



BOARD OF ALDERMAN

Monday, June 10, 2024 at 6:00 PM

Landis Board Room

AGENDA

PLEASE SILENCE ALL CELL PHONES

1. INTRODUCTION:

- 1.1 Call Meeting to Order
- 1.2 Welcome
- 1.3 Moment of Silence and Pledge of Allegiance
- 1.4 Adoption of Agenda

2. PRESENTATIONS:

- [2.1](#) Eagle Scout Project Recognition (Lachlan Jackling)

3. PUBLIC HEARINGS:

- [3.1](#) Consider Public Legislative Hearing and Approval of Annexation and Zoning for Keller Property on Mt. Moriah Church Road
- [3.2](#) Consider FY25 Budget Ordinance Public Legislative Hearing and Approval of FY25 Budget Ordinance

4. CONSENT AGENDA:

All items below are considered to be routine by the Board of Aldermen and will be enacted by one motion. There will be no separate discussion on these items unless an Aldermen member so requests, in which event, the item will be removed from the Consent Agenda and placed in the appropriate corresponding Agenda Section to then be considered.

REQUESTED ACTION: Motion to Approve Consent Agenda as presented

- [4.1](#) Consider Approval of Regular Scheduled Meeting Minutes from May 13, 2024

- [4.2](#) Consider Approval of FY25 Pay Scale with COLA Increases
- [4.3](#) Consider Approval of Amended Water and Sewer Ordinance #W&S-2024-06-10
- [4.4](#) Consider Approval of Budget Amendment #22 Reallocating Funds from the Police Foundation to the General Fund for the Shop with a Cop Event
- [4.5](#) Consider Approval of the N Focus FY25 Contract
- [4.6](#) Consider Awarding Asphalt Repair Bid for Kimball Road
- [4.7](#) Consider Approval for the Police Department to Apply for a Gary Sinse Grant to Purchase Rifle Plates for Police Vests
- [4.8](#) Consider Approval for the Fire Department to Apply for a Dickey Foundation Grant to Purchase Ten Sets of Fire Turnout Gear

5. ORDINANCES/RESOLUTIONS:

- [5.1](#) Consider Approval of Annexation Initiation for Properties Located on Old Beatty Ford Road

6. CITIZEN COMMENTS:

All citizen comments are limited to 3 minutes.

- 6.1 Citizens' Comments

7. CONSIDERATIONS:

- [7.1](#) Consider Approval of Sanitation Contract
- [7.2](#) Consider Awarding Sidewalk Replacement Bid
- [7.3](#) Consider Awarding South Upright Street Basin Sanitary Sewer Rehabilitation Project Bid
- [7.4](#) Consider Awarding Patterson Road/Flat Rock Road Waterline Project Bid
- [7.5](#) Consider Awarding FY24 Paving Project Bid
- [7.6](#) Consider Approval of Installing 8 Sewer Taps for the Kimball Landing Townhomes

8. REPORTS:

- [8.1](#) Departmental Reports (Included in the Board packet)
- [8.2](#) Financial Report (Included in the Board packet)

[8.3](#) Town Manager Report (Included in the Board packet)

9. UPCOMING EVENTS:

[9.1](#) Upcoming Events (Included in the Board packet)

10. CLOSING:

10.1 Board Comments

10.2 Motion to Adjourn



Item Cover Page

MEETING TYPE: Board of Alderman

DATE: June 10, 2024

SUBMITTED BY: Jessica St. Martin, Parks & Rec Director

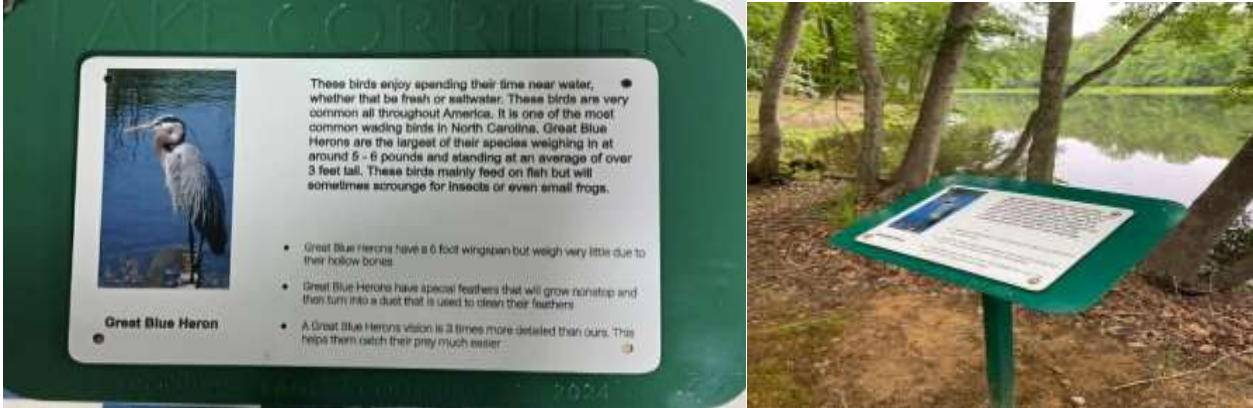
ITEM TYPE: Presentation/Resolution

AGENDA SECTION: Presentations

SUBJECT: **Eagle Scout Project Recognition (Lachlan Jackling)**

DETAILS:

Lachlan Jackling from Troop 254, Kannapolis, completed his Eagle Scout Project at Lake Corriher Wilderness Park. The project was centered around nature awareness. Lachlan, with the help of other scouts, fabricated and installed three metal signs on a decorative post on the park trails. The signs contained pictures and other information on Squirrels, Blue Herons, and Largemouth Bass. Thank you to Lachlan and his Scout Leaders Jon Finger and Matt Jackling for choosing Lake Corriher Park as a recipient for your project.





RESOLUTION HONORING EAGLE SCOUT LACHLAN JACKLING

RESOLUTION #2024-06-10-3

WHEREAS, the Boy Scouts of America is a vital force in the development of our youth through its many programs which encourage the ability of its members to do things for themselves and especially for others; and

WHEREAS, **Lachlan Jackling** joined the scouting program as a cub scout in 2012 and has diligently worked his way up to earn the rank of **EAGLE SCOUT**; and

WHEREAS, the Town of Landis Board of Aldermen desires to recognize and honor the accomplishments of our outstanding youth; and

WHEREAS, **Lachlan Jackling** has demonstrated strong leadership abilities and has exhibited a strong sense of duty, honor, and patriotism making him a clear example of the best qualities of American youth; and

WHEREAS, **Lachlan Jackling**, focusing on nature awareness, chose Lake Corriher Wilderness Park for his eagle scout project and fabricated and installed three metal park trail signs that contain photos and information regarding local wildlife; and

WHEREAS, **Lachlan Jackling** has completed the arduous and demanding requirements necessary to be awarded the rank of **EAGLE SCOUT**, the highest honor given by the Boy Scouts of America; and

WHEREAS, the **EAGLE SCOUT** is a distinction that will follow him throughout life and will be a beacon to others of the leadership quality and commitment that this young man has shown,

NOW, THEREFORE, BE IT RESOLVED, the Town of Landis Board of Aldermen recognize and congratulate **Lachlan Jackling** upon his attainment of the rank of **EAGLE SCOUT** and encourage him to continue his commitment to excellence.

Adopted this the 10th day of June 2024.

Meredith Bare Smith, Mayor

ATTEST:

Madison Stegall, Town Cler



Item Cover Page

MEETING TYPE: Board of Alderman

DATE: June 10, 2024

SUBMITTED BY: Rick Flowe, Planning, Zoning, & Subdivision Administrator

ITEM TYPE: Public Hearing/Ordinances

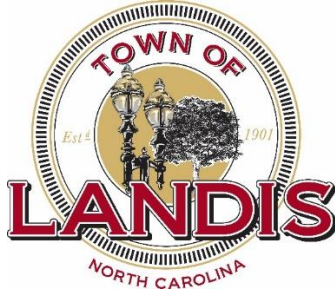
AGENDA SECTION: Public Hearings

SUBJECT: **Consider Public Legislative Hearing and Approval of Annexation and Zoning for Keller Property on Mt. Moriah Church Road**

DETAILS:

Consider Annexation and Zoning – Keller Property on Mt. Moriah Church Road and Legislative Hearing (concurrent annexation and zoning map amendment)

1. **Overview from Staff** (see attached *memo*)
2. **Open Public Hearing**
3. **Comments by Public**
4. **Close Public Hearing**
5. **Ordinance #ANNEX 2024-06-10**
6. **Ordinance #ZMA 2024-06-10**



MEMORANDUM TOWN OF LANDIS, N.C.

To: Mayor and Board of Aldermen

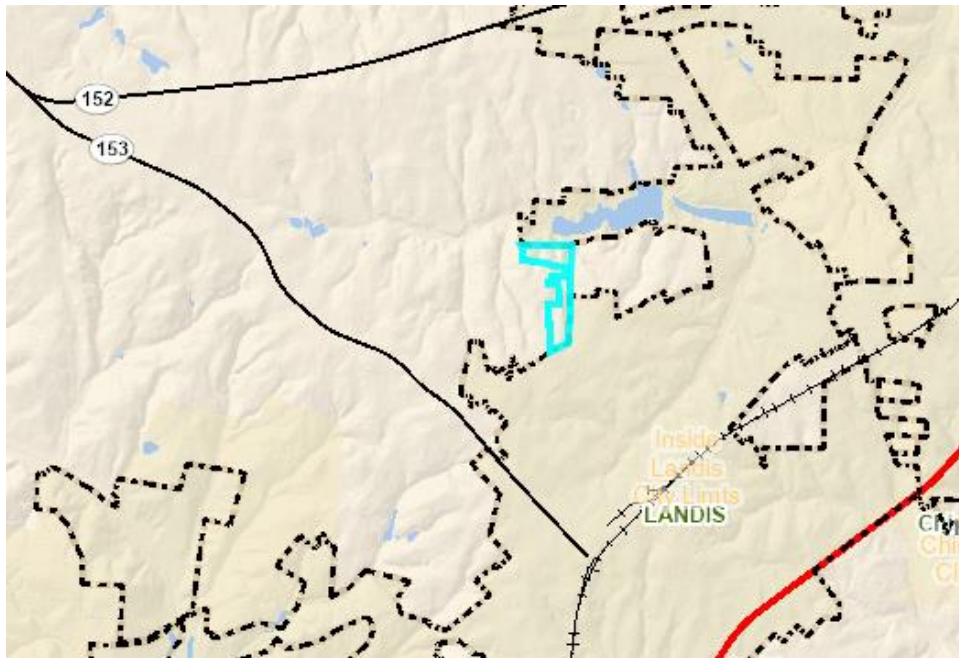
Date: May 16, 2024

From: F. Richard “Rick” Flowe, AICP, Planning, Zoning & Subdivision Administrator

Re: Voluntary Annexation Petition for contiguous property of KELLER, JOSEPH of 5830 Wright Road, Kannapolis, NC 28081-8931

BACKGROUND

On April 11, 2024, the owner of property located at 0 Mt. Moriah Church Road, Landis, NC 28088 (Rowan County Parcel ID 130 0450000002) submitted a petition for voluntary contiguous annexation into the town limits of the Town of Landis. The property consists of approximately 22.09 acres. Location Map from Rowan County GIS:



FINDINGS AND CONCLUSIONS

The standards for annexation require that the property must be contiguous to the “primary corporate limits”. The fact that the property lies within an area bounded on two sides by the corporate limits demonstrates the contiguity requirements are satisfactorily met by this petition to the Town of Landis. The property will need to have a Town of Landis zoning designation upon annexation.

FISCAL IMPACT

The property will be subject to applicable taxes and fees in accordance with rates in effect throughout the Town. The Town will deliver standard municipal services for this property upon development. The Town will receive additional revenues from Ad Valorem tax assessments and applicable state shared revenues.

RECOMMENDATION FOR ACTION ON ANNEXATION & ZONING

There are several steps required to annex and apply Town zoning to this property. The following outline illustrates how this process may be completed in two regular meetings of the Town Mayor and Board of Aldermen.

THE ACTIONS TAKEN AT THE May 13, 2024 MEETING INCLUDED:

- a. **Petition for voluntary contiguous annexation.**
- b. **Direct (by Resolution #2024-05-13-1) for the Town Clerk to investigate the sufficiency of the petition.**
- c. **Clerk presents “Certification of Sufficiency” to the Board**
- d. **Upon receipt of petition certification by Town Clerk, call (by Resolution #2024-05-13-2) for public hearing at next regular meeting on June 10, 2024.**

ADDITIONAL STEPS BEFORE AND BETWEEN TOWN BOARD MEETINGS

While the Mayor and Board of Aldermen undertake the process of annexation, the Planning Board may initiate the process of amending the Official Zoning Map per 160D-204 to run concurrent with the annexation process. The property lies adjacent to an area designated in the Town of Landis Comprehensive Land Use Plan (the Plan) Future Land Use Map adopted May 10, 2021 for neighborhood residential use to the south, and civic to the north is consistent with the principles of the Plan so we may anticipate a recommendation for the owner’s requested mixed use zoning designation from the Planning Board. Here is how these steps align:

1. On the May 15, 2024 Planning Board agenda the requested designation of Mixed-Use-2 (MU-2) was discussed at length; however, following discussion their recommendation on the designation of the appropriate zoning district was Mixed-Use-1 (MU-1) due to concerns that excessive non-residential development is not desired in this location and the MU-1 designation aligns with properties in the vicinity along this part of Mt. Moriah Church Road;

- 2. Advertise for a **Public Legislative Hearing scheduled for June 10, 2024 before the Mayor and Board of Aldermen** on the subjects of 1) annexing the property and 2) amending the Town of Landis’s Official Zoning Map, of the Landis Development Ordinance (LDO); and

NEXT STEPS BY MAYOR AND BOARD OF ALDERMEN - THE ACTIONS THAT MAY BE TAKEN AT THE June 10, 2024 REGULAR MEETING INCLUDE:

- 1. Conducting the required Annexation Public Hearing for the purpose of receiving input from citizens and/or persons owning an interest in the subject property concurrently with the required Zoning Map Amendment Public Legislative Hearing for the purpose of receiving comment from citizens and/or persons owning an interest in the subject property and the designation of an initial zoning district.
- 2. Consideration (adoption or rejection) of an Ordinance #ANNEX-2024-06-10 Extending the Corporate Limits (annexation) to include the subject property.
- 3. Consideration (adoption or rejection) of an Ordinance #ZMA-2024-06-10 Amending the Official Zoning Map (initial zoning) and the Town Plan 2040 - Future Land Use Map for the newly annexed property.

FINAL STEPS FOLLOWING ANNEXATION AND ZONING

- Following the annexation of the property, staff will be preparing additional materials to
- 1. Update Official Zoning Map in Clerk’s record, Administrator’s record and online.
 - 2. Update shape-files with Rowan County GIS to reflect new zoning and jurisdictional designations online.
 - 3. Record the annexation with both the NC Secretary of State and Rowan County Register of Deeds;
 - 4. Notify all public utilities (telecom, etc.) of the change in the corporate limits of the Town for their proper reporting of utility franchise taxes paid to the State of North Carolina so local shared revenues can be properly distributed;
 - 5. Accept application from owner for the approval (by staff) of site plan(s) for any future project;
 - 6. Process zoning permit application and issue permit(s) upon compliance with the Landis Development Ordinance (LDO).

**AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE TOWN OF LANDIS and
INCORPORATE BY ANNEXATION A CONTIGUOUS AREA INTO THE
TOWN OF LANDIS, NORTH CAROLINA**

Ordinance #ANNEX 2024-06-10

WHEREAS, a Petition signed by Joeseeph Keller of 5830 Wright Road, Kannapolis, NC 28081-8931, being the owner(s) of the certain land areas located at 0 Mt. Moriah Church Road, Landis, NC 28088 (Rowan County Parcel ID 130 0450000002) lying outside the Town Limits of the Town and south of S Beaver Street, as shown on the map and description appearing in Attachment A attached hereto, was received by the Town of Landis on April 11, 2024; and,

WHEREAS, the owner Petitioned that said area be annexed into the corporate limits of the Town of Landis, North Carolina, as authorized by Part 1, Article 4A, Chapter 160A of the General Statutes of North Carolina; and,

WHEREAS, the Petition was presented to the Mayor and Board of Aldermen during the regular meeting of May 13, 2024; and,

WHEREAS, on May 13, 2024 the Mayor and Board of Aldermen directed, by Resolution duly adopted, the Town Clerk of the Town of Landis, North Carolina, to investigate the sufficiency of said Petition and to certify the results to the Mayor and Board of Aldermen; and,

WHEREAS, at the regular meeting of the Mayor and Board of Aldermen held on May 13, 2024, a Certificate of Sufficiency from the Town Clerk of the Town of Landis was presented to the Mayor and Board of Aldermen wherein the Town Clerk certified that upon due investigation found the above individuals who signed the aforementioned Petition constitute the owners of the land within the boundaries described in said Petition and, as hereinafter described, that said boundaries are contiguous to the present Town limit primary boundaries, and are eligible to be annexed pursuant to G.S. 160A-31, et seq. of the General Statutes of North Carolina; and,

WHEREAS, following the receipt by the Mayor and Board of Aldermen of the Town of Landis, North Carolina, of a Certificate of Sufficiency from the Town Clerk of the Town of Landis, said information and due consideration thereof by the Board, passed a motion to adopt a Resolution whereby a public hearing upon the question of such annexation was called to be had before the Mayor and Board of Aldermen of the Town of Landis at 6:00 p.m. on the 10th day of June 2024; and,

WHEREAS, the Town Clerk was duly authorized and did so cause notice of such public hearing to be published in the Salisbury Post, a newspaper having general circulation in the Town of Landis, North Carolina, at least ten (10) days prior to the date of such public hearing, such notice contained Rowan County property identification numbers of the areas proposed to be annexed as set forth in the Petition; and,

WHEREAS, it appears to the Mayor and Board of Aldermen from the publisher's Affidavit with clipping attached thereto, duly filed with the Town Clerk, that a notice of such public hearing as directed by the Mayor and Board of Aldermen was duly published in the Salisbury Post in its issue of the __ of May and the __ day of June, 2024, which date of publication was at least ten (10) days prior to the date set for such public hearing; and,

WHEREAS, a public hearing was held by the Mayor and Board of Aldermen of the Town of Landis on the 10th day of June 2024 at the stated time and place where the petitioners and any other residents of the Town of Landis were given an opportunity to appear and be heard on the question of the sufficiency of the Petition and the desirability of the annexation; and,

WHEREAS, the Mayor and Board of Aldermen, after due deliberation and consideration during the regular Mayor and Board of Aldermen meeting held on June 10, 2024, now finds that the Petition meets the requirements of G.S. 160A-31, et seq. of the General Statutes of North Carolina, that the Petition contained the signatures of the owners of the real property within the area proposed for annexation, that the Petitions are otherwise valid and that the public health, safety and welfare of the inhabitants of the Town and of the area proposed for annexation will be best served by the annexation through the expansion, now or in the future, of essential public services provided by the Town.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the Mayor and Board of Aldermen of the Town of Landis, North Carolina, in regular meeting assembled the 10th day of June 2024, hereby adopts this ordinance as follows:

SECTION 1: That the area described in the Petition for contiguous annexation be and the same is hereby annexed to and is made a part of the corporate limits of the Town of Landis, North Carolina, the areas being described in Attachment "A" hereto.

SECTION 2: From and after the effective date of this Ordinance, the territory so annexed and the property therein located shall be subject to all debts, laws, ordinances and regulations in force in the Town of Landis, North Carolina, and shall be entitled to the privileges and benefits available to other parts of the municipality. The newly annexed territory shall be subject to municipal taxes levied as provided in Section 160A-58.10 of the General Statutes of North Carolina.

SECTION 3: It shall be the duty of the Mayor of the Town of Landis to cause an accurate map of such annexed territory, together with a copy of this Ordinance duly certified, to be recorded in the office of the Register of Deeds of Rowan County, North Carolina, and in the office of the Secretary of State of North Carolina.

SECTION 4: This Annexation shall become effective upon adoption.

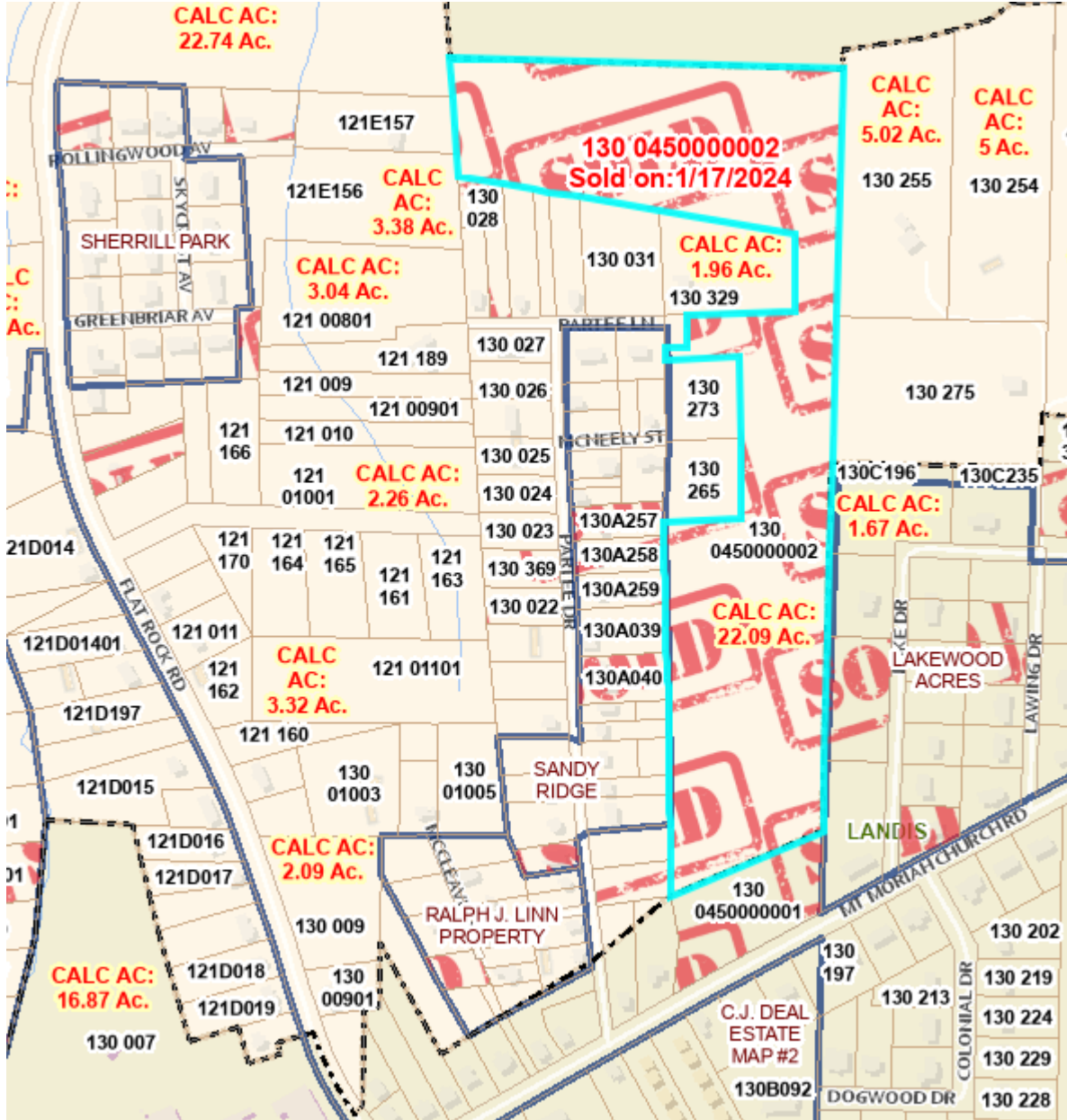
Adopted this 10th day of June 2024.

s/ _____
Meredith Bare Smith, Mayor

s/ _____
Madison Stegall, Town Clerk

ATTACHMENT "A"

Location Map(s) from Rowan County GIS:



**AN ORDINANCE AMENDING THE LANDIS DEVELOPMENT ORDINANCE
OF THE TOWN OF LANDIS, NORTH CAROLINA**

Ordinance #ZMA-2024-06-10

BE IT ORDAINED by the Mayor and Board of Aldermen of the Town of Landis, North Carolina that the Official Zoning Map (OZM) of the Landis Development Ordinance (LDO) be amended in accordance with Article 6 of G.S. 160D. The subject property of located at 0 Mt. Moriah Church Road, Landis, NC 28088 (Rowan County Parcel ID 130 0450000002) lying outside the Town Limits of the Town on the north side of Mt. Moriah Church Road and described with illustration in Attachment “A” attached hereto be designated upon the OZM as follows:

Part 1. Consistency with Adopted Comprehensive Plan.

The Board of Aldermen finds that a zoning map amendment applicable to the subject property, establishing a zoning designation in accordance with G.S. 160D-604(a) of “Mixed-Use 1 District” (MU-1) is consistent with the Town’s 2040 Comprehensive Land Use Plan (the Plan) and the “Neighborhood” designation upon the adjacent property appearing on its “Future Land Use Map” therein as amended, as required by G.S. 160D-605(a).

Part 2. Statement of Reasonableness.

This amendment is reasonable because the subject property allows for the growth and expansion of neighborhoods supporting the local economic base of the Town while improving access to quality open spaces and environmental amenities to improve the quality of life for Landis residents by enabling additional housing opportunities developed in accordance with the LDO.

Part 3. Designation of Zoning Designation.

That Rowan County Parcel located at 0 Mt. Moriah Church Road, Landis, NC 28088 (Rowan County Parcel ID 130 0450000002), as shown in Attachment “A” attached hereto shall be designated “Mixed-Use 1 District” (MU-1) on the Official Zoning Map.

Part 4. Amendment of Future Land Use Map.

That Rowan County Parcel ID 130 0450000002 as shown in Attachment “A”, attached hereto, shall be designated “Neighborhood” on the Future Land Use Map.

Part 5. Effective Date.

This Ordinance shall be effective immediately upon its adoption.

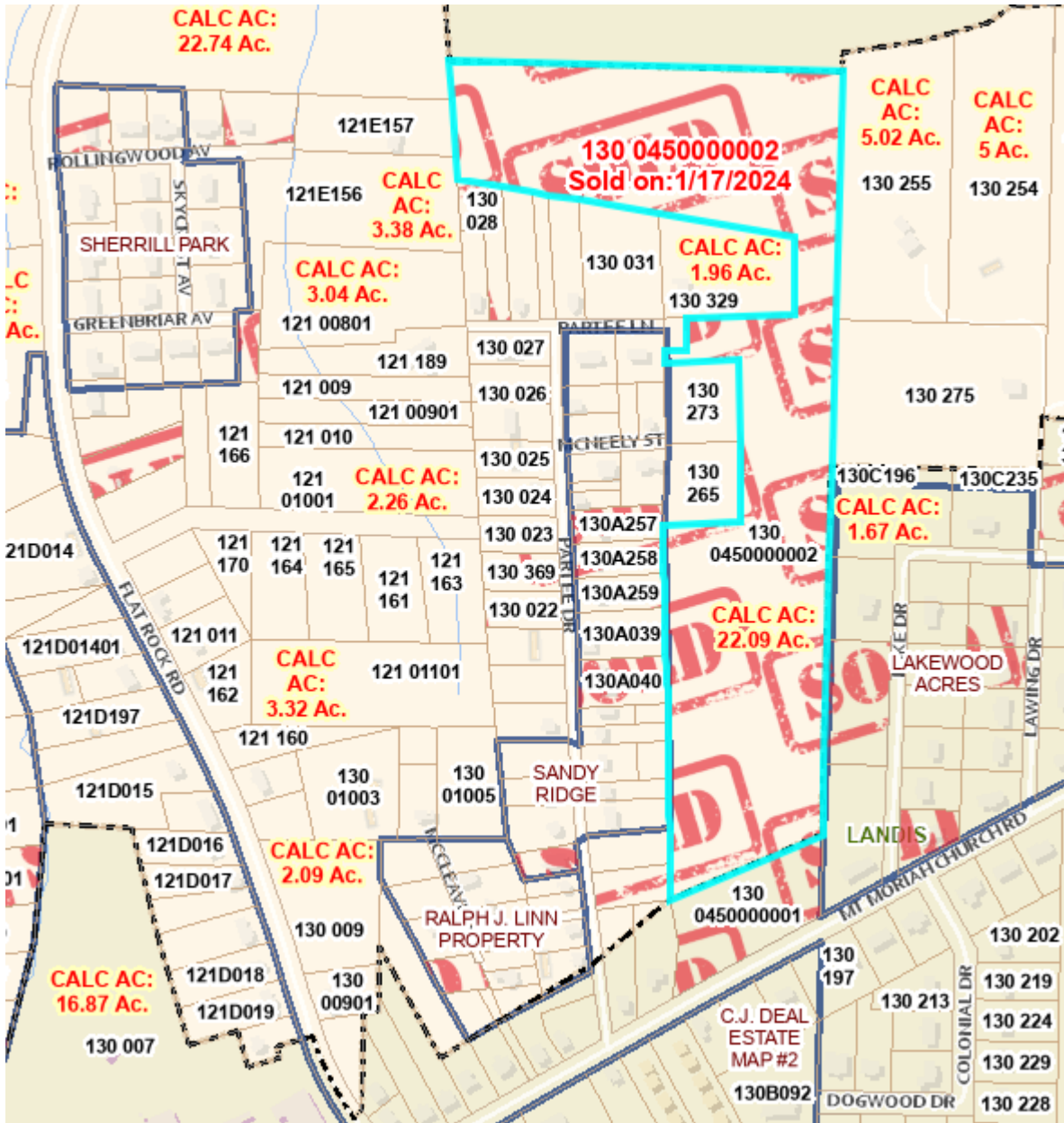
Adopted the 10th day of June 2024.

s/ _____
Meredith Bare Smith, Mayor

s/ _____
Madison Stegall, Town Clerk

Attachment "A"

Location Maps from Rowan County GIS:



**AN ORDINANCE AMENDING THE LANDIS DEVELOPMENT ORDINANCE
OF THE TOWN OF LANDIS, NORTH CAROLINA**

Ordinance #ZMA-2024-06-10

BE IT ORDAINED by the Mayor and Board of Aldermen of the Town of Landis, North Carolina that the Official Zoning Map (OZM) of the Landis Development Ordinance (LDO) be amended in accordance with Article 6 of G.S. 160D. The subject property of located at 0 Mt. Moriah Church Road, Landis, NC 28088 (Rowan County Parcel ID 130 0450000002) lying outside the Town Limits of the Town on the north side of Mt. Moriah Church Road and described with illustration in Attachment “A” attached hereto be designated upon the OZM as follows:

Part 1. Consistency with Adopted Comprehensive Plan.

The Board of Aldermen finds that a zoning map amendment applicable to the subject property, establishing a zoning designation in accordance with G.S. 160D-604(a) of “Single-Family Residential-2 District” (SFR-2) is consistent with the Town’s 2040 Comprehensive Land Use Plan (the Plan) and the “Neighborhood” designation upon the adjacent property appearing on its “Future Land Use Map” therein as amended, as required by G.S. 160D-605(a).

