC License: P-1199
ENGINEERS & SURVEYORS
www.arkconsultinggroup.com
925-A Conference Drive Phone: (252) 558-0888
Greenville, NC 27858

SURVEYED: JCB	APPROVED: JDW
DRAWN: WTR	DATE:
CHECKED: JDW	SCALE: 1"=60'

SOURCE OF TITLE

THIS IS TO CERTIFY THAT THE LAST INSTURMENT(S) IN THE CHAIN OF TITLE(S) OF THIS PROPERTY AS RECORDED IN THE PITT COUNTY REGISTRY AT GREENVILLE, NORTH CAROLINA IS:

DEED BOOK 4721 PAGE 301
MAP BOOK 77 PAGE 41
MAP BOOK 74 PAGE 38
MAP BOOK 54 PAGE 154

N.C. LICENSE NO. L-5508

PLANNING BOARD

I HEREBY CERTIFY THAT THIS FINAL PLAT WAS RECOMMENDED FOR APPROVAL BY THE PLANNING BOARD OF THE TOWN OF WINTERVILLE ON THE _____ DAY OF _____, 20___.

SIGNED _____
CHAIRMAN, PLANNING BOARD

CERTIFICATE OF FINAL APPROVAL

APPROVED FOR RECORDING BY THE TOWN COUNCIL OF THE TOWN OF WINTERVILLE, N.C. ON THIS THE _____ DAY OF _____, 20___ PURSUANT TO AUTHORITY OF SECTION 154.13 OF THE SUBDIVISION REGULATIONS.

SIGNED _____
MAYOR

CERTIFICATE OF OWNERSHIP AND DEDICATION

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREIN, THAT THE PROPERTY IS WITHIN THE SUBDIVISION JURISDICTION OF THE TOWN OF WINTERVILLE AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT AND HEREBY ESTABLISH ALL LOTS AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED.

SIGNED _____
OWNER

REVIEW OFFICER CERTIFICATE

I, _____, REVIEW OFFICER OF PITT COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

_____
REVIEW OFFICER

DATE: _____

D:\ARK DROPBOX\01 – PROJECTS\ACTIVE\SUTTON CAPITAL GROUP\25020 – BLACKSTONE\S – SURVEY\DRAWINGS\03 – FINAL\C-1123 – BLACKSTONE FINAL PLAT.DWG, Layout1, Don Withers, Mon, Jul 20, 2026 @ 11:56 AM

WINTERVILLE *A slice of the good life!*	**Town of Winterville** **Town Council** **Agenda Abstract**	**Item Section**: New Business **Meeting Date**: October 12, 2026
	Presenter: Donald Harvey, Town Clerk	

Item to be Considered

Subject: NAACP Use of the Market.

Action Requested: Approval of Use of the Market on the Square.

Attachment: Request Email.

Prepared By: Donald Harvey, Town Clerk	**Date**: 9/30/2026

ABSTRACT ROUTING:

☒ **TC: 10/5/2026** ☒ **TM: 10/5/2026** ☒ **Final: tlp - 10/5/2026**

Supporting Documentation

The Pitt County Chapter of the NAACP is requesting permission to use Winterville Town Square for a Party at the Polls event on **Saturday, October 17, 2026 from 12:00 pm to 3:00 pm.** They would like access to the square beginning at approximately 11:30 a.m. to allow time for setup.

The event will be free and open to the community and will include food, music, and a DJ. The purpose of the event is to encourage community members to participate in the electoral process and exercise their right to vote.

As a nonpartisan organization, the NAACP will not be endorsing or supporting any candidate. All candidates are welcome to attend and distribute campaign literature to attendees, provided they follow any applicable town rules and regulations.

They believe the event will provide an opportunity for members of the community to come together in a positive environment while encouraging civic participation and voter engagement.

Please let us know if the Town of Winterville can accommodate our request and if there are any permits, fees, guidelines, or additional requirements we need to complete in advance.

Thank you for your consideration. We look forward to hearing from you.

Sincerely, Pitt County Chapter of the NAACP

Budgetary Impact: TBD.

Recommendation: Staff recommends Council approve the use of the Market on the Square on Saturday, October 17th by the Pitt County Chapter of the NAACP.

20260219

Don Harvey

From: Daisy Smith <msdaisysmith88@gmail.com>
Sent: Wednesday, September 30, 2026 4:23 PM
To: Don Harvey
Subject: Party at the Polls

Be Advised: This email originated from outside of the Town of Winterville, NC

Dear Town of Winterville,
On behalf of the Pitt County Chapter of the NAACP, I am writing to request permission to use Winterville Town Square for a Party at the Polls event on October 17th from 12:00 p.m. to 3:00 p.m. We would appreciate access to the square beginning at approximately 11:30 a.m. to allow time for setup.
This event will be free and open to the community and will include food, music, and a DJ. The purpose of the event is to encourage community members to participate in the electoral process and exercise their right to vote.
As a nonpartisan organization, the NAACP will not be endorsing or supporting any candidate. All candidates are welcome to attend and distribute campaign literature to attendees, provided they follow any applicable town rules and regulations.
We believe this event will provide an opportunity for members of the community to come together in a positive environment while encouraging civic participation and voter engagement.
Please let us know if the Town of Winterville can accommodate our request and if there are any permits, fees, guidelines, or additional requirements we need to complete in advance.
Thank you for your consideration. We look forward to hearing from you.
Sincerely,
Pitt County Chapter of the NAACP

	Town of Winterville **Town Council** **Agenda Abstract**	**Item Section**: New Business **Meeting Date**: October 12, 2026
	Presenter: Donald Harvey, Town Clerk	

Item to be Considered

Subject: Rural Catalyst Partners LLC use of the Market on the Square.

Action Requested: Approval of Use of the Market on the Square.

Attachment: Request Email.

Prepared By: Donald Harvey, Town Clerk	**Date**: 10/2/2026

ABSTRACT ROUTING:

☒ **TC: 10/5/2026** ☒ **TM: 10/5/2026** ☒ **Final: tlp - 10/5/2026**

Supporting Documentation

The Rural Catalyst Partners LLC is requesting the use of the Winterville Town Market on the Square for an event on **Thursday, October 22 from 4:30 pm - 7:30 pm**. They are looking to host a Party at the Polls event across from the Fire Department. They plan to have a food truck, DJ, and lawn games for all to attend.

Please let me know if there is anything additional that I can provide or any questions that I can answer and if there is any information that you may be able to provide for reservation instructions. Thank you for your time and consideration.

Kind regards, Weyling J. White, Rural Catalyst Partners, LLC

Budgetary Impact: TBD.

Recommendation: Staff recommends Council approve the use of the Market on the Square on Thursday, October 22nd by the Rural Catalyst Partners LLC.

20260219

Don Harvey

From: Weyling White <weywhite@gmail.com>
Sent: Friday, October 2, 2026 2:29 PM
To: Don Harvey
Subject: Party at the Polls w/RCP request

Be Advised: This email originated from outside of the Town of Winterville, NC

Hello Town of Winterville officials,

I am Weyling White, Founder of Rural Catalyst Partners LLC contacting you all with a request for the use of an event location in your town. We are looking to host a Party at the Polls event across from your Fire Department on Thursday, October 22 from 4:30-7:30pm. As a nonpartisan organization this event is only to encourage people to vote and to provide a safe and inclusive environment for your community members. We also will not be endorsing any candidates at this event.

We plan to have a food truck, DJ, and lawn games for all to attend. Please let me know if there is anything additional that I can provide or any questions that I can answer and if there is anything information that you may be able to provide for reservation instructions. Thank you for your time and consideration.

Kind regards,

Weyling J. White, MBA
Founder & Managing Principal
Rural Catalyst Partners, LLC
Turning Rural Potential Into Progress.
ruralcatalystpartners.com | Email | LinkedIn | Instagram
Community Led. Locally Owned.

WINTERVILLE *A slice of the good life!*	**Town of Winterville** **Town Council** **Agenda Abstract**	**Item Section**: New Business **Meeting Date**: October 12, 2026
	Presenter: Anthony Bowers, Assistant Town Manager	

Item to be Considered

Subject: NCDEQ Notice of Pre-Regulatory Landfill Access.

Action Requested: Approve NCDEQ Access to the previously used landfill.

Attachment: Letter from NCDEQ.

Prepared By: Anthony Bowers, Assistant Town Manager	**Date**: 10/5/2026

ABSTRACT ROUTING:

☒ TC: 10/5/2026 ☒ TM: 10/5/2026 ☒ Final: tlp - 10/5/2026

Supporting Documentation

NCDEQ Recently contacted the Town and provided a notice of Pre-Regulatory Landfill inspection. The Town of Winterville owned and operated a landfill behind the current dump site that is managed by Pitt County. The property is located at 4818 Reedy Branch Road. This area was used at a time prior to when NCDEQ permitted landfills. This is considered an unregulated landfill and was in operation prior to January 1, 1983.

NCDEQ is requesting environmental testing to ensure that there are no public health or environmental concerns. The testing is funded by the statewide solid waste disposal tax.

As the owner of the property, we are responsible for contamination and waste associated with the landfill, should any exist.

NCDEQ is offering property owners that operated Pre-Regulatory Landfills the opportunity to have the site tested at no cost.

In order to do so, the Town has to approve the following:

- Owner Permission for Property Access.
- Owner Consent to Land Use Restrictions.
- US Army Corp of Engineers Access to the property Authorization.

The Town Attorney has reviewed all documents.

Budgetary Impact: TBD.

Recommendation: Approve access to test the site for environment and public health concerns.

20260219

JOSH STEIN
Governor
D. REID WILSON
Secretary
MICHAEL SCOTT
Director

NORTH CAROLINA
Environmental Quality

September 21, 2026

Winterville Town Of
PO Box 1459
Winterville, NC 28590

RE: Notice of Pre-Regulatory Landfill & Access Request
Winterville Dump
PRLF ID# NONCD0000499
4818 Reedy Branch Rd / PIN# 4675023780
Winterville, Pitt County, NC

Dear Property Owner:

The North Carolina Department of Environmental Quality (NCDEQ), Division of Waste Management, Pre-Regulatory Landfill (PRLF) Program is writing to inform you that a Pre-Regulatory Landfill (PRLF) has been identified on your property.

A Pre-Regulatory Landfill (PRLF) is a location where unregulated waste disposal occurred prior to January 1, 1983. Because these sites were established before modern landfill regulations and environmental protection standards were in place, additional assessment is recommended to evaluate potential public health and environmental concerns associated with historical waste disposal activities.

The North Carolina General Assembly established the PRLF Program to assess and address potential environmental and public health hazards associated with unregulated disposal sites. Property owners who fully cooperate with the State in its assessment and remediation activities may receive these services at no cost to them, subject to the availability of program funding. The program is funded by a statewide solid waste disposal tax.

Participation in the PRLF Program provides several important benefits to property owners. Through the program, NCDEQ can delineate the boundary of the waste disposal area (WDA), evaluate whether contamination is migrating beyond the WDA boundary, assess potential risks to human health and the environment, and, when necessary, implement appropriate remedial measures. Participation in the PRLF Program will provide information needed to make informed decisions and the remedial action plan along with land use restrictions will help control and potentially reduce liability for you as the property owner.