Part 2. Statement of Reasonableness.

This amendment is reasonable because the subject property allows for the growth and expansion of neighborhoods supporting the local economic base of the Town while improving access to quality open spaces and environmental amenities to improve the quality of life for Landis residents by enabling additional housing opportunities developed in accordance with the LDO.

Part 3. Designation of Zoning Designation.

That Rowan County Parcel located at 0 Mt. Moriah Church Road, Landis, NC 28088 (Rowan County Parcel ID 130 0450000002), as shown in Attachment “A” attached hereto shall be designated “Single-Family Residential-2 District” (SFR-2) on the Official Zoning Map.

Part 4. Amendment of Future Land Use Map.

That Rowan County Parcel ID 130 0450000002 as shown in Attachment “A”, attached hereto, shall be designated “Neighborhood” on the Future Land Use Map.

Part 5. Effective Date.

This Ordinance shall be effective immediately upon its adoption.

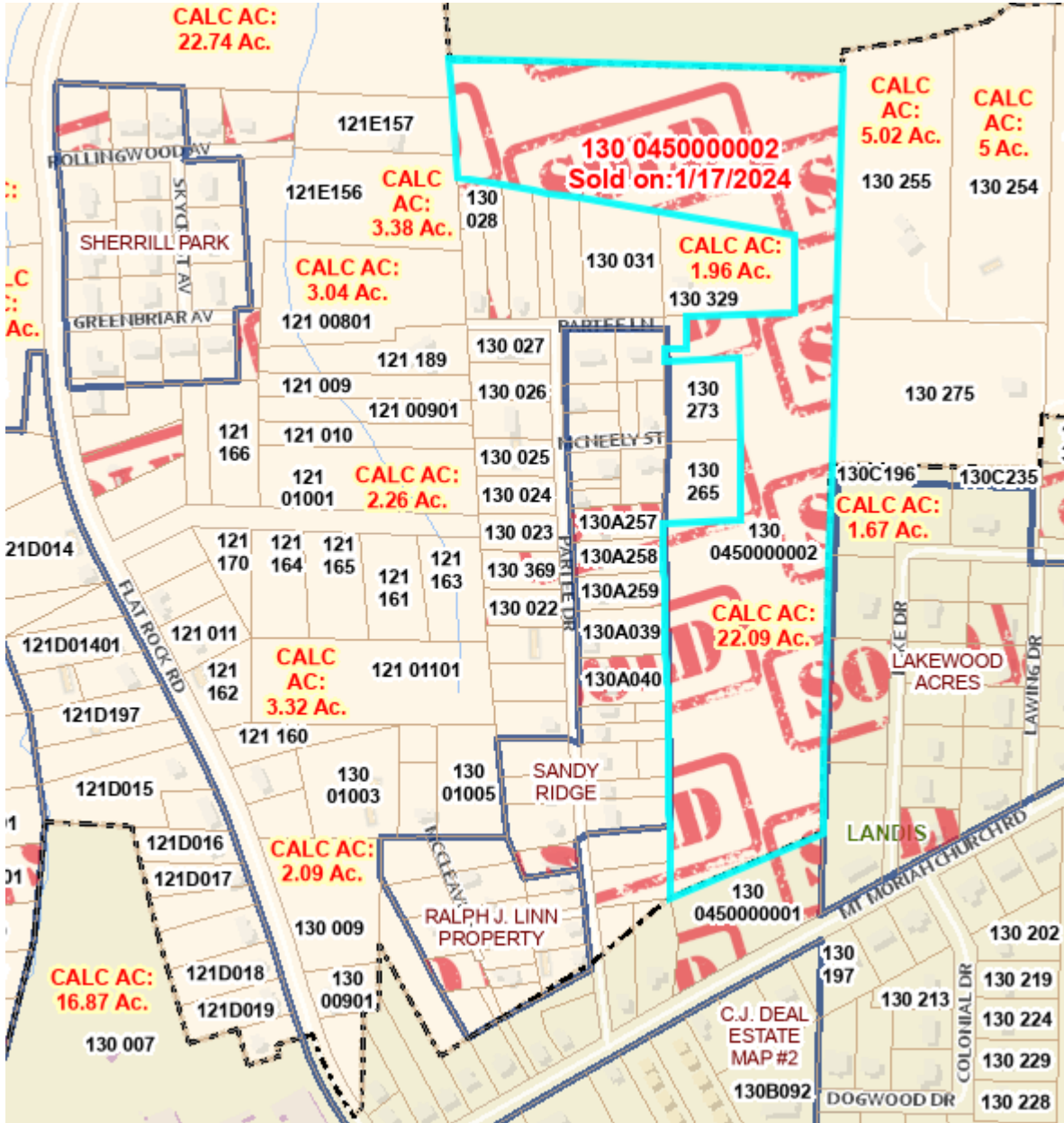
Adopted the 10th day of June 2024.

s/ _____
Meredith Bare Smith, Mayor

s/ _____
Madison Stegall, Town Clerk

Attachment "A"

Location Maps from Rowan County GIS:





Item Cover Page

MEETING TYPE: Board of Alderman

DATE: June 10, 2024

SUBMITTED BY: Michael Ambrose, Town Manager

ITEM TYPE: Public Hearing/Ordinances

AGENDA SECTION: Public Hearings

SUBJECT: **Consider F25 Budget Ordinance Public Legislative Hearing and Approval of FY25 Budget Ordinance**

DETAILS:

- 1. Overview from Staff
- 2. Open Public Hearing
- 3. Comments by Public
- 4. Close Public Hearing
- 5. FY25 Town of Landis Operating Budget Ordinance



**TOWN OF LANDIS
OPERATING BUDGET ORDINANCE
FISCAL YEAR JULY 1, 2024 – JUNE 30, 2025**

BE IT ORDAINED by the Landis Board of Aldermen in accordance with the North Carolina Budget and Fiscal Control Act:

SECTION I.

The following amounts, listed by fund, are hereby appropriated as the estimated revenues and expenditure appropriations for the operation and maintenance of the Town’s various governmental activities, debt obligations, and capital outlay purchases during the Fiscal Year beginning July 1, 2024, and ending June 30, 2025.

GENERAL FUND

A. It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

Ad Valorem Tax Levy	\$ 2,207,104
Other Taxes and Penalties	1,624,099
Permits and Fees	174,650
Sales and Services	977,521
Fund Balance Appropriated	1,033,179
Service Reimbursements	520,000
Powell Bill	150,000
Other Financing Sources	<u>225,000</u>
TOTAL REVENUES	\$ <u>6,911,553</u>

B. The following appropriations are made in the General Fund for the operation of town government and its activities for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

General Government	\$ 1,423,438
Public Safety	3,057,712
Cultural and Recreation	544,313
Public Services – Streets and Sanitation	1,826,065
Debt Service	<u>60,025</u>
TOTAL EXPENDITURES	\$ <u>6,911,553</u>

WATER AND SEWER FUND

A. It is estimated the following revenues will be available in the Water and Sewer Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

Sales and Services	\$ 2,224,000
Interest on Investments	84,000
Permits and Fees – Taps	85,000
Retained Earnings	6,294
TOTAL REVENUES	\$ <u>2,399,294</u>

B. The following appropriations are made in the Water and Sewer Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

Personnel Services	\$ 538,085
Operations	1,523,140
Contingencies	39,069
Debt Service	299,000
TOTAL EXPENSES	\$ <u>2,399,294</u>

STORMWATER FUND

A. It is estimated the following revenues will be available in the Stormwater Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

Permits and Fees	\$ 115,000
Interest on Investments	2,000
Retained Earnings	3,147
TOTAL REVENUES	\$ <u>120,147</u>

B. The following appropriations are made in the Stormwater Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

Personnel Services	\$ 38,234
Operations	81,113
Contingencies	800
TOTAL EXPENSES	\$ <u>120,147</u>

ELECTRIC FUND

A. It is estimated the following revenues will be available in the Electric Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

Sales and Services	\$ 6,204,900
Permits and Fees	44,000
Interest on Investments	70,000
Debt Set-Off	3,000
Retained Earnings	331,172
TOTAL REVENUES	\$ <u>6,653,072</u>

B. The following appropriations are made in the Electric Fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025:

Personnel Services	\$ 1,169,614
Operations	4,737,942
Lease Payments	8,000
Capital Outlay	725,516
Contingencies	12,000
TOTAL EXPENSES	\$ 6,653,072

SECTION II.

There is hereby levied a tax at the rate of 49 cents per one hundred dollars of valuation of property listed for taxes as of January 1, 2025, for the purpose of raising the revenue listed as “Ad Valorem Tax Levy” in the General Fund.

This rate of tax is based on an estimated total valuation of property for the purposes of taxation of \$487,299,882 at an estimated collection rate of 98.00% for Real and Personal Property excluding Motor Vehicles. The estimated rate of collections is based on the fiscal year ending 2024.

SECTION III.

The Budget Officer is hereby authorized to transfer appropriations as contained herein under the following conditions:

- A. He/she may transfer amounts between line-item expenditures within a department without limitation and without a report being required. These changes should not result in increased recurring obligations such as salaries.
- B. He/she may transfer amounts up to \$15,000 between departments, including contingency appropriations, within the same fund, only in cases of exigent necessity. He/she must make an official report on such transfers at the next regular meeting of the Governing Board.
- C. He/she may not transfer any amounts between funds, except as approved by the Governing Board, in the Budget Ordinance as amended.

SECTION IV.

The Town of Landis Board of Aldermen shall adopt a Schedule of Fees and Rates for various services, as may be amended from time to time as determined appropriate to provide funding to cover costs for the provision of designated services.

SECTION V.

Copies of this Budget Ordinance shall be furnished to the Clerk, to the Governing Board, to the Budget Officer, and to the Finance Officer to be kept on file by them for their direction in the disbursement of funds.

OPERATING BUDGET FOR FISCAL YEAR 2024-25

The recommended operating budget for the fiscal year 2024-25 is **\$16,084,066.**

THIS ORDINANCE SHALL BECOME EFFECTIVE UPON ITS ADOPTION AND APPROVAL.

Approved and adopted this the 10th day of June 2024.

Meredith Bare Smith, Mayor

Michael D. Ambrose, Town Manager

ATTEST:

Madison Stegall, Town Clerk



Item Cover Page

MEETING TYPE: Board of Alderman

DATE: June 10, 2024

SUBMITTED BY: Madison Stegall, Town Clerk

ITEM TYPE: Meeting Minutes

AGENDA SECTION: Minutes

SUBJECT: **Consider Approval of Regular Scheduled Meeting Minutes from May 13, 2024**

DETAILS:



BOARD OF ALDERMAN

Monday, May 13, 2024, at 6:00 PM

Landis Board Room

MINUTES

PLEASE SILENCE ALL CELL PHONES

Present: Mayor Meredith Smith, Mayor Pro-Tem Ashley Stewart, Alderman Ryan Nelms, Alderman Tony Stewart, Alderman Darrell Overcash

Staff Present: Town Manager Michael Ambrose, Finance Director Jeneen McMillen, Deputy Town Clerk Angie Sands, Police Chief Matthew Geelen, Fire Chief Jason Smith, Public Works Director Blake Abernathy, Parks and Recreation Director Jessica St. Martin, Police Sergeant Michael Watts, Police Officer Nathaniel Benfield, Police Officer Damian Campbell, Planning, Zoning, & Subdivision Administrator Rick Flowe, Town Attorney Rick Locklear

1. INTRODUCTION:

1.1 Call Meeting to Order

Mayor Smith Called the meeting to order at 6:00 PM.

1.2 Welcome

Mayor Smith Welcomed those in attendance.

1.3 Moment of Silence and Pledge of Allegiance

Mayor Smith led those in attendance in a Moment of Silence and the Pledge of Allegiance

1.4 Adoption of Agenda

ACTION: A MOTION WAS MADE TO ADOPT THE AGENDA AS PRESENTED.

Moved By: Tony Corriher, seconded by Ashley Stewart

Motion Passed: 4-0

Voting For: Tony Corriher, Ashley Stewart, Ryan Nelms, Darrell Overcash

2. CONSENT AGENDA:

All items below are considered to be routine by the Board of Aldermen and will be enacted by one motion. There will be no separate discussion on these items unless an Aldermen member so requests, in which event, the item will be removed from the Consent Agenda and placed in the appropriate corresponding Agenda Section to then be considered.

ACTION: A MOTION WAS MADE TO APPROVE THE CONSENT AGENDA AS PRESENTED.

Moved By: Ashley Stewart, seconded by Ryan Nelms

Motion Passed: 4-0

Voting For: Tony Corriher, Ashley Stewart, Ryan Nelms, Darrell Overcash

- 2.1 **Consider Approval of Work Session meeting Minutes from April 4, 2024, Regular Scheduled Meeting Minutes from April 8, 2024, and Budget Retreat #2 Minutes from April 18, 2024**
- 2.2 **Consider Approval of FY25 Martin Starnes Audit Contract**
- 2.3 **Consider Approval of Budget Amendment #21**
- 2.4 **Consider Approval for Fire Department to Apply for Leary Fire Grant**
- 2.5 **Consider Approval for Fire Department to Apply for Sinise Fire Grant**
- 2.6 **Consider Approval of NCMPA 1 BOC Appointment of Blake Abernathy**
- 2.7 **Consider Approval of No Smoking Policy**

3. PRESENTATIONS:

3.1 **Swearing In of Landis Police Sergeant (Michael Watts)**

Mayor Smith Swore in Police Sergeant Michael Watts.

3.2 **Swearing In of Landis Police Officer (Nathaniel Benfield)**

Mayor Smith Swore in Police Officer Nathaniel Benfield.

4. ORDINANCES/RESOLUTIONS:

4.1 **Consider Approval of Annexation Initiation for Keller Property on Mt. Moriah Church Road**

Planning, Zoning, & Subdivision Administrator Rick Flowe gave a brief overview of the Annexation Initiation for Keller Property on Mt. Moriah Church Road. The subject property fronts onto Mt. Moriah Church Road, and a portion of the property is already within Town limits where the SFR2 is between Partee and Lake. The Annexation Petition would be the remaining 20 acres or more that goes all the way back to the civic property that's in the Town.

ACTION: A MOTION WAS MADE TO APPROVE RESOLUTION #2024-05-13-1 DIRECTING CLERK TO INVESTIGATE THE ANNEXATION PETITION.

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: 4-0

Voting For: Ashley Stewart, Tony Corriher, Ryan Nelms, Darrell Overcash

ACTION: A MOTION WAS MADE TO ADOPT RESOLUTION #2024-05-13-2 ESTABLISHING DATE OF PUBLIC HEARING FOR ANNEXATION OF KELLER PROPERTY ON MT. MORIAH CHURCH RD. FOR JUNE 10TH AT 6:00 PM.

Moved By: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Ryan Nelms, Tony Corriher

5. CITIZEN COMMENTS:

All citizen comments are limited to 3 minutes.

5.1 Citizens' Comments

- **Nadine Cherry 410 W. Garden Street**

“I sent a certified letter to Manager Ambrose last month notifying him I was requesting to stay on the Sunshine List for the 24/25 fiscal year. I sent in a \$10.00 check for this which I have done for the last number of years. I would like to know what is behind the check being sent back to me. The check was stamped Town of Landis, on the back, but it never went to my bank. Manager Ambrose told me he had told Madison to keep me on the Sunshine List. There are a lot of what I would call illegal things going on with this Board. I cannot even post on the Landis NC News and Events page without it being removed. This is a violation of my first amendment rights period. This started again back last month when I tried to post something. Mayor Smith, you and two of your family members are behind once again on paying your town and county taxes. Last year there was an article posted in the Salisbury Post explaining you had not paid your utility bill. Woops maybe I shouldn't have said that, but it will come out in the paper in June about the delinquent taxes. I would like to know why cameras are being put up everywhere. Employees are leaving the employment of the Town of Landis.”

Mayor Smith in response “So we will address this, although we don't normally speak to citizens during comments, we will speak to you tonight. This Board does NOT control anything on the Landis News and Events Page on Facebook, so therefore we cannot do anything about what you can or can't post. You need to contact an administrator of the page. Thank you.”

6. CONSIDERATIONS:

6.1 Consider Appointing Glenn Corriher as a Member of the Town of Landis Planning Board and Board of Adjustment

ACTION: A MOTION WAS MADE TO APPOINT GLENN CORRIHER TO TOWN OF LANDIS PLANNING BOARD AND BOARD OF ADJUSTMENT.

Moved By: Ashley Stewart, seconded by Darrell Overcash

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Ryan Nelms Tony Corriher

6.2 Consider Approval of YMCA Pool Contract

ACTION: A MOTION WAS MADE TO APPROVE THE YMCA POOL CONTRACT FOR 2024.

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: 4-0

Voting For: Ashley Stewart, Darrell Overcash, Tony Corriher, Ryan Nelms

6.3 Consider Approval of the Surplus of Fire Apparatus 581

ACTION: A MOTION WAS MADE TO APPROVE THE SURPLUS OF FIRE APPARATUS 581 AS IS WITH A RESERVE OF \$30,000.

Moved By: Ashley Stewart seconded by Tony Corriher

Motion Passed: 4-0

Voting For: Ashley Stewart, Tony Corriher, Darrell Overcash, Ryan Nelms

6.4 Consider Approval of Donation of \$1,500 to Crime Stoppers of Rowan County

ACTION: A MOTION WAS MADE FOR APPROVAL OF THE DONATION OF \$1,500 TO CRIME STOPPERS OF ROWAN COUNTY.

Moved By: Ashley Stewart, seconded by Tony Corriher

Motion Passed: 4-0

Voting For: Ashley Stewart, Tony Corriher, Ryan Nelms, Darrell Overcash

6.5 Consider Presentation of FY25 Budget

ACTION: A MOTION WAS MADE TO APPROVE SETTING A PUBLIC HEARING ON JUNE 10, 2024, FOR THE PROPOSED FY25 BUDGET.

Moved by: Ashley Stewart, seconded by Tony Corriher

Motion Passed: 4-0

Voting For: Ashley Stewart, Tony Corriher, Darrell Overcash, Ryan Nelms

7. REPORTS:

7.1 Departmental Reports (Included in the Board packet)

7.2 Financial Report (Included in the Board packet)

7.3 Town Manager Report (Included in the Board packet)

8. UPCOMING EVENTS:

8.1 Upcoming Events (Included in Board Packet)

9. CLOSING:

9.1 Board Comments

No Board Comments

9.2 Motion to Adjourn

ACTION: A MOTION WAS MADE TO ADJOURN AT 6:48 PM.

Moved By: Ashley Stewart, seconded by Ryan Nelms

Motion Passed: 4-0

Voting For: Ashley Stewart, Tony Corriher, Ryan Nelms, Darrell Overcash

Respectfully Submitted,

Madison T. Stegall, Town Clerk

DRAFT



Item Cover Page

MEETING TYPE: Board of Alderman

DATE: June 10, 2024

SUBMITTED BY: Madison Stegall, HR Director

ITEM TYPE: Consideration

AGENDA SECTION: Consent Agenda

SUBJECT: **Consider Approval of FY25 Pay Scale with COLA Increases**

DETAILS:

Please Consider the Approval of the FY25 Pay Scale reflecting COLA Increases.



Town of Landis
List of Classifications Arranged by Grade Order
FY25

SALARY GRADE	CLASSIFICATION	FLSA	Annual Wage		
			MINIMUM	MID-POINT	MAXIMUM
10			33,373	41,716	50,059
11			35,042	43,803	52,563
12			36,794	45,993	55,191
13	Street Maintenance Technician	N	38,671	48,311	57,951
14	Utility Billing/Accounts Receivable Specialist	N	40,565	50,707	60,848
15	Firefighter	N	42,593	53,242	63,890
	Accounting Specialist	N			
	Deputy Town Clerk/Assistant to the Town Manager	N			
	Electric Groundsman	N			
	Water/Sewer Resources Technician	N			
	Tree Trimmer	N			
	Planning/Zoning Technician	N			
16	Utility Billing/Accounts Receivable Coordinator	N	44,723	55,904	67,085
	Senior Tree Trimmer	N			
	Senior Street Maintenance Technician	N			
	Park Ranger	N			
17	Police Officer	N	46,852	59,971	73,090
	Fire Engineer	N			
	Class C Lineman	N			
18	Senior Water/Sewer Resources Technician	N	49,306	61,634	73,961
	Street Department Foreman	N			
19	Equipment Services Mechanic	N	51,772	64,715	77,658
20	Police Sergeant	N	54,237	67,797	81,357
	Fire Captain	N			
	Water/Sewer Resources Foreman	N			
21			54,360	67,951	81,541
22	Parks & Recreation Director	E	57,078	71,348	85,617
23	Class B Lineman	N	59,932	74,916	89,900
24	Assistant Police Chief	E	62,929	78,662	94,395
25			66,076	82,595	99,114
26	Finance Director	E	69,380	86,726	104,071
	Human Resources Director/Town Clerk	E			
	Police Chief	E			
	Fire Chief	E			
27			72,849	91,062	109,274
28	Electric Foreman/Safety Officer	N	76,492	95,615	114,738
29	Public Works Director	E	80,316	100,396	120,475
30	Assistant Town Manager	E	84,333	105,416	126,498



Item Cover Page

MEETING TYPE: Board of Alderman

DATE: June 10, 2024

SUBMITTED BY: Rick Flowe, Planning, Zoning, & Subdivision Administrator

ITEM TYPE: Consideration

AGENDA SECTION: Consent Agenda

SUBJECT: **Consider Approval of Amended Water & Sewer Ordinance
#W&S-2024-06-10**

DETAILS:

Please Consider the Approval of the amended Water & Sewer Ordinance #W&S-2024-06-10.

AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 51 OF THE TOWN OF LANDIS
CODE OF ORDINANCES

Ordinance #W&S-2024-07-15

BE IT ORDAINED by the Mayor and Board of Aldermen of the Town of Landis to update and modernize the water and sewer ordinance governing the operations, maintenance, growth and expansion of the Town’s water and sewer systems.

PART 1. Upon adoption of this Ordinance to update and modernize the water and sewer ordinance, Chapter 51 of the Town of Landis Code of Ordinances is hereby repealed in its entirety and replaced with the provisions of Part 2 of this Ordinance.

PART 2. Upon adoption of this Ordinance to update and modernize the water and sewer ordinance, this Ordinance shall be known as the “Water and Sewer Ordinance of the Town of Landis” and if directed by the Town Manager, shall replace Chapter 51 of the Town of Landis Code of Ordinances to read as follows:

**“WATER AND SEWER
ARTICLE 1
GENERAL PROVISIONS**

- 1. FEDERAL EFFLUENT STANDARDS APPLY.
 - (A) The effluent standards and limitations contained in this subchapter shall be no less restrictive than the most nearly applicable federal effluent standards and limitations.
 - (B) In the event the effluent standards and limitations adopted in this subchapter are more restrictive than the most nearly applicable federal effluent standards and limitations, the federal standards shall apply.
- 2. INTERFERENCE WITH WATER, SEWER SYSTEM PROHIBITED.
 - (A) It shall be unlawful for any person, without having proper authority, to touch, tamper or in any manner, manipulate or turn the cut-offs on the water mains, water meters or fire hydrants forming a part of the water system of the Town, nor shall any person without having proper authority tamper with or harm in any manner whatsoever any water or sewer line, water meter, sewer manhole, fire hydrant or any apparatus thereto.

(B) No person shall throw or deposit any material or substance in any water or sewer line that will, in any manner, obstruct the line.

3. LIABILITY FOR OBSTRUCTED SEWER LINES.

Whenever it becomes necessary to open any sewer lines, which have become choked or obstructed by material being placed in them that will not dissolve, and whose fault is the property owner or the party using the property, the property owner shall be liable to the Town for the damage and shall bear the expense of opening the sewer.

4. PROHIBITION AGAINST TRESPASS ON, INTERFERENCE WITH WASTE OR WATER TREATMENT PLANTS.

It shall be unlawful for any person, without having proper authority, to trespass or, in any manner, interfere with any waste treatment plant, water treatment plant, raw water storage lakes or resources, standpipes, elevated tanks or sewer lift stations.

5. OBSTRUCTION OF WATER METER, FIRE HYDRANT PROHIBITED.

It shall be unlawful to plant or construct anything within ten feet of a water meter or fire hydrant that will, in any way, prevent the proper maintenance or accessibility of same.

6. CERTAIN DISCHARGES PROHIBITED.

It shall be unlawful to discharge or cause to be discharged any of the following substances in any sanitary sewer in the Town:

- (A) Storm water, surface water, ground water, roof run-off or subsurface drainage, or any liquid or vapor having a temperature higher than 150°F;
- (B) Water or waste which may contain more than 100 parts per 1,000,000 by weight, of fat, oil or grease, any gasoline, benzine, naphtha, fuel oil or other flammable or explosive liquid, solid or gas;
- (C) Ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure or any other solids or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works;
- (D) Water or wastes having a stabilized pH lower than six or higher than nine or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works;
- (E) Water or wastes having a biochemical oxygen demand in excess of 500 parts per 1,000,000 by weight;
- (F) Water or waste containing more than 700 parts per 1,000,000 by weight of suspended solids;
- (G) Water or waste containing a toxic or poisonous substance or any other materials in sufficient quantity to injure or interfere with any sewage treatment process, or constitute a hazard to humans or animals, or create any hazard in the receiving stream at the sewage treatment plant;

- (H) Water or wastes containing suspended solids of the character and quantity that unusual attention or expense is required to handle the material at the sewage treatment plant; or
- (I) Noxious or malodorous gas or substance capable of creating a public nuisance.

7. SCREENING DEVICES; BACKFLOW PREVENTERS.

(A) Screening devices shall be provided at commercial and industrial places when, in the opinion of town authorities, they are necessary for the proper screening of liquid wastes. All devices shall be of a type as approved by town authorities and shall be located so as to be readily accessible for cleaning and inspection and shall be maintained by the owner at their expense in continuously efficient operation at all times.

(B) Backflow preventers shall be provided at any service, when, in the opinion of the Town authorities, they are necessary to prevent backflows. All devices shall be of a type as approved by town authorities and shall be located so as to be readily accessible for maintenance and inspection and shall be maintained by the owners at their expense in continuously efficient operation at all times.

8. EMERGENCY REPAIR SHUT-OFF.

Any authorized town personnel can shut off any part of the Town water system for repairs without prior notice to those affected.

ARTICLE 2

CONNECTIONS & EXTENSIONS TO SYSTEMS

1. GENERAL.

(A) The Town of Landis provides water distribution and wastewater collection systems to serve properties whenever and wherever systems exist. These systems are extended from time-to-time either by the public investment of the Town, or by the private investment of land development enterprises. When private development expands these systems, those extensions and related appurtenances shall be dedicated to the Town of Landis upon completion and certification of satisfactory installation and operations. Extensions by private development enterprises are governed by the Landis Development Ordinance (LDO) and by Development Agreements required by the LDO when infrastructure is created by private development activities.

(B) The Town of Landis maintains all publicly dedicated and accepted public water and sewer system infrastructure, including water lines, sewer lines, pumping infrastructure, water storage tanks, hydrants, manholes, and related appurtenances. In addition to these primary infrastructure systems, the Town of Landis also maintains the service connections from private properties from the point of connection extending to the edge of the public street right-of-way and/or edge of the water and/or sewer easement when lines are located across private property. Maintenance and/or repair beyond public right-of-way and/or easement

boundaries are the responsibility of the property owner being served by the connection. The Town of Landis Utilities/Public Works Department shall have the right to discontinue service to any property that does not maintain the plumbing or abide by the North Carolina Plumbing Code.

(C) Prior to submittal of construction plans for extensions to the Town of Landis Water System, it shall be the responsibility of the Developer to schedule a field test of the flow rate and residual pressures of the nearest hydrants in each direction of the point of connection on the existing system. Town personnel shall be accommodated to observe the test procedures. Test shall be timed to enable the calculation of the water discharged during the test at the measured flow rate. Applicable fees for the water discharged during the test shall apply and be paid to the Town prior to the authorization to the pre-construction conference held by the Landis Planning, Zoning & Subdivision Administrator before construction begins.

(D) Prior to submittal of construction plans for extensions to the Town of Landis Sewer System, it shall be the responsibility of the Developer to schedule a field test of the flow rate of all pumping stations receiving flows from the point of connection on the existing system. Town personnel shall be accommodated to observe the test procedures.

2. POTABLE WATER SUPPLY.

(A) It shall be unlawful for any person to occupy or to rent to or permit another person to occupy, for more than 24 hours, any building or other structure intended or designed for human habitation, occupancy or use, without first connecting the building or structure to the city water system or without providing potable water from some other source known to be pure and which meets the approval of the county health authorities.

(B) Each day after the first 24 hours that a residence is rented or occupied without pure water being provided as aforesaid shall constitute a separate offense.

3. TOWN SEWER SYSTEM.

(A) Every person owning a house or other building or structure designed or intended for human habitation, occupancy or use, the property line of which is within 200 feet of a Town sanitary sewer, shall connect the premises to the sanitary sewer.

(B) The provision of division (A) of this section shall become applicable to owners of properties described therein when new or extended town sanitary sewer lines are laid, and the owners of the properties shall have 180 days from the time the new or extended sewer lines are laid in which to make the connections required by division (A) of this section.

(C) For any property owner who desires to connect to the Town sewer system and the Town sewerage system cannot serve the applicant's property by gravity flow from the property, it shall be the responsibility of the property owner to install and maintain a lift station or sewer pump that shall enable the property owner to discharge their sewage into the Town sewerage system. All lift stations or sewer pumps so installed shall be installed pursuant to the specifications and requirements of the Town. The property owner shall be required to pay all sewer taps required by the Town.

4. SEPTIC TANKS.

(A) Properties where the Town is unable to provide sewer service, a septic tank system that is approved by the County Health Department will be allowed. Upon written application by a property owner requiring a septic tank, the applicant shall install this system at his, her or its own expense; this installation shall be made pursuant to the specifications and requirements of the County Board of Health; and the Town shall maintain the septic tank until there are sewer system facilities available to him, her or it.

(B) If the Town is unable to provide sewer service, a septic tank system approved by the County Health Department will be allowed. As soon as community sewer service is available, the septic tank system shall be disconnected, and connection made to community sewage system within six months and upon payment of all sewer tap fees.

(C) Properties annexed into the Town with existing on-site septic sewer systems enrolled into the Septic/Sewer Program of municipal maintenance, may opt out by submitting a completed "Town of Landis Septic/Sewer Audit Form" indicating the property owner's preference to be removed from the program.

5. TAP & CONNECTION CHARGES.

The schedule of charges is established annually as part of the Annual Budget for water and/or sewer taps and/or individual service connections.

(A) Tap charges only apply in instances whereupon the Town of Landis performs installation services for new or replacement connections.

(B) Connection charges apply in instances whereupon the Town of Landis establishes a new account for any new customer and/or user establishing a new account for service by the Town for water and/or sewer whether or not an existing or new meter is required. The charge is to cover the cost of field verification of service apparatus, meter setup and/or confirmation, account setup and/or verification, credit verification if necessary, and other incidental cost to the Town for establishing services whether or not a new tap is made.

6. AUTHORIZED PERSONS.

No connections with the water or sewer system of the Town shall be made by any other person than one specifically employed or designated by the Town for that work, or by someone under their directions, and then only upon permit duly issued by the Director of Public Works.

ARTICLE 3
BILLING

1. MAINTENANCE AND USE OF METERS.

(A) All meters, meter boxes, pipes and other equipment furnished and used by the Town in installing any water or sewer connection shall be and remain the property of the Town.

(B) All meters, except as are required to be furnished by particular users of water, shall be kept in good repair, and working order by the Town and at the expense of the Town, except repairs can be charged to property owners for abuse of the meter and equipment. Meters furnished by particular users of water shall be kept in good repair and working order by the Town, but the expense thereof shall be borne by the users.

(C) Mobile home parks can be serviced by one meter.

(D) Not more than one house, outbuilding excepted, can be connected to or be served by one water meter. In case it already exists, the minimum number will be charged for water and sewer and service charges to correspond with the actual number being served; provided that, any separate dwelling or place of business constructed after the approved date of this chapter shall be connected to the water system of the Town through a separate meter. Readings from different meters shall not be combined into one account for billing.

2. SEWER SERVICE RATES.

(A) The Town’s sanitary sewer service rates shall be established from time to time by the Board of Alderpersons.

(B) A current schedule of the rates shall be maintained on file in the office of the Town Clerk.

3. WATER RATES AND DEPOSITS.

(A) The water rates for water furnished by the Town shall be established from time to time by the Board of Alderpersons. A current schedule of the rates shall be maintained on file in the office of the Town Clerk.

(B) Deposits for new accounts.

(1) The deposits required for town water service shall be as established from time to time in the annual budget.

(2) A current schedule of the deposits shall be maintained on file in the office of the Town Clerk.

4. METER READING.

All water meter readings shall be retrieved monthly.

5. SEWER CHARGES.

Sewer charges are based upon water meter readings. Septic/Sewer Program charges are as they appear in the fee schedule appearing in the current operating budget. Charges for sewer services are due and payable on the same date as water charges.

6. DISCONNECTION FOR LATE PAYMENT.

(A) It is the policy of the Town to discontinue utility service to customers by reason of nonpayment of bills only after notice and a meaningful opportunity to be heard on disputed bills. The Town's form for application for utility service and all bills shall contain, in addition to the title, address, room number, and telephone number of the official in charge of billing, clearly visible and easily readable provisions to the effect:

- (1) That all bills are due and payable on or before the date set forth on the bill; and
- (2) That if any bill is not paid by or before that date, a second bill will be mailed containing a cutoff notice that if the bill is not paid within ten days of the mailing of the second bill, service will be discontinued for nonpayment; and
- (3) That any customer disputing the correctness of his bill shall have a right to a hearing at which time he may be represented in person and by counsel or any other person of his choosing and may present orally or in writing his complaint and contentions to the Town official in charge of utility billing. This official shall be authorized to order that the customer's service not be discontinued and shall have the authority to make a final determination of the customer's complaint.

(B) Requests for delays or waiver of payment will not be entertained; only questions of proper and correct billing will be considered. In the absence of payment of the bill rendered or resort to the hearing procedure provided herein, service will be discontinued at the time specified, but in no event until the charges have been due and unpaid for at least 30 days.

(C) When it becomes necessary for the Town to discontinue utility service to a customer for nonpayment of bills, service will be reinstated only after all bills for service then due have been paid, along with a turn-on charge in the sum as determined by the Utility Department.

ARTICLE 4

WATER OR SEWER MAIN EXTENSIONS

1. EXTENSIONS.

All extensions of water or sewer mains shall be financed by the individual, developer, or corporation under a written contract in the form of a Development Agreement between the Town and the person requesting the extension, and the contract shall be approved by the Board of Alderpersons to become effective.

2. TOWN PARTICIPATION IN FUNDING EXTENSIONS.

Upon written application by an individual, developer or corporation desiring extension of water or sewer mains to property, the mains may be extended with the Town participating in the cost of the extension, based on availability of funds; provided that, the property or site of development is either located within the corporate limits of the Town, or annexed into the corporate limits under the procedure stated in the G.S. §§ 160A-29 through 160A-58.6.

The annexation shall occur prior to construction of the extended mains. A written contract in the form of a Development Agreement between the Town and the person requesting the extension shall be prepared and the contract shall be approved by the Board of Alderpersons to become effective. The difference between the Town's participation and the actual cost of construction of extending the water or sewer main shall be paid by the applicant requesting the extension. The extended line and a dedicated easement shall become the property of the Town and be subject to its control.

ARTICLE 5

WATER EMERGENCIES

1. EMERGENCY CONDITIONS.

(A) A water emergency shall exist when any condition or situation exists which threatens the safety or supply of either untreated or potable water contained within the water supply, treatment, and distribution systems of the Town or within the system of the municipal, commercial and industrial customers.

(B) Determination of whether specific situations are considered to be water emergencies shall be made by the Public Works Director or their designee.

(C) Water emergency situations shall include, but not be limited to, drought or periods of insufficient raw water supply, mechanical system failure, system contamination or contamination of raw water supply and fires of magnitude such that system integrity is threatened.

2. DECLARATION; IMPOSITION OF RESTRICTIONS.

The Public Works Director or their designee, after consultation with the Board of Alderpersons, shall be authorized to declare that a water emergency exists. Depending on the severity of the emergency, voluntary (Level I), mandatory (Level II), mandatory (Level III) or mandatory (Level IV) staged water use restrictions, as described in this subchapter, shall be imposed upon water customers.

3. STAGED WATER USE RESTRICTIONS BY LEVEL.

(A) During a declared Level I water emergency, the following voluntary water conservation practices shall be encouraged.

- (1) Watering of lawns and ornamental plants should be limited to that necessary for plant survival only.
- (2) Planting of new ornamental plants or seeding of lawns should be deferred until the water emergency situation no longer exists.
- (3) Household water should be reutilized to the greatest extent possible for watering.
- (4) Use of water for washdown of outside areas as driveways or parking lots should be curtailed.
- (5) Faucets should not be left running while shaving, brushing teeth or washing dishes.
- (6) The use of washing machines and dishwashers should be limited, if possible, and these units should be operated with full loads when used.
- (7) Noncommercial washing of cars or other vehicles should be curtailed or limited to Saturdays and Sundays. Hoses should not be left running while washing vehicles.
- (8) The use of flow restrictors and other water saving devices is encouraged.
- (9) Showers used for bathing should be limited to four minutes or less.
- (10) Filling of pools should be deferred or limited to the hours between 9:00 p.m. and 6:00 a.m.
- (11) Commercial and industrial operations shall eliminate all possible wastage of water.

(B) During a Level II water emergency, the following mandatory water restrictions shall be in effect.

- (1) Household water shall be reutilized to the greatest extent possible for watering.
- (2) Faucets shall not be left running while shaving, brushing teeth or washing dishes.
- (3) The use of washing machines and dishwashers shall be limited. These units should be operated with full loads when used.
- (4) Irrigation of lawns and ornamental plants shall not be done, except during the hours between 9:00 p.m. and 6:00 a.m. Variances for commercial irrigation may be issued and/or revoked by the Director of Public Works or their designee depending on the severity of the situation.
- (5) Planting of new ornamental plants or seeding of lawns shall be deferred until after the water emergency no longer exists.
- (6) Use of water for washdown of outside areas is prohibited.
- (7) Noncommercial washing of cars and other vehicles shall be prohibited, except on Saturdays and Sundays. Commercial washing facilities, including those providing hand-held washing nozzles, may continue normal operation. However, facility/owner operations shall ensure that water wastage does not occur.

(8) Commercial and industrial operations shall eliminate all possible wastage of water.

(9) Newly constructed or drained pools shall be filled by permit only. Fill permits shall be issued by the Public Works Director or their designee, and issuance of permits may be curtailed depending on the severity of the situation.

(C) During a declared Level III water emergency, the following mandatory water use restrictions shall be in effect.

- (1) Irrigation of lawns and other plants is prohibited.
- (2) Washing of cars, vehicles and equipment is prohibited.
- (3) Restaurants and food serving establishments shall utilize disposable service utensils and plates in all cases.
- (4) Recreational use of potable water, including filling of pools, is prohibited.
- (5) Large scale commercial and industrial water customers utilizing 5,000 or more gallons of water per day shall achieve mandatory reductions in daily water usage through whatever means are available. A target reduction percentage shall be determined by the severity of the water emergency and shall be publicly announced and is part of the emergency declaration. Compliance with daily usage reduction targets shall be determined by the Public Works staff. Variances to this restriction may be granted by the Director of Public Works or their designee to designated public health facilities.

(D) During a declared Level IV water emergency, the following mandatory water use restrictions shall be in effect.

- (1) All use of water for purposes other than maintenance of public health and safety is prohibited.
- (2) Where the Town system is still functional, daily residential water use shall be limited to the amount necessary to sustain life through drinking, food preparation and personal hygiene.
- (3) Where the Town system is not functional, National Guard and emergency service vehicles shall be utilized to distribute water for household use at prearranged locations within the affected area. Usage by individuals shall be limited to the amount necessary to sustain life through drinking, food preparation and personal hygiene.

4. LEVEL III COMPLIANCE PLANS REQUIRED.

Commercial and industrial water customers utilizing 5,000 or more gallons per day shall prepare plans detailing measures to be taken by them to achieve mandatory reductions in daily water usage during Level III emergencies.

ARTICLE 6
BACKFLOW PREVENTION

1. CROSS CONNECTION CONTROL.

(A) Purpose. The purpose of this cross-connection control section is:

- (1) To protect the public potable water supply of the Town from the possibility of contamination or pollution, due to backsiphonage or back pressure, by isolation within the consumer's private water system such contaminants or pollutants, which could backflow into the public water system.
- (2) To define the authority of the Town as the water purveyor entitled to eliminating all cross connections, new or existing, within Landis Utilities Water System.
- (3) To provide a continuing inspection program of cross connections, which may be installed in the future.

(B) Responsibility: Town of Landis.

- (1) Landis Utilities will be primarily responsible for preventing any contamination or pollution of the Landis Utilities Water System. This responsibility begins at the point of origin of the public water supply and includes all of the public water distribution system and ends at the service connection under the Safe Drinking Water Act. The Backflow Administrator shall exercise vigilance to ensure that the consumer/customer has taken the proper steps to protect the public potable water system.
- (2) When it has been determined that a backflow protection assembly is required for the prevention of contamination of the Landis Utilities Water System, the Backflow Administrator shall notify the owner, in writing, of any such building or premises, to correct within a time set by this section, any plumbing installed or existing that is in violation of this section.
- (3) After surveying the private water system, the Backflow Administrator will select an approved backflow prevention assembly required for containment control to be installed at service entrance.
- (4) Prior to the installation of any backflow prevention assembly, the owner of the private water system must be notified that the installation of a backflow prevention assembly may create a closed system, and as a result thermal expansion may occur. Under such circumstance, the customer must understand and assume all liability and responsibilities for that phenomenon.

(C) Responsibility: Customer.

- (1) The customer has the responsibility of preventing contaminants and pollutants from entering the customer's private water system or the public water system operated by the

Town. The customer, at his own expense, shall install, operate, and maintain all backflow prevention assemblies specified within this section.

(2) If a tenant customer does not maintain the private water system and has no authority to bring the system into compliance with the provisions of this section the Town may assert any available action against the tenant to assure the private water system is brought into compliance with this section.

ARTICLE 7

DEFINITIONS.

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

AIR GAP SEPARATION. An unobstructed vertical distance through the atmosphere between the lowest opening from any pipe or faucet supplying water from any source to a tank, plumbing fixture, or other device and the flood level rim of the receptacle. An approved air gap separation shall be double the diameter of the supply pipe. In no case shall the air gap separation be less than one inch. An approved air gap separation is an effective method to prevent backflow and shall be considered as a backflow prevention assembly.

ATMOSPHERIC VACUUM BREAKER. A device used to prevent back-siphonage, which is designed so as not to be subject to static line pressure.

BACK PRESSURE. Any elevation of pressure in the down stream piping system caused by pumps, elevation of piping, or steam and/or air pressure above the supply pressure at the point of consideration, which would cause a reversal of the normal direction of flow.

BACK SIPHONAGE. A reversal of the normal direction of flow in the pipeline due to a negative pressure (vacuum) being created in the supply line with the backflow source subject to atmospheric pressure.

BACKFLOW. Any reverse flow of water, gas or any other liquid substance or combination into the public water system from any source due to an unprotected cross-connection.

BACKFLOW PREVENTION ADMINISTRATOR. An employee of the Town designated by the Public Works Director to administer and enforce this subchapter.

BACKFLOW PREVENTION ASSEMBLY – APPROVED. An assembly that has been investigated and approved by the Town of Landis Water Department and has been approved to meet the design and performance standards of the American Society of Sanitary Engineers (ASSE), the American Waterworks Association (AWWA), or the Foundation for Cross Connection Control and Hydraulic Research of the University of Southern California.

CERTIFIED TESTER. Any individual person who has proven their competency to test, repair, and overhaul backflow prevention assemblies. This person must hold a certificate of completion

from a certified training program in the testing and repair of backflow prevention assemblies and cross connection control.

CONSUMER/CUSTOMER. Any person, firm, or corporation using or receiving water from the Town of Landis public water system.

CONTAINMENT. The prevention of backflow from a private water system by an approved, properly functioning backflow prevention assembly, which is installed, operated and maintained in accordance with the provisions of this subchapter.

CONTAMINATION. An impairment of the quality of the water to a degree, which creates an actual hazard to the public health through poisoning or through the spread of disease.

CROSS CONNECTION. Any actual or potential connection or piping arrangement between a public or a consumer's potable water system and any other source or system through which it is possible to introduce into any part of the potable system any used water, industrial fluids, gas or substance which could be harmful or hazardous to the potable water system.

DOUBLE CHECK VALVE ASSEMBLY. An assembly composed of two single, independently acting, approved check valves, including tightly closing shut-off valves located at each end of the device and suitable connections for testing the water tightness of each check valve.

DUAL CHECK VALVE. A device composed of two single, independently acting, approved check valves. This is classified as a device and cannot be in-line tested.

HAZARD-DEGREE. The evaluation of a hazard within a private water system as moderate or high.

HAZARD-HIGH. An actual or potential threat of contamination to the public water system or to a customer's potable water system that could cause serious illness or death.

HAZARD-IMMINENT. An actual threat of contamination to the public water system that could cause serious illness or death.

HAZARD-MODERATE. An actual or potential threat of damage to the physical components comprising the public water system or a customer's potable water system, or of pollution to the public water system, or to a customer's potable water system.

POLLUTION. An impairment of the quality of the water to a degree which does not create an actual hazard to the public health, but which does adversely and unreasonably affect such water for domestic use.

POTABLE WATER. Water from any source, which has been approved for human consumption by the appropriate agency of the State of North Carolina, Town of Landis and /or local health agencies.

PRESSURE VACUUM BREAKER. An assembly suitable for continuous pressure, to be used to provide protection against back-siphonage.

PRIVATE WATER SYSTEM. Any water system located on the customer's premise, whether supplied by a public potable water system or an industrial piping system.

PUBLIC WATER SYSTEM. The potable water system owned and operated by the Town of Landis. This system includes all distribution mains, lines, pipes, connections, storage tanks, and other facilities conveying potable water to the service connections of each customer.

REDUCED PRESSURE ZONE ASSEMBLY. An approved, properly functioning assembly containing two, independently acting check valves with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves and at the same time below the first check valve. The assembly must include properly located test cocks and tightly closing shut-off valves at each end of the assembly. This assembly is designed to protect against a high hazard.

SERVICE CONNECTION. The terminal end of a service connection from the public potable water system, i.e., where the water purveyor loses jurisdiction and sanitary control over the water at its point of delivery to the consumer's water system.

USED WATER. Any water supplied by a water purveyor from a public water system to a consumer's water system after is has passed through the point of delivery and is no longer under the control of the water purveyor.

WATER PURVEYOR. Owner or operator of a public potable water system providing an approved water supply to the public.

WATER SUPPLY-AUXILIARY. Any water supply on or available to the customer's premises other than the purveyor's approved public potable water supply. The auxiliary water may include water from another purveyor's public potable water supply or any natural source such as a well, spring, river, stream, etc., and used or objectionable.

WATER SUPPLY-UNAPPROVED. Any water supply, which has not been approved for human consumption by the North Carolina Department of Human Resources.

ARTICLE 8

WATER SYSTEM RULES & REGULATIONS

1. RIGHT OF ENTRY.

(A) Any authorized representative from the Town shall have the right to enter any building, structure, or premises during normal business hours to perform any duty imposed upon him by this section and in accordance with Appendix D104.2.1 of the State Plumbing Code. Those duties may include sampling and testing of water, or inspection and observation of all piping systems connected to the public water supply. Refusal to allow these representatives to enter for these purposes will result in the disconnection of water service.

(B) On request, the consumer shall furnish to the water purveyor any pertinent information regarding the water supply system on such property where cross connection and backflow are deemed possible. (State Plumbing Code Appendix D104.2.3)

2. UNPROTECTED CROSS-CONNECTION PROHIBITED.

The following rules and regulations apply to Landis' water systems(s):

(A) No water service connection to any private exterior or interior water system shall be installed or maintained by Landis Utilities unless the water supply is protected as required by this section and other applicable laws. Service of water to any premises shall be discontinued by the Town if a backflow assembly, required by this section, is not installed, tested, and maintained or if a backflow assembly has been removed, bypassed, or if an unprotected cross connection exists on the premises. Service will be restored after all such conditions or defects are corrected.

(B) No customer shall allow an unprotected cross connection to be made or to remain involving the customer's exterior or interior private water system.

(C) No connection shall be made to an unapproved auxiliary water supply unless the public water supply is protected against backflow by an approved backflow assembly, appropriate to the degree of hazard.

(D) No customer shall fail to maintain in good operating condition any backflow prevention assembly, which is part of the customer's private water system and is required by this section.

(E) No customer shall fail to submit to the Town any record, which is required by this section.

3. INSTALLATION.

Installation and testing of backflow prevention assembly.

(A) The purpose of this division is to require that all water flowing from the Landis Utilities Water System must flow through an approved backflow prevention assembly and that each backflow prevention assembly be properly located, installed, maintained and tested so that the backflow prevention assembly is effective in protecting the Landis Utilities Water System from any possible contamination or pollution.

(B) The installation or replacement of a backflow prevention assembly for domestic water use shall only be performed by a licensed plumber or utility contractor. The installation of a backflow prevention assembly on a dedicated fire sprinkler service shall be performed by a licensed fire sprinkler contractor or utility contractor. Repairs to a backflow prevention assembly on a dedicated fire sprinkler system may only be performed by a fire sprinkler contractor. All backflow prevention assemblies may be tested by a certified backflow technician authorized by the Town of Landis.

(C) All new construction plans and specifications which will directly effect Landis Utilities, and/or are required by the State Building Code, the State Division of Environmental Health (N.C. DENR), and town or county planning and zoning offices, shall be made available to

the Town's Backflow Administrator for review, approval, and to determine the degree of hazard.

(D) All existing facilities zoned commercial or industrial and have existing water services with Landis Utilities and requesting certificate of compliance from the Town or County Planning and Zoning Offices **having jurisdiction over the affected properties**, shall be inspected for compliance of backflow and cross connection control prevention. Any facility not having backflow protection or changing the degree of hazard shall be brought into compliance before the Backflow Administrator may release certificate of compliance.

(E) All backflow prevention assemblies must be installed and maintained on the customer's premises as part of the customer's private water system at or near the service connection and before the service line is connected to any other pipes except as authorized by the water purveyor.

(F) If it has been determined that a backflow prevention assembly cannot be installed at the meter service, due to zoning or DOT rights-of-way, an approved backflow assembly must be installed on every branch of plumbing installed between the service meter and the service backflow assembly.

(G) Any branch of plumbing installed on the private water system that may be of a greater hazard than the supply line, (example: chemical induced irrigation or fire systems, pump systems, etc.) shall be protected with a reduced pressure assembly.

(H) All backflow prevention assemblies shall be installed in accordance with the Town's "Backflow Prevention and Cross Connection Control Manual", (which is incorporated herein by reference as if written below), and/or the manufacturer's instructions, whichever is most restrictive.

(I) All double check valve assemblies, two-inches or larger, must be installed in a watertight drainable pit wherever belowground installation is necessary in accordance with detailed specifications provided in the Backflow Prevention and Cross Connection Control Manual. If drain cannot be provided, the assembly must be installed above the ground. Double check valve assemblies may be installed in a vertical position with prior approval from the Backflow Administrator, provided that the flow of water is in an upward direction.

(J) Reduce pressure assemblies must be installed in a horizontal position and in a location in which no portion of the assembly can become submerged in any substance under any circumstances. Pit installations are prohibited.

(K) Each backflow prevention assembly that is required must function properly at time of installment. Each customer will be required to test, maintain, and repair each assembly required which is a part of the customer's private water system. A certified backflow prevention technician may only conduct such test. Testing shall be done immediately following installation of any backflow prevention assembly and on an annual or semiannual basis depending the degree of hazard. Reports of the annual or semi-annual testing shall be submitted to the Town of Landis within 30 days of the test.

(L) If repair is found necessary on an assembly it must be retested following any repair. A complete duplicate copy of any testing and/or repair shall be sent to the Town within 30 days

of completion of test or repair. Each customer must maintain a complete copy of test or repair. Each customer must maintain a complete copy of any test or repair for no less than five years. All test and repair records must be maintained on forms approved by the Backflow Administrator of the Town.

(M) All rubber components must be replaced every five years or as often as needed.

(N) Any customer installing a reduced pressure (RP) or double check valve assembly (DCVA) must provide the following information to the Backflow Administrator within ten days after installation:

- (1) Service address where assembly is located;
- (2) Owner;
- (3) Description of assembly's location;
- (4) Date of installation;
- (5) Type of assembly;
- (6) Manufacturer;
- (7) Model number;
- (8) Serial number; and
- (9) Test results/reports.

(O) The Backflow Administrator must approve each backflow assembly required by this section. Unapproved backflow assembly must be replaced, within a time set by the Backflow Administrator, with an approved backflow assembly. For a list of approved backflow assemblies reference the Town's "Backflow Prevention and Cross Connection Control Manual."

(P) If it has been determined that a customer must install a backflow prevention assembly, the Backflow Administrator will provide the customer with a letter of notification. The following time periods shall be set forth for the installation of the specified assemblies:

- (1) Health hazard 60 days (unless otherwise stated by the Town)
- (2) Non-health hazard 90 days (unless otherwise stated by the Town)

(Q) If an imminent hazard or unreasonable threat of contamination or pollution to the Landis Utilities Water System is detected, the Backflow Administrator may require the installation of the required backflow assembly immediately or within a shorter time period than specified in division (P) of this section.

(R) If a customer does not wish for water service to be interrupted when a backflow assembly is tested, repaired, or replaced, a parallel installation must be made using an approved assembly of the same degree of hazard. The parallel line may be of the same size or smaller.

(S) The Town of Landis has the right to pursue any and all remedies, including legal action, to correct contamination resulting from a failed backflow prevention device. Responsibility for the proper operation and maintenance of backflow prevention devices shall belong to the entity owning the device.

4. DEGREE OF HAZARDS.

(A) Determining Degree of Hazard.

(1) No service shall be completed until the Backflow Administrator has been provided information or has surveyed the private water system to determine the degree of hazard and make a determination of a backflow prevention assembly to be installed to protect the public water supply.

(2) Any customer making any modification to their private exterior or interior water system configuration and/or changes the usage of the exterior or interior water system, which may change the degree of hazard, the customer shall notify the Backflow Administrator before any modification is made. If the Backflow Administrator determines that such modification requires a different backflow prevention assembly, that assembly must be installed before the modification is made or the usage is changed.

(3) The following types of facilities or services have been identified by Landis Utilities as having a potential for backflow or non-potable water into the public water supply system. Therefore, an approved backflow prevention assembly will be required on all such services according to the degree of hazard present. Other types of facilities or services not listed in this division may also be required to install approved backflow prevention assemblies if determined necessary by the Town's Backflow Administrator. As a minimum requirement, all commercial services will be required to install a double check valve assembly unless otherwise listed as follows:

DCVA = Double check valve assembly

RP = Reduced pressure assembly

DCDA = Double check detector assembly

RPDA = Reduced pressure detector assembly

AG = Air gap

PVB = Pressure vacuum breaker

Aircraft and missile plants: RP

Automotive service stations, dealerships, etc.:

No health hazard: DCVA

Health hazard: RP

Automotive plants: RP

Auxiliary water systems:

Approved public/private water supply: DCVA

Unapproved public/private water supply: AG

Used water and industrial fluids: RP

Bakeries:

No health hazard: DCVA

Health hazard: Hazard

Beauty shops/barber shops:

No health hazard: DCVA

Health hazard: RB

Beverage bottling plants: RP

Breweries: RP

Buildings--Hotels, apartment houses, public and private buildings, or other structures having unprotected cross connections:

(Under five stories) No health hazard: DCVA

(Under five stories) Health hazard: RP

(Over five stories) All: RP

Canneries, packing houses, and rendering plants: RP

Chemical plants--Manufacturing, processing, compounding or treatment: RP

Chemically contaminated water system: RP

Commercial car-wash facilities: RP

Commercial greenhouses: RP

Concrete/asphalt plants: RP

Dairies and cold storage plants: RP

Dye works: RP

Film laboratories: RP

Fire systems:

No health hazard: DCDA

Health hazard (booster pumps, foams, antifreeze solution, etc.): RPDA

Hospitals, medical buildings, sanitarium, morgues, mortuaries, autopsy facilities, nursing and convalescent homes, medical clinics, and veterinary hospitals: RP

Individual commercial sales establishments (department stores):

No health hazards: DCVA

Health hazard: RP

Industrial facilities:

No health hazard: DCVA

Health hazard: RP

Laundries:

No health hazard: DCVA

Health hazard (i.e., dry cleaners): RP

Lawn irrigation systems:

Health hazard: RP

Malls or strip malls (frequent tenant change and photo labs, etc.):

Health hazard: RP

Metal manufacturing, cleaning processing, and fabricating plants: RP

Mobile home parks:

No health hazard: DCVA

Health hazard: RP

Oil and gas production, storage or transmission properties: RP

Paper and paper products plants: RP

Pest control (exterminating and fumigating): RP

Plating plants: RP

Power plants: RP

Public swimming pools: RP

Radioactive materials or substances--Plants or facilities handling: RP

Restaurants:

No health hazard: DCVA

Health hazard: RP

Restricted, classified, or other closed facilities: RP

Rubber plants (natural or synthetic): RP

Sand and gravel plants: RP

Schools, and colleges: RP

Sewage and storm drain facilities: RP

Waterfront facilities and industries: RP

All assemblies and installations shall be subject to inspection and approval by Landis Utilities.

(4) Filling of tanks/tankers or any other container from a Town-owned fire hydrant is strictly prohibited unless it has been equipped with the proper meter and backflow protection, at which point Landis Utilities will issue a permit for that tank/tanker or container. Any unauthorized connection to a fire hydrant is considered an illegal cross connection to the Landis Utilities water system and will be subject to fines.

(5) If a cross connection control inspector is unable to survey any portion of a private exterior or interior water system to determine the degree of hazard, due to confidential activities, a reduced pressure assembly will be required.

(B) Low hazard.

(1) All single-family residential homes will be considered a low hazard and shall have a minimum of a dual check valve device installed at the meter service. Dual check valves shall not be in-line tested.

(2) If no other backflow prevention assembly is specified a double check valve assembly must be installed on all private water systems.

(C) Imminent hazard.

(1) If it has been determined that a customer's private water system has an imminent hazard, such customer must install a backflow prevention assembly specified by the Backflow Administrator and this section. This assembly must be installed within 24 hours of notification from the Backflow Administrator. If the customer fails to install the specified assembly within the allowed time limit, water service to the customer's private water system will be terminated and may be subject to specified civil penalties. If the Backflow Administrator is unable to notify the customer in 24 hours of determining an imminent hazard exist, the Backflow Administrator may terminate water service until the specified assembly is installed. These actions may be carried out under the Safe Drinking Water Act (Title XIV, Section 1431) and the State Plumbing Code (Appendix D104.2.6).

(2) Only a backflow prevention assembly offering a greater degree of protection may be installed in place of a specified assembly required by this section.

5. NOTICE OF CONTAMINATION OR POLLUTION.

(A) If the customer's private exterior or interior water system becomes contaminated or polluted the customer shall notify Landis Utilities immediately.

(B) If a customer has reason to believe that a backflow incident has occurred between the customer's private exterior or interior water system and the Landis Utilities Water System, the customer must notify Landis Utilities immediately in order that appropriate measures may be taken to isolate and remove the contamination or pollution.

6. VIOLATIONS.

(A) Notification of violations.

(1) A written notice must be presented to any customer/person who has been found to be in violation of any part of this subchapter.

(2) Such notice must explain the violation and give the time period within which the violation must be corrected. The time period set to correct a violation shall not exceed 30 days after receiving notice unless otherwise specified by the time period chart (see Art. 8, Sect. 2(P)). If the violation has been determined by the Administrator to be an imminent hazard the customer shall be required to correct the violation immediately.

(3) In the event a customer is found in violation of this subchapter and fails to correct the violation in a timely manner or to pay any civil penalty or expense assessed under this section, water service will be terminated.

(B) The violation of any section of this subchapter may be punished by a civil penalty listed as follows:

(1) Unprotected cross connection involving a private water system, which has an imminent hazard - \$1000 per day not to exceed \$10,000.

(2) Unprotected cross connection involving a private water system, which is of a moderate or high hazard - \$500.

(3) Submitting false records or failure to submit records, which are required by this subchapter - \$500.

(4) Failure to test or maintain backflow prevention assemblies as required \$100 per day.

(C) Reduction of penalty.

(1) The Administrator may reduce or dismiss any civil penalty imposed under this section if the Administrator has determined that the person charged with the violation has no past history of violation in a timely manner as set by the Administrator:

(2) No civil penalty shall be reduced if it has been determined the violation was intentional.

(3) Any person violating any part of this subchapter must reimburse the Town of Landis for any expenses in repairing damage to the public water system caused by any violation and any expenses incurred for investigating a violation.

ARTICLE 9
SEWER USE

1. DEFINITIONS.

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

B.O.D. (denoting **BIOCHEMICAL OXYGEN DEMAND**). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C, as set out herein, expressed in milligrams per liter.

C.O.D. (denoting **CHEMICAL OXYGEN DEMAND**). The quantity of equivalent oxygen utilized in the chemical oxidation of organic matter as measured by standard laboratory methods, as set out herein, expressed in milligrams per liter.

COLOR. The “true color” due to substances in solution which cause any variation in the hue of the receiving stream and which is expressed in parts per million.

COMPATIBLE POLLUTANT. B.O.D., suspended solids, pH and fecal coliform bacteria, and the additional pollutants as are now or may be in the future specified and controlled in the Town’s NPDES permit for its wastewater treatment works, where the works have been designed and used to reduce or remove the pollutants.

COOLING WATER. The water discharged from any use such as air conditioning, cooling or refrigeration, during which the only pollutant added to the water is heat.