Property owners who choose not to participate in the PRLF Program may not receive the benefits of State-funded assessment and remediation. Refusal to cooperate may result in the property owner being required to investigate and address environmental conditions associated with the landfill at their own expense. Limiting access may also hinder the State's ability to determine the nature and extent of contamination and could increase potential liability and future costs associated with the property. Depending on the landfill size and conditions, the cost to complete the assessment and implement corrective actions can be substantial.

As the owner of property containing a PRLF, you are responsible for contamination and waste associated with the landfill, particularly if contaminants migrate beyond your property boundaries or impact neighboring properties, groundwater, surface water, or other environmental resources.

To assist the PRLF Program in evaluating current site conditions, we request that you complete and return the enclosed forms:

1. Owner Permission for Property Access
2. Property Owner Consent to Land Use Restrictions
3. U.S. Army Corps of Engineers Access Authorization

These forms provide authorization for NCDEQ, PRLF Program independent contractor, and U.S. Army Corps of Engineers personnel to access your property to conduct a limited assessment. The consent to land use restrictions form is intended to provide notification and obtain your consent that before remediation could occur, land use restrictions would need to be recorded.

The limited assessment could include WDA delineation, landfill vapor evaluation, potable well sampling, and determining if there are any imminent health risks to people on the property or adjacent properties. Providing access is an important first step in allowing the PRLF Program to evaluate potential environmental concerns and determine whether additional assessment or remediation may be warranted.

Upon receipt of the completed access agreement, the PRLF Program may conduct a site visit. A Property Owner Questionnaire may be provided as a follow-up to gather additional information regarding current property conditions, land use, and site history. This information will assist NCDEQ in evaluating the property and determining appropriate next steps.

Please see the enclosed Fact Sheet document for additional information regarding the PRLF Program and the PRLF Program website at www.deq.nc.gov. Select Wast Management from the Division drop down, select Superfund Section, then select Pre-Regulatory Landfill Program.

If you have any questions, concerns, or would like additional information regarding the PRLF Program or this letter, please do not hesitate to contact the PRLF Program's independent contractor, Allison Stenger with Terracon at allison.stenger@terracon.com or (984) 202-7258. If you still have questions after contacting Allison Stenger with Terracon, please contact the

PRLF Project Manager, Jordan Brummal at 919-707-8619 or by e-mail, Jordan.brummal@deq.nc.gov.

A pre-addressed and stamped envelope is enclosed for your convenience, or you may submit the signed documents electronically at the following email: nick.saieed@terracon.com.

Thank you for your cooperation.

Attachments: Pre-Regulatory Landfill Program Property Access Policy
Owner Permission for Property Access
Property Owner Consent to Land Use Restrictions
U.S. Army Corps of Engineers Access Authorization
PRLF Fact Sheet

Pre-Regulatory Landfill Program Property Access Policy

Overview

Per § 130A-310.1, DEQ is required to develop and implement a program for locating, cataloguing, and monitoring all inactive hazardous substance or waste disposal sites in North Carolina. The Pre-Regulatory Landfill (PRLF) Program was established in 2007 to identify, assess, and remediate sites that accepted a wide range of waste types without regulatory oversight prior to January 1, 1983.

This policy will provide consistent guidelines for Pre-Regulatory Landfill (PRLF) Program project managers (PM) and Independent Contractors (ICs) requesting property owner access permission and management of properties that deny or rescind access permission or do not participate in the state-funded assessment or remedial action plan.

The PRLF Program will send letters to all PRLF owners, based on historic records available, informing them they have a landfill on their property that was operational prior to state regulations managing the disposal of solid waste. The letter will explain the PRLF Program, benefits of participation in the program, responsibility of owning a superfund site, and consequences and risk of not participating in the program. The letter will also request access to the properties and explain how the access will be utilized to conduct a limited assessment, waste delineation, landfill vapor evaluation, and potable well sampling to determine if there are any imminent risks associated with the landfill and to establish minimum information for risk prioritization.

Access Permission Letter

The PRLF Program has located and catalogued 668 landfills. Current landfill conditions, such as the number of developed parcels, occupied structures, and potable wells within 1,000 feet of the suspect waste boundary have been captured in the PRLF Program database. The risk priority scores, available on the program website, reflect the updated conditions at each landfill. Out of the 668 landfills, 419 landfills have one or more developed parcels within 1,000 feet of the suspect waste boundary and 249 landfills do not have developed parcels, occupied structures, or potable wells within 1,000 feet of the suspect waste boundary.

Initiating an assessment and delineating contamination at a PRLF site requires obtaining access permission from property owners that have the waste disposal area on their property or property owners that are impacted by contamination migrating beyond the delineated waste disposal area boundary. After being assigned a new site by the PRLF Program Supervisor, the PRLF PM can coordinate with the IC to identify the subject properties at each landfill and request access permission. Distribution of property owner access permission letters will be based on the current risk priority scores, highest to lowest.

The PRLF Comprehensive Access packet should be mailed via United States Postal Service (USPS) to the landfill property owners. If an email address is available, the letters should be sent via email in addition to the USPS hard copy mailing. The packet includes the following:

1. PRLF Property Owner Letter
2. Owner Permission for Property Access Form
3. Property Owner Consent to Land-Use Restrictions Form
4. U.S. Army Corps of Engineers Access Authorization Form

Property owner response is requested in 10 days. If the IC doesn't receive the signed forms within 10 business days of mailing the packet, resend the entire packet and use USPS tracking (return receipt – green card) and provide copies of the tracking information to the PRLF PM. If the second mailing attempt does not generate a response from the property owner in 10 business days, send the packet a third time using certified mail and provide copies of the certified tracking information to the PRLF PM. If the IC does not receive the access permission form from the property owner within 10 business days of accepting the certified packet, the property will be identified as a non-participating property. After three attempts to establish communication with a property owner and all three attempts resulted in no response or a decline to provide access permission, the property will be added to a non-participating list.

Once access permission is obtained from all or a portion of the property owners containing the waste disposal area, the next step is to send notification letters to surrounding property owners within 500 feet of the suspect waste disposal area. This notification informs the surrounding property owners that they live within 500 feet of a PRLF and assessment activities will be commencing. Refer to the PRLF Public Outreach Guidance document for details regarding notification procedures before initiating the assessment.

After the three rounds of letters have been mailed, the assessment will be initiated on all properties that provided access permission. As a starting point, the landfill boundary will be delineated and landfill gas probes installed. Additional assessment activities will be dependent on site conditions and based on a review with the PRLF Supervisor and IC.

Property Owner Failed to Respond or Declined Access Permission

The Property Owner Not Participating letter should be sent to the property owner if they did not respond to the three mailing attempts or declined to provide access permission. Depending on property ownership type, private single-family home versus rental or commercial property, additional steps may be required to manage non-participating property owners.

Private ownership – single family home

Single-family homeowners that do not participate in the PRLF Program, communication could not be established or they declined access permission, should be sent the Property Owner Not Participating letter via certified mail and a copy loaded to Laserfiche. This letter will inform the property owner that the PRLF Program is moving forward with the next landfill on the priority list and they are responsible for controlling the waste and associated contamination. The letter will also inform property owners that their parcel will be highlighted on the site locator tool as not participating in the program (both for the assessment and remedial action plan, whichever is applicable).

If the current property owner or future property owner decides later, they want to participate in the assessment or remedy, they can contact the PRLF Program and the site may be evaluated based on existing projects and funding to determine when the property could be addressed.

The Property Owner Not Participating letter will be mailed to the non-participating property owner annually to serve as a reminder they own a PRLF and to offer the limited assessment of their property.

Private ownership – rental or commercial property, **no assessment data**

Rental or commercial property owners that do not participate in the PRLF Program, communication could not be established or they declined access permission, should be sent the Property Owner Not Participating letter via certified mail and a copy loaded to Laserfiche. This letter will inform the property owner that the PRLF Program is moving forward with the next landfill on the priority list and they are responsible for controlling the waste and associated contamination. The letter will also inform property owners that their parcel will be highlighted on the site locator tool as not participating in the program (both for the assessment and remedial action plan, whichever is applicable).

A copy of the Property Owner Not Participating letter should also be mailed, via certified mail, to the County Health Director and local or county government officials and a copy loaded to Laserfiche. Include site specific information, such as occupied structures on top of waste and typical PRLF risks in the county health director/local or county government official letter.

Tenants of the rental or commercial property should be informed that the owner either declined access permission or did not respond to multiple requests. Send the tenants a copy of the Property Owner Not Participating letter, that was mailed to the owner, along with the PRLF fact sheet.

If the current property owner or future property owner decides later, they want to participate in the assessment or remedy, they can contact the PRLF Program and the site may be evaluated based on existing projects and funding to determine when the property could be addressed.

Private ownership – rental or commercial property, **partial assessment data**

Rental or commercial property owners that did not participate in the partial assessment would have received the Property Owner Not Participating letter informing them of the information outlined above for properties with no assessment data.

If the partial assessment data suggests an imminent hazard exists, explosive or hazardous conditions, along or around non-participating property boundaries, send the PRLF Access Request with Warrant Provision letter with a figure showing the sample points and results to inform the property owner of these unsafe conditions. The letter should also provide a brief description of completed work, request access permission to collect data on the non-participating property and explain that the PRLF Program may pursue obtaining an administrative warrant if the property owner doesn't provide access permission.

Local and state public health authorities and other pertinent local or county officials should receive a copy of the letter sent to the non-participating property owner informing them of properties with potentially unsafe conditions used by the public.

JOSH STEIN
Governor
D. REID WILSON
Secretary
MICHAEL SCOTT
Director

NORTH CAROLINA
Environmental Quality

Owner Permission for Property Access

Winterville Dump
PRLF ID# NONCD0000499

Winterville Town Of
4818 Reedy Branch Rd / PIN# 4675023780
Winterville, Pitt County, NC

I/We own the above referenced property.

I/We hereby grant permission to the State and the State's representatives to access my/our property to conduct an environmental investigation to evaluate potential public health and environmental hazards, resulting from past operations of an old unregulated landfill present on the property and, if necessary, to abate or control hazards posed by wastes and contaminated material by implementing a remedial action plan. The Division of Waste Management (Division) and its contractors are permitted to enter and have continued access to my property.

Examples of remedial investigation and remedial action activities include, but are not limited to the following:

1. Installation of monitoring wells for groundwater and/or landfill gas;
2. Taking soil, groundwater, surface water and/or landfill gas samples as may be necessary;
3. Delineating the waste boundary; and
4. Response actions and installation of remedial action measures (landfill cover system) to mitigate any threats to human health or the environment.

I/We understand that:

- The Division and its contractors shall attempt to perform any activities at the Property in a manner that minimizes interference with use of the Property.

- All monitoring wells will be properly abandoned in accordance with applicable laws and regulations.

- The Division will make reasonable attempts to notify you at least 48 hours prior to entering the Property for any purpose. The Division or its contractors shall have immediate access to the property for situations that the Division determines to be an emergency.

- The Division's contractors shall have the authority to prepare, sign, file, and deliver any application, approval, or waste manifest on my behalf necessary to conduct assessment and remediation pursuant to this agreement.

- The Division's contractors shall, on my behalf, have the authority to negotiate and sign an encroachment agreement on a government or utility owned right of way if the encroachment agreement is necessary to conduct assessment and remediation pursuant to this agreement. The Contractor shall post the bond for the encroachment agreement if one is required.

I/We understand prior to any abatement activities, the proposed remedy for the site and associated land use restrictions required to make the property safe will be discussed with all property owner representatives.

Print _____
Name of Property Owner/Corporation (Print)

Signature _____
Name of Property Owner/Corporation (Signature)

Date _____

Email address _____

Phone number _____

Return to: Nick Saieed, Senior Staff Scientist
Terracon Consultants, Inc.
314 Beacon Drive
Winterville, North Carolina 28590
Nick.Saieed@terracon.com

This document may not be modified.

JOSH STEIN
Governor
D. REID WILSON
Secretary
MICHAEL SCOTT
Director

NORTH CAROLINA
Environmental Quality

Property Owner Consent to Land-Use Restrictions

Individual Ownership

I, _____ , owner of real property located at _____,
[name of owner] [street address]
_____, _____ County, North Carolina ("Property"), am agreeable to the imposition
[town or city] [County]
of Land-Use Restrictions ("Restrictions") on the Property partially or completely in lieu of remediation of hazardous substances to unrestricted-use levels. I understand and agree that I may refuse to consent upon review of the specific Restrictions proposed for the Property.

<check the boxes that apply>

☐ I am the sole owner of the Property holding fee simple title to the Property free, clear and unencumbered;

[or]

☐ There are non-financial encumbrances (utility easements, greenways, lease agreements, land-use restrictions, etc.) on the property. I have provided to the Superfund Section the names of all other persons that own an interest in or hold an encumbrance on the Property (Attachment A) and have notified such persons of my intention to record Restrictions on the Property;

and, [*if applicable]*

☐ I understand that if other interest in, or encumbrances on, the Property conflict with the proposed Restrictions, the persons who own such interests or hold such encumbrances must agree to subordinate such interest or encumbrances to the Restrictions. The subordination agreement[s] is [are] included as Attachment B for reference.

_____
Signature of Owner

_____
Signatory's name typed or printed

JOSH STEIN
Governor
D. REID WILSON
Secretary
MICHAEL SCOTT
Director

NORTH CAROLINA
Environmental Quality

U.S. Army Corps of Engineers Access Authorization

Winterville Dump
PRLF ID# NONCD0000499

Winterville Town Of
4818 Reedy Branch Rd/ *PIN# 4675023780
Winterville, Pitt County, NC

I/We hereby grant permission to the U.S. Army Corps of Engineers to access my/our property to conduct a wetland jurisdictional determination located at 4818 Reedy Branch Rd, Winterville, Pitt County, North Carolina (PIN# 4675023780) and;

Provide results of the study to the North Carolina Department of Environmental Quality, Division of Waste Management, Superfund Section, Special Remediation Branch, Pre-Regulatory Landfill Program and the assigned firm under contract with the State of North Carolina.

Print _____
Name of Property Owner/Corporation (Print)

Signature _____
Name of Property Owner/Corporation (Signature)

Date _____

Return to: Nick Saieed, Senior Staff Scientist
Terracon Consultants, Inc.
314 Beacon Drive
Winterville, North Carolina 28590
Nick.Saieed@terracon.com

This document may not be modified.

Pre-Regulatory Landfill (PRLF) Program

Before 1983, solid and hazardous waste regulations were almost non-existent. The General Assembly authorized the Pre-Regulatory Landfill Program in 2007 to identify, assess, and mitigate risks posed by pre-1983 landfills.

Statutory Authority: G.S. 130A-310.6

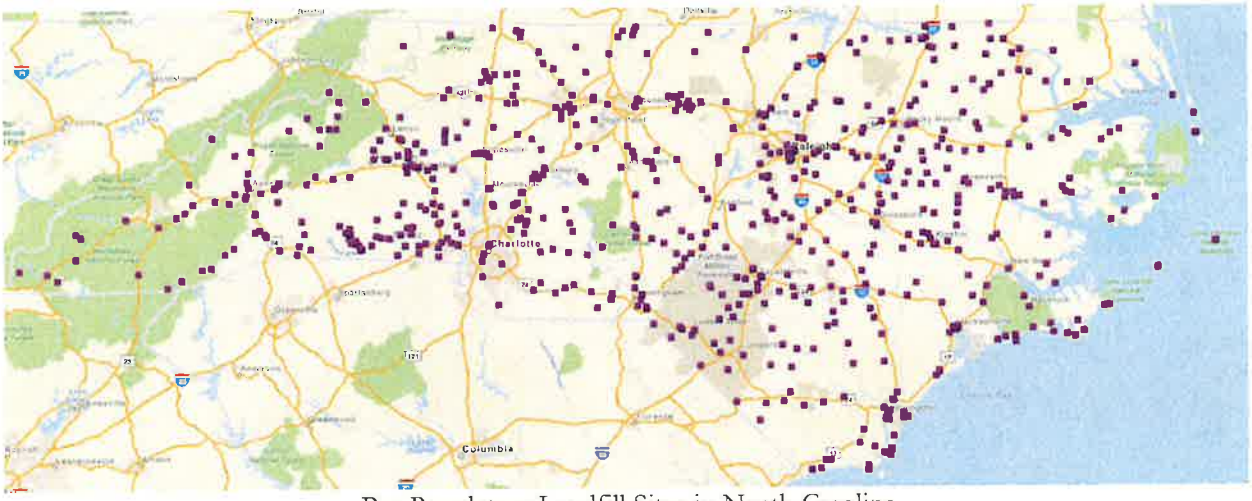
By statute, the PRLF Program only applies to municipal solid waste sites that ceased adding waste before 1983.

About the Program:

- Since 2009, $1/ton of a state-wide disposal tax is allocated to DEQ to manage engineering contractors that locate the sites, determine property and surrounding uses, and identify water supply wells and other routes of potential exposure.
- A risk-based approach is used to prioritize sites, covering the landfill with clean soil and recording land use restrictions.
- Successful reuse of PRLF properties include several parks, business, and a charter school.
- Cleanups have allowed residential development of adjacent properties.
- Staff have developed an inventory and prioritization system, collected GIS location information, and made all site records available online.

By the Numbers

- **688** PRLFs have been identified to date.
- **98** sites undergoing investigation or remediation activity.
- **43** sites have been fully remediated.
- **$1,936,349** – average remediation cost per site.
- **78%** of sites are wholly or partially owned by private parties.
- **370** acres of waste are now secured.
- **1,642** water supply wells sampled.
- **30** homes provided with alternate water supplies.



Pre-Regulatory Landfill Sites in North Carolina

Risk Posed by PRLFs

- Could contain hazardous wastes, medical wastes, and/or asbestos-containing materials.
- Contaminated soils and hazardous materials could be exposed.
- Hazardous vapors from contaminated groundwater and waste can migrate to homes, schools or businesses.
- Contaminated groundwater and eroding waste gets discharged to creeks.
- 80% of sites have residences, schools, churches, day cares, parks, and/or drinking water sources on or within 1,000 feet.
- Groundwater contamination has affected or could affect drinking water supplies.
- Could contain explosive levels of methane.
- Contaminated soils, hazardous wastes, and asbestos-containing materials can and have been taken and used as fill at other properties.

WINTERVILLE *A slice of the good life!*	**Town of Winterville** **Town Council** **Agenda Abstract**	**Item Section***:* New Business **Meeting Date**: October 12, 2026
	Presenter: Anthony Bowers, Assistant Town Manager	

Item to be Considered

Subject: Cemetery Paving – Lucas Contracting -Final Adjusting Change Order.

Action Requested: Approve the Change Order.

Attachment: Lucas Contracting - Final Adjusting Change Order.

Prepared By: Anthony Bowers, Assistant Town Manager	**Date**: 10/5/2026

ABSTRACT ROUTING:

☒ TC: 10/5/2026 ☒ TM: 10/5/2026 ☒ Final: tlp - 10/5/2026

Supporting Documentation

Lucas Paving has completed the project in a timely manner and has come in under budget. The original contract amount was $370,485.34. The final change order is in the amount of $18,066.35 and accounts for several items. It also increases the amount of the contract and provides an 18-day extension to Lucas Contracting for the completion of the project. The final contract price is $381,287.69. This is still under the original budget of $417,000.

It includes an increase for the removal of excess excavated soils in the amount of $9,0000.

Grout / abandon and removal of discovered manhole in the amount of $8,200.

Asphalt Patching in the old sections of the cemetery in the amount of $4,500.

Credit for liquidated damages for the 18 days for substantial completion in the amount of -$3,600

Credit for water used to compact the roads -$33.65 (6,500 gallons)

To finalize the project and provide NCDEQ with the proper documentation to close out the project, the Town needs to have permanent grass growing on the site. Currently we only have winter varieties that will are not permanent.

Budgetary Impact: Increase in the contract in the amount of $18,066.35.

Recommendation: Approve the Final Adjusting Change Order.

20260219

CHANGE ORDER #01 Final

PROJECT NAME	Winterville Cemetery		
LOCATION OF WORK	Winterville, NC		
PROJECT MANAGER	Adam Pike	**CLIENT**	Town of Winterville
REQUESTING PARTY	Lucas Contracting	**DATE OF REQUEST**	10/1/2026

CHANGE REQUEST OVERVIEW

DESCRIPTION OF CHANGES NEEDED	Hauling of dirt offsite = $9,000.00 Increase for Manhole Removal and Disposal = $8,200.00 Increase for Asphalt Patching = $4,500.00 Credit for liquidated Damages = ($3,600.00) Credit for Water Used = ($33.65)
REASON FOR CHANGE	
SUPPORT & JUSTIFICATION DOCUMENTS	
SPECIFICATIONS	
ADDITIONAL INFORMATION@	

CHANGE IN CONTRACT PRICE

ORIGINAL PRICE	$ 363,221.34
NET CHANGES OF PREVIOUS CHANGE ORDERS	$
NET INCREASE / DECREASE	$ 18,066.35
TOTAL CONTRACT PRICE WITH APPROVED CHANGES	$381,287.69

CHANGE IN CONTRACT TIMES

ORIGINAL TIMES	N/A
NET CHANGES OF PREVIOUS CHANGE ORDERS IN DAYS	N/A
NET INCREASE / DECREASE	N/A
TOTAL CONTRACT TIME WITH APPROVED CHANGES	N/A

ACCEPTED BY *SIGNATURE*	*Adam Pike*
NAME & TITLE	Adam Pike, PM
DATE	10/1/2026

APPROVED BY *SIGNATURE*	
NAME & TITLE	
DATE	

2026 Third Quarter Department Reports

Table of Contents

1. Building Inspections/Code Enforcement Department----------1
2. Electric Department ----------3
3. Finance Department ----------4
4. Fire/Rescue/EMS Department----------5
5. Human Resources Department ----------25
6. Parks and Recreation Department ----------28
7. Planning Department ----------31
8. Police Department----------34
9. Public Works Department----------Forthcoming

TOWN OF WINTERVILLE
PITT COUNTY, NORTH CAROLINA

INSPECTIONS / GIS DEPARTMENT
QUARTERLY REPORT

To: Town Council

From: Evan Johnston, Building Inspector / Code Enforcement Officer

Date: October 2, 2026

Building Inspections Division

The following is a list of current projects under construction, which are permitted by the Building Inspections Office. This does not include any number of smaller projects being performed in Town such as residential renovations, additions, decks, pools, and equipment change-outs or small commercial projects including change-outs, minor alterations/renovations, etc. The Inspections Division continues to work closely with the Fire Department to inspect places of business to ensure code compliance and safety. Work performed by the Inspections Division is done with the intention to protect life, health, and safety of all Town of Winterville citizens and businesses.