DIRECTOR. The Director of Public Works of the Town or their duly authorized representative.

DOMESTIC WASTES. Liquid wastes from the noncommercial preparation, cooking and handling of food or containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities and institutions.

EXCESSIVE RADIATION DOSE. A dose of radiation in excess of the maximum permissible dose.

GARBAGE. Solid waste from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage and sale of food.

HEARING AUTHORITY. The Director of Public Works or their duly appointed deputies, agents or representatives.

INCOMPATIBLE POLLUTANT. Any pollutant which is not a “compatible pollutant”, as defined in this chapter.

INDUSTRIAL USER.

(1) Any nongovernmental, nonresidential user of a publicly owned treatment works which discharges more than the equivalent of 25,000 gallons per day (gpd) of sanitary wastes and which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under one of the following divisions:

- (a) Division A: Agriculture, Forestry and Fishing;
- (b) Division B: Mining;
- (c) Division C: Manufacturing;
- (d) Division E: Transportation, Communications, Electric, Gas and Sanitary Services; and
- (e) Division I: Services.

(2) Any nongovernmental user of a publicly-owned treatment works which discharges wastewater to the Town’s sanitary sewers which contains toxic pollutants or poisonous solids, liquids or gases in sufficient quantity, either singly or by intersection with other wastes, to contaminate the sludge of the Town’s systems or to injure or to interfere with any sewage treatment process, or which constitutes a hazard to humans or animals, creates a nuisance or creates any hazard in or has an adverse effect on the waters receiving any discharge from the Town’s wastewater treatment system.

(3) Any commercial user of an individual system constructed with grant assistance under § 201(h), subpart 35 of the Clean Water Act, being 33 U.S.C. § 1281.

INDUSTRIAL WASTEWATER. The liquid wastes from industrial, manufacturing, trade or business establishments, as distinct from domestic wastes.

INFILTRATION. The water entering a sewer system, including sewer service connections, from the ground, through the means such as, but not limited to, defective pipes, pipe joints, connections or manhole walls. INFILTRATION does not include, and is distinguishable from, “inflow”.

INFLOW. The water discharged into a sewer system, including service connections from the sources as, but not limited to, roof leaders, cellar, yard and area drains, foundation drains, cooling water discharges, drains from springs and swampy areas, manhole covers, cross connections from storm sewers and combined sewers, catch basins, storm waters, surface runoff, street wash waters or drainage. INFLOW does not include, and is distinguished from, “infiltration”.

I.O.D. (denoting IMMEDIATE OXYGEN DEMAND). The quantity of oxygen utilized by an industrial waste **discharge** in excess of that normally attributable to sewage, as measured by using standard laboratory methods, as set out herein, expressed in milligrams per liter.

MAXIMUM PERMISSIBLE DOSE. A dose of radiation to any part of the body, internal or external, or both, that, in the light of present knowledge, is not expected to cause appreciable bodily injury to a person at any time during their lifetime.

MUNICIPALITY. Any city, town, county, sanitary district, sewer district, association, other municipality or other public body created under state law or having jurisdiction over the disposal of domestic or industrial wastes.

MUNICIPAL USER. Any municipality, as defined in this chapter, which desires to discharge domestic or industrial wastewater into the sanitary sewers of the Town or into sewers which ultimately discharge into the sanitary sewers of the Town, for the purpose of wastewater treatment and disposal.

NH₃ (denoting nitrogen as AMMONIA). The initial decomposition of nitrogenous organic matter as measured by using standard laboratory methods, as set out herein, expressed in milligrams per liter.

NPDES (denoting NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM). The program for issuing, conditioning and denying permits for the discharge of pollutants from point sources into the navigable waters, the contiguous zone and the oceans pursuant to § 402 of the Clean Water Act, being 33 U.S.C. § 1342.

PERSON. Any individual, firm, company, partnership, corporation, association, group or society, including the state and agencies, districts, commissions and political subdivisions created by or pursuant to state law.

pH. The logarithm (base 10) of the reciprocal of the hydrogen ion concentration, which indicates the degree of acidity or alkalinity of a substance. A pH value of seven is neutral, above seven is alkaline and below seven is acid.

PPM. Parts per million by weight, expressed in pounds.

PRETREATMENT. Application of physical, chemical and biological processes to reduce the amount of pollutants in or to alter the nature of the pollutant properties of wastewater prior to discharging the wastewater into the publicly-owned wastewater treatment system.

PRETREATMENT STANDARDS. All applicable federal rules and regulations implementing § 307 of the Clean Water Act, being 33 U.S.C. § 1317, as well as any nonconflicting state or local standards. In cases of conflicting standards or regulations, the more stringent thereof shall be applied.

PROPERLY SHREDDED GARBAGE. The wastes from the preparation, cooking and dispensing of food that have been shredded to the degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

PUBLIC SEWER. A sewer in which all owners of abutting properties have equal rights, and which is controlled by the Town.

RECEIVING STREAM. The body of water, stream or watercourse receiving the discharge of waters from the waste treatment plant or formed by the water discharged from the waste treatment plant.

SANITARY SEWER. A sewer intended to receive domestic sewage and industrial waste, except that of the type expressly prohibited by this subchapter, without admixture of surface and storm water.

SEWAGE. A combination of the water-carried wastes from residences, business buildings, institutions and industrial and municipal establishments.

SEWAGE WORKS. All facilities for monitoring, collecting, pumping, treating and disposing of sewage.

SEWER. A pipe or conduit for carrying sewage.

STORM SEWER OR STORM DRAIN. A sewer which carries storm or surface waters and drainage, but excludes sewage and industrial wastes.

STORM WATER. Any water flow occurring during or immediately following any form of natural precipitation and resulting therefrom.

SUSPENDED SOLIDS. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering.

TKN (denoting TOTAL KJELDAHL NITROGEN). The sum of the ammonia nitrogen and organic nitrogen as measured by using standard laboratory methods, as set out herein, expressed in milligrams per liter.

UNPOLLUTED WATER. Water not containing any pollutants limited or prohibited by the effluent standards in effect, or water whose discharge will not cause any violation of receiving water quality standards.

USER. Any person who discharges, or causes or permits the discharge of, wastewater into the Town's wastewater treatment system.

USER CLASSIFICATION. A classification of users based on the Standard Industrial Classification (SIC) Manual prepared by the office of management and budget.

WASTEWATER. The liquid- and water-carried domestic or industrial wastes from dwellings, commercial buildings, industrial facilities and institutions, whether treated or untreated, together with any ground water, surface water and storm water that may be present, which is discharged into or permitted to enter the Town's wastewater treatment system.

WASTEWATER TREATMENT SYSTEM. Any devices, facilities, structures, equipment or works owned or used by the Town for the purpose of the transmission, storage, treatment, recycling and reclamation of industrial and domestic wastes, or necessary to recycle or reuse water at the most economical cost over the estimated life of the system, including intercepting sewers; outfall sewers; sewage collection systems; pumping, power and other equipment, and their appurtenances; extensions, improvements, remodeling, additions and alterations thereof; elements essential to provide a reliable recycled supply, as standby treatment units and clear well facilities; and the wastewater treatment plant site or land which is used for ultimate disposal of residues resulting from the treatment.

2. PROHIBITED DISCHARGES.

(A) Wastewater discharges generally. No person shall discharge or deposit, or cause or allow to be discharged or deposited, into the wastewater treatment system any wastewater which contains the following, except as **provided under Section 3 below of this Article:**

(1) Any clothing, rags, textile remnants or waste, cloth, or scraps, except fibers of scrap that will pass through a one-fourth inch mesh screen or its equivalent in screening ability;

(2) Any liquid or vapor having a temperature higher than 150°F or 65°C;

(3) Any waters or wastes which may contain a total fat, wax, grease or oil concentration of more than 100 mg/l, whether emulsified or not, or containing substances which may solidify or become viscous at temperatures between 32°F and 150°F (0°C and 65.5°C) at the point of discharge into the system;

(4) Any liquids, solids, or gases which, by reason of their nature or quantity, are or may be sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the sewerage facilities or to the operation of the system. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the sewer system, be more than 5% or any single reading over 10% of the lower explosive limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides;

(5) Any garbage that has not been ground or comminuted to a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension;

(6) Any solid or viscous wastes which will or may cause obstruction to the flow in a sewer, or otherwise interfere with the proper operation of the wastewater treatment system. Prohibited materials include, but are not limited to, grease, uncomminuted garbage, animal guts and tissues, paunch manure, bones, hair, hides or fleshing, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone of marble dust, metal, glass, straws, shavings, grass clippings, rags, spent grains, spent hops, wastepaper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil and similar substances;

(7) Any waters or wastes in which the suspended solids exceed 300 milligrams per liter;

(8) Any waters or wastes in which the total fixed solids exceed 1,500 milligrams per liter;

(9) Any waters or wastes in which the B.O.D. exceeds 300 milligrams per liter;

(10) Any waters or wastes in which the C.O.D. exceeds 600 milligrams per liter;

(11) Any waters or wastes in which the TKN exceeds 40 milligrams per liter;

(12) Any waters or wastes in which the I.O.D. exceeds five milligrams per liter;

(13) Any waste which will cause corrosion or deterioration of the treatment system. All wastes discharged to the public sewer must have a pH value in the range of six to nine standard units. Prohibited materials include, but are not limited to, acids, sulfides, concentrated chloride and fluoride compounds and substances which will react with water to form acid products; and

(14) Any waters or wastes containing amounts of potentially toxic elements exceeding the maximum concentrations for the respective drainage basins as outlined below:

Grant Creek

<u>Substance</u>	<u>Maximum Concentration</u>
Antimony	4.2 mg/l
Aluminum	31.5 mg/l
Cadmium	0.2 mg/l
Hexavalent chromium	0.1 mg/l
Chromium	5.0 mg/l
Copper	5.0 mg/l
Mercury	0.1 mg/l
Nickel	5.0 mg/l
Lead	1.4 mg/l
Silver	0.1 mg/l
Zinc	0.9 mg/l

(B) Minimum allowable concentrations. Industries subject to federal categorical pretreatment standards shall not exceed the maximum allowable concentrations listed for the respective type of industry when those concentrations differ from those listed above:

(1) Any waters or wastes containing total cyanide or cyanide compounds in excess of 0.1 mg/l;

(2) Any toxic substances in amounts exceeding standards promulgated by the administrator of the United States Environmental Protection Agency pursuant to § 307(a) of the Clean Water Act, being 33 U.S.C. § 1317(a), and chemical elements or compounds, phenols or other taste- or odor-producing substances, or any other substances which are not susceptible to treatment or which may interfere with the biological processes or efficiency of the treatment system, or which may pass through the system and harm persons, livestock or aquatic life utilizing the receiving stream;

- (3) Any noxious or malodorous solids, liquids or gases, which, either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life, or are or may be sufficient to prevent entry into a sewer for its maintenance and repair;
- (4) Any radioactive wastes or isotopes of the half-life or concentration that they do not comply with regulations or orders issued by the appropriate authority having control over their use or which will or may cause damage or hazards to the sewerage facilities or personnel operating the system;
- (5) Any solid radioactive materials or radioactive materials in solution which can be removed by chemical means and disposed of in solid form;
- (6) Any materials which form excessive amounts of scum or foam that may interfere with the operation of the waste treatment works or cause undue additional labor in connection with its operation. Excessive amounts shall be determined by the Director;
- (7) Any waters or wastes containing suspended solids of the character and quality that unusual attention or expense is required to handle the materials at the waste treatment plant;
- (8) Any waters or wastes containing dyes or other color of the character and in the quantity as to prevent removal by biological processes and which require special chemical treatment to pass receiving stream standards;
- (9) Any wastewater at a flow rate or containing the concentration or quantity of any pollutant that exceeds for any period of time longer than 15 minutes more than five times the average 24-hour concentration, quantity or flow during normal operation and that would cause a treatment process upset and subsequent loss of treatment efficiency;
- (10) Any unpolluted water, including, but not limited to, water from cooling systems or of storm water origin, which will increase the hydraulic load on the treatment system; and
- (11) Any waters or wastes in which the ammonia exceeds 15 milligrams per liter.

(C) Inflow of storm water, ground water and the like. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial or commercial process water into any sanitary sewer. No person shall connect or cause to be connected to the sanitary sewer system any pipe or conduit which will allow the discharge of the inflow sources into the sanitary sewer system.

(D) Limitations on wastewater pollutants. No person shall discharge or convey, or permit or allow to be discharged or conveyed, to a public sewer any wastewater containing pollutants of the character or quantity that will:

- (1) Not be susceptible to treatment or interfere with the process or efficiency of the treatment system;
- (2) Constitute a hazard to human or animal life or to the stream or watercourse receiving the treatment plant effluent;

(3) Violate pretreatment standards, as promulgated by the United States Environmental Protection Agency or the state; and

(4) Cause the treatment plant to violate its NPDES permit or applicable receiving water standards.

(E) Special arrangements. Nothing in this section shall be construed as preventing any special agreement or arrangement between the Town and any user of the wastewater treatment system whereby wastewater of unusual strength or character is accepted into the system and specially treated, subject to any payments or user charges as may be applicable. However, any special agreements or arrangements shall not be less stringent than any applicable federal pretreatment standard or categorical regulation pursuant to § 307 of the Clean Water Act, being 33 U.S.C. § 1317.

3. INDUSTRIAL, MUNICIPAL USER REQUIREMENTS.

(A) In order to promote equalization of flows over a 24-hour period, each person discharging a waste into the Town’s sanitary sewers having the following average daily volumes over a period of their normal processing period in any one week shall construct and maintain at their own expense a suitable storage facility of the corresponding minimum volumes:

Volume of Waste Discharge in Average Gallons per Day Discharged	Minimum Volume of Storage Tank in Percentage of Daily Volume of Waste
0-20,000	0%
20,001-30,000	50%
30,001-40,000	60%
40,001-50,000	70%
50,001-60,000	80%
60,001-70,000	90%
70,001 and above	100%

(B) The storage facility shall have its outlet to the sewer controlled by an approved device, the setting of flow rates being as directed by the Director. When the processing period is less than seven days in any week, the person discharging the waste shall arrange the discharge rate so that their storage facility shall be substantially full at the end of their processing period. The storage facility shall be discharged during the period of shutdown, unless otherwise directed by the Director.

(C) Storage facility requirements may be waived by the Director in cases where a constant rate of flow is discharged provided:

(1) The normal operating day extends over a 24-hour period and the rate of waste flow and load discharged is that, in the opinion of the Director, the installation of a storage tank would not improve sewer and treatment plant loading conditions; and

(2) All other requirements of this subchapter are fulfilled.

(D) Any person discharging industrial wastes into the Town sanitary sewer shall construct and maintain a suitable control manhole to facilitate observation, measurement and sampling of all wastes, including domestic sewage, from the industry. The control manhole shall be constructed downstream from any treatment, storage or other approved works at a suitable and satisfactory location and built in a manner approved by the Director.

(E) Where a storage tank is not required, the control manhole shall be equipped with a permanent type volume measuring device, as a nozzle, or other device approved by the Director. The manhole shall be installed by the person discharging the wastes at their own expense and shall be maintained by him or her so as to be safe, accessible and in proper operating condition at all times.

(F) Plans for the construction of the storage tanks, control manholes and controlling devices shall be approved by the Director prior to the beginning of construction.

(G) Persons shall provide, at their own expense, the preliminary handling as may be necessary to control the quantities and rates of discharge of the waters or wastes over a 24-hour period. Plans, specifications and any other pertinent information relating to proposed preliminary treatment or handling facilities shall be submitted for the approval of the Director, and no construction of the facilities shall be commenced until the approval is obtained in writing.

(H) Any waters or wastes discharged by any person, which have the following characteristics, may be admitted into the sanitary sewers after 10-7-1985, when the discharge is approved in writing by the Director:

- (1) A B.O.D. greater than 300 mg/l;
- (2) C.O.D. of more than 600 mg/l;
- (3) A TKN of more than 40 mg/l;
- (4) Suspended solids of more than 300 mg/l;
- (5) Ammonia of not more than 15 mg/l; or
- (6) Other characteristics prohibited in **Section 2 of this Article**.

(I) All sewer users shall participate in the user charge as described **in Section 8 of this Article**. For the purposes of this subchapter, normal domestic wastewater is considered to have the following characteristics:

- (1) B.O.D. of 300 mg/l;
- (2) C.O.D. of 600 mg/l;
- (3) TKN of 40 mg/l; and
- (4) TSS of 300 mg/l.

(J) When the concentration of B.O.D., C.O.D., TKN or suspended solids in the industrial or municipal waste discharge to the Town's sanitary sewers exceeds the normal characteristics

prescribed, a monthly surcharge shall be imposed upon the offending industrial or municipal user's sewage flow when the excess loading calculated using the purchased water flow or metered wastewater flow as hereinafter specified and the unit poundage charge for the actual B.O.D., C.O.D., TKN and suspended solids loadings being received from the discharger. This surcharge shall be invoked as herein provided in addition to the existing regular sewer service charge. The sewer surcharge for each year shall be established by the Town at a regular Council meeting before the billing for January. This surcharge shall be applied beginning with the January utility billing and during subsequent months during the calendar year. The surcharge shall reflect the total cost of treating the excess pounds of industrial or municipal waste, including necessary costs of administration of the sewage plants and this subchapter. In addition, each industrial customer affected by the surcharge shall submit to the Director a current list of raw chemicals and other materials used in its manufacturing process. The method used to determine the surcharge amount shall consist of dividing the applicable audited budget cost for operating the Town's wastewater treatment system, including applicable administrative and plant debt service, for the preceding fiscal year by the poundage of B.O.D., C.O.D., TKN and suspended solids removed during treatment in that fiscal year. The four resulting unit per pound costs are the surcharge rates for each of the four parameters.

(K) The surcharges shall be billed and payable monthly on a separate bill rendered to the proper users by the Town.

(L) Industrial and major commercial users, including municipalities, will be billed for any applicable surcharges according to the monthly billing procedures as described in **Section 8 of this Article.**

(M) All applications for the discharge of industrial wastes into the public sewers shall be made to the Director. Approval will be granted for the applications when evidence is submitted by the applicant that the discharge of wastes into the public sewer will comply with this subchapter.

(N) Grease, oil and sand interceptors shall be provided when, in the opinion of the Director of Public Works, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients; except, that the interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be maintained by the owner at their expense in continuously efficient operation at all times.

(O) Notice shall be given to the Director when normal operations of the industry will be interrupted for 72 hours or longer and wastes will not be available for discharge, or when a change of process is contemplated which will alter demands on the municipal treatment facilities. "Normal operations" shall include allowance for legal holidays and other announced plant shutdowns.

(P) Where preliminary treatment or holding facilities are provided for any purpose, they shall be maintained continuously in satisfactory and effective operation by the owner at their expense, and there shall be no discharge of wastes requiring pretreatment either directly or indirectly to the Town's sanitary sewer system, without first notifying and obtaining approval from the Director.

(Q) All industrial users that are discharging incompatible or toxic pollutants shall meet the pretreatment requirements of Best Practicable Technology, as promulgated by the Environmental Protection Agency.

4. PUBLIC SEWER USAGE REQUIRED.

(A) Every owner of a house, building or other property used for human occupancy, employment, recreation or other purposes, situated within the Town where a public sanitary sewer main is or may in the future be located within 200 feet of the property line on which the house, building and the like is situated, is hereby required, at the owner's expense, to connect any toilet or other sanitary facilities located thereon with the public sewer main in accordance with the provisions of this subchapter, within 180 days after the date of receiving notice to do so. When any public sanitary sewer main is constructed, the 180-day period begins to run when the Director of Public Works certifies that the new main is operational.

(B) When public sewer mains become available to property as described in division (A) of this section, the property owner shall be made aware that connection to the public sewer is required and that the connection shall be made within 180 calendar days from the date of the notification. Nonuse of public sewer mains shall only be as approved by the Board of Alderpersons on a case-by-case basis.

(C) Privies, cesspools, and septic tanks are prohibited within the corporate limits, except where public sewer service is not available as described in division (A) of this section.

5. UNAUTHORIZED CONNECTION PROHIBITED.

(A) No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining written approval from the Director. All costs and expenses incidental to the installation and connection to the sewer main shall be borne by the owner.

(B) All sewer connections must comply with the State Building Code, Volume II, Plumbing. Plumbing shall be done by a licensed plumber.

6. STORM SEWER DISCHARGE.

Discharge of sanitary wastewater into storm sewers is prohibited without exception. Storm water and all other unpolluted drainage shall be discharged to the sewers as are specifically designed as storm sewers or to a natural outlet approved by the Director and DEM. Unpolluted industrial cooling water or process waters may be discharged on approval of the Director and DEM to a storm sewer or natural outlet and sanitary wastewater should be prohibited from discharge into the storm sewer system.

7. PRIVATE SYSTEMS.

(A) Where a public sewer main is not available, a building sewer shall be connected to a private wastewater disposal system complying with all applicable state and local regulations concerning use of the systems. The Town, in conjunction with the County Health Department, shall have the authority to approve or reject the plans and/or usage of private wastewater facilities presently located within or proposed for location within the corporate

limits. The minimum lot area that shall be approved for a private wastewater disposal system shall be as regulated by state law and the County Health Department, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary. Approval for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the County Health Department. The local sanitarian shall be allowed to inspect the work at any state of construction. The type, capacities, location, and layout of a private wastewater disposal system shall comply with all recommendations of the Department of Public Health and Division of Environmental Management of the state.

(B) No septic tank or cesspool shall be permitted to discharge to any natural outlet. The Town shall maintain, on property, which is not accessible to the sanitary sewer, a septic tank of a type approved by the State Board of Health the location and installation of which shall be approved by the County Health Department, and which shall be installed at the property owner's expense. The occupant of the property shall pay full water and sewer service charges.

(C) At the time a public sewer becomes available to a property served by a private wastewater disposal system, a direct connection shall be made to the public sewer within 180 days. Under unusual and/or special circumstances, the Board of Alderpersons may waive this requirement. Application for a waiver must be submitted to the Director of Public Works. The Director will study the application, make appropriate comments, and have it set before the Board of Alderpersons for approval or disapproval.

8. CHARGE; BILLING; NONPAYMENT.

(A) The user charge shall be the charge levied on all users including, but not limited to, persons or government entities that discharge, or cause or permit the discharge of, sewage into the public sewerage facilities.

(B) The user charge shall reflect at least the costs of operation and maintenance, including replacement, of the public sewerage facilities.

(C) Each user shall pay its proportionate cost (user charge) based on volume of flow.

(D) The Director of the sewerage facilities will review, not less often than every two years, the sewage contributions of users, the total costs of operation and maintenance, including replacement, of the sewerage facilities and the user charge system. The Director will make any recommendations for rate adjustments to the Board of Alderpersons. The Board will determine the necessity of any rate changes and will set rates to accomplish the following:

- (1) Maintain the proportionate distribution of operation and maintenance costs among all users as provided herein; and
- (2) Generate sufficient revenue to pay at least the total operation and maintenance costs necessary for the proper operation and maintenance, including replacement, of the sewerage facilities.

(E) All flow to the sewerage facilities not directly attributable to the users (for example, infiltration/inflow) shall be distributed among all users of the sewerage facilities based upon the volume of flow of the users.

(F) User charges, surcharges, water charges and any other necessary charges will be billed according to the following schedules:

(1) Industrial, commercial, residential, and municipal customers will be billed on a monthly basis according to the following schedule.

(a) The Town will mail bills so that customers will receive notice on the first working day of each month.

(b) Payment for the bill is technically past due after the twenty-fifth of the month for residential customers.

(c) A second notice for a delinquent bill will be mailed within ten days after the payment due date.

(d) If payment is not received from industrial, commercial, or residential customers by the Town before the indicated deadline, water service to the customer will be severed. In the case of municipalities, the Town may seek injunctive relief for nonpayment.

(e) Service to a customer will be reconnected only after the Town has received payment for all bills due, together with a \$10 reconnect fee.

(f) Any applicable surcharges, as contained in **Section 3 of this Article**, will be billed separately from regular monthly charges. Surcharges will be billed on a monthly basis.

(2) Bills will be sent through the United States mail, notifying all users of the amount and date due. Failure to receive a bill is not an excuse for nonpayment of bills.

(3) In case a user discharging water into the Town's sanitary sewer system does not procure their water supply from the Town and becomes delinquent in the payment of the aforesaid charges, their connection with the Town sewer system will be severed and will only be reconnected at their expense. Procedure for payment of the bill is the same as in division (F)(1) above.

9. PUBLIC WORKS RIGHT OF ENTRY.

(A) The Director and duly authorized employees of the Public Works Department shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this subchapter.

(B) All tests and analyses of the characteristics of waters and wastes to which reference is made in this subchapter shall be made in accordance with the procedure given in the latest edition of Standard Methods for the Examination of Water, Sewage, and Industrial Wastes, published by the American Public Health Association. The tests and analyses shall be determined from samples taken at the control manhole provided **in Sub-section 3(D) of this**

Article, or at the point of discharge of any waters or wastes at the site of their origin on the premises of any person discharging the wastes into the sanitary sewers.

10. DETERMINATION OF FLOW VOLUME.

The volume of flow used in determining the total discharge of industrial wastes for payment of the regular sewer charge and the sewer surcharge shall be based upon:

- (A) Metered water consumption as shown in the records of meter readings maintained by the Town Water Department; or
- (B) At the individual discharger’s option, other flow measuring devices, which measure the actual volume of wastewater discharged to the sewer, the devices shall be accessibly and safely located, and the measuring system as specified by the Town shall be installed in accordance with plans approved by the Director. The metering system shall be installed and maintained at the owner’s expense according to arrangements that may be made with the Town.

11. DETERMINATION OF WASTE CHARACTER, CONCENTRATION.

- (A) Inspection. The industrial waste of each person discharging the wastes into the public sewers shall be subject to periodic inspection, and a determination of the character and concentration of the wastes shall be made annually for all industrial users, or more often as may be deemed necessary by the Director or their authorized assistants. The inspection and tests shall also be made immediately after any process change which may affect the quantity or quality of the wastes discharged.
- (B) Samples. Samples shall be collected in the manner as to be representative of the actual quality of the waste. Laboratory methods used in the examination of the waste shall be those set forth in Standard Methods, as hereinbefore described, a copy of which is on file with the Town Administrator/Town Clerk for inspection by any interested parties.
- (C) Authority. The determination of the character and concentration of the industrial wastes by the Director or their duly appointed representatives shall be binding as a basis for charges.
- (D) Cost. Total costs incident to the supervision, inspection, sampling and analyzing of wastes shall be included in the surcharge made to persons discharging wastes into the Town’s sanitary sewers.

12. PROHIBITED WASTE CONTROL.

- (A) Regulatory actions by Director. If wastewater containing any substance described in **Section 2 of this Article** is discharged or proposed to be discharged into the sewer system of the Town or to any sewer system tributary thereto, the Director may take any action necessary to:
 - (1) Prohibit the discharge of the wastewater;
 - (2) Require a discharger to demonstrate that in-plant modifications will reduce or eliminate the discharge of the substances in conformity with this subchapter;

- (3) Obtain flow equalization necessary to reduce or eliminate the objectionable characteristics or substances so that the discharge will not violate this subchapter;
- (4) Require the person making, causing, or allowing the discharge to pay any additional cost or expense incurred by the Town for handling and treating excess loads imposed on the treatment system; and
- (5) Take the other remedial action as may be deemed to be desirable or necessary to achieve the purposes of this chapter.

(B) Submission of plans. Where pretreatment or equalization of wastewater flows prior to discharge into any part of the wastewater treatment system is required, plans, specifications and other pertinent data or information relating to the pretreatment or flow control facilities shall first be submitted to the Director for review and approval. The approval shall not exempt the discharge of the facilities from compliance with any applicable code, ordinance, rule, regulation, or order of any governmental authority. Any subsequent alterations or additions to the pretreatment or flow control facilities shall not be made without due notice to and prior approval of the Director.

(C) Pretreatment facilities operations. If pretreatment or control of waste flows is required, the facilities shall be maintained in good working order and operated as efficiently as possible by the owner or operator at their own cost and expense, subject to the requirements of this subchapter and all other applicable codes, ordinances, and laws.

(D) Admission to property. Whenever it shall be necessary for the purposes of this subchapter, the Director, upon the presentation of credentials, may enter upon any property or premises at reasonable times for the purposes of:

- (1) Copying any records required to be kept under the provisions of this subchapter;
- (2) Inspecting any monitoring equipment or method; and/or
- (3) Sampling any discharge of wastewater to the treatment works, the Director may enter upon the property at any hour under emergency circumstances.

13. ACCIDENTAL DISCHARGE.

(A) Protection from accidental discharge. Each industrial user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this subchapter. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner's or operator's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Director for review and shall be approved by him or her before construction of the facility. Review and approval of the plans and operating procedures shall not relieve the industrial user from the responsibility to modify their facility as necessary to meet the requirements of this subchapter.

(B) Report of accidental discharge. If, for any reason, a facility does not comply with or will be unable to comply with any prohibition or limitations in this subchapter, the facility responsible for the discharge shall immediately notify the Director, so that corrective action

may be taken to protect the treatment system. In addition, a written report addressed to the Director, detailing the date, time and cause of the accidental discharge, the quantity and characteristics of the discharge and corrective action taken to prevent future discharges, shall be filed by the responsible industrial facility within five days of the occurrence of the noncomplying discharge.

14. TRAPS, INTERCEPTORS AND SEPARATORS.

All buildings with special requirements for traps, interceptors and separators shall conform to the most current edition of the North Carolina Plumbing Code Chapter 10.

ARTICLE 10
INDUSTRIAL WASTEWATER

1. DISCHARGE REPORTS.

(A) Every industrial user shall file a periodic discharge report at intervals as are designated by the Director. The Director may require any other industrial users discharging or proposing to discharge into the treatment system to file the periodic reports.

(B) The discharge report shall include but, in the discretion of the Director shall not be limited to, nature or process, volume, rates of flow, mass emission rate, production quantities, hours of operation, concentrations of controlled pollutants or other information which relates to the generation of waste. In addition to discharge reports, the Director may require information in the form of the industrial discharge permit application and self-monitoring reports.

2. RECORDS; MONITORING EQUIPMENT.

(A) All industrial users who discharge or propose to discharge wastewaters to the wastewater treatment system shall maintain the records of production and related factors, effluent flows and pollutant amounts or concentrations as are necessary to demonstrate compliance with the requirements of this subchapter and any applicable state or federal pretreatment standards or requirements.

(B) The records shall be made available upon request by the Director. All the records relating to compliance with pretreatment standards shall be made available to officials of the United States Environmental Protection Agency upon demand. A summary of the data, indicating the industrial user's compliance with this subchapter, shall be prepared quarterly and submitted to the Director.

(C) The owner or operator of any premises or facility discharging industrial wastes into the system shall install, at their own cost and expense, suitable monitoring equipment to facilitate the accurate observation, sampling, and measurement of wastes. The equipment shall be maintained in proper working order and kept safe and accessible at all times.

(D) The monitoring equipment shall be located and maintained on the industrial user's premises outside of the building. When the location would be impractical or cause undue hardship on the user, the Director may allow the facility to be constructed in the public street or sidewalk area, with the approval of the public agency having jurisdiction over the street or sidewalk and located so that it will not be obstructed by public utilities, landscaping, or parked vehicles.