- Reedy Branch Storage: The original completion of this project was for commercial storage. The new project involves creation of a total of 10 tenant suites total, spread amongst the 3 existing buildings on site. The building addresses are 4769, 4771, and 4773 Reedy Branch Rd. Note that all buildings and addresses are on 1 parcel. This project is currently in the framing and rough-in stages.
- Freddy's Frozen Custard: New construction project at 775 W Fire Tower Rd. This project is currently in the rough-in (above ceiling) stages.
- 2035 Flower Drive: Commercial upfit 2 remaining unoccupied tenant spaces, unit 7 and unit 8.
- Vinson Dental: Commercial upfit at 657 B Worthing Rd. Vinson dental expanded operations into vacant existing tenant space. Project is complete and Certificate of Occupancy has been issued.
- Beacon Dental: New construction dental office at 211 Beacon Dr. Under slab and slab inspections have been completed and approved.

- Villa Grande Phase 3: Final phase of Villa Grande subdivision. Many of the lots in this phase now have finished homes or are in the construction phases. Approximately 5 lots remain without construction started on them.
- Brookfield Section 4 Phase 1: Final section and phase of Brookfield subdivision. There is 1 vacant lot remaining (without construction) and 1 new home under construction.
- Eli's Ridge Subdivision: New home construction continues in this subdivision with development underway in the next phase.
- Copper Creek Phase 3: Newest phase of Copper Creek subdivision with approximately 34 lots. First inspections in this neighborhood are scheduled for October 5th.

- Miscellaneous Residential New Construction Homes: In addition to home being built in subdivisions, we have 2 new construction homes currently underway: 1 in Magnolia Ridge and 1 on Marshall Avenue.

- Watermelon Festival: The annual Winterville Watermelon Festival was August 27th-30th. As always, the Building Inspections Divisions conducted inspections for Festival including HVAC system and electrical of VIP tent and electrical inspections of permanent food and craft vendors.

Building Inspections Division

Permits & Inspections – 6/1/2026 – 9/30/2026

Description	Quantity
Commercial Building Permits – New Construction	2
Commercial Building Permits – Additions/Alterations	3
Single Family Dwelling Permits – New Construction	20
Residential Additions, Alterations, and Detached Buildings	9
Electrical, Mechanical, Plumbing, Gas, and Miscellaneous Permits	266
Inspections Performed	685
Number of Days Inspections Performed	52
Average Number of Inspections per Workday	13.17

Code Enforcement Division

Code Enforcement Nuisance Cases – 6/1/2026 – 9/30/2026

Description	Quantity
Closed Cases – Complied	47
Closed Cases – Abated	15
Closed Cases – No Violations Found	9
Open Cases	7
Total Cases	**78**

`

ELECTRIC QUARTER REPORT

July, August, September

656 GENERAL WORK ORDERS

357 CUT OFFS AND NOTES

436 LOCATES

479 WATER METER AND ERT CHANGEOUTS

222 ELECTRIC METER CHANGE OUTS

24 NEW ELECTRIC AND TEMPOARY SERVICES

STAFF REPLACED ALL ELECTRIC FACILITIES ON CHURCH AND DEPOT TO UNDERGROUND FOR THE PARKING EXPANSION PROJECT

STAFF ASSISTED WITH SEVERAL SWITCHING ORDERS TO ASSIST WITH THE OLD TAR RELOACTION

RGRID COMPLETED OUR CAPITAL IMPROVEMENT PLAN

STAFF HAS BEEN KEEPING UP WITH OUR RIGHT OF WAY MAINTENANCE THROUGH MOWING AND TREE TRIMMING

STAFF HAS BEEN INSTALLING WILDLIFE PROTECTORS ON OUR ELECTRIC GRID

STAFF HAS BEEN PROACTIVE WITH OUR MOSQUITO PROGRAM, THROUGH TREATING OUR STORMWATER AND SPRAYING OUR ENTIRE TOWN

Audit:
The auditors were on site for the 2025-2026 Pre-Audit on July 14th and 15th and were back on site for the regular Audit fieldwork September 9th and 10th. The auditors are preparing the financial statements and the Annual Comprehensive Financial Report for the 2025-2026 Fiscal Year. The Town was awarded the GFOA Certificate of Achievement for Excellence in Financial Reporting again for the 2025 Fiscal Year Audit and we will apply again for the 2025-2026 fiscal year.

Budget:
The Town approved the first budget amendment for the 2026-2027 fiscal year at the August Town Council meeting and that included the outstanding Purchase Orders that needed to be rolled over from the last fiscal year. The second budget amendment will be brought to Council at the October Council meeting.

Taxes:
The 2026 Tax Bills were mailed out mid-August and were due on September 1, 2026. Interest will be added to the delinquent bills on January 6th with additional interest that will be added on the 1st of each month afterwards. The 2026 tax rate remained the same as the prior year at .45/per $100 of property valuation. As of September 30, 2026, $1,161,346.00 has been collected for the 2026 tax revenue.

Utility Rates:
The Power Cost Adjustment that was implemented in March of 2026 ended on July 1st, 2026. The Town will continue to monitor the utility rates and the Natural Gas prices. The utility bills included an $8.20/per month increase to the sewer flat rate that began on July 1st as approved in the 2026-2027 Budget. The Town is also in the process of undergoing an Electric rate study analysis.

Energy Assistance:
The Town is continuing to partner with Greene Lamp Community Action Agency to provide assistance to the Town of Winterville customers with their Electric Bills. We have posted information about this process on posters at the Town Hall, the Town's website, and the monthly newsletter. Customers who applied and were approved for assistance one year ago, are eligible to apply again for the yearly one-time assistance while funds are available. We also have an area resource list available at the Town Hall and on our website for customers that list other entities that may offer assistance. The Finance Department will continue to review and update the area resource list as needed on a quarterly basis.

Please contact me at 756-2221 ext. 2351 with any questions that you may have.

Jessica Manning
Finance Director

Winterville Fire-Rescue-EMS
Quarterly Report
October 2026

July 1 - September 30, 2026

Quarterly Summary

From July to September, Fire Prevention completed 211 inspections. The overlapping-incident dataset identifies 18 overlapping occurrences involving 36 incidents during July, August, and September. Year-to-date overlapping occurrences included 81 occurrences involving 165 incidents.

Overlapping Incident Demand

Month	Occurrences	Incidents Involved
July	4	8
August	2	4
September	12	24
Q3 Total	**18**	**36**

Fire Prevention

Occupancy Class	Q3 Inspections
Unclassified / NULL	79
Assembly	26
Business	48
Educational	8
Factory	2
High-Hazard	1
Institutional	5
Mercantile	15
Storage	9
Churches	18
Total	**211**

Response Performance Through September

Measure	Average	90th %	Within Target	% Within Target
YTD travel time	3 minutes, 26 seconds	6 minutes, 5 seconds	802 of 1338 ≤ 4 min	59.94%
YTD turnout time	55 seconds	2 minutes, 3 seconds	926 of 1324 ≤ 80 sec	69.94%

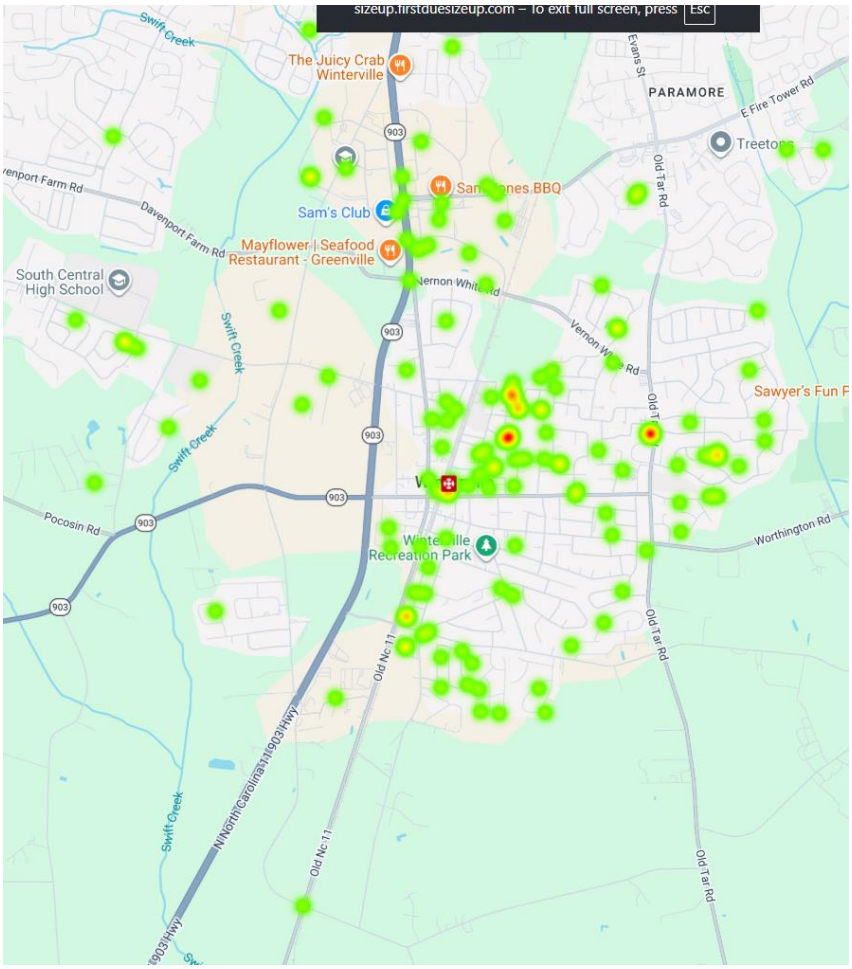
Incident Profile and Workload

The YTD incident-type report contains 1,130 incidents for its reporting period. Medical incidents are the largest group at 670 (59.29%), followed by No Emergency at 224 (19.82%), Public Service at 144 (12.74%), Fire at 46 (4.07%), Hazardous Situation at 33 (2.92%), Rescue at 12 (1.06%), and Law Enforcement Support at 1 (0.09%). Within the detailed categories, the report includes 8 cardiac arrests, 71 falls, 53 medical injury/trauma motor-vehicle collisions, and 9 motor-vehicle-collision extrication/entrapment incidents.

The separate day-and-hour dataset contains 1,255 incidents for its reporting period and shows the strongest concentration from midday through the afternoon. Its peak hour is 15:00 with 98 incidents, followed by 14:00 with 93 and 13:00 with 89. Because that CSV does not identify its date range, these values are treated as workload-pattern information rather than as a Q3-only incident count.

Winterville Fire-Rescue-EMS
Quarterly Report
October 2026

Incident Distribution



Incident heat map supplied with the quarterly source files.

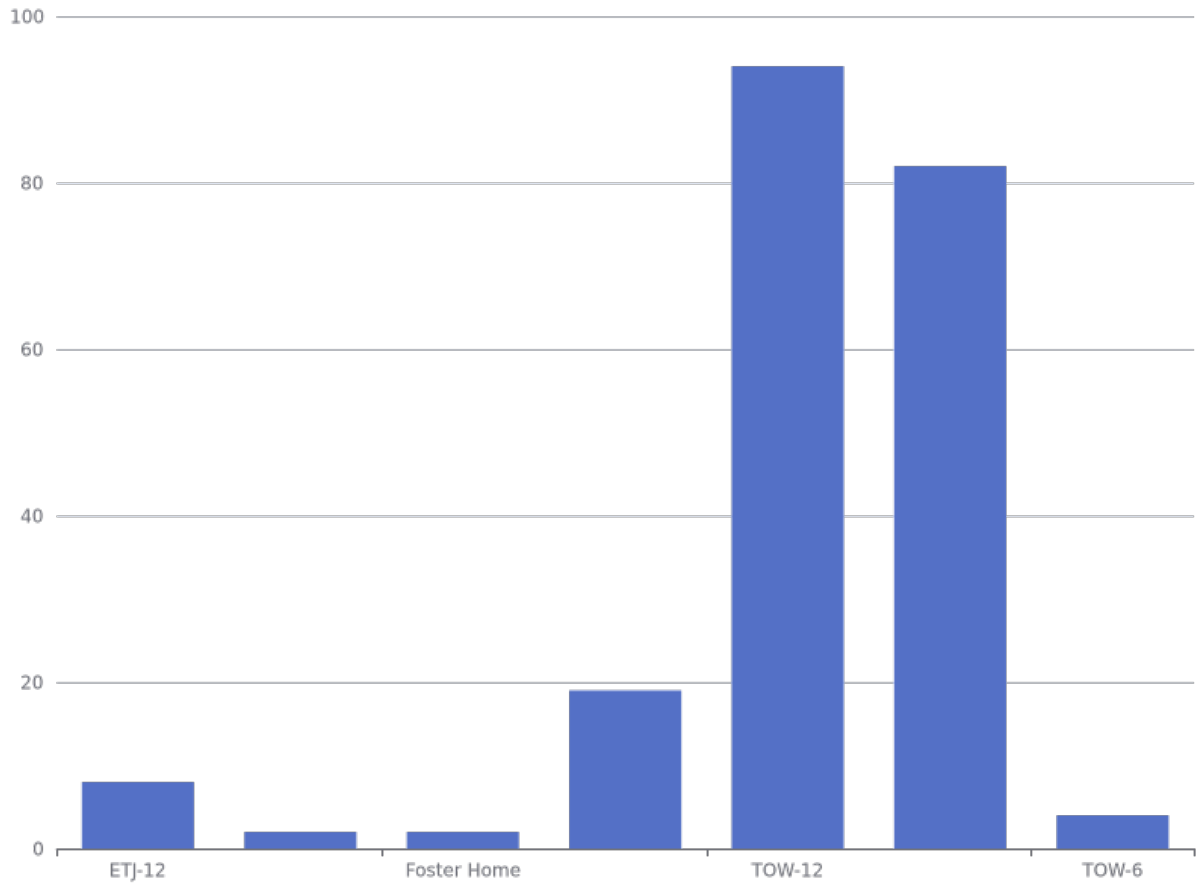
WFREMS-NFIRS: Travel Time - Response Performance

APPARATUS NAME	TOTAL RESPONSES	AVERAGE	90TH %	REPONSES WITHIN 4 MINUTES	% WITHIN 4 MINUTES
1501 - Squad	1111	00:03:21	00:05:51	641	57.70%
1506 - Rescue	50	00:03:32	00:06:05	15	30.00%
1508 - Truck	65	00:03:40	00:06:34	28	43.08%
1509 - Brush	28	00:02:41	00:06:52	9	32.14%
Total	**1155**	**00:03:22**	**00:05:52**	**660**	**57.14%**

WFREMS-NFIRS: Total Response Time - Response Performance

APPARATUS NAME	TOTAL RESPONSES	AVERAGE	90TH %	RESPONSES WITHIN 5 MINUTES	% WITHIN 6 MINUTES
1501 - Squad	1111	00:04:16	00:07:04	632	56.89%
1502 - Engine	207	00:04:28	00:07:57	120	57.97%
1506 - Rescue	50	00:05:48	00:13:27	13	26.00%
1508 - Truck	65	00:05:20	00:08:38	23	35.38%
Total	**1324**	**00:04:22**	**00:07:16**	**757**	**57.18%**

WFREMS-Monthly Report (Inspections)



OCCUPANCY CLASS / INSPECTION TYPE NAME	QTY
(NULL)	**79**
ETJ-12	2
ETJ-24	1
Foster Home	1
Special Request	18
TOW-12	22
TOW-24	35
Assembly	**26**
ETJ-12	3
TOW-12	20

WFREMS-Monthly Report (Inspections)

Winterville Fire-Rescue-EMS
Address: Winterville, NC, 28590

OCCUPANCY CLASS / INSPECTION TYPE NAME	QTY
TOW-24	3
Business	**48**
ETJ-24	1
TOW-12	13
TOW-24	34
Educational	**8**
TOW-12	4
TOW-6	4
Factory	**2**
TOW-12	2
High-Hazard	**1**
TOW-12	1
Institutional	**5**
Foster Home	1
TOW-12	4
Mercantile	**15**
Special Request	1
TOW-12	8
TOW-24	6
Storage	**9**
ETJ-12	2
TOW-12	6
TOW-24	1
Churches	**18**
ETJ-12	1
TOW-12	14

WFREMS-Monthly Report (Inspections)

Winterville Fire-Rescue-EMS
Address: Winterville, NC, 28590

OCCUPANCY CLASS / INSPECTION TYPE NAME	QTY
TOW-24	3
Total	**211**

WFREMS
Concurrent Incidents
Year-to-Date

OVERLAPPING CALLS	INCIDENT NUMBER	NUMBER OF INCIDENTS OVERLAPPING	ALARM DATE/TIME	LAST UNIT CLEARED DATE/TIME
Overlap 1		2		
	2026-0000185		1/1/2026 14:11	1/1/2026 14:39
	2026-0000190		1/1/2026 14:26	1/1/2026 14:31
Overlap 2		2		
	2026-0000204		1/1/2026 15:13	1/1/2026 15:26
	2026-0000207		1/1/2026 15:25	1/1/2026 16:40
Overlap 3		2		
	2026-0000700		1/3/2026 11:11	1/3/2026 11:25
	2026-0000702		1/3/2026 11:23	1/3/2026 11:38
Overlap 4		2		
	2026-0000702		1/3/2026 11:23	1/3/2026 11:38
	2026-0000707		1/3/2026 11:37	1/3/2026 11:53
Overlap 5		2		
	2026-0001528		1/6/2026 11:37	1/6/2026 12:09
	2026-0001536		1/6/2026 11:50	1/6/2026 12:06
Overlap 6		2		
	2026-0001823		1/7/2026 11:54	1/7/2026 13:51
	2026-0001854		1/7/2026 13:20	1/7/2026 13:30
Overlap 7		2		
	2026-0002152		1/8/2026 14:33	1/8/2026 14:54
	2026-0002160		1/8/2026 14:53	1/8/2026 15:43
Overlap 8		3		
	2026-0003732		1/14/2026 15:59	1/14/2026 16:11
	2026-0003736		1/14/2026 16:08	1/14/2026 16:12
	2026-0003737		1/14/2026 16:08	1/14/2026 16:19
Overlap 9		2		
	2026-0005170		1/19/2026 15:13	1/19/2026 15:22
	2026-0005178		1/19/2026 15:20	1/19/2026 15:26
Overlap 10		2		
	2026-0005926		1/22/2026 7:39	1/22/2026 7:49
	2026-0005932		1/22/2026 7:48	1/22/2026 8:13
Overlap 11		2		
	2026-0005965		1/22/2026 11:39	1/22/2026 11:49
	2026-0005970		1/22/2026 11:46	1/22/2026 12:00
Overlap 12		2		
	2026-0006444		1/23/2026 20:56	1/23/2026 21:13
	2026-0006451		1/23/2026 21:12	1/23/2026 21:35
Overlap 13		2		
	2026-0007679		1/28/2026 18:05	1/28/2026 18:19
	2026-0007682		1/28/2026 18:18	1/28/2026 18:35

WFREMS
Concurrent Incidents
Year-to-Date

Overlap 14	2		
	2026-0009108	2/2/2026 11:30	2/2/2026 12:10
	2026-0009122	2/2/2026 12:07	2/2/2026 12:51
Overlap 15	2		
	2026-0009122	2/2/2026 12:07	2/2/2026 12:51
	2026-0009131	2/2/2026 12:42	2/2/2026 13:25
Overlap 16	3		
	2026-0009131	2/2/2026 12:42	2/2/2026 13:25
	2026-0009137	2/2/2026 13:00	2/2/2026 13:04
	2026-0009142	2/2/2026 13:05	2/2/2026 13:11
Overlap 17	2		
	2026-0011633	2/11/2026 13:13	2/11/2026 13:30
	2026-0011636	2/11/2026 13:15	2/11/2026 13:27
Overlap 18	2		
	2026-0012346	2/14/2026 2:03	2/14/2026 2:22
	2026-0012349	2/14/2026 2:08	2/14/2026 2:23
Overlap 19	2		
	2026-0014010	2/20/2026 12:45	2/20/2026 13:15
	2026-0014011	2/20/2026 12:45	2/20/2026 13:21
Overlap 20	2		
	2026-0015883	2/27/2026 9:13	2/27/2026 9:24
	2026-0015887	2/27/2026 9:16	2/27/2026 9:39
Overlap 21	2		
	2026-0016055	2/27/2026 19:06	2/27/2026 19:21
	2026-0016058	2/27/2026 19:15	2/27/2026 19:36
Overlap 22	2		
	2026-0016140	2/28/2026 3:43	2/28/2026 3:56
	2026-0016142	2/28/2026 3:52	2/28/2026 4:07
Overlap 23	2		
	2026-0017304	3/4/2026 9:59	3/4/2026 10:03
	2026-0017307	3/4/2026 10:02	3/4/2026 10:19
Overlap 24	2		
	2026-0017397	3/4/2026 15:58	3/4/2026 19:04
	2026-0017431	3/4/2026 18:13	3/4/2026 18:26
Overlap 25	2		
	2026-0019177	3/10/2026 18:14	3/10/2026 18:43
	2026-0019185	3/10/2026 18:30	3/10/2026 18:31
Overlap 26	2		
	2026-0019618	3/12/2026 9:21	3/12/2026 9:41
	2026-0019620	3/12/2026 9:22	3/12/2026 9:38
Overlap 27	2		
	2026-0019655	3/12/2026 12:04	3/12/2026 12:14
	2026-0019659	3/12/2026 12:12	3/12/2026 12:28