(E) When more than one user can discharge into a common sewer, the Director may require installation of separate monitoring equipment for each user. When there is a significant difference in wastewater constituents and characteristics produced by different operations of a single user, the Director may require that separate monitoring facilities be installed for each separate discharge.

(F) Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with the Director's requirements and all applicable construction standards and specifications.

3. INSPECTION; SAMPLING; ANALYSIS.

(A) Compliance determinations. Compliance determinations with respect to the prohibitions and limitations contained in **Section 2 of Article 9 of this Ordinance** may be made on the basis of either instantaneous grab samples or composite samples of wastewater. Composite samples may be taken over a 24-hour period or over a longer or shorter time span, as determined necessary by the Director to meet the needs of specific circumstances.

(B) Standards for analysis of industrial wastewaters. Laboratory analysis of industrial wastewater samples shall be performed in accordance with the current edition of Standard Methods, Methods for Chemical Analysis of Water and Waste, published by the United States Environmental Protection Agency, or the Annual Book of Standards, Part 23, Water, Atmospheric Analysis, published by the American Society for Testing Materials. Analysis of those pollutants not covered by these publications shall be performed in accordance with procedures established by the State Department of Natural Resources and Community Development.

(C) Sampling frequency. Sampling of industrial wastewater for the purpose of compliance determination with respect to the prohibitions and limitations contained in **Section 2 of Article 9 of this Ordinance** will be done at intervals as the Director may designate. However, it is the intention of the Director to conduct compliance sampling or to cause the sampling to be conducted for all major contributing industries at least once every three months.

4. PERMIT REQUIRED.

All industrial users proposing to connect or to discharge into any part of the wastewater treatment system, or any other wastewater system which ultimately discharges its wastewater into the Town's system, must first obtain a discharge permit therefor. All existing industrial users connected to or discharging to any part of the Town's system, or any other wastewater system which ultimately discharges its wastewater into the Town's system, must obtain a wastewater discharge permit within 90 days from and after the effective date of this subchapter.

5. PERMIT APPLICATION.

(A) Users seeking a wastewater discharge permit shall complete and file with the Director an application, on the form prescribed by the Director and accompanied by the applicable fee. In support of this application, the user shall submit the following information:

- (1) Name, address and SIC number of applicant;
- (2) Volume of wastewater to be discharged;
- (3) Wastewater constituents and characteristics, including, but not limited to, those set forth in **Section 2 of Article 9 of this Ordinance** as determined by a reliable analytical laboratory;
- (4) Time and duration of discharge;
- (5) Average and 60-minute peak wastewater flow rates, including daily, monthly, and seasonal variations, if any;
- (6) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers and appurtenance by size, location and elevation;
- (7) Description of activities, facilities, and plant processes on the premises, including all materials and types of materials which are, or could be, discharged;
- (8) Each product produced, by type, amount, and rate of production;
- (9) Number and type of employees, and hours of work; and
- (10) Any other information as may be deemed by the Director to be necessary to evaluate the permit application.

(B) The Director will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the Director may issue a wastewater discharge permit, subject to the terms and conditions provided therein.

6. PERMIT CONDITIONS.

A) Wastewater discharge permits shall be expressly subject to all provisions of this subchapter and all other regulations, user charges and fees established by the Town. The conditions of wastewater discharge permits shall be uniformly enforced in accordance with this subchapter and applicable state and federal regulations.

(B) Permit conditions shall include the following:

- (1) The unit charge or schedule of user charges and fees for the wastewater to be discharged to the system;
- (2) The average and maximum wastewater constituents and characteristics;
- (3) Limits on rate and time of discharge or requirements for flow regulations and equalization;

- (4) Requirements for installation of pretreatment, inspection and sampling facilities and specifications for self-monitoring programs, if applicable;
- (5) Requirements for maintaining and submitting technical reports and plant records relating to wastewater discharges;
- (6) Daily average and daily maximum discharge rates, or other appropriate conditions when pollutants subject to limitations and prohibitions are proposed or present in the user's wastewater discharge;
- (7) Compliance schedules; and
- (8) Other conditions to ensure compliance with this subchapter.

7. CONNECTIONS FROM OUTSIDE CORPORATE LIMIT.

(A) Any user owning or controlling premises located beyond the corporate limits and having or desiring to install a plumbing system for the purpose of discharging domestic sewage or industrial waste into the sanitary sewers of the Town or into sanitary sewers that ultimately discharge into the sanitary sewers of the Town may do so after approval by the Board of Alderpersons, by complying with the requirements of this subchapter and by securing a permit and paying applicable tap-on fees and a yearly sewer use charge to be fixed by the Board of Alderpersons.

(B) Any municipality having or desiring to install a sewer system for the purpose of discharging industrial or domestic waste into the sanitary sewers of the Town, or into a sewer system which ultimately discharges into the sanitary sewer system of the Town, may do so after approval by the Board of Alderpersons, by complying with and adopting this subchapter as its own, by securing a permit as described in **Section 5 of this Article**, and by payment of any applicable tap-on fees as required by the Town.

(C) Any municipal user as described in division (A) of this section shall:

- (1) Require all new industries desiring to discharge industrial or domestic wastes into that municipality's sewer system, which ultimately discharges into the Town system, to obtain written permission from the Town before connecting to the sanitary sewers of that municipality. The Town shall be provided with a copy of the permit issued and any subsequent permit renewals issued by that municipality to the industry. The Town shall have access to the property permitted to discharge by that municipality in accordance with the provisions described in **Subsection 12(D) of Article 9 of this Ordinance**;
- (2) Make a monthly report to the Town no later than the fifth day of that month, stating the number of additional customers added to the sanitary sewer system during the preceding month. The report will contain information on the type of customer added and the type of wastewater and volume each customer discharged;
- (3) Install all plumbing in accordance with the State Plumbing Code;
- (4) Show evidence, as may be required by the Town, that the municipality is enforcing this subchapter and the Plumbing Code to the satisfaction of the Town; and

(5) Construct and maintain, as may be required by the Town, at its own expense, a metering station with necessary pipes, valves, and appurtenances, described in accordance with the Town’s specifications and standards, at each point of discharge of wastewater into the Town’s sanitary sewer system. Representatives of the Town shall have access to the stations and control of actual meter readings. The sewer charges invoiced by the Town to the municipality shall be based on these meter readings.

(D) Rates charged by the Town to municipalities shall be the same as those charged to sewer users inside the Town. Municipalities will be billed for sewer use as described in **Subsection 8(F) of Article 9 of this Ordinance.**

(E) Technical services may be rendered by the Town to the municipality under a special contractual arrangement.

8. PERMIT TERM, MODIFICATION.

Permits shall be issued for a specified time period, not to exceed two years. A permit may be issued for a period of less than two years or may be stated to expire on a specific date. The terms and conditions of the permit may be subject to modification and change by the Director of Public Works during the life of the permit, as limitations or requirements as identified in **Section 2 of Article 9 of this Ordinance are** modified and changed. The user shall be informed of any proposed changes to their permit at least 30 days prior to the effective date thereof. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

9. PERMIT TRANSFER, REVOCATION.

(A) Transfer. Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises or a new or changed operation.

(B) Revocation. Any user who violates the following conditions of their permit or of this subchapter, or of applicable state and federal regulations, is subject to having their permit revoked. Violations subjecting a user to possible revocation of their permit include, but are not limited to, the following:

- (1) Failure of a user to accurately report the wastewater constituents and characteristics of his or her discharge;
- (2) Failure of the user to report significant changes in operations or wastewater constituents and characteristics;
- (3) Refusal of reasonable access to the user’s premises for the purpose of inspection or monitoring; or
- (4) Violation of conditions of the permit or of any provisions of this subchapter.

ARTICLE 11
ENFORCEMENT

1. NOTICE OF VIOLATION.

Whenever the Director finds that any person has violated or is violating this subchapter, or any prohibition, limitation or requirement contained herein, he or she may serve upon the person a written notice stating the nature of the violation and providing a reasonable time, not to exceed 30 days, for the satisfactory correction thereof.

2. SHOW CAUSE HEARING.

(A) **Hearing before the Director.**

(1) If the violation is not corrected by timely compliance, the Director may order any person who causes or allows an unauthorized discharge to show cause before the hearing authority why service should not be terminated. A notice shall be served on the offending party, specifying the time and place of a hearing to be held by the hearing authority regarding the violation, and directing the offending party to show cause before the authority why an order should not be made directing the termination of service. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten days before the hearing. Service may be made on any agent or officer of a corporation. The Director may designate any of their agents or any officers or employees of the Legal Department to issue, in the name of the Director, notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in any hearings.

(2) The **Director may conduct the hearing** and take the evidence, or may designate any of their agents or any officer or employee of the Legal Department to:

- (a) Take the evidence; and
- (b) Transmit a report of the evidence, including transcripts and other evidence, together with recommendations to the Director for hearing action thereon.

(B) Testimony taken before the hearing authority, or any person designated by him or her, must be under oath. The findings will be made available to any member of the public or any party to the hearing upon payment of the usual charges therefor.

3. ORDERS AND DIRECTIVES.

After the Director has presented the evidence, the hearing authority may issue an order to the party responsible for the discharge, directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed or existing treatment facilities, devices or other related appurtenances are properly operated, and the further orders and directives as are necessary and appropriate.

4. PENALTY.

(A) Whoever violates any provision of this chapter where no other penalty is provided shall be subject to § 10.99 of the **Town Code of Ordinances**.

(B) It shall be unlawful for any person to use or to permit the use of town water in violation of any mandatory restriction set forth in **Article 5 of this Ordinance**. Any violation of the mandatory provisions of **Article 5 of this Ordinance** shall constitute a misdemeanor, punishable upon conviction by a fine not to exceed \$50 or imprisonment not exceeding 30 days, as provided by G.S. § 14-4. Each day on which a violation occurs shall be considered to be a separate violation.

(C) Pursuant to the provisions of G.S. § 160A-314 and this chapter, water service may be temporarily discontinued for willful disregard of **Article 5 of this Ordinance**. All applicable penalty fees may be applied in the event of the service suspensions. In the event of continued gross noncompliance with **Article 5 of this Ordinance**, removal of meter and service will be deemed proper, service will be discontinued, and tap fees and deposits will be forfeited.

(D) No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewage works. Persons committing the acts shall be guilty of a misdemeanor.

(E) Any discharge in violation of the substantive provisions of **Article 11 of this Ordinance** or an order of the hearing authority shall be considered a misdemeanor. If any person discharges sewage, industrial wastes, or other wastes into the Town's treatment system contrary to the substantive provisions of **Article 11 of this Ordinance** or any order of the hearing authority, the Town Attorney may commence an action for appropriate relief.

(F) Any person who is found to have violated an order of the Director or who willfully or negligently fails to comply with any provision of this section, and the orders, rules and regulations issued hereunder, shall be guilty of a misdemeanor for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the statutory fines and penalties allowed by state law for misdemeanors, the Town may file a civil action for a civil penalty not to exceed \$10,000 per day for each day of violation. The penalties may be imposed by the court in accordance with the Federal Clean Water Act, being U.S.C. §§ 1251 et seq. In addition to the penalties provided herein, the Town may recover reasonable attorneys' fees, court costs, court reporters' fees and other expenses of litigation by appropriate suit at law against the person found to have violated this section or the orders, rules and regulations issued hereunder."

PART 3. Effective Date.

This Ordinance shall be effective immediately upon its adoption.

Adopted this 15th day of July 2024.

s/ _____

Meredith Bare Smith, Mayor

s/ _____

Madison Stegall, Town Clerk

DRAFT 4 June 2024

AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 51 OF THE TOWN OF LANDIS
CODE OF ORDINANCES

Ordinance #W&S-2024-06-10

BE IT ORDAINED by the Mayor and Board of Aldermen of the Town of Landis to update and modernize the water and sewer ordinance governing the operations, maintenance, growth and expansion of the Town’s water and sewer systems.

PART 1. Upon adoption of this Ordinance to update and modernize the water and sewer ordinance, Chapter 51 of the Town of Landis Code of Ordinances is hereby repealed in its entirety and replaced with the provisions of Part 2 of this Ordinance.

PART 2. Upon adoption of this Ordinance to update and modernize the water and sewer ordinance, this Ordinance shall be known as the “Water and Sewer Ordinance of the Town of Landis” and if directed by the Town Manager, shall replace Chapter 51 of the Town of Landis Code of Ordinances to read as follows:

**“WATER AND SEWER
ARTICLE 1
GENERAL PROVISIONS**

- 1. FEDERAL EFFLUENT STANDARDS APPLY.
 - (A) The effluent standards and limitations contained in this subchapter shall be no less restrictive than the most nearly applicable federal effluent standards and limitations.
 - (B) In the event the effluent standards and limitations adopted in this subchapter are more restrictive than the most nearly applicable federal effluent standards and limitations, the federal standards shall apply.
- 2. INTERFERENCE WITH WATER, SEWER SYSTEM PROHIBITED.
 - (A) It shall be unlawful for any person, without having proper authority, to touch, tamper or in any manner, manipulate or turn the cut-offs on the water mains, water meters or fire hydrants forming a part of the water system of the Town, nor shall any person without having proper authority tamper with or harm in any manner whatsoever any water or sewer line, water meter, sewer manhole, fire hydrant or any apparatus thereto.

(B) No person shall throw or deposit any material or substance in any water or sewer line that will, in any manner, obstruct the line.

3. LIABILITY FOR OBSTRUCTED SEWER LINES.

Whenever it becomes necessary to open any sewer lines, which have become choked or obstructed by material being placed in them that will not dissolve, and whose fault is the property owner or the party using the property, the property owner shall be liable to the Town for the damage and shall bear the expense of opening the sewer.

4. PROHIBITION AGAINST TRESPASS ON, INTERFERENCE WITH WASTE OR WATER TREATMENT PLANTS.

It shall be unlawful for any person, without having proper authority, to trespass or, in any manner, interfere with any waste treatment plant, water treatment plant, raw water storage lakes or resources, standpipes, elevated tanks or sewer lift stations.

5. OBSTRUCTION OF WATER METER, FIRE HYDRANT PROHIBITED.

It shall be unlawful to plant or construct anything within ten feet of a water meter or fire hydrant that will, in any way, prevent the proper maintenance or accessibility of same.

6. CERTAIN DISCHARGES PROHIBITED.

It shall be unlawful to discharge or cause to be discharged any of the following substances in any sanitary sewer in the Town:

- (A) Storm water, surface water, ground water, roof run-off or subsurface drainage, or any liquid or vapor having a temperature higher than 150°F;
- (B) Water or waste which may contain more than 100 parts per 1,000,000 by weight, of fat, oil or grease, any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas;
- (C) Ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure or any other solids or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works;
- (D) Water or wastes having a stabilized pH lower than six or higher than nine or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works;
- (E) Water or wastes having a biochemical oxygen demand in excess of 500 parts per 1,000,000 by weight;
- (F) Water or waste containing more than 700 parts per 1,000,000 by weight of suspended solids;
- (G) Water or waste containing a toxic or poisonous substance or any other materials in sufficient quantity to injure or interfere with any sewage treatment process, or constitute a hazard to humans or animals, or create any hazard in the receiving stream at the sewage treatment plant;

- (H) Water or wastes containing suspended solids of the character and quantity that unusual attention or expense is required to handle the material at the sewage treatment plant; or
- (I) Noxious or malodorous gas or substance capable of creating a public nuisance.

7. SCREENING DEVICES; BACKFLOW PREVENTERS.

(A) Screening devices shall be provided at commercial and industrial places when, in the opinion of town authorities, they are necessary for the proper screening of liquid wastes. All devices shall be of a type as approved by town authorities and shall be located so as to be readily accessible for cleaning and inspection and shall be maintained by the owner at their expense in continuously efficient operation at all times.

(B) Backflow preventers shall be provided at any service, when, in the opinion of the Town authorities, they are necessary to prevent backflows. All devices shall be of a type as approved by town authorities and shall be located so as to be readily accessible for maintenance and inspection and shall be maintained by the owners at their expense in continuously efficient operation at all times.

8. EMERGENCY REPAIR SHUT-OFF.

Any authorized town personnel can shut off any part of the Town water system for repairs without prior notice to those affected.

ARTICLE 2

CONNECTIONS & EXTENSIONS TO SYSTEMS

1. GENERAL.

(A) The Town of Landis provides water distribution and wastewater collection systems to serve properties whenever and wherever systems exist. These systems are extended from time-to-time either by the public investment of the Town, or by the private investment of land development enterprises. When private development expands these systems, those extensions and related appurtenances shall be dedicated to the Town of Landis upon completion and certification of satisfactory installation and operations. Extensions by private development enterprises are governed by the Landis Development Ordinance (LDO) and by Development Agreements required by the LDO when infrastructure is created by private development activities.

(B) The Town of Landis maintains all publicly dedicated and accepted public water and sewer system infrastructure, including water lines, sewer lines, pumping infrastructure, water storage tanks, hydrants, manholes, and related appurtenances. In addition to these primary infrastructure systems, the Town of Landis also maintains the service connections from private properties from the point of connection extending to the edge of the public street right-of-way and/or edge of the water and/or sewer easement when lines are located across private property. Maintenance and/or repair beyond public right-of-way and/or easement

boundaries are the responsibility of the property owner being served by the connection. The Town of Landis Utilities/Public Works Department shall have the right to discontinue service to any property that does not maintain the plumbing or abide by the North Carolina Plumbing Code.

(C) Prior to submittal of construction plans for extensions to the Town of Landis Water System, it shall be the responsibility of the Developer to schedule a field test of the flow rate and residual pressures of the nearest hydrants in each direction of the point of connection on the existing system. Town personnel shall be accommodated to observe the test procedures. Test shall be timed to enable the calculation of the water discharged during the test at the measured flow rate. Applicable fees for the water discharged during the test shall apply and be paid to the Town prior to the authorization to the pre-construction conference held by the Landis Planning, Zoning & Subdivision Administrator before construction begins.

(D) Prior to submittal of construction plans for extensions to the Town of Landis Sewer System, it shall be the responsibility of the Developer to schedule a field test of the flow rate of all pumping stations receiving flows from the point of connection on the existing system. Town personnel shall be accommodated to observe the test procedures.

2. POTABLE WATER SUPPLY.

(A) It shall be unlawful for any person to occupy or to rent to or permit another person to occupy, for more than 24 hours, any building or other structure intended or designed for human habitation, occupancy or use, without first connecting the building or structure to the city water system or without providing potable water from some other source known to be pure and which meets the approval of the county health authorities.

(B) Each day after the first 24 hours that a residence is rented or occupied without pure water being provided as aforesaid shall constitute a separate offense.

3. TOWN SEWER SYSTEM.

(A) Every person owning a house or other building or structure designed or intended for human habitation, occupancy or use, the property line of which is within 200 feet of a Town sanitary sewer, shall connect the premises to the sanitary sewer.

(B) The provision of division (A) of this section shall become applicable to owners of properties described therein when new or extended town sanitary sewer lines are laid, and the owners of the properties shall have 180 days from the time the new or extended sewer lines are laid in which to make the connections required by division (A) of this section.

(C) For any property owner who desires to connect to the Town sewer system and the Town sewerage system cannot serve the applicant's property by gravity flow from the property, it shall be the responsibility of the property owner to install and maintain a lift station or sewer pump that shall enable the property owner to discharge their sewage into the Town sewage system. All lift stations or sewer pumps so installed shall be installed pursuant to the specifications and requirements of the Town. The property owner shall be required to pay all sewer taps required by the Town.

4. SEPTIC TANKS.

(A) Properties where the Town is unable to provide sewer service, a septic tank system that is approved by the County Health Department will be allowed. Upon written application by a property owner requiring a septic tank, the applicant shall install this system at his, her or its own expense; this installation shall be made pursuant to the specifications and requirements of the County Board of Health; and the Town shall maintain the septic tank until there are sewer system facilities available to him, her or it.

(B) If the Town is unable to provide sewer service, a septic tank system approved by the County Health Department will be allowed. As soon as community sewer service is available, the septic tank system shall be disconnected, and connection made to community sewage system within six months and upon payment of all sewer tap fees.

(C) Properties annexed into the Town with existing on-site septic sewer systems enrolled into the Septic/Sewer Program of municipal maintenance, may opt out by submitting a completed "Town of Landis Septic/Sewer Audit Form" indicating the property owner's preference to be removed from the program.

5. TAP & CONNECTION CHARGES.

The schedule of charges is established annually as part of the Annual Budget for water and/or sewer taps and/or individual service connections.

(A) Tap charges only apply in instances whereupon the Town of Landis performs installation services for new or replacement connections.

(B) Connection charges apply in instances whereupon the Town of Landis establishes a new account for any new customer and/or user establishing a new account for service by the Town for water and/or sewer whether or not an existing or new meter is required. The charge is to cover the cost of field verification of service apparatus, meter setup and/or confirmation, account setup and/or verification, credit verification if necessary, and other incidental cost to the Town for establishing services whether or not a new tap is made.

6. AUTHORIZED PERSONS.

No connections with the water or sewer system of the Town shall be made by any other person than one specifically employed or designated by the Town for that work, or by someone under their directions, and then only upon permit duly issued by the Director of Public Works.

ARTICLE 3
BILLING

- 1. MAINTENANCE AND USE OF METERS.
 - (A) All meters, meter boxes, pipes and other equipment furnished and used by the Town in installing any water or sewer connection shall be and remain the property of the Town.
 - (B) All meters, except as are required to be furnished by particular users of water, shall be kept in good repair, and working order by the Town and at the expense of the Town, except repairs can be charged to property owners for abuse of the meter and equipment. Meters furnished by particular users of water shall be kept in good repair and working order by the Town, but the expense thereof shall be borne by the users.
 - (C) Mobile home parks can be serviced by one meter.
 - (D) Not more than one house, outbuilding excepted, can be connected to or be served by one water meter. In case it already exists, the minimum number will be charged for water and sewer and service charges to correspond with the actual number being served; provided that, any separate dwelling or place of business constructed after the approved date of this chapter shall be connected to the water system of the Town through a separate meter. Readings from different meters shall not be combined into one account for billing.

- 2. SEWER SERVICE RATES.
 - (A) The Town’s sanitary sewer service rates shall be established from time to time by the Board of Alderpersons.
 - (B) A current schedule of the rates shall be maintained on file in the office of the Town Clerk.

- 3. WATER RATES AND DEPOSITS.
 - (A) The water rates for water furnished by the Town shall be established from time to time by the Board of Alderpersons. A current schedule of the rates shall be maintained on file in the office of the Town Clerk.
 - (B) Deposits for new accounts.
 - (1) The deposits required for town water service shall be as established from time to time in the annual budget.
 - (2) A current schedule of the deposits shall be maintained on file in the office of the Town Clerk.

- 4. METER READING.

All water meter readings shall be retrieved monthly.

- 5. SEWER CHARGES.

Sewer charges are based upon water meter readings. Septic/Sewer Program charges are as they appear in the fee schedule appearing in the current operating budget. Charges for sewer services are due and payable on the same date as water charges.

6. DISCONNECTION FOR LATE PAYMENT.

(A) It is the policy of the Town to discontinue utility service to customers by reason of nonpayment of bills only after notice and a meaningful opportunity to be heard on disputed bills. The Town's form for application for utility service and all bills shall contain, in addition to the title, address, room number, and telephone number of the official in charge of billing, clearly visible and easily readable provisions to the effect:

- (1) That all bills are due and payable on or before the date set forth on the bill; and
- (2) That if any bill is not paid by or before that date, a second bill will be mailed containing a cutoff notice that if the bill is not paid within ten days of the mailing of the second bill, service will be discontinued for nonpayment; and
- (3) That any customer disputing the correctness of his bill shall have a right to a hearing at which time he may be represented in person and by counsel or any other person of his choosing and may present orally or in writing his complaint and contentions to the Town official in charge of utility billing. This official shall be authorized to order that the customer's service not be discontinued and shall have the authority to make a final determination of the customer's complaint.

(B) Requests for delays or waiver of payment will not be entertained; only questions of proper and correct billing will be considered. In the absence of payment of the bill rendered or resort to the hearing procedure provided herein, service will be discontinued at the time specified, but in no event until the charges have been due and unpaid for at least 30 days.

(C) When it becomes necessary for the Town to discontinue utility service to a customer for nonpayment of bills, service will be reinstated only after all bills for service then due have been paid, along with a turn-on charge in the sum as determined by the Utility Department.

ARTICLE 4

WATER OR SEWER MAIN EXTENSIONS

1. EXTENSIONS.

All extensions of water or sewer mains shall be financed by the individual, developer, or corporation under a written contract in the form of a Development Agreement between the Town and the person requesting the extension, and the contract shall be approved by the Board of Alderpersons to become effective.

2. TOWN PARTICIPATION IN FUNDING EXTENSIONS.

Upon written application by an individual, developer or corporation desiring extension of water or sewer mains to property, the mains may be extended with the Town participating in the cost of the extension, based on availability of funds; provided that, the property or site of development is either located within the corporate limits of the Town, or annexed into the corporate limits under the procedure stated in the G.S. §§ 160A-29 through 160A-58.6.

The annexation shall occur prior to construction of the extended mains. A written contract in the form of a Development Agreement between the Town and the person requesting the extension shall be prepared and the contract shall be approved by the Board of Alderpersons to become effective. The difference between the Town's participation and the actual cost of construction of extending the water or sewer main shall be paid by the applicant requesting the extension. The extended line and a dedicated easement shall become the property of the Town and be subject to its control.

ARTICLE 5

WATER EMERGENCIES

1. EMERGENCY CONDITIONS.

(A) A water emergency shall exist when any condition or situation exists which threatens the safety or supply of either untreated or potable water contained within the water supply, treatment, and distribution systems of the Town or within the system of the municipal, commercial and industrial customers.

(B) Determination of whether specific situations are considered to be water emergencies shall be made by the Public Works Director or their designee.

(C) Water emergency situations shall include, but not be limited to, drought or periods of insufficient raw water supply, mechanical system failure, system contamination or contamination of raw water supply and fires of magnitude such that system integrity is threatened.

2. DECLARATION; IMPOSITION OF RESTRICTIONS.

The Public Works Director or their designee, after consultation with the Board of Alderpersons, shall be authorized to declare that a water emergency exists. Depending on the severity of the emergency, voluntary (Level I), mandatory (Level II), mandatory (Level III) or mandatory (Level IV) staged water use restrictions, as described in this subchapter, shall be imposed upon water customers.

3. STAGED WATER USE RESTRICTIONS BY LEVEL.

(A) During a declared Level I water emergency, the following voluntary water conservation practices shall be encouraged.

- (1) Watering of lawns and ornamental plants should be limited to that necessary for plant survival only.
- (2) Planting of new ornamental plants or seeding of lawns should be deferred until the water emergency situation no longer exists.
- (3) Household water should be reutilized to the greatest extent possible for watering.
- (4) Use of water for washdown of outside areas as driveways or parking lots should be curtailed.
- (5) Faucets should not be left running while shaving, brushing teeth or washing dishes.
- (6) The use of washing machines and dishwashers should be limited, if possible, and these units should be operated with full loads when used.
- (7) Noncommercial washing of cars or other vehicles should be curtailed or limited to Saturdays and Sundays. Hoses should not be left running while washing vehicles.
- (8) The use of flow restrictors and other water saving devices is encouraged.
- (9) Showers used for bathing should be limited to four minutes or less.
- (10) Filling of pools should be deferred or limited to the hours between 9:00 p.m. and 6:00 a.m.
- (11) Commercial and industrial operations shall eliminate all possible wastage of water.

(B) During a Level II water emergency, the following mandatory water restrictions shall be in effect.

- (1) Household water shall be reutilized to the greatest extent possible for watering.
- (2) Faucets shall not be left running while shaving, brushing teeth or washing dishes.
- (3) The use of washing machines and dishwashers shall be limited. These units should be operated with full loads when used.
- (4) Irrigation of lawns and ornamental plants shall not be done, except during the hours between 9:00 p.m. and 6:00 a.m. Variances for commercial irrigation may be issued and/or revoked by the Director of Public Works or their designee depending on the severity of the situation.
- (5) Planting of new ornamental plants or seeding of lawns shall be deferred until after the water emergency no longer exists.
- (6) Use of water for washdown of outside areas is prohibited.
- (7) Noncommercial washing of cars and other vehicles shall be prohibited, except on Saturdays and Sundays. Commercial washing facilities, including those providing hand-held washing nozzles, may continue normal operation. However, facility/owner operations shall ensure that water wastage does not occur.

- (8) Commercial and industrial operations shall eliminate all possible wastage of water.
- (9) Newly constructed or drained pools shall be filled by permit only. Fill permits shall be issued by the Public Works Director or their designee, and issuance of permits may be curtailed depending on the severity of the situation.

(C) During a declared Level III water emergency, the following mandatory water use restrictions shall be in effect.

- (1) Irrigation of lawns and other plants is prohibited.
- (2) Washing of cars, vehicles and equipment is prohibited.
- (3) Restaurants and food serving establishments shall utilize disposable service utensils and plates in all cases.
- (4) Recreational use of potable water, including filling of pools, is prohibited.
- (5) Large scale commercial and industrial water customers utilizing 5,000 or more gallons of water per day shall achieve mandatory reductions in daily water usage through whatever means are available. A target reduction percentage shall be determined by the severity of the water emergency and shall be publicly announced and is part of the emergency declaration. Compliance with daily usage reduction targets shall be determined by the Public Works staff. Variances to this restriction may be granted by the Director of Public Works or their designee to designated public health facilities.

(D) During a declared Level IV water emergency, the following mandatory water use restrictions shall be in effect.

- (1) All use of water for purposes other than maintenance of public health and safety is prohibited.
- (2) Where the Town system is still functional, daily residential water use shall be limited to the amount necessary to sustain life through drinking, food preparation and personal hygiene.
- (3) Where the Town system is not functional, National Guard and emergency service vehicles shall be utilized to distribute water for household use at prearranged locations within the affected area. Usage by individuals shall be limited to the amount necessary to sustain life through drinking, food preparation and personal hygiene.

4. LEVEL III COMPLIANCE PLANS REQUIRED.

Commercial and industrial water customers utilizing 5,000 or more gallons per day shall prepare plans detailing measures to be taken by them to achieve mandatory reductions in daily water usage during Level III emergencies.

ARTICLE 6
BACKFLOW PREVENTION

1. CROSS CONNECTION CONTROL.

(A) Purpose. The purpose of this cross-connection control section is:

- (1) To protect the public potable water supply of the Town from the possibility of contamination or pollution, due to backsiphonage or back pressure, by isolation within the consumer's private water system such contaminants or pollutants, which could backflow into the public water system.
- (2) To define the authority of the Town as the water purveyor entitled to eliminating all cross connections, new or existing, within Landis Utilities Water System.
- (3) To provide a continuing inspection program of cross connections, which may be installed in the future.

(B) Responsibility: Town of Landis.