WFREMS
Concurrent Incidents
Year-to-Date

Overlap 28		2		
	2026-0019800		3/12/2026 15:44	3/12/2026 15:51
	2026-0019803		3/12/2026 15:47	3/12/2026 16:03
Overlap 29		2		
	2026-0019857		3/12/2026 20:07	3/12/2026 20:35
	2026-0019864		3/12/2026 20:32	3/12/2026 20:43
Overlap 30		2		
	2026-0020015		3/13/2026 13:31	3/13/2026 13:33
	2026-0020017		3/13/2026 13:33	3/13/2026 14:08
Overlap 31		2		
	2026-0022595		3/22/2026 17:51	3/22/2026 18:54
	2026-0022618		3/22/2026 18:49	3/22/2026 19:26
Overlap 32		2		
	2026-0022951		3/23/2026 19:55	3/23/2026 20:05
	2026-0022957		3/23/2026 20:01	3/23/2026 20:20
Overlap 33		2		
	2026-0024945		3/30/2026 7:56	3/30/2026 8:25
	2026-0024946		3/30/2026 7:59	3/30/2026 8:17
Overlap 34		2		
	2026-0026151		4/2/2026 18:54	4/2/2026 18:57
	2026-0026154		4/2/2026 18:56	4/2/2026 19:02
Overlap 35		2		
	2026-0029491		4/13/2026 13:08	4/13/2026 13:35
	2026-0029494		4/13/2026 13:10	4/13/2026 13:35
Overlap 36		2		
	2026-0029704		4/14/2026 8:14	4/14/2026 8:26
	2026-0029711		4/14/2026 8:23	4/14/2026 9:46
Overlap 37		2		
	2026-0031469		4/19/2026 1:46	4/19/2026 2:06
	2026-0031478		4/19/2026 2:05	4/19/2026 2:10
Overlap 38		2		
	2026-0032535		4/22/2026 13:30	4/22/2026 13:33
	2026-0032537		4/22/2026 13:30	4/22/2026 14:12
Overlap 39		2		
	2026-0034108		4/27/2026 7:42	4/27/2026 7:52
	2026-0034113		4/27/2026 7:47	4/27/2026 8:14
Overlap 40		2		
	2026-0034429		4/28/2026 9:14	4/28/2026 9:26
	2026-0034433		4/28/2026 9:25	4/28/2026 9:32
Overlap 41		2		
	2026-0035272		4/30/2026 23:14	4/30/2026 23:23
	2026-0035274		4/30/2026 23:22	4/30/2026 23:41
Overlap 42		2		

	2026-0036014	5/3/2026 18:07	5/3/2026 18:24
	2026-0036017	5/3/2026 18:20	5/3/2026 18:33
Overlap 43	2		
	2026-0036542	5/5/2026 12:32	5/5/2026 13:00
	2026-0036547	5/5/2026 12:49	5/5/2026 13:25
Overlap 44	2		
	2026-0036689	5/5/2026 20:39	5/5/2026 21:13
	2026-0036703	5/5/2026 21:12	5/5/2026 21:36
Overlap 45	2		
	2026-0037206	5/7/2026 12:13	5/7/2026 12:16
	2026-0037208	5/7/2026 12:15	5/7/2026 12:36
Overlap 46	2		
	2026-0038909	5/12/2026 16:19	5/12/2026 16:31
	2026-0038911	5/12/2026 16:26	5/12/2026 16:57
Overlap 47	2		
	2026-0039067	5/13/2026 7:30	5/13/2026 7:52
	2026-0039076	5/13/2026 7:51	5/13/2026 8:08
Overlap 48	2		
	2026-0041678	5/21/2026 14:57	5/21/2026 15:28
	2026-0041681	5/21/2026 15:02	5/21/2026 15:23
Overlap 49	2		
	2026-0042006	5/22/2026 16:24	5/22/2026 16:32
	2026-0042008	5/22/2026 16:25	5/22/2026 16:35
Overlap 50	2		
	2026-0042854	5/25/2026 14:41	5/25/2026 15:10
	2026-0042856	5/25/2026 14:42	5/25/2026 14:55
Overlap 51	2		
	2026-0045036	6/2/2026 8:57	6/2/2026 9:15
	2026-0045039	6/2/2026 9:10	6/2/2026 9:21
Overlap 52	2		
	2026-0045733	6/4/2026 15:18	6/4/2026 15:52
	2026-0045745	6/4/2026 15:36	6/4/2026 15:56
Overlap 53	2		
	2026-0045745	6/4/2026 15:36	6/4/2026 15:56
	2026-0045749	6/4/2026 15:53	6/4/2026 15:59
Overlap 54	2		
	2026-0046885	6/8/2026 13:01	6/8/2026 13:03
	2026-0046887	6/8/2026 13:02	6/8/2026 13:18
Overlap 55	2		
	2026-0047857	6/11/2026 19:00	6/11/2026 19:14
	2026-0047861	6/11/2026 19:08	6/11/2026 19:28
Overlap 56	2		
	2026-0049054	6/15/2026 16:58	6/15/2026 17:17

WFREMS
Concurrent Incidents
Year-to-Date

	2026-0049060		6/15/2026 17:16	6/15/2026 17:24
Overlap 57		2		
	2026-0049277		6/16/2026 14:57	6/16/2026 15:30
	2026-0049292		6/16/2026 15:22	6/16/2026 15:32
Overlap 58		2		
	2026-0050969		6/21/2026 16:23	6/21/2026 16:29
	2026-0050971		6/21/2026 16:26	6/21/2026 16:39
Overlap 59		2		
	2026-0050971		6/21/2026 16:26	6/21/2026 16:39
	2026-0050975		6/21/2026 16:35	6/21/2026 16:46
Overlap 60		2		
	2026-0051154		6/22/2026 10:12	6/22/2026 10:39
	2026-0051164		6/22/2026 10:38	6/22/2026 11:04
Overlap 61		2		
	2026-0051707		6/24/2026 8:08	6/24/2026 8:29
	2026-0051712		6/24/2026 8:16	6/24/2026 8:30
Overlap 62		3		
	2026-0052009		6/25/2026 7:25	6/25/2026 8:07
	2026-0052015		6/25/2026 7:50	6/25/2026 8:07
	2026-0052021		6/25/2026 8:06	6/25/2026 9:04
Overlap 63		2		
	2026-0053506		6/30/2026 17:55	6/30/2026 18:04
	2026-0053507		6/30/2026 17:56	6/30/2026 18:16
Overlap 64		2		
	2026-0054275		7/3/2026 11:10	7/3/2026 11:44
	2026-0054280		7/3/2026 11:36	7/3/2026 12:06
Overlap 65		2		
	2026-0055507		7/7/2026 10:19	7/7/2026 10:35
	2026-0055517		7/7/2026 10:35	7/7/2026 10:57
Overlap 66		2		
	2026-0058287		7/16/2026 7:25	7/16/2026 7:31
	2026-0058291		7/16/2026 7:30	7/16/2026 7:51
Overlap 67		2		
	2026-0058291		7/16/2026 7:30	7/16/2026 7:51
	2026-0058297		7/16/2026 7:47	7/16/2026 8:05
Overlap 68		2		
	2026-0066864		8/13/2026 13:02	8/13/2026 13:21
	2026-0066871		8/13/2026 13:21	8/13/2026 13:27
Overlap 69		2		
	2026-0072438		8/31/2026 13:28	8/31/2026 13:45
	2026-0072446		8/31/2026 13:41	8/31/2026 13:55
Overlap 70		2		
	2026-0073065		9/2/2026 8:21	9/2/2026 8:39

WFREMS
Concurrent Incidents
Year-to-Date

	2026-0073074		9/2/2026 8:33	9/2/2026 8:58
Overlap 71		2		
	2026-0073133		9/2/2026 11:37	9/2/2026 12:09
	2026-0073136		9/2/2026 11:39	9/2/2026 11:54
Overlap 72		2		
	2026-0073187		9/2/2026 14:42	9/2/2026 15:03
	2026-0073194		9/2/2026 14:51	9/2/2026 15:08
Overlap 73		2		
	2026-0073550		9/3/2026 16:19	9/3/2026 17:15
	2026-0073565		9/3/2026 17:09	9/3/2026 17:34
Overlap 74		2		
	2026-0073688		9/3/2026 23:38	9/3/2026 23:53
	2026-0073692		9/3/2026 23:48	9/4/2026 0:13
Overlap 75		2		
	2026-0075100		9/8/2026 12:49	9/8/2026 13:05
	2026-0075106		9/8/2026 13:04	9/8/2026 13:25
Overlap 76		2		
	2026-0075950		9/10/2026 23:02	9/10/2026 23:18
	2026-0075953		9/10/2026 23:14	9/11/2026 0:40
Overlap 77		2		
	2026-0077133		9/14/2026 13:58	9/14/2026 14:40
	2026-0077157		9/14/2026 14:40	9/14/2026 14:51
Overlap 78		2		
	2026-0078062		9/17/2026 13:08	9/17/2026 14:01
	2026-0078090		9/17/2026 14:00	9/17/2026 14:13
Overlap 79		2		
	2026-0079311		9/21/2026 15:04	9/21/2026 15:14
	2026-0079315		9/21/2026 15:12	9/21/2026 15:27
Overlap 80		2		
	2026-0079810		9/23/2026 9:18	9/23/2026 9:33
	2026-0079814		9/23/2026 9:25	9/23/2026 9:42
Overlap 81		2		
	2026-0080021		9/23/2026 21:20	9/23/2026 21:23
	2026-0080022		9/23/2026 21:21	9/23/2026 21:32
Count of Overlapping Incidents		165		

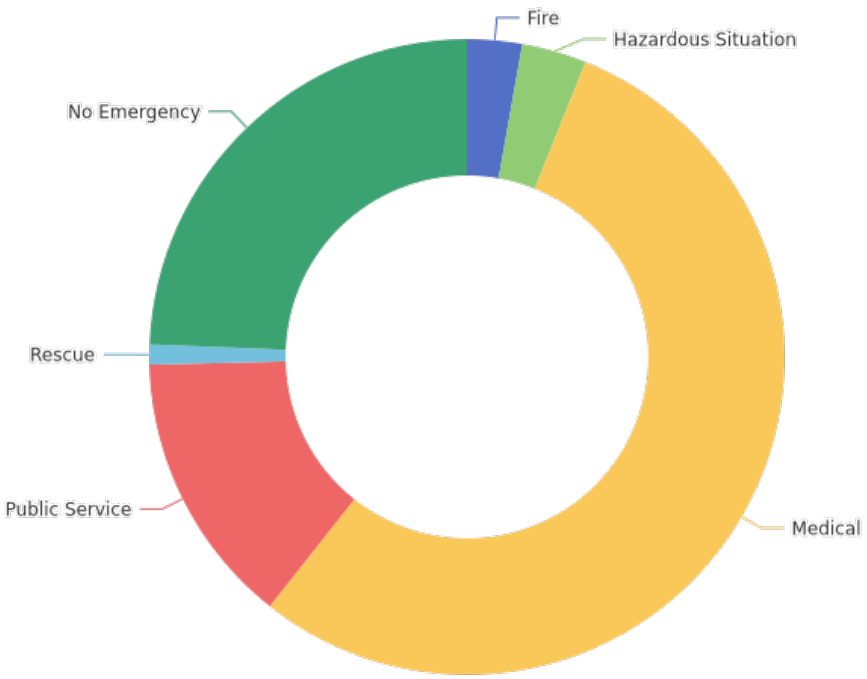
WFREMS
Concurrent Incidents
July-September

OVERLAPPING CALLS	INCIDENT NUMBER	NUMBER OF INCIDENTS OVERLAPPING	ALARM DATE/TIME	LAST UNIT CLEARED DATE/TIME
Overlap 1		2		
	2026-0054275		7/3/2026 11:10	7/3/2026 11:44
	2026-0054280		7/3/2026 11:36	7/3/2026 12:06
Overlap 2		2		
	2026-0055507		7/7/2026 10:19	7/7/2026 10:35
	2026-0055517		7/7/2026 10:35	7/7/2026 10:57
Overlap 3		2		
	2026-0058287		7/16/2026 7:25	7/16/2026 7:31
	2026-0058291		7/16/2026 7:30	7/16/2026 7:51
Overlap 4		2		
	2026-0058291		7/16/2026 7:30	7/16/2026 7:51
	2026-0058297		7/16/2026 7:47	7/16/2026 8:05
Overlap 5		2		
	2026-0066864		8/13/2026 13:02	8/13/2026 13:21
	2026-0066871		8/13/2026 13:21	8/13/2026 13:27
Overlap 6		2		
	2026-0072438		8/31/2026 13:28	8/31/2026 13:45
	2026-0072446		8/31/2026 13:41	8/31/2026 13:55
Overlap 7		2		
	2026-0073065		9/2/2026 8:21	9/2/2026 8:39
	2026-0073074		9/2/2026 8:33	9/2/2026 8:58
Overlap 8		2		
	2026-0073133		9/2/2026 11:37	9/2/2026 12:09
	2026-0073136		9/2/2026 11:39	9/2/2026 11:54
Overlap 9		2		
	2026-0073187		9/2/2026 14:42	9/2/2026 15:03
	2026-0073194		9/2/2026 14:51	9/2/2026 15:08
Overlap 10		2		
	2026-0073550		9/3/2026 16:19	9/3/2026 17:15
	2026-0073565		9/3/2026 17:09	9/3/2026 17:34
Overlap 11		2		
	2026-0073688		9/3/2026 23:38	9/3/2026 23:53
	2026-0073692		9/3/2026 23:48	9/4/2026 0:13
Overlap 12		2		
	2026-0075100		9/8/2026 12:49	9/8/2026 13:05
	2026-0075106		9/8/2026 13:04	9/8/2026 13:25
Overlap 13		2		
	2026-0075950		9/10/2026 23:02	9/10/2026 23:18
	2026-0075953		9/10/2026 23:14	9/11/2026 0:40
Overlap 14		2		

WFREMS
Concurrent Incidents
July-September

	2026-0077133	9/14/2026 13:58	9/14/2026 14:40
	2026-0077157	9/14/2026 14:40	9/14/2026 14:51
Overlap 15	2		
	2026-0078062	9/17/2026 13:08	9/17/2026 14:01
	2026-0078090	9/17/2026 14:00	9/17/2026 14:13
Overlap 16	2		
	2026-0079311	9/21/2026 15:04	9/21/2026 15:14
	2026-0079315	9/21/2026 15:12	9/21/2026 15:27
Overlap 17	2		
	2026-0079810	9/23/2026 9:18	9/23/2026 9:33
	2026-0079814	9/23/2026 9:25	9/23/2026 9:42
Overlap 18	2		
	2026-0080021	9/23/2026 21:20	9/23/2026 21:23
	2026-0080022	9/23/2026 21:21	9/23/2026 21:32
Count of Overlapping Incidents	36		

FDR-IR: Incident Count by Primary Incident Type



PRIMARY INCIDENT GROUP / PRIMARY INCIDENT TYPE	COUNT	PERCENT OF TOTAL
Fire	**11**	**2.79%**
Fire - Outside Fire - Trash / Rubbish Fire	1	0.25%
Fire - Outside Fire - Vegetation / Grass Fire	4	1.02%
Fire - Structure Fire - Structural Involvement	2	0.51%
Fire - Structure Fire - Room and Contents Fire	2	0.51%
Fire - Structure Fire - Confined Cooking / Appliance Fire	1	0.25%

FDR-IR: Incident Count by Primary Incident Type

PRIMARY INCIDENT GROUP / PRIMARY INCIDENT TYPE	COUNT	PERCENT OF TOTAL
Fire - Transportation Fire - Vehicle Fire - Passenger	1	0.25%
Hazardous Situation	**13**	**3.30%**
Hazardous Situation - Hazard Non-Chemical - Electrical Power Line Down / Arching / Malfunction	1	0.25%
Hazardous Situation - Hazard Non-Chemical - Electrical Hazard / Short Circuit	4	1.02%
Hazardous Situation - Hazard Non-Chemical - Motor Vehicle Collision	3	0.76%
Hazardous Situation - Hazardous Materials - Gas Leak / Gas Odor	1	0.25%
Hazardous Situation - Investigation - Odor	2	0.51%
Hazardous Situation - Investigation - Smoke Investigation	2	0.51%
Medical	**215**	**54.57%**
Medical - Illness	7	1.78%
Medical - Illness - Abdominal Pain / Problems	6	1.52%
Medical - Illness - Allergic Reaction / Stings	4	1.02%
Medical - Illness - Back Pain (Non-Trauma)	4	1.02%
Medical - Illness - Breathing Problems	17	4.31%
Medical - Illness - Cardiac Arrest	3	0.76%
Medical - Illness - Chest Pain (Non-Trauma)	21	5.33%
Medical - Illness - Convulsions / Seizures	6	1.52%

FDR-IR: Incident Count by Primary Incident Type

Winterville Fire-Rescue-EMS
Address: Winterville, NC, 28590

PRIMARY INCIDENT GROUP / PRIMARY INCIDENT TYPE	COUNT	PERCENT OF TOTAL
Medical - Illness - Diabetic Problems	5	1.27%
Medical - Illness - Headache	2	0.51%
Medical - Illness - Heart Problems	4	1.02%
Medical - Illness - Overdose / Poisoning	2	0.51%
Medical - Illness - Psychological Behavior Issues	5	1.27%
Medical - Illness - Sick Case	46	11.68%
Medical - Illness - Stroke / CVA	6	1.52%
Medical - Illness - Unconscious Victim	10	2.54%
Medical - Illness - Altered Mental Status	2	0.51%
Medical - Illness - Nausea / Vomiting	3	0.76%
Medical - Illness - Unknown Problem	14	3.55%
Medical - Illness - No Appropriate Choice	1	0.25%
Medical - Injury	1	0.25%
Medical - Injury / Trauma - Assault	2	0.51%
Medical - Injury / Trauma - Burns / Explosion	1	0.25%
Medical - Injury / Trauma - Fall	18	4.57%
Medical - Injury / Trauma - Heat / Cold Exposure	3	0.76%
Medical - Injury / Trauma - Motor Vehicle Collision	16	4.06%
Medical - Injury / Trauma - Hemorrhage / Laceration	4	1.02%

FDR-IR: Incident Count by Primary Incident Type

Winterville Fire-Rescue-EMS
Address: Winterville, NC, 28590

PRIMARY INCIDENT GROUP / PRIMARY INCIDENT TYPE	COUNT	PERCENT OF TOTAL
Medical - Injury / Trauma - Other Traumatic Injury	2	0.51%
Public Service	**55**	**13.96%**
Public Service - Citizen Assist - Citizen Assist / Service Call	20	5.08%
Public Service - Citizen Assist - Lift Assist	20	5.08%
Public Service - Alarms (Non Medical) - Fire / Smoke Alarm	13	3.30%
Public Service - Alarms (Non Medical) - CO Alarm	1	0.25%
Public Service - Alarms (Non Medical) - Other Alarm	1	0.25%
Rescue	**4**	**1.02%**
Rescue - Transportation (Land) - Motor Vehicle Collision Extrication / Entrapment	4	1.02%
No Emergency	**96**	**24.37%**
No Emergency - False Alarm - Intentional False Alarm	2	0.51%
No Emergency - False Alarm - Malfunctioning Alarm	21	5.33%
No Emergency - False Alarm - Accidental Alarm	17	4.31%
No Emergency - False Alarm - Other False Call	3	0.76%
No Emergency - Good Intent - No Incident Found Upon Arrival / Location Error	7	1.78%
No Emergency - Good Intent - Smoke From Nonhostile Source (Smoke Scare)	5	1.27%
No Emergency - Cancelled	41	10.41%

FDR-IR: Incident Count by Primary Incident Type

Winterville Fire-Rescue-EMS
Address: Winterville, NC, 28590

PRIMARY INCIDENT GROUP / PRIMARY INCIDENT TYPE	COUNT	PERCENT OF TOTAL
Total	**394**	**100.00%**

Town of Winterville

Human Resource Department

Quarterly Report for July, August, September 2026

To: Town Council

From: Angie Fuller, Human Resource Director

Date: July 1, 2026

Listed below is information on our open/closed positions and the Classification and Pay plan Study, and other tasks. If you have any questions, please don't' hesitate to contact me.

July 2026 Report

Classification and Pay plan Study

- We're still working on revisions/updates to the personnel policy, hopefully it will be ready to present to council in September. Erika Phillips with the Maps Group will be at our September meeting to present the results of the pay study. We received all the updated job descriptions on Thursday, July 10th, we will be reviewing those soon for accuracy

Open Positions

- We currently have 5 open positions that we're recruiting for, all are posted on our website and information board located in front of Town Hall.

  Ongoing positions in Parks & Rec.

  - Concession Attendant
  - Baseball Score Keeper

  Ongoing positions in Fire & Police

  - PT Fire Engineer
  - PT Firefighter
  - Police Officer

Status of positions posted & closed

- Electric Line Technician- 1st Class- we accepted applications for 4 weeks; it closed on July 24th. I will be scheduling interviews soon.

New Hires- July

- Britney McMahon- Police Officer- July 13th

.

Resignations in July- will be posting soon

- Assistant Fire Chief
- Utility Pump Maintenance Mechanic

August 2026 Report

Open Positions

- We currently have 5 open positions that we're recruiting for, all are posted on our website and information board located in front of Town Hall.

  Ongoing positions in Parks & Rec.

  - Concession Attendant
  - Baseball Score Keeper

  Ongoing positions in Fire & Police

  - PT Fire Engineer
  - PT Firefighter
  - Police Officer

Status of positions posted & closed

- Electric Line Technician- 1st Class- interviews are scheduled for September 1-3.
- Police Chief- still working on that process.

New Hires- August

- Parker Johnson- PT Scorekeeper- August 14th
- Camryn Gooding- PT Scorekeeper- August 14th
- Malachi Clark- PT Scorekeeper- August 14th

.

September 2026 Report

Open Positions

- We currently have 8 open positions that we're recruiting for, all are posted on our website and information board located in front of Town Hall.

  Full-time positions

  - Firefighter
  - Assistant Fire Chief
  - Permit Specialist

Ongoing positions in Parks & Rec.

- Concession Attendant
- Baseball Score Keeper

Ongoing positions in Fire & Police

- PT Fire Engineer
- PT Firefighter
- Police Officer & SRO

Status of positions posted & closed

- Electric Line Technician- 1st Class- we interviewed 6 candidates, the selected candidate is Carter Gaskins, his start date is October 5
- Police Chief- still working on that process.

PT New Hire- September

- Joey Adduci- PT Firefighter- started 9-3-26

PT New Hires- Start date has not been determined

- James Miller- PT Scorekeeper- 9/30/26
- Saraah Clark- PT Concessions-9/29/26
- Erricka Morring- PT Concessions- 9/28/26

.