- (1) Landis Utilities will be primarily responsible for preventing any contamination or pollution of the Landis Utilities Water System. This responsibility begins at the point of origin of the public water supply and includes all of the public water distribution system and ends at the service connection under the Safe Drinking Water Act. The Backflow Administrator shall exercise vigilance to ensure that the consumer/customer has taken the proper steps to protect the public potable water system.
- (2) When it has been determined that a backflow protection assembly is required for the prevention of contamination of the Landis Utilities Water System, the Backflow Administrator shall notify the owner, in writing, of any such building or premises, to correct within a time set by this section, any plumbing installed or existing that is in violation of this section.
- (3) After surveying the private water system, the Backflow Administrator will select an approved backflow prevention assembly required for containment control to be installed at service entrance.
- (4) Prior to the installation of any backflow prevention assembly, the owner of the private water system must be notified that the installation of a backflow prevention assembly may create a closed system, and as a result thermal expansion may occur. Under such circumstance, the customer must understand and assume all liability and responsibilities for that phenomenon.

(C) Responsibility: Customer.

- (1) The customer has the responsibility of preventing contaminants and pollutants from entering the customer's private water system or the public water system operated by the

Town. The customer, at his own expense, shall install, operate, and maintain all backflow prevention assemblies specified within this section.

(2) If a tenant customer does not maintain the private water system and has no authority to bring the system into compliance with the provisions of this section the Town may assert any available action against the tenant to assure the private water system is brought into compliance with this section.

ARTICLE 7

DEFINITIONS.

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

AIR GAP SEPARATION. An unobstructed vertical distance through the atmosphere between the lowest opening from any pipe or faucet supplying water from any source to a tank, plumbing fixture, or other device and the flood level rim of the receptacle. An approved air gap separation shall be double the diameter of the supply pipe. In no case shall the air gap separation be less than one inch. An approved air gap separation is an effective method to prevent backflow and shall be considered as a backflow prevention assembly.

ATMOSPHERIC VACUUM BREAKER. A device used to prevent back-siphonage, which is designed so as not to be subject to static line pressure.

BACK PRESSURE. Any elevation of pressure in the down stream piping system caused by pumps, elevation of piping, or steam and/or air pressure above the supply pressure at the point of consideration, which would cause a reversal of the normal direction of flow.

BACK SIPHONAGE. A reversal of the normal direction of flow in the pipeline due to a negative pressure (vacuum) being created in the supply line with the backflow source subject to atmospheric pressure.

BACKFLOW. Any reverse flow of water, gas or any other liquid substance or combination into the public water system from any source due to an unprotected cross-connection.

BACKFLOW PREVENTION ADMINISTRATOR. An employee of the Town designated by the Public Works Director to administer and enforce this subchapter.

BACKFLOW PREVENTION ASSEMBLY – APPROVED. An assembly that has been investigated and approved by the Town of Landis Water Department and has been approved to meet the design and performance standards of the American Society of Sanitary Engineers (ASSE), the American Waterworks Association (AWWA), or the Foundation for Cross Connection Control and Hydraulic Research of the University of Southern California.

CERTIFIED TESTER. Any individual person who has proven their competency to test, repair, and overhaul backflow prevention assemblies. This person must hold a certificate of completion

from a certified training program in the testing and repair of backflow prevention assemblies and cross connection control.

CONSUMER/CUSTOMER. Any person, firm, or corporation using or receiving water from the Town of Landis public water system.

CONTAINMENT. The prevention of backflow from a private water system by an approved, properly functioning backflow prevention assembly, which is installed, operated and maintained in accordance with the provisions of this subchapter.

CONTAMINATION. An impairment of the quality of the water to a degree, which creates an actual hazard to the public health through poisoning or through the spread of disease.

CROSS CONNECTION. Any actual or potential connection or piping arrangement between a public or a consumer's potable water system and any other source or system through which it is possible to introduce into any part of the potable system any used water, industrial fluids, gas or substance which could be harmful or hazardous to the potable water system.

DOUBLE CHECK VALVE ASSEMBLY. An assembly composed of two single, independently acting, approved check valves, including tightly closing shut-off valves located at each end of the device and suitable connections for testing the water tightness of each check valve.

DUAL CHECK VALVE. A device composed of two single, independently acting, approved check valves. This is classified as a device and cannot be in-line tested.

HAZARD-DEGREE. The evaluation of a hazard within a private water system as moderate or high.

HAZARD-HIGH. An actual or potential threat of contamination to the public water system or to a customer's potable water system that could cause serious illness or death.

HAZARD-IMMINENT. An actual threat of contamination to the public water system that could cause serious illness or death.

HAZARD-MODERATE. An actual or potential threat of damage to the physical components comprising the public water system or a customer's potable water system, or of pollution to the public water system, or to a customer's potable water system.

POLLUTION. An impairment of the quality of the water to a degree which does not create an actual hazard to the public health, but which does adversely and unreasonably affect such water for domestic use.

POTABLE WATER. Water from any source, which has been approved for human consumption by the appropriate agency of the State of North Carolina, Town of Landis and /or local health agencies.

PRESSURE VACUUM BREAKER. An assembly suitable for continuous pressure, to be used to provide protection against back-siphonage.

PRIVATE WATER SYSTEM. Any water system located on the customer's premise, whether supplied by a public potable water system or an industrial piping system.

PUBLIC WATER SYSTEM. The potable water system owned and operated by the Town of Landis. This system includes all distribution mains, lines, pipes, connections, storage tanks, and other facilities conveying potable water to the service connections of each customer.

REDUCED PRESSURE ZONE ASSEMBLY. An approved, properly functioning assembly containing two, independently acting check valves with a hydraulically operating, mechanically independent pressure differential relief valve located between the check valves and at the same time below the first check valve. The assembly must include properly located test cocks and tightly closing shut-off valves at each end of the assembly. This assembly is designed to protect against a high hazard.

SERVICE CONNECTION. The terminal end of a service connection from the public potable water system, i.e., where the water purveyor loses jurisdiction and sanitary control over the water at its point of delivery to the consumer's water system.

USED WATER. Any water supplied by a water purveyor from a public water system to a consumer's water system after is has passed through the point of delivery and is no longer under the control of the water purveyor.

WATER PURVEYOR. Owner or operator of a public potable water system providing an approved water supply to the public.

WATER SUPPLY-AUXILIARY. Any water supply on or available to the customer's premises other than the purveyor's approved public potable water supply. The auxiliary water may include water from another purveyor's public potable water supply or any natural source such as a well, spring, river, stream, etc., and used or objectionable.

WATER SUPPLY-UNAPPROVED. Any water supply, which has not been approved for human consumption by the North Carolina Department of Human Resources.

ARTICLE 8

WATER SYSTEM RULES & REGULATIONS

1. RIGHT OF ENTRY.

(A) Any authorized representative from the Town shall have the right to enter any building, structure, or premises during normal business hours to perform any duty imposed upon him by this section and in accordance with Appendix D104.2.1 of the State Plumbing Code. Those duties may include sampling and testing of water, or inspection and observation of all piping systems connected to the public water supply. Refusal to allow these representatives to enter for these purposes will result in the disconnection of water service.

(B) On request, the consumer shall furnish to the water purveyor any pertinent information regarding the water supply system on such property where cross connection and backflow are deemed possible. (State Plumbing Code Appendix D104.2.3)

2. UNPROTECTED CROSS-CONNECTION PROHIBITED.

The following rules and regulations apply to Landis’ water systems(s):

(A) No water service connection to any private exterior or interior water system shall be installed or maintained by Landis Utilities unless the water supply is protected as required by this section and other applicable laws. Service of water to any premises shall be discontinued by the Town if a backflow assembly, required by this section, is not installed, tested, and maintained or if a backflow assembly has been removed, bypassed, or if an unprotected cross connection exists on the premises. Service will be restored after all such conditions or defects are corrected.

(B) No customer shall allow an unprotected cross connection to be made or to remain involving the customer's exterior or interior private water system.

(C) No connection shall be made to an unapproved auxiliary water supply unless the public water supply is protected against backflow by an approved backflow assembly, appropriate to the degree of hazard.

(D) No customer shall fail to maintain in good operating condition any backflow prevention assembly, which is part of the customer's private water system and is required by this section.

(E) No customer shall fail to submit to the Town any record, which is required by this section.

3. INSTALLATION.

Installation and testing of backflow prevention assembly.

(A) The purpose of this division is to require that all water flowing from the Landis Utilities Water System must flow through an approved backflow prevention assembly and that each backflow prevention assembly be properly located, installed, maintained and tested so that the backflow prevention assembly is effective in protecting the Landis Utilities Water System from any possible contamination or pollution.

(B) The installation or replacement of a backflow prevention assembly for domestic water use shall only be performed by a licensed plumber or utility contractor. The installation of a backflow prevention assembly on a dedicated fire sprinkler service shall be performed by a licensed fire sprinkler contractor or utility contractor. Repairs to a backflow prevention assembly on a dedicated fire sprinkler system may only be performed by a fire sprinkler contractor. All backflow prevention assemblies may be tested by a certified backflow technician authorized by the Town of Landis.

(C) All new construction plans and specifications which will directly effect Landis Utilities, and/or are required by the State Building Code, the State Division of Environmental Health (N.C. DENR), and town or county planning and zoning offices, shall be made available to

the Town's Backflow Administrator for review, approval, and to determine the degree of hazard.

(D) All existing facilities zoned commercial or industrial and have existing water services with Landis Utilities and requesting certificate of compliance from the Town or County Planning and Zoning Offices having jurisdiction over the affected properties, shall be inspected for compliance of backflow and cross connection control prevention. Any facility not having backflow protection or changing the degree of hazard shall be brought into compliance before the Backflow Administrator may release certificate of compliance.

(E) All backflow prevention assemblies must be installed and maintained on the customer's premises as part of the customer's private water system at or near the service connection and before the service line is connected to any other pipes except as authorized by the water purveyor.

(F) If it has been determined that a backflow prevention assembly cannot be installed at the meter service, due to zoning or DOT rights-of-way, an approved backflow assembly must be installed on every branch of plumbing installed between the service meter and the service backflow assembly.

(G) Any branch of plumbing installed on the private water system that may be of a greater hazard than the supply line, (example: chemical induced irrigation or fire systems, pump systems, etc.) shall be protected with a reduced pressure assembly.

(H) All backflow prevention assemblies shall be installed in accordance with the Town's "Backflow Prevention and Cross Connection Control Manual", (which is incorporated herein by reference as if written below), and/or the manufacturer's instructions, whichever is most restrictive.

(I) All double check valve assemblies, two-inches or larger, must be installed in a watertight drainable pit wherever belowground installation is necessary in accordance with detailed specifications provided in the Backflow Prevention and Cross Connection Control Manual. If drain cannot be provided, the assembly must be installed above the ground. Double check valve assemblies may be installed in a vertical position with prior approval from the Backflow Administrator, provided that the flow of water is in an upward direction.

(J) Reduce pressure assemblies must be installed in a horizontal position and in a location in which no portion of the assembly can become submerged in any substance under any circumstances. Pit installations are prohibited.

(K) Each backflow prevention assembly that is required must function properly at time of installment. Each customer will be required to test, maintain, and repair each assembly required which is a part of the customer's private water system. A certified backflow prevention technician may only conduct such test. Testing shall be done immediately following installation of any backflow prevention assembly and on an annual or semiannual basis depending the degree of hazard. Reports of the annual or semi-annual testing shall be submitted to the Town of Landis within 30 days of the test.

(L) If repair is found necessary on an assembly it must be retested following any repair. A complete duplicate copy of any testing and/or repair shall be sent to the Town within 30 days

of completion of test or repair. Each customer must maintain a complete copy of test or repair. Each customer must maintain a complete copy of any test or repair for no less than five years. All test and repair records must be maintained on forms approved by the Backflow Administrator of the Town.

(M) All rubber components must be replaced every five years or as often as needed.

(N) Any customer installing a reduced pressure (RP) or double check valve assembly (DCVA) must provide the following information to the Backflow Administrator within ten days after installation:

- (1) Service address where assembly is located;
- (2) Owner;
- (3) Description of assembly's location;
- (4) Date of installation;
- (5) Type of assembly;
- (6) Manufacturer;
- (7) Model number;
- (8) Serial number; and
- (9) Test results/reports.

(O) The Backflow Administrator must approve each backflow assembly required by this section. Unapproved backflow assembly must be replaced, within a time set by the Backflow Administrator, with an approved backflow assembly. For a list of approved backflow assemblies reference the Town's "Backflow Prevention and Cross Connection Control Manual."

(P) If it has been determined that a customer must install a backflow prevention assembly, the Backflow Administrator will provide the customer with a letter of notification. The following time periods shall be set forth for the installation of the specified assemblies:

- (1) Health hazard 60 days (unless otherwise stated by the Town)
- (2) Non-health hazard 90 days (unless otherwise stated by the Town)

(Q) If an imminent hazard or unreasonable threat of contamination or pollution to the Landis Utilities Water System is detected, the Backflow Administrator may require the installation of the required backflow assembly immediately or within a shorter time period than specified in division (P) of this section.

(R) If a customer does not wish for water service to be interrupted when a backflow assembly is tested, repaired, or replaced, a parallel installation must be made using an approved assembly of the same degree of hazard. The parallel line may be of the same size or smaller.

(S) The Town of Landis has the right to pursue any and all remedies, including legal action, to correct contamination resulting from a failed backflow prevention device. Responsibility for the proper operation and maintenance of backflow prevention devices shall belong to the entity owning the device.

4. DEGREE OF HAZARDS.

(A) Determining Degree of Hazard.

(1) No service shall be completed until the Backflow Administrator has been provided information or has surveyed the private water system to determine the degree of hazard and make a determination of a backflow prevention assembly to be installed to protect the public water supply.

(2) Any customer making any modification to their private exterior or interior water system configuration and/or changes the usage of the exterior or interior water system, which may change the degree of hazard, the customer shall notify the Backflow Administrator before any modification is made. If the Backflow Administrator determines that such modification requires a different backflow prevention assembly, that assembly must be installed before the modification is made or the usage is changed.

(3) The following types of facilities or services have been identified by Landis Utilities as having a potential for backflow or non-potable water into the public water supply system. Therefore, an approved backflow prevention assembly will be required on all such services according to the degree of hazard present. Other types of facilities or services not listed in this division may also be required to install approved backflow prevention assemblies if determined necessary by the Town's Backflow Administrator. As a minimum requirement, all commercial services will be required to install a double check valve assembly unless otherwise listed as follows:

- DCVA = Double check valve assembly
- RP = Reduced pressure assembly
- DCDA = Double check detector assembly
- RPDA = Reduced pressure detector assembly
- AG = Air gap
- PVB = Pressure vacuum breaker
- Aircraft and missile plants: RP
- Automotive service stations, dealerships, etc.:
- No health hazard: DCVA
- Health hazard: RP
- Automotive plants: RP
- Auxiliary water systems:
- Approved public/private water supply: DCVA
- Unapproved public/private water supply: AG

Used water and industrial fluids: RP

Bakeries:

No health hazard: DCVA

Health hazard: Hazard

Beauty shops/barber shops:

No health hazard: DCVA

Health hazard: RB

Beverage bottling plants: RP

Breweries: RP

Buildings--Hotels, apartment houses, public and private buildings, or other structures having unprotected cross connections:

(Under five stories) No health hazard: DCVA

(Under five stories) Health hazard: RP

(Over five stories) All: RP

Canneries, packing houses, and rendering plants: RP

Chemical plants--Manufacturing, processing, compounding or treatment: RP

Chemically contaminated water system: RP

Commercial car-wash facilities: RP

Commercial greenhouses: RP

Concrete/asphalt plants: RP

Dairies and cold storage plants: RP

Dye works: RP

Film laboratories: RP

Fire systems:

No health hazard: DCDA

Health hazard (booster pumps, foams, antifreeze solution, etc.): RPDA

Hospitals, medical buildings, sanitarium, morgues, mortuaries, autopsy facilities, nursing and convalescent homes, medical clinics, and veterinary hospitals: RP

Individual commercial sales establishments (department stores):

No health hazards: DCVA

Health hazard: RP

Industrial facilities:

No health hazard: DCVA

Health hazard: RP

Laundries:

No health hazard: DCVA

Health hazard (i.e., dry cleaners): RP

Lawn irrigation systems:

Health hazard: RP

Malls or strip malls (frequent tenant change and photo labs, etc.):

Health hazard: RP

Metal manufacturing, cleaning processing, and fabricating plants: RP

Mobile home parks:

No health hazard: DCVA

Health hazard: RP

Oil and gas production, storage or transmission properties: RP

Paper and paper products plants: RP

Pest control (exterminating and fumigating): RP

Plating plants: RP

Power plants: RP

Public swimming pools: RP

Radioactive materials or substances--Plants or facilities handling: RP

Restaurants:

No health hazard: DCVA

Health hazard: RP

Restricted, classified, or other closed facilities: RP

Rubber plants (natural or synthetic): RP

Sand and gravel plants: RP

Schools, and colleges: RP

Sewage and storm drain facilities: RP

Waterfront facilities and industries: RP

All assemblies and installations shall be subject to inspection and approval by Landis Utilities.

(4) Filling of tanks/tankers or any other container from a Town-owned fire hydrant is strictly prohibited unless it has been equipped with the proper meter and backflow protection, at which point Landis Utilities will issue a permit for that tank/tanker or container. Any unauthorized connection to a fire hydrant is considered an illegal cross connection to the Landis Utilities water system and will be subject to fines.

(5) If a cross connection control inspector is unable to survey any portion of a private exterior or interior water system to determine the degree of hazard, due to confidential activities, a reduced pressure assembly will be required.

(B) Low hazard.

(1) All single-family residential homes will be considered a low hazard and shall have a minimum of a dual check valve device installed at the meter service. Dual check valves shall not be in-line tested.

(2) If no other backflow prevention assembly is specified a double check valve assembly must be installed on all private water systems.

(C) Imminent hazard.

(1) If it has been determined that a customer's private water system has an imminent hazard, such customer must install a backflow prevention assembly specified by the Backflow Administrator and this section. This assembly must be installed within 24 hours of notification from the Backflow Administrator. If the customer fails to install the specified assembly within the allowed time limit, water service to the customer's private water system will be terminated and may be subject to specified civil penalties. If the Backflow Administrator is unable to notify the customer in 24 hours of determining an imminent hazard exist, the Backflow Administrator may terminate water service until the specified assembly is installed. These actions may be carried out under the Safe Drinking Water Act (Title XIV, Section 1431) and the State Plumbing Code (Appendix D104.2.6).

(2) Only a backflow prevention assembly offering a greater degree of protection may be installed in place of a specified assembly required by this section.

5. NOTICE OF CONTAMINATION OR POLLUTION.

(A) If the customer's private exterior or interior water system becomes contaminated or polluted the customer shall notify Landis Utilities immediately.

(B) If a customer has reason to believe that a backflow incident has occurred between the customer's private exterior or interior water system and the Landis Utilities Water System, the customer must notify Landis Utilities immediately in order that appropriate measures may be taken to isolate and remove the contamination or pollution.

6. VIOLATIONS.

(A) Notification of violations.

(1) A written notice must be presented to any customer/person who has been found to be in violation of any part of this subchapter.

(2) Such notice must explain the violation and give the time period within which the violation must be corrected. The time period set to correct a violation shall not exceed 30 days after receiving notice unless otherwise specified by the time period chart (see Art. 8, Sect. 2(P)). If the violation has been determined by the Administrator to be an imminent hazard the customer shall be required to correct the violation immediately.

(3) In the event a customer is found in violation of this subchapter and fails to correct the violation in a timely manner or to pay any civil penalty or expense assessed under this section, water service will be terminated.

(B) The violation of any section of this subchapter may be punished by a civil penalty listed as follows:

(1) Unprotected cross connection involving a private water system, which has an imminent hazard - \$1000 per day not to exceed \$10,000.

(2) Unprotected cross connection involving a private water system, which is of a moderate or high hazard - \$500.

(3) Submitting false records or failure to submit records, which are required by this subchapter - \$500.

(4) Failure to test or maintain backflow prevention assemblies as required \$100 per day.

(C) Reduction of penalty.

(1) The Administrator may reduce or dismiss any civil penalty imposed under this section if the Administrator has determined that the person charged with the violation has no past history of violation in a timely manner as set by the Administrator:

(2) No civil penalty shall be reduced if it has been determined the violation was intentional.

(3) Any person violating any part of this subchapter must reimburse the Town of Landis for any expenses in repairing damage to the public water system caused by any violation and any expenses incurred for investigating a violation.

ARTICLE 9
SEWER USE

1. DEFINITIONS.

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

B.O.D. (denoting **BIOCHEMICAL OXYGEN DEMAND**). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C, as set out herein, expressed in milligrams per liter.

C.O.D. (denoting **CHEMICAL OXYGEN DEMAND**). The quantity of equivalent oxygen utilized in the chemical oxidation of organic matter as measured by standard laboratory methods, as set out herein, expressed in milligrams per liter.

COLOR. The “true color” due to substances in solution which cause any variation in the hue of the receiving stream and which is expressed in parts per million.

COMPATIBLE POLLUTANT. B.O.D., suspended solids, pH and fecal coliform bacteria, and the additional pollutants as are now or may be in the future specified and controlled in the Town’s NPDES permit for its wastewater treatment works, where the works have been designed and used to reduce or remove the pollutants.

COOLING WATER. The water discharged from any use such as air conditioning, cooling or refrigeration, during which the only pollutant added to the water is heat.

DIRECTOR. The Director of Public Works of the Town or their duly authorized representative.

DOMESTIC WASTES. Liquid wastes from the noncommercial preparation, cooking and handling of food or containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities and institutions.

EXCESSIVE RADIATION DOSE. A dose of radiation in excess of the maximum permissible dose.

GARBAGE. Solid waste from the domestic and commercial preparation, cooking and dispensing of food and from the handling, storage and sale of food.

HEARING AUTHORITY. The Director of Public Works or their duly appointed deputies, agents or representatives.

INCOMPATIBLE POLLUTANT. Any pollutant which is not a “compatible pollutant”, as defined in this chapter.

INDUSTRIAL USER.

(1) Any nongovernmental, nonresidential user of a publicly owned treatment works which discharges more than the equivalent of 25,000 gallons per day (gpd) of sanitary wastes and which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under one of the following divisions:

- (a) Division A: Agriculture, Forestry and Fishing;
- (b) Division B: Mining;
- (c) Division C: Manufacturing;
- (d) Division E: Transportation, Communications, Electric, Gas and Sanitary Services; and
- (e) Division I: Services.

(2) Any nongovernmental user of a publicly-owned treatment works which discharges wastewater to the Town’s sanitary sewers which contains toxic pollutants or poisonous solids, liquids or gases in sufficient quantity, either singly or by intersection with other wastes, to contaminate the sludge of the Town’s systems or to injure or to interfere with any sewage treatment process, or which constitutes a hazard to humans or animals, creates a nuisance or creates any hazard in or has an adverse effect on the waters receiving any discharge from the Town’s wastewater treatment system.

(3) Any commercial user of an individual system constructed with grant assistance under § 201(h), subpart 35 of the Clean Water Act, being 33 U.S.C. § 1281.

INDUSTRIAL WASTEWATER. The liquid wastes from industrial, manufacturing, trade or business establishments, as distinct from domestic wastes.

INFILTRATION. The water entering a sewer system, including sewer service connections, from the ground, through the means such as, but not limited to, defective pipes, pipe joints, connections or manhole walls. INFILTRATION does not include, and is distinguishable from, “inflow”.

INFLOW. The water discharged into a sewer system, including service connections from the sources as, but not limited to, roof leaders, cellar, yard and area drains, foundation drains, cooling water discharges, drains from springs and swampy areas, manhole covers, cross connections from storm sewers and combined sewers, catch basins, storm waters, surface runoff, street wash waters or drainage. INFLOW does not include, and is distinguished from, “infiltration”.

I.O.D. (denoting IMMEDIATE OXYGEN DEMAND). The quantity of oxygen utilized by an industrial waste discharge in excess of that normally attributable to sewage, as measured by using standard laboratory methods, as set out herein, expressed in milligrams per liter.

MAXIMUM PERMISSIBLE DOSE. A dose of radiation to any part of the body, internal or external, or both, that, in the light of present knowledge, is not expected to cause appreciable bodily injury to a person at any time during their lifetime.

MUNICIPALITY. Any city, town, county, sanitary district, sewer district, association, other municipality or other public body created under state law or having jurisdiction over the disposal of domestic or industrial wastes.

MUNICIPAL USER. Any municipality, as defined in this chapter, which desires to discharge domestic or industrial wastewater into the sanitary sewers of the Town or into sewers which ultimately discharge into the sanitary sewers of the Town, for the purpose of wastewater treatment and disposal.

NH₃ (denoting nitrogen as AMMONIA). The initial decomposition of nitrogenous organic matter as measured by using standard laboratory methods, as set out herein, expressed in milligrams per liter.

NPDES (denoting NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM). The program for issuing, conditioning and denying permits for the discharge of pollutants from point sources into the navigable waters, the contiguous zone and the oceans pursuant to § 402 of the Clean Water Act, being 33 U.S.C. § 1342.

PERSON. Any individual, firm, company, partnership, corporation, association, group or society, including the state and agencies, districts, commissions and political subdivisions created by or pursuant to state law.

pH. The logarithm (base 10) of the reciprocal of the hydrogen ion concentration, which indicates the degree of acidity or alkalinity of a substance. A pH value of seven is neutral, above seven is alkaline and below seven is acid.

PPM. Parts per million by weight, expressed in pounds.

PRETREATMENT. Application of physical, chemical and biological processes to reduce the amount of pollutants in or to alter the nature of the pollutant properties of wastewater prior to discharging the wastewater into the publicly-owned wastewater treatment system.

PRETREATMENT STANDARDS. All applicable federal rules and regulations implementing § 307 of the Clean Water Act, being 33 U.S.C. § 1317, as well as any nonconflicting state or local standards. In cases of conflicting standards or regulations, the more stringent thereof shall be applied.

PROPERLY SHREDDED GARBAGE. The wastes from the preparation, cooking and dispensing of food that have been shredded to the degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

PUBLIC SEWER. A sewer in which all owners of abutting properties have equal rights, and which is controlled by the Town.

RECEIVING STREAM. The body of water, stream or watercourse receiving the discharge of waters from the waste treatment plant or formed by the water discharged from the waste treatment plant.

SANITARY SEWER. A sewer intended to receive domestic sewage and industrial waste, except that of the type expressly prohibited by this subchapter, without admixture of surface and storm water.

SEWAGE. A combination of the water-carried wastes from residences, business buildings, institutions and industrial and municipal establishments.

SEWAGE WORKS. All facilities for monitoring, collecting, pumping, treating and disposing of sewage.

SEWER. A pipe or conduit for carrying sewage.

STORM SEWER OR STORM DRAIN. A sewer which carries storm or surface waters and drainage, but excludes sewage and industrial wastes.

STORM WATER. Any water flow occurring during or immediately following any form of natural precipitation and resulting therefrom.

SUSPENDED SOLIDS. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering.

TKN (denoting TOTAL KJELDAHL NITROGEN). The sum of the ammonia nitrogen and organic nitrogen as measured by using standard laboratory methods, as set out herein, expressed in milligrams per liter.

UNPOLLUTED WATER. Water not containing any pollutants limited or prohibited by the effluent standards in effect, or water whose discharge will not cause any violation of receiving water quality standards.

USER. Any person who discharges, or causes or permits the discharge of, wastewater into the Town's wastewater treatment system.

USER CLASSIFICATION. A classification of users based on the Standard Industrial Classification (SIC) Manual prepared by the office of management and budget.

WASTEWATER. The liquid- and water-carried domestic or industrial wastes from dwellings, commercial buildings, industrial facilities and institutions, whether treated or untreated, together with any ground water, surface water and storm water that may be present, which is discharged into or permitted to enter the Town's wastewater treatment system.

WASTEWATER TREATMENT SYSTEM. Any devices, facilities, structures, equipment or works owned or used by the Town for the purpose of the transmission, storage, treatment, recycling and reclamation of industrial and domestic wastes, or necessary to recycle or reuse water at the most economical cost over the estimated life of the system, including intercepting sewers; outfall sewers; sewage collection systems; pumping, power and other equipment, and their appurtenances; extensions, improvements, remodeling, additions and alterations thereof; elements essential to provide a reliable recycled supply, as standby treatment units and clear well facilities; and the wastewater treatment plant site or land which is used for ultimate disposal of residues resulting from the treatment.

2. PROHIBITED DISCHARGES.

(A) Wastewater discharges generally. No person shall discharge or deposit, or cause or allow to be discharged or deposited, into the wastewater treatment system any wastewater which contains the following, except as provided under Section 3 below of this Article:

(1) Any clothing, rags, textile remnants or waste, cloth, or scraps, except fibers of scrap that will pass through a one-fourth inch mesh screen or its equivalent in screening ability;

(2) Any liquid or vapor having a temperature higher than 150°F or 65°C;

(3) Any waters or wastes which may contain a total fat, wax, grease or oil concentration of more than 100 mg/l, whether emulsified or not, or containing substances which may solidify or become viscous at temperatures between 32°F and 150°F (0°C and 65.5°C) at the point of discharge into the system;

(4) Any liquids, solids, or gases which, by reason of their nature or quantity, are or may be sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the sewerage facilities or to the operation of the system. At no time shall two successive readings on an explosion hazard meter, at the point of discharge into the sewer system, be more than 5% or any single reading over 10% of the lower explosive limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, and sulfides;

(5) Any garbage that has not been ground or comminuted to a degree that all particles will be carried freely in suspension under flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension;

(6) Any solid or viscous wastes which will or may cause obstruction to the flow in a sewer, or otherwise interfere with the proper operation of the wastewater treatment system. Prohibited materials include, but are not limited to, grease, uncomminuted garbage, animal guts and tissues, paunch manure, bones, hair, hides or fleshing, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone of marble dust, metal, glass, straws, shavings, grass clippings, rags, spent grains, spent hops, wastepaper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil and similar substances;

(7) Any waters or wastes in which the suspended solids exceed 300 milligrams per liter;

(8) Any waters or wastes in which the total fixed solids exceed 1,500 milligrams per liter;

(9) Any waters or wastes in which the B.O.D. exceeds 300 milligrams per liter;

(10) Any waters or wastes in which the C.O.D. exceeds 600 milligrams per liter;

(11) Any waters or wastes in which the TKN exceeds 40 milligrams per liter;

(12) Any waters or wastes in which the I.O.D. exceeds five milligrams per liter;

(13) Any waste which will cause corrosion or deterioration of the treatment system. All wastes discharged to the public sewer must have a pH value in the range of six to nine standard units. Prohibited materials include, but are not limited to, acids, sulfides, concentrated chloride and fluoride compounds and substances which will react with water to form acid products; and

(14) Any waters or wastes containing amounts of potentially toxic elements exceeding the maximum concentrations for the respective drainage basins as outlined below:

Grant Creek

<u>Substance</u>	<u>Maximum Concentration</u>
Antimony	4.2 mg/l
Aluminum	31.5 mg/l
Cadmium	0.2 mg/l
Hexavalent chromium	0.1 mg/l
Chromium	5.0 mg/l
Copper	5.0 mg/l
Mercury	0.1 mg/l
Nickel	5.0 mg/l
Lead	1.4 mg/l
Silver	0.1 mg/l
Zinc	0.9 mg/l

(B) Minimum allowable concentrations. Industries subject to federal categorical pretreatment standards shall not exceed the maximum allowable concentrations listed for the respective type of industry when those concentrations differ from those listed above:

(1) Any waters or wastes containing total cyanide or cyanide compounds in excess of 0.1 mg/l;

(2) Any toxic substances in amounts exceeding standards promulgated by the administrator of the United States Environmental Protection Agency pursuant to § 307(a) of the Clean Water Act, being 33 U.S.C. § 1317(a), and chemical elements or compounds, phenols or other taste- or odor-producing substances, or any other substances which are not susceptible to treatment or which may interfere with the biological processes or efficiency of the treatment system, or which may pass through the system and harm persons, livestock or aquatic life utilizing the receiving stream;

- (3) Any noxious or malodorous solids, liquids or gases, which, either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life, or are or may be sufficient to prevent entry into a sewer for its maintenance and repair;
- (4) Any radioactive wastes or isotopes of the half-life or concentration that they do not comply with regulations or orders issued by the appropriate authority having control over their use or which will or may cause damage or hazards to the sewerage facilities or personnel operating the system;
- (5) Any solid radioactive materials or radioactive materials in solution which can be removed by chemical means and disposed of in solid form;
- (6) Any materials which form excessive amounts of scum or foam that may interfere with the operation of the waste treatment works or cause undue additional labor in connection with its operation. Excessive amounts shall be determined by the Director;
- (7) Any waters or wastes containing suspended solids of the character and quality that unusual attention or expense is required to handle the materials at the waste treatment plant;
- (8) Any waters or wastes containing dyes or other color of the character and in the quantity as to prevent removal by biological processes and which require special chemical treatment to pass receiving stream standards;
- (9) Any wastewater at a flow rate or containing the concentration or quantity of any pollutant that exceeds for any period of time longer than 15 minutes more than five times the average 24-hour concentration, quantity or flow during normal operation and that would cause a treatment process upset and subsequent loss of treatment efficiency;
- (10) Any unpolluted water, including, but not limited to, water from cooling systems or of storm water origin, which will increase the hydraulic load on the treatment system; and
- (11) Any waters or wastes in which the ammonia exceeds 15 milligrams per liter.