Other Task

- day to day, such as...completing employment verifications, responding to emails,
- FMLA paperwork, Workers Comp. paperwork
- Administering random drug screens (will have a random screen in September)
- Reconciling & paying the benefit bills twice a month
- Put together interview notebooks for Electric Line Tech.- for all panel members, to include a copy of each candidate's application/resume, the interview questions, the job description, the job ad, interview schedule and the scoresheet
- Filing- regular personnel files & E-file
- Entering New Hires in our BS&A system, full-time new hires, must enter them in the different benefit portals- BCBS, Metlife Dental, Superior Vision- if selected, USAble Life. Complete I-9. Enter them in E-Verify system.
- Entering 401k contribution changes in BS&A when the notifications come from Empower.
- Entering new Bank information or changes when requested

Parks and Recreation Quarterly Report

Months of July, August & September

Below is a list of accomplishments, programs, activities, and coordination with others for the month of July, August & September

Accomplishments

- Selected for a 2026 NCRPA New Initiative Grant for $1,500.00 For Paint in the Park Program.

Programs/Sports

Senior Programs:

- Golden Age Senior Program (July, August, September)
  - -Meet Twice a month, 2nd & 4th Thursdays
  - -July- Bingo & Line Dance with Mr. D
  - -August- Bingo and Cards & Games
  - -September- Bingo & Let's Paint

Adult Programs:

- Yoga- Thursday evenings 5:45-6:45 pm (July, August, September)
- Zumba- Tuesday evenings 6:00-7:00 pm (July, August, September)

Youth Programs/Sports:

- Registration opened July-September
- Evals for Tackle Football-September
- Practice for all sports-September

Youth Sports:

- Baseball 7-8 (Rookie) 9 teams
- Baseball 9-10 (Minor) 5 teams
- Baseball 11-12 (Major) 6 teams
- Cheerleading (5-13) 57 total 2 teams
- Flag Football (5-6) 3 teams
- Flag Football (7-8) 3 teams
- Soccer (4-6) 9 teams
- Tackle Football (11-13) 3 teams
- Tackle Football (8-10) 2 teams

Activities/Special Events

- Mommy & Me Tea Party
- Movie in the Park: Up (July)
- Concert in the Park: Chocolate Chip & Company (July)
- Watermelon Festival (August)
- Movie in the Park: Zootopia 2 (September)
- Concert in the Park: SpareChange (September)

Coordination's with others

Winterville Police Department
-Golden Age Senior Program (July, August, September)
-Back to School Splash/National Night Out/Market (August)

Winterville Chamber of Commerce
-Market (August, September)

Winterville Watermelon Festival (August)

A.G. Cox Middle School Athletics
-Soccer practice & games at Hillcrest Park(September)
-Cross Country Practice at Winterville Recreation Park (August, September)
-Softball field (September)

Special Projects

- Accessibility Improvements to Winterville Recreation Park
  Rivers & Associates are working on a design of the viewing shelter
- New Initiative Program-Paint in the Park

Maintenance & Inspections at the Parks-Weekly Inspections

- July 6th, 13th, 20th, 27th
- August 3rd, 10th, 17th, 24th, 31st
- September 8th, 14th, 21st, 28th

Hillcrest-

- Picnic Shelters: Checking tables and looking for any graffiti or damages.
- Playground: Inspecting equipment for safety and wear. Any concerns are noted for further attention.
- Benches: Checking for any broken or missing parts.
- Basketball Goals: Ensuring the nets are intact and replacing them as needed.
- Restrooms: Inspecting graffiti, trash, vandalism, and ensuring toilets and sinks are functioning properly.
- Water Fountains checked
- Picnic tables at basketball court, benches and trash can have been ordered

Water Tower-

- Playground Equipment: Checking for safety and damage.
- Park Benches: Inspecting any damages or missing parts.
- Trash Cans: Ensuring they are not overfilled and are in good condition.

Winterville Recreation-

- Picnic Shelter: Checking tables and inspecting for graffiti or damage.
- Playground Equipment: Assessing for wear and safety issues.
- Benches: Ensuring no pieces are broken or missing.
- Tennis Courts: Inspecting nets and ensuring the equipment is in good condition.
- Restrooms: Checking for graffiti, trash, vandalism, and ensuring the functionality of toilets and sinks.
- Water Fountains: Checked
- Watermelon Prep & Repair fields if any damage from Watermelon Festival

Planning and Economic Development

Ongoing Projects Report

2026 Third Quarter Report

Planning and development activity remained strong during the third quarter of 2026. Staff continued reviewing a variety of residential and commercial projects at different stages of the development process, including preliminary plats, construction drawings, and final plats. More than 1,000 residential lots are currently under review, under construction, or recently approved, while several commercial developments continue to advance throughout the region

Residential: There are a significant number of residential projects currently underway or in the development pipeline. Below are some of the current and upcoming developments.

- Residential Projects under TRC Review:
  - Rucker Farm Subdivision: Located at the corner of Old Tar Road and Laurie Ellis Road, this 255-lot preliminary plat is currently under TRC review.
  - Farmstead Subdivision: Located along Reedy Branch Road and Old Tar Road, this subdivision will feature 179 single-family detached homes.
  - Southbrook Phase 2: Located on Church Street Extension and Laurie Ellis Road, Phase 2 will feature 336 single-family detached lots and 44 single-family attached lots.
  - Southbrook Phase 3: Located on Church Street Extension and Laurie Ellis Road, Phase 3 will feature 54 single-family attached units.
  - Willow Green Subdivision: Located at the corner of Reedy Branch Road and Davenport Farm Road, this subdivision will feature 74 single-family detached lots.

- Projects Under Construction:
  - Eli's Ridge, Phase 6: Located on Worthington Road, Phase 6 is currently under construction. The 8.8-acre phase will add 24 additional homes.
  - Southbrook Phase 1: Located on Church Street Extension and Laurie Ellis Road, Phase 1 will feature 122 single-family detached lots and 56 single-family attached homes.
  - Quail Trace: Located on Reedy Branch Road, this subdivision will feature 85 single-family detached lots.
  - Blackstone, Section 3: Located within the existing subdivision off Vernon White Road, this section will add 12 single-family detached lots.
  - Carroll Crossing, Section 4: Located on Church Street Extension and Jeremy Lane, this section will add 23 new residential lots. All but one will consist of duplexes.

- Construction of Homes:
  - Copper Creek, Section 3: Located on Reedy Branch Road, the third phase added 34 new residential lots. Home construction is just beginning.
  - Villa Grande, Phase 3: Located off Red Forbes Road, Phase 3 added 40 additional lots. Homes are actively under construction and available for sale.
  - Eleven At Main, Phase 2: Located within the existing Eleven At Main development, several single-family attached units are nearing completion in preparation for rental.
  - Eli's Ridge: Located off Worthington Road, homes are actively being built and sold.
  - Cornerstone: Located off Fire Tower Road, homes are actively being built and sold.
  - Brookfield: Located at the corner of Old Tar Road and Laurie Ellis Road, homes are being built and sold on the development's remaining lots.

- Other Projects
  - Eleven At Main, Phase 3: Located within the existing Eleven At Main subdivision, Phase 3 is expected to add 17 additional units in the near future.
  - Blueberry Subdivision: Located at the corner of Church Street Extension and Park Road, this subdivision will feature 69 lots. Construction drawings were approved in September 2026, and construction is expected to begin soon.

Commercial: Staff continues to work with prospective developers, property owners, brokers, and regional economic development partners to recruit new commercial investment and assist existing businesses with expansion opportunities.

- Ange Plaza, Lot 26: A new 52,145-square-foot office/flex space development has been proposed for Lot 26 in Ange Plaza, located off Beacon Drive. Construction drawings are currently under Technical Review Committee (TRC) review.
- Ange Plaza, Lot 23: A new dental office is proposed for Lot 23 in Ange Plaza, located off Beacon Drive. Construction drawings have been approved, and site work has begun.
- Vernon Square: The commercial preliminary plat for the northeastern corner of Highway 11 and Vernon White Road has been approved. Phase 1 construction drawings have also been approved, and construction is expected to begin soon.
- Freddy's Frozen Custard & Steakburgers: A new restaurant is under construction at 775 W. Fire Tower Road, at the corner of Fire Tower Road and Wolf Drive.
- Pitt Community College Bruiser Boulevard Parking Lot: Located off Bruiser Boulevard, Pitt Community College is adding a new 110-space parking lot adjacent to its new Welding Building.
- NC 11 Self Storage: Located at 5039 NC 11 South, the project has submitted construction drawings for four additional storage buildings.
- Christian Brothers Automotive: Construction drawings have been submitted for a new Christian Brothers Automotive facility on parcel number 91026, located on Beacon Drive.

- Aces for Autism: Construction drawings have been submitted to add a modular classroom and pavilion to the existing campus.
- Truist Bank: Located at 101 W. Fire Tower Road, construction drawings have been submitted to redesign the parking lot in response to the Old Tar Road widening project.

Police Department Quarterly Report
Months of July, August, and September 2026

List of accomplishments, programs, activities, coordination with others, and notes of any nature.

The Winterville Police Department continued patrol operations, criminal investigations, traffic enforcement, and community outreach throughout the third quarter of 2026. Officers conducted 12 saturation patrols while supporting public safety education and major community events, including National Night Out Back-to-School Splash and the Watermelon Festival.

Calls for Service and Enforcement

During the third quarter, officers remained actively engaged in responding to calls, investigating offenses, and conducting proactive enforcement. Department activity included:

- 1,608 calls for service, including 614 traffic stops.
- 94 traffic crash events, including 11 hit-and-run events.
- 120 alarm calls.
- 166 incidents
- 46 arrests resulting in 72 charges.
- 343 traffic citations.
- 171 warning tickets.
- 20 drug and narcotic charges.
- 14 warrant or order for arrest served.
- 10 Driving While Impaired (DWI) arrest
- 10 involuntary commitment entries and 7 trespassing offense entries.

The monthly CAD reports recorded 515 events in July, 548 in August, and 545 in September. Crash events totaled 26 in July, 30 in August, and 38 in September; alarm calls totaled 46, 43, and 31, respectively. CAD figures include dispatched calls and officer-initiated activity. Crash figures include property damage, personal injury, and hit-and-run events; they represent CAD events rather than completed crash reports.

Community Engagement and Events

The department worked with Town departments and community partners to provide family activities and public safety outreach during the quarter.

- Partnered with the Chamber of Commerce, Winterville Parks and Recreation, and the Winterville Human Relations Board to bring back the annual National Night Out Back-to-School Splash. Families enjoyed free hot dogs, snow cones, and water slides, and children received backpacks filled with school supplies.
- Participated in a Hot Car Safety event to support public safety awareness.
- Supported the annual Watermelon Festival.

Traffic Safety Initiatives

The department conducted 12 saturation patrols and participated in Governor's Highway Safety Program campaigns during the quarter.

- Speeding Slows You Down Campaign: 1 checkpoint and 13 traffic violations, including 2 speeding violations and 2 driving while license revoked violations.
- Labor Day Booze It and Lose It Campaign (Weeks 1 and 2): 25 traffic violations and 1 drug violation. Enforcement included 1 drug-related DWI charge, 6 speeding violations, 1 driving while license revoked violation, and 1 reckless driving violation.

Personnel

The department hired three new officers during the quarter. One has completed her field Training and is now assigned to solo patrol. A second is expected to complete her field Training this week, and the third is expected to complete Basic Law Enforcement Training in December.

Operational Outlook

The Winterville Police Department will continue focusing on responsive police services, criminal investigations, proactive traffic enforcement, and community engagement. Officers will continue working with Town departments and community partners to support events and strengthen relationships with residents.

Prepared using department activity and campaign reports for July–September 2026 and the department's community event update.