(C) Inflow of storm water, ground water and the like. No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial or commercial process water into any sanitary sewer. No person shall connect or cause to be connected to the sanitary sewer system any pipe or conduit which will allow the discharge of the inflow sources into the sanitary sewer system.

(D) Limitations on wastewater pollutants. No person shall discharge or convey, or permit or allow to be discharged or conveyed, to a public sewer any wastewater containing pollutants of the character or quantity that will:

- (1) Not be susceptible to treatment or interfere with the process or efficiency of the treatment system;
- (2) Constitute a hazard to human or animal life or to the stream or watercourse receiving the treatment plant effluent;

(3) Violate pretreatment standards, as promulgated by the United States Environmental Protection Agency or the state; and

(4) Cause the treatment plant to violate its NPDES permit or applicable receiving water standards.

(E) Special arrangements. Nothing in this section shall be construed as preventing any special agreement or arrangement between the Town and any user of the wastewater treatment system whereby wastewater of unusual strength or character is accepted into the system and specially treated, subject to any payments or user charges as may be applicable. However, any special agreements or arrangements shall not be less stringent than any applicable federal pretreatment standard or categorical regulation pursuant to § 307 of the Clean Water Act, being 33 U.S.C. § 1317.

3. INDUSTRIAL, MUNICIPAL USER REQUIREMENTS.

(A) In order to promote equalization of flows over a 24-hour period, each person discharging a waste into the Town’s sanitary sewers having the following average daily volumes over a period of their normal processing period in any one week shall construct and maintain at their own expense a suitable storage facility of the corresponding minimum volumes:

Volume of Waste Discharge in Average Gallons per Day Discharged	Minimum Volume of Storage Tank in Percentage of Daily Volume of Waste
0-20,000	0%
20,001-30,000	50%
30,001-40,000	60%
40,001-50,000	70%
50,001-60,000	80%
60,001-70,000	90%
70,001 and above	100%

(B) The storage facility shall have its outlet to the sewer controlled by an approved device, the setting of flow rates being as directed by the Director. When the processing period is less than seven days in any week, the person discharging the waste shall arrange the discharge rate so that their storage facility shall be substantially full at the end of their processing period. The storage facility shall be discharged during the period of shutdown, unless otherwise directed by the Director.

(C) Storage facility requirements may be waived by the Director in cases where a constant rate of flow is discharged provided:

(1) The normal operating day extends over a 24-hour period and the rate of waste flow and load discharged is that, in the opinion of the Director, the installation of a storage tank would not improve sewer and treatment plant loading conditions; and

(2) All other requirements of this subchapter are fulfilled.

(D) Any person discharging industrial wastes into the Town sanitary sewer shall construct and maintain a suitable control manhole to facilitate observation, measurement and sampling of all wastes, including domestic sewage, from the industry. The control manhole shall be constructed downstream from any treatment, storage or other approved works at a suitable and satisfactory location and built in a manner approved by the Director.

(E) Where a storage tank is not required, the control manhole shall be equipped with a permanent type volume measuring device, as a nozzle, or other device approved by the Director. The manhole shall be installed by the person discharging the wastes at their own expense and shall be maintained by him or her so as to be safe, accessible and in proper operating condition at all times.

(F) Plans for the construction of the storage tanks, control manholes and controlling devices shall be approved by the Director prior to the beginning of construction.

(G) Persons shall provide, at their own expense, the preliminary handling as may be necessary to control the quantities and rates of discharge of the waters or wastes over a 24-hour period. Plans, specifications and any other pertinent information relating to proposed preliminary treatment or handling facilities shall be submitted for the approval of the Director, and no construction of the facilities shall be commenced until the approval is obtained in writing.

(H) Any waters or wastes discharged by any person, which have the following characteristics, may be admitted into the sanitary sewers after 10-7-1985, when the discharge is approved in writing by the Director:

- (1) A B.O.D. greater than 300 mg/l;
- (2) C.O.D. of more than 600 mg/l;
- (3) A TKN of more than 40 mg/l;
- (4) Suspended solids of more than 300 mg/l;
- (5) Ammonia of not more than 15 mg/l; or
- (6) Other characteristics prohibited in Section 2 of this Article.

(I) All sewer users shall participate in the user charge as described in Section 8 of this Article. For the purposes of this subchapter, normal domestic wastewater is considered to have the following characteristics:

- (1) B.O.D. of 300 mg/l;
- (2) C.O.D. of 600 mg/l;
- (3) TKN of 40 mg/l; and
- (4) TSS of 300 mg/l.

(J) When the concentration of B.O.D., C.O.D., TKN or suspended solids in the industrial or municipal waste discharge to the Town's sanitary sewers exceeds the normal characteristics

prescribed, a monthly surcharge shall be imposed upon the offending industrial or municipal user's sewage flow when the excess loading calculated using the purchased water flow or metered wastewater flow as hereinafter specified and the unit poundage charge for the actual B.O.D., C.O.D., TKN and suspended solids loadings being received from the discharger. This surcharge shall be invoked as herein provided in addition to the existing regular sewer service charge. The sewer surcharge for each year shall be established by the Town at a regular Council meeting before the billing for January. This surcharge shall be applied beginning with the January utility billing and during subsequent months during the calendar year. The surcharge shall reflect the total cost of treating the excess pounds of industrial or municipal waste, including necessary costs of administration of the sewage plants and this subchapter. In addition, each industrial customer affected by the surcharge shall submit to the Director a current list of raw chemicals and other materials used in its manufacturing process. The method used to determine the surcharge amount shall consist of dividing the applicable audited budget cost for operating the Town's wastewater treatment system, including applicable administrative and plant debt service, for the preceding fiscal year by the poundage of B.O.D., C.O.D., TKN and suspended solids removed during treatment in that fiscal year. The four resulting unit per pound costs are the surcharge rates for each of the four parameters.

(K) The surcharges shall be billed and payable monthly on a separate bill rendered to the proper users by the Town.

(L) Industrial and major commercial users, including municipalities, will be billed for any applicable surcharges according to the monthly billing procedures as described in Section 8 of this Article.

(M) All applications for the discharge of industrial wastes into the public sewers shall be made to the Director. Approval will be granted for the applications when evidence is submitted by the applicant that the discharge of wastes into the public sewer will comply with this subchapter.

(N) Grease, oil and sand interceptors shall be provided when, in the opinion of the Director of Public Works, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredients; except, that the interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be maintained by the owner at their expense in continuously efficient operation at all times.

(O) Notice shall be given to the Director when normal operations of the industry will be interrupted for 72 hours or longer and wastes will not be available for discharge, or when a change of process is contemplated which will alter demands on the municipal treatment facilities. "Normal operations" shall include allowance for legal holidays and other announced plant shutdowns.

(P) Where preliminary treatment or holding facilities are provided for any purpose, they shall be maintained continuously in satisfactory and effective operation by the owner at their expense, and there shall be no discharge of wastes requiring pretreatment either directly or indirectly to the Town's sanitary sewer system, without first notifying and obtaining approval from the Director.

(Q) All industrial users that are discharging incompatible or toxic pollutants shall meet the pretreatment requirements of Best Practicable Technology, as promulgated by the Environmental Protection Agency.

4. PUBLIC SEWER USAGE REQUIRED.

(A) Every owner of a house, building or other property used for human occupancy, employment, recreation or other purposes, situated within the Town where a public sanitary sewer main is or may in the future be located within 200 feet of the property line on which the house, building and the like is situated, is hereby required, at the owner’s expense, to connect any toilet or other sanitary facilities located thereon with the public sewer main in accordance with the provisions of this subchapter, within 180 days after the date of receiving notice to do so. When any public sanitary sewer main is constructed, the 180-day period begins to run when the Director of Public Works certifies that the new main is operational.

(B) When public sewer mains become available to property as described in division (A) of this section, the property owner shall be made aware that connection to the public sewer is required and that the connection shall be made within 180 calendar days from the date of the notification. Nonuse of public sewer mains shall only be as approved by the Board of Alderpersons on a case-by-case basis.

(C) Privies, cesspools, and septic tanks are prohibited within the corporate limits, except where public sewer service is not available as described in division (A) of this section.

5. UNAUTHORIZED CONNECTION PROHIBITED.

(A) No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining written approval from the Director. All costs and expenses incidental to the installation and connection to the sewer main shall be borne by the owner.

(B) All sewer connections must comply with the State Building Code, Volume II, Plumbing. Plumbing shall be done by a licensed plumber.

6. STORM SEWER DISCHARGE.

Discharge of sanitary wastewater into storm sewers is prohibited without exception. Storm water and all other unpolluted drainage shall be discharged to the sewers as are specifically designed as storm sewers or to a natural outlet approved by the Director and DEM. Unpolluted industrial cooling water or process waters may be discharged on approval of the Director and DEM to a storm sewer or natural outlet and sanitary wastewater should be prohibited from discharge into the storm sewer system.

7. PRIVATE SYSTEMS.

(A) Where a public sewer main is not available, a building sewer shall be connected to a private wastewater disposal system complying with all applicable state and local regulations concerning use of the systems. The Town, in conjunction with the County Health Department, shall have the authority to approve or reject the plans and/or usage of private wastewater facilities presently located within or proposed for location within the corporate

limits. The minimum lot area that shall be approved for a private wastewater disposal system shall be as regulated by state law and the County Health Department, which the applicant shall supplement by any plans, specifications, and other information as are deemed necessary. Approval for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the County Health Department. The local sanitarian shall be allowed to inspect the work at any state of construction. The type, capacities, location, and layout of a private wastewater disposal system shall comply with all recommendations of the Department of Public Health and Division of Environmental Management of the state.

(B) No septic tank or cesspool shall be permitted to discharge to any natural outlet. The Town shall maintain, on property, which is not accessible to the sanitary sewer, a septic tank of a type approved by the State Board of Health the location and installation of which shall be approved by the County Health Department, and which shall be installed at the property owner’s expense. The occupant of the property shall pay full water and sewer service charges.

(C) At the time a public sewer becomes available to a property served by a private wastewater disposal system, a direct connection shall be made to the public sewer within 180 days. Under unusual and/or special circumstances, the Board of Alderpersons may waive this requirement. Application for a waiver must be submitted to the Director of Public Works. The Director will study the application, make appropriate comments, and have it set before the Board of Alderpersons for approval or disapproval.

8. CHARGE; BILLING; NONPAYMENT.

(A) The user charge shall be the charge levied on all users including, but not limited to, persons or government entities that discharge, or cause or permit the discharge of, sewage into the public sewerage facilities.

(B) The user charge shall reflect at least the costs of operation and maintenance, including replacement, of the public sewerage facilities.

(C) Each user shall pay its proportionate cost (user charge) based on volume of flow.

(D) The Director of the sewerage facilities will review, not less often than every two years, the sewage contributions of users, the total costs of operation and maintenance, including replacement, of the sewerage facilities and the user charge system. The Director will make any recommendations for rate adjustments to the Board of Alderpersons. The Board will determine the necessity of any rate changes and will set rates to accomplish the following:

- (1) Maintain the proportionate distribution of operation and maintenance costs among all users as provided herein; and
- (2) Generate sufficient revenue to pay at least the total operation and maintenance costs necessary for the proper operation and maintenance, including replacement, of the sewerage facilities.

(E) All flow to the sewerage facilities not directly attributable to the users (for example, infiltration/inflow) shall be distributed among all users of the sewerage facilities based upon the volume of flow of the users.

(F) User charges, surcharges, water charges and any other necessary charges will be billed according to the following schedules:

(1) Industrial, commercial, residential, and municipal customers will be billed on a monthly basis according to the following schedule.

(a) The Town will mail bills so that customers will receive notice on the first working day of each month.

(b) Payment for the bill is technically past due after the twenty-fifth of the month for residential customers.

(c) A second notice for a delinquent bill will be mailed within ten days after the payment due date.

(d) If payment is not received from industrial, commercial, or residential customers by the Town before the indicated deadline, water service to the customer will be severed. In the case of municipalities, the Town may seek injunctive relief for nonpayment.

(e) Service to a customer will be reconnected only after the Town has received payment for all bills due, together with a \$10 reconnect fee.

(f) Any applicable surcharges, as contained in Section 3 of this Article, will be billed separately from regular monthly charges. Surcharges will be billed on a monthly basis.

(2) Bills will be sent through the United States mail, notifying all users of the amount and date due. Failure to receive a bill is not an excuse for nonpayment of bills.

(3) In case a user discharging water into the Town's sanitary sewer system does not procure their water supply from the Town and becomes delinquent in the payment of the aforesaid charges, their connection with the Town sewer system will be severed and will only be reconnected at their expense. Procedure for payment of the bill is the same as in division (F)(1) above.

9. PUBLIC WORKS RIGHT OF ENTRY.

(A) The Director and duly authorized employees of the Public Works Department shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this subchapter.

(B) All tests and analyses of the characteristics of waters and wastes to which reference is made in this subchapter shall be made in accordance with the procedure given in the latest edition of Standard Methods for the Examination of Water, Sewage, and Industrial Wastes, published by the American Public Health Association. The tests and analyses shall be determined from samples taken at the control manhole provided in Sub-section 3(D) of this

Article, or at the point of discharge of any waters or wastes at the site of their origin on the premises of any person discharging the wastes into the sanitary sewers.

10. DETERMINATION OF FLOW VOLUME.

The volume of flow used in determining the total discharge of industrial wastes for payment of the regular sewer charge and the sewer surcharge shall be based upon:

- (A) Metered water consumption as shown in the records of meter readings maintained by the Town Water Department; or
- (B) At the individual discharger’s option, other flow measuring devices, which measure the actual volume of wastewater discharged to the sewer, the devices shall be accessibly and safely located, and the measuring system as specified by the Town shall be installed in accordance with plans approved by the Director. The metering system shall be installed and maintained at the owner’s expense according to arrangements that may be made with the Town.

11. DETERMINATION OF WASTE CHARACTER, CONCENTRATION.

- (A) Inspection. The industrial waste of each person discharging the wastes into the public sewers shall be subject to periodic inspection, and a determination of the character and concentration of the wastes shall be made annually for all industrial users, or more often as may be deemed necessary by the Director or their authorized assistants. The inspection and tests shall also be made immediately after any process change which may affect the quantity or quality of the wastes discharged.
- (B) Samples. Samples shall be collected in the manner as to be representative of the actual quality of the waste. Laboratory methods used in the examination of the waste shall be those set forth in Standard Methods, as hereinbefore described, a copy of which is on file with the Town Administrator/Town Clerk for inspection by any interested parties.
- (C) Authority. The determination of the character and concentration of the industrial wastes by the Director or their duly appointed representatives shall be binding as a basis for charges.
- (D) Cost. Total costs incident to the supervision, inspection, sampling and analyzing of wastes shall be included in the surcharge made to persons discharging wastes into the Town’s sanitary sewers.

12. PROHIBITED WASTE CONTROL.

- (A) Regulatory actions by Director. If wastewater containing any substance described in Section 2 of this Article is discharged or proposed to be discharged into the sewer system of the Town or to any sewer system tributary thereto, the Director may take any action necessary to:
 - (1) Prohibit the discharge of the wastewater;
 - (2) Require a discharger to demonstrate that in-plant modifications will reduce or eliminate the discharge of the substances in conformity with this subchapter;

- (3) Obtain flow equalization necessary to reduce or eliminate the objectionable characteristics or substances so that the discharge will not violate this subchapter;
- (4) Require the person making, causing, or allowing the discharge to pay any additional cost or expense incurred by the Town for handling and treating excess loads imposed on the treatment system; and
- (5) Take the other remedial action as may be deemed to be desirable or necessary to achieve the purposes of this chapter.

(B) Submission of plans. Where pretreatment or equalization of wastewater flows prior to discharge into any part of the wastewater treatment system is required, plans, specifications and other pertinent data or information relating to the pretreatment or flow control facilities shall first be submitted to the Director for review and approval. The approval shall not exempt the discharge of the facilities from compliance with any applicable code, ordinance, rule, regulation, or order of any governmental authority. Any subsequent alterations or additions to the pretreatment or flow control facilities shall not be made without due notice to and prior approval of the Director.

(C) Pretreatment facilities operations. If pretreatment or control of waste flows is required, the facilities shall be maintained in good working order and operated as efficiently as possible by the owner or operator at their own cost and expense, subject to the requirements of this subchapter and all other applicable codes, ordinances, and laws.

(D) Admission to property. Whenever it shall be necessary for the purposes of this subchapter, the Director, upon the presentation of credentials, may enter upon any property or premises at reasonable times for the purposes of:

- (1) Copying any records required to be kept under the provisions of this subchapter;
- (2) Inspecting any monitoring equipment or method; and/or
- (3) Sampling any discharge of wastewater to the treatment works, the Director may enter upon the property at any hour under emergency circumstances.

13. ACCIDENTAL DISCHARGE.

(A) Protection from accidental discharge. Each industrial user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this subchapter. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner’s or operator’s own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Director for review and shall be approved by him or her before construction of the facility. Review and approval of the plans and operating procedures shall not relieve the industrial user from the responsibility to modify their facility as necessary to meet the requirements of this subchapter.

(B) Report of accidental discharge. If, for any reason, a facility does not comply with or will be unable to comply with any prohibition or limitations in this subchapter, the facility responsible for the discharge shall immediately notify the Director, so that corrective action

may be taken to protect the treatment system. In addition, a written report addressed to the Director, detailing the date, time and cause of the accidental discharge, the quantity and characteristics of the discharge and corrective action taken to prevent future discharges, shall be filed by the responsible industrial facility within five days of the occurrence of the noncomplying discharge.

14. TRAPS, INTERCEPTORS AND SEPARATORS.

All buildings with special requirements for traps, interceptors and separators shall conform to the most current edition of the North Carolina Plumbing Code Chapter 10.

ARTICLE 10

INDUSTRIAL WASTEWATER

1. DISCHARGE REPORTS.

(A) Every industrial user shall file a periodic discharge report at intervals as are designated by the Director. The Director may require any other industrial users discharging or proposing to discharge into the treatment system to file the periodic reports.

(B) The discharge report shall include but, in the discretion of the Director shall not be limited to, nature or process, volume, rates of flow, mass emission rate, production quantities, hours of operation, concentrations of controlled pollutants or other information which relates to the generation of waste. In addition to discharge reports, the Director may require information in the form of the industrial discharge permit application and self-monitoring reports.

2. RECORDS; MONITORING EQUIPMENT.

(A) All industrial users who discharge or propose to discharge wastewaters to the wastewater treatment system shall maintain the records of production and related factors, effluent flows and pollutant amounts or concentrations as are necessary to demonstrate compliance with the requirements of this subchapter and any applicable state or federal pretreatment standards or requirements.

(B) The records shall be made available upon request by the Director. All the records relating to compliance with pretreatment standards shall be made available to officials of the United States Environmental Protection Agency upon demand. A summary of the data, indicating the industrial user's compliance with this subchapter, shall be prepared quarterly and submitted to the Director.

(C) The owner or operator of any premises or facility discharging industrial wastes into the system shall install, at their own cost and expense, suitable monitoring equipment to facilitate the accurate observation, sampling, and measurement of wastes. The equipment shall be maintained in proper working order and kept safe and accessible at all times.

(D) The monitoring equipment shall be located and maintained on the industrial user’s premises outside of the building. When the location would be impractical or cause undue hardship on the user, the Director may allow the facility to be constructed in the public street or sidewalk area, with the approval of the public agency having jurisdiction over the street or sidewalk and located so that it will not be obstructed by public utilities, landscaping, or parked vehicles.

(E) When more than one user can discharge into a common sewer, the Director may require installation of separate monitoring equipment for each user. When there is a significant difference in wastewater constituents and characteristics produced by different operations of a single user, the Director may require that separate monitoring facilities be installed for each separate discharge.

(F) Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with the Director’s requirements and all applicable construction standards and specifications.

3. INSPECTION; SAMPLING; ANALYSIS.

(A) Compliance determinations. Compliance determinations with respect to the prohibitions and limitations contained in Section 2 of Article 9 of this Ordinance may be made on the basis of either instantaneous grab samples or composite samples of wastewater. Composite samples may be taken over a 24-hour period or over a longer or shorter time span, as determined necessary by the Director to meet the needs of specific circumstances.

(B) Standards for analysis of industrial wastewaters. Laboratory analysis of industrial wastewater samples shall be performed in accordance with the current edition of Standard Methods, Methods for Chemical Analysis of Water and Waste, published by the United States Environmental Protection Agency, or the Annual Book of Standards, Part 23, Water, Atmospheric Analysis, published by the American Society for Testing Materials. Analysis of those pollutants not covered by these publications shall be performed in accordance with procedures established by the State Department of Natural Resources and Community Development.

(C) Sampling frequency. Sampling of industrial wastewater for the purpose of compliance determination with respect to the prohibitions and limitations contained in Section 2 of Article 9 of this Ordinance will be done at intervals as the Director may designate. However, it is the intention of the Director to conduct compliance sampling or to cause the sampling to be conducted for all major contributing industries at least once every three months.

4. PERMIT REQUIRED.

All industrial users proposing to connect or to discharge into any part of the wastewater treatment system, or any other wastewater system which ultimately discharges its wastewater into the Town’s system, must first obtain a discharge permit therefor. All existing industrial users connected to or discharging to any part of the Town’s system, or any other wastewater system which ultimately discharges its wastewater into the Town’s system, must obtain a wastewater discharge permit within 90 days from and after the effective date of this subchapter.

5. PERMIT APPLICATION.

(A) Users seeking a wastewater discharge permit shall complete and file with the Director an application, on the form prescribed by the Director and accompanied by the applicable fee. In support of this application, the user shall submit the following information:

- (1) Name, address and SIC number of applicant;
- (2) Volume of wastewater to be discharged;
- (3) Wastewater constituents and characteristics, including, but not limited to, those set forth in Section 2 of Article 9 of this Ordinance as determined by a reliable analytical laboratory;
- (4) Time and duration of discharge;
- (5) Average and 60-minute peak wastewater flow rates, including daily, monthly, and seasonal variations, if any;
- (6) Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers and appurtenance by size, location and elevation;
- (7) Description of activities, facilities, and plant processes on the premises, including all materials and types of materials which are, or could be, discharged;
- (8) Each product produced, by type, amount, and rate of production;
- (9) Number and type of employees, and hours of work; and
- (10) Any other information as may be deemed by the Director to be necessary to evaluate the permit application.

(B) The Director will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the Director may issue a wastewater discharge permit, subject to the terms and conditions provided therein.

6. PERMIT CONDITIONS.

A) Wastewater discharge permits shall be expressly subject to all provisions of this subchapter and all other regulations, user charges and fees established by the Town. The conditions of wastewater discharge permits shall be uniformly enforced in accordance with this subchapter and applicable state and federal regulations.

(B) Permit conditions shall include the following:

- (1) The unit charge or schedule of user charges and fees for the wastewater to be discharged to the system;
- (2) The average and maximum wastewater constituents and characteristics;
- (3) Limits on rate and time of discharge or requirements for flow regulations and equalization;

- (4) Requirements for installation of pretreatment, inspection and sampling facilities and specifications for self-monitoring programs, if applicable;
- (5) Requirements for maintaining and submitting technical reports and plant records relating to wastewater discharges;
- (6) Daily average and daily maximum discharge rates, or other appropriate conditions when pollutants subject to limitations and prohibitions are proposed or present in the user's wastewater discharge;
- (7) Compliance schedules; and
- (8) Other conditions to ensure compliance with this subchapter.

7. CONNECTIONS FROM OUTSIDE CORPORATE LIMIT.

(A) Any user owning or controlling premises located beyond the corporate limits and having or desiring to install a plumbing system for the purpose of discharging domestic sewage or industrial waste into the sanitary sewers of the Town or into sanitary sewers that ultimately discharge into the sanitary sewers of the Town may do so after approval by the Board of Alderpersons, by complying with the requirements of this subchapter and by securing a permit and paying applicable tap-on fees and a yearly sewer use charge to be fixed by the Board of Alderpersons.

(B) Any municipality having or desiring to install a sewer system for the purpose of discharging industrial or domestic waste into the sanitary sewers of the Town, or into a sewer system which ultimately discharges into the sanitary sewer system of the Town, may do so after approval by the Board of Alderpersons, by complying with and adopting this subchapter as its own, by securing a permit as described in Section 5 of this Article, and by payment of any applicable tap-on fees as required by the Town.

(C) Any municipal user as described in division (A) of this section shall:

- (1) Require all new industries desiring to discharge industrial or domestic wastes into that municipality's sewer system, which ultimately discharges into the Town system, to obtain written permission from the Town before connecting to the sanitary sewers of that municipality. The Town shall be provided with a copy of the permit issued and any subsequent permit renewals issued by that municipality to the industry. The Town shall have access to the property permitted to discharge by that municipality in accordance with the provisions described in Subsection 12(D) of Article 9 of this Ordinance;
- (2) Make a monthly report to the Town no later than the fifth day of that month, stating the number of additional customers added to the sanitary sewer system during the preceding month. The report will contain information on the type of customer added and the type of wastewater and volume each customer discharged;
- (3) Install all plumbing in accordance with the State Plumbing Code;
- (4) Show evidence, as may be required by the Town, that the municipality is enforcing this subchapter and the Plumbing Code to the satisfaction of the Town; and

(5) Construct and maintain, as may be required by the Town, at its own expense, a metering station with necessary pipes, valves, and appurtenances, described in accordance with the Town's specifications and standards, at each point of discharge of wastewater into the Town's sanitary sewer system. Representatives of the Town shall have access to the stations and control of actual meter readings. The sewer charges invoiced by the Town to the municipality shall be based on these meter readings.

(D) Rates charged by the Town to municipalities shall be the same as those charged to sewer users inside the Town. Municipalities will be billed for sewer use as described in Subsection 8(F) of Article 9 of this Ordinance.

(E) Technical services may be rendered by the Town to the municipality under a special contractual arrangement.

8. PERMIT TERM, MODIFICATION.

Permits shall be issued for a specified time period, not to exceed two years. A permit may be issued for a period of less than two years or may be stated to expire on a specific date. The terms and conditions of the permit may be subject to modification and change by the Director of Public Works during the life of the permit, as limitations or requirements as identified in Section 2 of Article 9 of this Ordinance are modified and changed. The user shall be informed of any proposed changes to their permit at least 30 days prior to the effective date thereof. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

9. PERMIT TRANSFER, REVOCATION.

(A) Transfer. Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises or a new or changed operation.

(B) Revocation. Any user who violates the following conditions of their permit or of this subchapter, or of applicable state and federal regulations, is subject to having their permit revoked. Violations subjecting a user to possible revocation of their permit include, but are not limited to, the following:

- (1) Failure of a user to accurately report the wastewater constituents and characteristics of his or her discharge;
- (2) Failure of the user to report significant changes in operations or wastewater constituents and characteristics;
- (3) Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring; or
- (4) Violation of conditions of the permit or of any provisions of this subchapter.

ARTICLE 11

ENFORCEMENT

1. NOTICE OF VIOLATION.

Whenever the Director finds that any person has violated or is violating this subchapter, or any prohibition, limitation or requirement contained herein, he or she may serve upon the person a written notice stating the nature of the violation and providing a reasonable time, not to exceed 30 days, for the satisfactory correction thereof.

2. SHOW CAUSE HEARING.

(A) Hearing before the Director.

(1) If the violation is not corrected by timely compliance, the Director may order any person who causes or allows an unauthorized discharge to show cause before the hearing authority why service should not be terminated. A notice shall be served on the offending party, specifying the time and place of a hearing to be held by the hearing authority regarding the violation, and directing the offending party to show cause before the authority why an order should not be made directing the termination of service. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten days before the hearing. Service may be made on any agent or officer of a corporation. The Director may designate any of their agents or any officers or employees of the Legal Department to issue, in the name of the Director, notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in any hearings.

(2) The Director may conduct the hearing and take the evidence, or may designate any of their agents or any officer or employee of the Legal Department to:

- (a) Take the evidence; and
- (b) Transmit a report of the evidence, including transcripts and other evidence, together with recommendations to the Director for hearing action thereon.

(B) Testimony taken before the hearing authority, or any person designated by him or her, must be under oath. The findings will be made available to any member of the public or any party to the hearing upon payment of the usual charges therefor.

3. ORDERS AND DIRECTIVES.

After the Director has presented the evidence, the hearing authority may issue an order to the party responsible for the discharge, directing that, following a specified time period, the sewer service be discontinued unless adequate treatment facilities, devices or other related appurtenances shall have been installed or existing treatment facilities, devices or other related appurtenances are properly operated, and the further orders and directives as are necessary and appropriate.

4. PENALTY.

(A) Whoever violates any provision of this chapter where no other penalty is provided shall be subject to § 10.99 of the Town Code of Ordinances.

(B) It shall be unlawful for any person to use or to permit the use of town water in violation of any mandatory restriction set forth in Article 5 of this Ordinance. Any violation of the mandatory provisions of Article 5 of this Ordinance shall constitute a misdemeanor, punishable upon conviction by a fine not to exceed \$50 or imprisonment not exceeding 30 days, as provided by G.S. § 14-4. Each day on which a violation occurs shall be considered to be a separate violation.

(C) Pursuant to the provisions of G.S. § 160A-314 and this chapter, water service may be temporarily discontinued for willful disregard of Article 5 of this Ordinance. All applicable penalty fees may be applied in the event of the service suspensions. In the event of continued gross noncompliance with Article 5 of this Ordinance, removal of meter and service will be deemed proper, service will be discontinued, and tap fees and deposits will be forfeited.

(D) No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewage works. Persons committing the acts shall be guilty of a misdemeanor.

(E) Any discharge in violation of the substantive provisions of Article 11 of this Ordinance or an order of the hearing authority shall be considered a misdemeanor. If any person discharges sewage, industrial wastes, or other wastes into the Town's treatment system contrary to the substantive provisions of Article 11 of this Ordinance or any order of the hearing authority, the Town Attorney may commence an action for appropriate relief.

(F) Any person who is found to have violated an order of the Director or who willfully or negligently fails to comply with any provision of this section, and the orders, rules and regulations issued hereunder, shall be guilty of a misdemeanor for each offense. Each day on which a violation shall occur or continue shall be deemed a separate and distinct offense. In addition to the statutory fines and penalties allowed by state law for misdemeanors, the Town may file a civil action for a civil penalty not to exceed \$10,000 per day for each day of violation. The penalties may be imposed by the court in accordance with the Federal Clean Water Act, being U.S.C. §§ 1251 et seq. In addition to the penalties provided herein, the Town may recover reasonable attorneys' fees, court costs, court reporters' fees and other expenses of litigation by appropriate suit at law against the person found to have violated this section or the orders, rules and regulations issued hereunder."

PART 3. Effective Date.

This Ordinance shall be effective immediately upon its adoption.

Adopted this 10th day of June 2024.

s/ _____

Meredith Bare Smith, Mayor

s/ _____

Madison Stegall, Town Clerk



Item Cover Page

MEETING TYPE: Board of Alderman

DATE: June 10, 2024

SUBMITTED BY: Jeneen McMillen, Finance Director

ITEM TYPE: Consideration

AGENDA SECTION: Consent

SUBJECT: **Reappropriating Funds from Police Foundation Fund to General Fund**

DETAILS:

The Shop with a Cop Event Expenditures were paid out of the General Fund and are needing to be reimbursed by the Police Foundation Fund in the amount of \$6,214.74. Please consider approval of reappropriating funds from the Police Foundation to the General Fund.

Town of Landis, NC
 Line Item Adjustment
 Monday, June 10, 2024
 Adjustment #22 for 2023-2024

Account Number		Current Amount	Increase	Decrease	Adjusted Budget
65-0000-5556	Transfer to General Fund	-		6,214.74	(6,214.74)
10-0000-4170	Transfer from Police Foundation	-	6,214.74		6,214.74
			6,214.74	6,214.74	-

Reallocate money from Police Foundation to General Fund Shop with a Cop

Prepared by: _____ Date: _____

Reviewed by: _____ Date: _____

Approved by the Board of Aldermen: _____ Date: _____



Item Cover Page

MEETING TYPE: Board of Alderman

DATE: June 10, 2024

SUBMITTED BY: Michael Ambrose, Town Manager

ITEM TYPE: Consideration

AGENDA SECTION: Consent Agenda

SUBJECT: **Consider Approval of the N Focus FY25 Contract**

DETAILS:

Please Consider the Approval of the Fiscal Year 2025 N Focus Contract.



STATE OF NORTH CAROLINA
COUNTY OF ROWAN

AGREEMENT WITH
LOCAL GOVERNMENT

THIS AGREEMENT, made the _____ day of _____, 2024 by and between **Town of Landis**, a North Carolina unit of Local Government (hereinafter known as “Local Government”); and, **N-Focus, Inc.**; a North Carolina corporation (hereinafter known as “Contractor”), by signatures below, enter into the following Agreement:

WITNESSETH:

WHEREAS, Contractor has expertise in local government functions and Local Government has a need for such functions; and

WHEREAS, Local Government and Contractor desire to enter into this Agreement;

NOW THEREFORE, Local Government and Contractor agree as follows:

Section A. SCOPE OF FUNCTIONS

Contractor will provide Contractor personnel to perform the following specialized Functions for Local Government:

- 1. Zoning Administration
- 2. Land Use Back-Up
- 3. Code Enforcement

Section B. TERMS AND CONDITIONS

- 1. **Contractor Personnel:** To ensure performance of Functions defined in “Section A.” herein above meet the expectations of Local Government, Contractor shall assign a primary professional, an employee of Contractor, to Local Government. The primary professional shall be responsible for Contractor personnel performing the agreed upon Functions. Contractor personnel performing the Functions shall be either certified or licensed in their respective fields or apprentice under direct supervision of the primary professional. Contractor personnel performing these Functions shall have considerable knowledge in the principles and practices of local government. The primary professional, supporting personnel and subordinate person(s), if applicable, assigned to perform these Functions shall be skilled in the use of work-related computer software packages and other technology used to perform position Functions.
- 2. **E-Verify:** Contractor represents and warrants that it is in compliance with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes. Further, Contractor warrants that any subcontractors used by Contractor will be in compliance with the requirements of Article 2 of Chapter 64 of the North Carolina General Statutes.

N-Focus

Initials: PAR Date: 05.02.24

Landis – FY 25 Planning & Code Agreement

Initials: _____ Date: _____



- 3. **Certification:** Contractor certifies that, as of the Effective Date of this Agreement, Contractor is not on the Final Divestment List as created by the State Treasurer pursuant to N.C.G.S. § 147-86.58. In compliance with the Iran Divestment Act and N.C.G.S. § 147-86.58, Contractor shall not utilize in the performance of the contract any subcontractor that is identified on the Final Divestment List.
- 4. **Equal Employment Opportunity:** Contractor, without limitation of any provision set forth herein, expressly agrees to abide by any and all applicable federal and/or State equal employment opportunity statutes, rules and regulations, as may be from time to time modified or amended.
- 5. **Status of Contractor:** Contractor and Local Government agree that in the performance of the Functions defined in "Section A." herein above, Contractor personnel shall not be deemed to be an employee(s) of Local Government for any purpose whatsoever, nor act under Color of State Law.
- 6. **Work Products:** All materials produced by Contractor personnel assigned to Local Government shall be the property of Local Government and shall be filed on-site in the offices of Local Government, unless otherwise authorized for purposes and intent of the performance of Functions. Contractor shall be entitled to retain copies, both electronic and paper, of any work products prepared for the benefit of Local Government. Contractor shall not copyright any work products on behalf of Local Government; however, Contractor shall retain the right to utilize work products, such as improved administrative forms, plans, etc., or any portion thereof, for the purpose of performing similar Functions to other jurisdictions.
- 7. **Progress Reporting:** Contractor shall communicate progress of work performed to Local Government's administrative officer and/or department head periodically or as determined by Local Government.
- 8. **Period of Service (POS):** Functions defined in "Section A." herein above shall be performed routinely based upon a mutually agreeable schedule during the period beginning July 1, 2024 and ending June 30, 2025. POS as defined herein may be amended through either Termination, as set forth in "Section B.14." herein, or, Extension, as set forth in "Section B.16." herein.
- 9. **Level of Service (LOS):** Functions to be performed as defined in "Section A." herein above shall be provided as follows:
 - a) Zoning Administration – 52 Hours / Month on average for 3 months for a total of 156 Hours;
 - b) Land-Use Back-Up – 26 Hours / Month on average for a total of 312 Hours; and
 - c) Code Enforcement Services – 17.33 Hours / Month on average for a total of 208 Hours.

LOS will be monitored monthly, with quarterly invoicing for overages. LOS may be amended by either separate agreement, subsequent addendum hereto, or written/e-mail authorization, with Compensation, as defined in "Section B.10." herein, and Payments, as defined in "Section B.11." herein, adjusted accordingly.

N-Focus

Initials: PAR Date: 05.02.24

Landis – FY 25 Planning & Code Agreement

Initials: _____ Date: _____



10. **Compensation:** The fee for Functions to be performed as defined in “Section A.” herein above shall be as follows:

- a) Zoning Administration – Eight Thousand Seven Hundred Fifty and no/100’s (\$8,750.00) Dollars;
- b) Land-Use Back-Up – Forty-Four Thousand Nine Hundred Fifty and no/100’s (\$44,950.00) Dollars; and
- c) Code Enforcement Services – Seventeen Thousand One Hundred and no/100’s (\$17,100.00) Dollars.

For a total of Seventy Thousand Eight Hundred and no/100’s (\$70,800.00) dollars for the POS, as noted in “Section B.8.” herein. The fee is inclusive of all personnel costs including but not limited to:

- a. Base Salary plus:
 - i. Social Security & Medicare (FICA)
 - ii. State Unemployment Insurance (SUTA)
 - iii. Federal Unemployment Insurance (FUTA)
 - iv. Worker’s Compensation Insurance
- b. Benefits:
 - i. Health, Life & Disability Insurance
 - ii. Paid Vacation & Personal Time
 - iii. Paid Holidays
 - iv. Paid Travel Time
- c. Professional Development & Certifications,
- d. Cellular Communications,
- e. Company Vehicle with
 - i. Vehicle Insurance
 - ii. Vehicle Operations & Maintenance
- f. Meals & Lodging, and
- g. Management cost

Printing and reproduction shall be provided by Local Government. Any direct expenses (i.e. printing, postage, etc.) provided by Contractor on behalf of Local Government, shall be reimbursed at actual cost plus seven (7%) percent. Travel cost to and from Local Government by Contractor personnel is included in the fee above. Travel by Contractor personnel on behalf of Local Government to perform inspections within Local Government jurisdiction, or attend meetings outside Local Government jurisdiction, shall be reimbursed at the current IRS Standard Mileage Rate.

11. **Payments:** Local Government shall provide twelve (12) equal monthly payments per Payment Schedule (see “Exhibit A” herewith attached) in the amount of Five Thousand Nine Hundred Seventy-One and no/100’s (\$5,900.00) dollars without invoice. Monthly payments shall be made during the monthly POS with the first payment due and payable within ten (10) days of the beginning of the POS defined in “Section B.8.” herein. Monthly invoicing for travel & direct expenses as noted in “Section B.10.” herein and quarterly invoicing for LOS overages as noted in “Section B.9.” herein shall be due and payable within ten (10) days of invoice. A late payment penalty equal to 1.5% of the unpaid balance of either bi-weekly payments, monthly and/or quarterly invoicing may be assessed.

N-Focus

Initials: PAR Date: 05.02.21

Landis – FY 25 Planning & Code Agreement

Initials: _____ Date: _____



- 12. **Access:** Local Government shall provide Contractor personnel with legal access to the primary work area during normal operating hours.
- 13. **Liability:** Contractor personnel assigned to Local Government are acting as contracted agents of Local Government in accordance with NCGS 160D-402(c) and no liability is implied or assumed for actions on behalf of Local Government, its administration, appointed officials and/or elected officials. General liability insurance shall be maintained by Contractor throughout the POS as defined in "Section B.8." herein for the Functions to be performed under this Agreement. Contractor shall provide Local Government with a Certificate of Insurance prior to performing Functions defined in "Section A." herein above. This certificate will become a part of this Agreement upon execution of this Agreement. Contractor shall further indemnify and hold Local Government harmless from any/all worker compensation claims by Contractor personnel and any other claims arising out of Contractor personnel's conduct.
- 14. **Termination:** Contractor or Local Government may terminate this Agreement for any reason with sixty (60) days written notification. In the event of early termination, compensation for all Functions performed by Contractor through the date of termination will be due and payable at the unit costs in effect at the time of termination. Compensation for any part of a billing cycle based upon the days within said cycle shall be prorated through the date of termination. In the event Contractor personnel currently employed, recently separated/terminated or retired from Contractor become employed directly by Local Government either during the POS as defined in "Section B.8." herein or within one-hundred-eighty (180) days of the effective date of contract termination and/or expiration, Contractor shall be entitled to supplemental compensation by Local Government equal to three (3) months of said employee's full time gross salary equivalent in effect at the time of Agreement termination and or/expiration; furthermore, the supplemental compensation shall be due and payable within ten (10) calendar days of the date Contractor personnel begins employment with Local Government.
- 15. **Expiration:** This Agreement shall expire at 11:59 pm on June 30, 2025, unless extended, as defined in "Section B.16." herein.
- 16. **Extension:** This Agreement may be extended by either separate agreement, subsequent addendum hereto, or written/e-mail authorization. Upon extension of this Agreement, POS as defined in "Section B.8." herein, LOS as defined in "Section B.9." herein, Compensation as defined in "Section B.10." herein, and Payments as defined in "Section B.11." herein, are subject to change. All other Terms & Conditions defined herein shall remain the same.
- 17. **Certifications:** Contractor personnel shall not be required to sign any documents, no matter by whom requested, that would result in Contractor personnel having to certify, guarantee or warrant the existence of conditions whose existence Contractor personnel cannot ascertain. Local Government agrees not to make resolution of any dispute with Contractor or payment of any amount due to Contractor in any way contingent upon Contractor's personnel signing any such certification or document.

N-Focus

Initials: PAR Date: 05.02.21

Landis – FY 25 Planning & Code Agreement

Initials: _____ Date: _____



18. **Force Majeure:** Contractor shall not be responsible for any delays, damages, costs, expenses, liabilities, or other problems that may arise as a result of a force majeure. A “Force Majeure” is defined as any event arising from causes beyond the reasonable control of Contractor, including but not limited to fire, flood, unusual inclement weather, acts of God, civil strikes or labor disputes, riots, pandemics, acts or failures of Local Government or others.

19. **Conflicting Terms and Provisions:**In the event of conflict among this Agreement and any hereto attached exhibits, this Agreement shall govern.

20. **Dispute Resolution:** It is acknowledged this Agreement shall be governed by the laws of the State of North Carolina in the event of dispute. Any dispute, controversy or claim arising out of or relating to this Agreement, in particular its conclusion, interpretation, performance, breach, termination, or invalidity, shall be finally settled by the courts having exclusive jurisdiction within the county of Local Government.

21. **Counterparts:** This Agreement may be executed in two or more counterparts, each of which together shall be deemed an original, but all of which together shall constitute one and the same instrument. In the event any signature is delivered by facsimile transmission or by e-mail delivery of a ".pdf" format data file, such signature shall create a valid and binding obligation of the party executing (or on whose behalf such signature is executed) with the same force and effect as if such facsimile or ".pdf" signature page were an original thereof.

22. **Entire Agreement:** Local Government and Contractor acknowledge this Agreement and any Attachments hereto constitute the entire agreement between Local Government and Contractor concerning the subject matter hereof. There are no warranties, representations, covenants, or agreements, expressed or implied, between Local Government and Contractor except those expressly set forth in this Agreement. Any amendments or modifications of this Agreement shall be in writing and executed by Local Government and Contractor. Unless stated otherwise in this Agreement, this Agreement may not be modified.

23. **Representatives:** On behalf of Contractor, only the following individuals have authority to modify or alter the terms and conditions of this Agreement:
F. Richard Flowe, President & CEO
Patricia A. Rader, Secretary/Treasurer & COO

24. **Notification:** All correspondence shall be directed to:
Patti Rader, Manager
N-Focus, Inc.
315 South Main Street, Suite 200
Kannapolis, NC 28081
704.933.0772
PRader@NFocusPlanning.org

N-Focus

Initials: PAR Date: 05.02.21

Landis – FY 25 Planning & Code Agreement

Initials: _____ Date: _____



Section C. ACCEPTANCE:

Patricia A. Rader, Manager
N-Focus, Inc.

Date

ACCEPTED on behalf of Local Government by:

Signature

Date

Printed name of authorized person signed above.

Seal of Local Government

ATTEST:

Clerk to the governing board/council of
Local Government

Date

PRE-AUDIT:

This document has been pre-audited in accordance with applicable North Carolina General Statute.

Finance Officer

Date

N-Focus

Initials: PAR Date: 05.02.21

Landis – FY 25 Planning & Code Agreement

Initials: _____ Date: _____



Item Cover Page

MEETING TYPE: Board of Alderman

DATE: June 10, 2024

SUBMITTED BY: Blake Abernathy, Public Works Director

ITEM TYPE: Consideration

AGENDA SECTION: Consent Agenda

SUBJECT: **Consider Awarding Asphalt Repair Bid for Kimball Road**

DETAILS:

The Town has Road Maintenance Repair to be completed on Kimball Road. This repair will include milling and patching the damaged pavement to NCDOT specifications. The Town has received three bids for the project which are, D.W. Castleberry Asphalt Paving \$26,000, Around Town Paving \$28,500, and Carolina Siteworks, Inc. \$29,270. I make the recommendation to award the project to D.W. Castleberry due to cost effectiveness.

Statement of Work

D.W. Castleberry Asphalt Paving

NC Highway Contractor License #99446

9629B Mission Church Rd.
Locust, NC 28097

Date

May 22, 2024

Services Performed For:

Town of Landis

Scope of Work

Asphalt repair on Kimball Rd

1. Excavate trench as needed and place flowable fill.
2. Place metal plates and let cure.
3. Mill and pave approx. 30x22 area at 1.5” depth.
4. Re-stripe lines with paint.

Total- \$26,000.00

AROUND TOWN PAVING

Locally serving your asphalt, sealcoating and concrete needs!

(704) 699-6556

NO JOB TOO BIG OR TOO SMALL!

Asphalt paving and Resurfacing

Owner & Operator

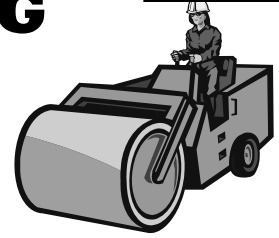
Asphalt sealcoating

Jesse Broadway

Concrete Driveways

Concord, NC 28027

All Work Guaranteed! Church and Senior discounts!



Proposal

Customer Name: Town of Landis Date: 5/22/24

Address: Job- Kimball Rd

Price Per Square Foot: _____ \$: 28,500.00

Deposit on Order: Yes No Balance \$: _____

Please note amount above to be paid in full upon completion of work.

Please make all checks payable to contractor.

Type of material to be used: Hot Mix _____ Cold Mix _____

Type of work approved by purchaser:

- Sealing of Surface Yes No 1. Mill patch in road.
- Filling of Holes Yes No 2. Pour flowable fill.
- Patching Only Yes No 3. Pave road back with asphalt.
- Laying of Asphalt Strips Yes No _____
- Concrete Yes No _____
- Other Yes No _____

When laying strips minimum width to be _____

Grading of Base Yes No _____

PURCHASER HAS READ AND AGREED TO THE TERMS HEREIN

AND IS FULLY RESPONSIBLE FOR PAYMENT OF SAME.

NO GUARANTEE AGAINST VEGETATION, SURFACE CRACKS OR POWER STEERING MARKS.

I'm incomparable with any other contractor.

Customer's Signature: _____ Date: _____
Total: _____

Contractor's Signature: _____ Deposit: _____

Bal. on Completion: _____

Customer's Signature: _____ Completion Date: _____

Square foot means square foot, not square yards. Contractor's price is not compatible with any other contractor.

Your contractor is not responsible for damages due to natural causes, including tree roots, grasses, vegetation or faulty material.

CAROLINA SITEWORKS, INC.
Post Office Box 280
China Grove, North Carolina 28023
Telephone: 704-855-7483
Fax: 704-855-9676

May 22, 2024

To: Town of Landis

Project: Kimball Road Repairs

Provide traffic control as required. Remove asphalt pavement and excavate the area per the supplied NCDOT typical section. Backfill the excavation with flowable fill and install steel traffic plates to support vehicles while flowable fill is curing.

TOTAL: \$13,190.00

Mill out 20 LF of the roadway 1.5" deep and haul off all debris. Patch the trench with 6" of base asphalt and 1.5" of surface asphalt. Overlay the entire area with 1.5" of surface asphalt. Supply traffic control as required.

TOTAL: \$13,773.00

Install 4" yellow and white thermoplastic pavement markings as required.

TOTAL: \$2,000.00

PROJECT TOTAL: \$28,963.00

NOTE: No allowances for extra work included. No removal, relocation, or repair of any buried utility line included. No rock excavation or undercut of unsuitable soils included.

Respectfully submitted,

Darrell Shell
Carolina Siteworks, Inc.

Accepted as Contract:

Carolina Siteworks, Inc.



Item Cover Page

MEETING TYPE: Board of Alderman

DATE: June 10, 2024

SUBMITTED BY: Matthew Geelen, Chief of Police

ITEM TYPE: Consideration

AGENDA SECTION: Consent Agenda

SUBJECT: **Consider Approval for the Police Department to Apply for a Gary Sinise Grant to Purchase Rifle Plates for Police Vests**

DETAILS:

The Police Department has located a grant funding opportunity through the Gary Sinise Foundation for Rifle Vest Plates. The Rifle Vest Plates are essential in preserving and protecting life in the event of an active shooter using high powered ammunition. The Gary Sinise Foundation's grant opportunity is a 100% funding opportunity, therefore there won't be any town funds spent, if awarded the project. I make the recommendation to request \$5,355.35, which will supply every officer at the police department.



Item Cover Page

MEETING TYPE: Board of Alderman

DATE: June 10, 2024

SUBMITTED BY: Jason Smith, Fire Chief

ITEM TYPE: Consideration

AGENDA SECTION: Consent Agenda

SUBJECT: **Consider Approval for the Fire Department to Apply for a Dickey Foundation Grant to Purchase Ten Sets of Fire Turnout Gear**

DETAILS:

The Fire Department has searched for some grant funding opportunities for Turnout Gear. The funding opportunity that was located is from The Dickey Foundation (TDF). TDF was founded by Maurine Dickey after she decided to help first responders across the nation with equipment needs. TDF have provided over \$250,000 dollars in assistance to first responders. This grant doesn't require a match from the Town.

The Fire Department's recommendation is to apply for \$40,000 dollars to purchase ten complete sets of turnout gear. This ensemble will consist of fire protective coat and pants, boots, helmet, gloves, and a Nomex Hood. This will allow us to have all turnout gear specifically fitted for each of our firefighters, increasing personal safety from injury and work-related cancer.



Item Cover Page

MEETING TYPE: Board of Alderman

DATE: June 10, 2024

SUBMITTED BY: Rick Flowe, Planning, Subdivision, & Subdivision Administrator

ITEM TYPE: Resolution

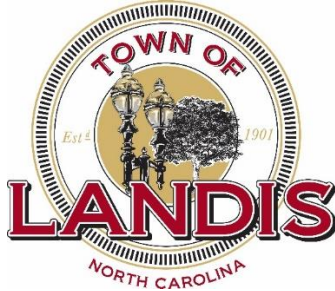
AGENDA SECTION: Ordinances/Resolutions

SUBJECT: **Consider Approval of Annexation Initiation for Properties Located on Old Beatty Ford Road**

DETAILS:

Consider Annexation Initiation – Old Beatty Ford Road Properties

1. Overview from Staff (see attached *memo*, *petition*, and *plat*)
2. Resolution #2024-06-10-1 Directing the Clerk to Investigate
3. Presentation of Clerk’s Certification
4. Resolution #2024-06-10-2 Calling for Concurrent Public Hearing



MEMORANDUM TOWN OF LANDIS, N.C.

To: Mayor and Board of Aldermen

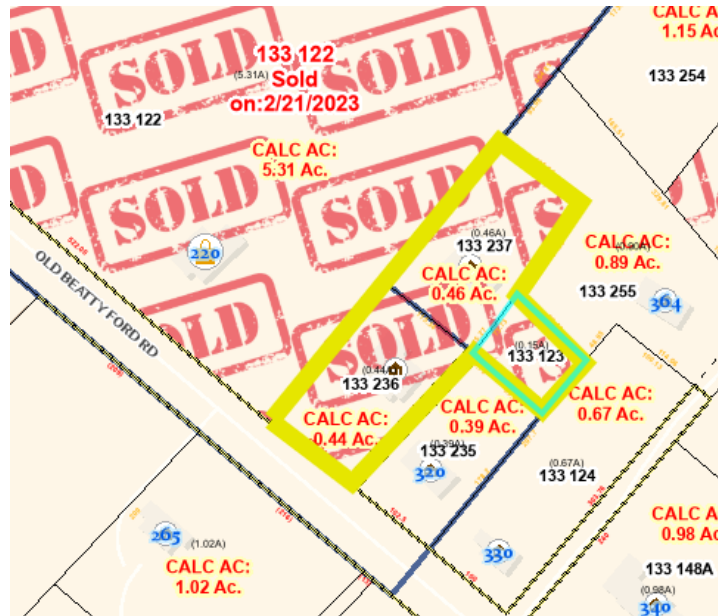
Date: May 16, 2024

From: F. Richard “Rick” Flowe, AICP, Planning, Zoning & Subdivision Administrator

Re: Voluntary Annexation Petition for contiguous property of Two-Ten Investors, Inc.

BACKGROUND

On May 10, 2024, Two-Ten Investors, Inc. the owner of property located at 270 & 280 together with a parcel located directly behind 320 OLD BEATTY FORD RD, Landis, NC 28088 (Rowan County Parcel ID numbers 133 236, 133 237, & 133 123) submitted a petition for voluntary contiguous annexation into the town limits of the Town of Landis. The property consists of approximately 1.066 acres. Location Map from Rowan County GIS:



FINDINGS AND CONCLUSIONS

The standards for annexation require that the property must be contiguous to the “primary corporate limits”. The fact that the property lies within an area bounded on two sides by the corporate limits demonstrates the contiguity requirements are satisfactorily met by this petition to the Town of Landis. The property will need to have a Town of Landis zoning designation upon annexation.

FISCAL IMPACT

The property will be subject to applicable taxes and fees in accordance with rates in effect throughout the Town. The Town will deliver standard municipal services for this property upon development. The Town will receive additional revenues from Ad Valorem tax assessments and applicable state shared revenues.

RECOMMENDATION FOR ACTION ON ANNEXATION & ZONING

There are several steps required to annex and apply Town zoning to this property. The following outline illustrates how this process may be completed in two regular meetings of the Town Mayor and Board of Aldermen.

THE ACTIONS THAT MAY BE TAKEN AT THE June 10, 2024 MEETING INCLUDE:

- a. **Petition for voluntary contiguous annexation.**
- b. **Direct (by Resolution #2024-06-10-1) for the Town Clerk to investigate the sufficiency of the petition.**
- c. **Clerk presents “Certification of Sufficiency” to the Board**
- d. **Upon receipt of petition certification by Town Clerk, call (by Resolution #2024-06-10-2) for public hearing at next regular meeting on July 15, 2024.**

ADDITIONAL STEPS BEFORE AND BETWEEN TOWN BOARD MEETINGS

While the Mayor and Board of Aldermen undertake the process of annexation, the Planning Board may initiate the process of amending the Official Zoning Map per 160D-204 to run concurrent with the annexation process. The property lies adjacent to an area designated in the Town of Landis Comprehensive Land Use Plan (the Plan) Future Land Use Map adopted May 10, 2021 for employment/manufacturing use to the west and north is consistent with the principles of the Plan so we may anticipate a recommendation for the owner’s requested Industrial (IND) zoning designation from the Planning Board. Here is how these steps align:

- 1. Scheduled for the **June 18, 2024 Planning Board agenda** to request their recommendation on the designation of the appropriate zoning district;
- 2. Advertise for a **Public Legislative Hearing scheduled for July 15, 2024 before the Mayor and Board of Aldermen** on the subjects of 1) annexing the property and 2) amending the Town of Landis’s Official Zoning Map, of the Landis Development Ordinance (LDO); and

NEXT STEPS BY MAYOR AND BOARD OF ALDERMEN - THE ACTIONS THAT MAY BE TAKEN AT THE July 15, 2024 REGULAR MEETING INCLUDE:

1. Conducting the required Annexation Public Hearing for the purpose of receiving input from citizens and/or persons owning an interest in the subject property concurrently with the required Zoning Map Amendment Public Legislative Hearing for the purpose of receiving comment from citizens and/or persons owning an interest in the subject property and the designation of an initial zoning district.
2. Consideration (adoption or rejection) of an Ordinance #ANNEX-2024-07-15 Extending the Corporate Limits (annexation) to include the subject property.
3. Consideration (adoption or rejection) of an Ordinance #ZMA-2024-07-15 Amending the Official Zoning Map (initial zoning) and the Town Plan 2040 - Future Land Use Map for the newly annexed property.

FINAL STEPS FOLLOWING ANNEXATION AND ZONING

Following the annexation of the property, staff will be preparing additional materials to

1. Update Official Zoning Map in Clerk’s record, Administrator’s record and online.
2. Update shape-files with Rowan County GIS to reflect new zoning and jurisdictional designations online.
3. Record the annexation with both the NC Secretary of State and Rowan County Register of Deeds;
4. Notify all public utilities (telecom, etc.) of the change in the corporate limits of the Town for their proper reporting of utility franchise taxes paid to the State of North Carolina so local shared revenues can be properly distributed;
5. Accept application from owner for the approval (by staff) of site plan(s) for any future project;
6. Process zoning permit application and issue permit(s) upon compliance with the Landis Development Ordinance (LDO).



312 SOUTH MAIN STREET
LANDIS NC 28088

PETITION REQUESTING A CONTIGUOUS ANNEXATION

DATE: May 10, 2024


To the Mayor and Board of Aldermen of the Town of Landis, North Carolina:

1. We, the undersigned owners of real property, respectfully request that the area described in paragraph 2 below be annexed to the Town of Landis, North Carolina, and be zoned Industrial.
2. The area to be annexed is contiguous to the Town of Landis, North Carolina and the boundaries of such territory are as follows:

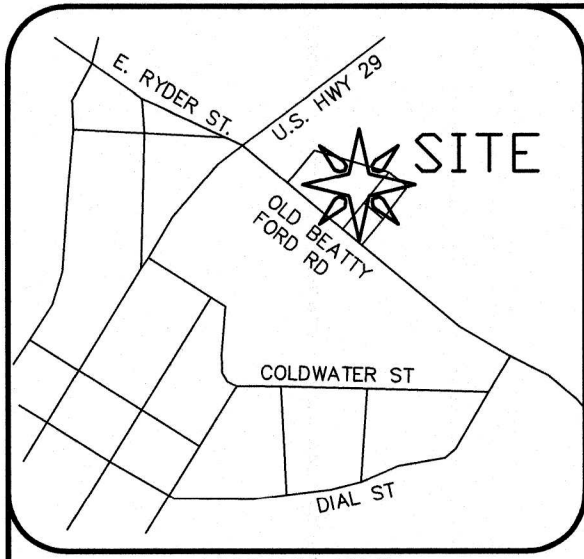
See attached **MAP** and/or **METES AND BOUNDS DESCRIPTION** (a copy of the deed with description may be attached for this purpose) representing property identified as:

Property Identification Number 133-236, 133-237, 133-123

Property Address (if established) 270, 280 Old Betty Ford Road

*Name (print or type)	Mailing Address	Signature
<u>Two-Ten Investors</u>	<u>PO Box 1108 Clinton, NC 28329</u>	

*Family members (e.g. husbands and wives) need to sign separately. Signatures for corporations, institutions, etc., are by those with the authority to sign legal documents.



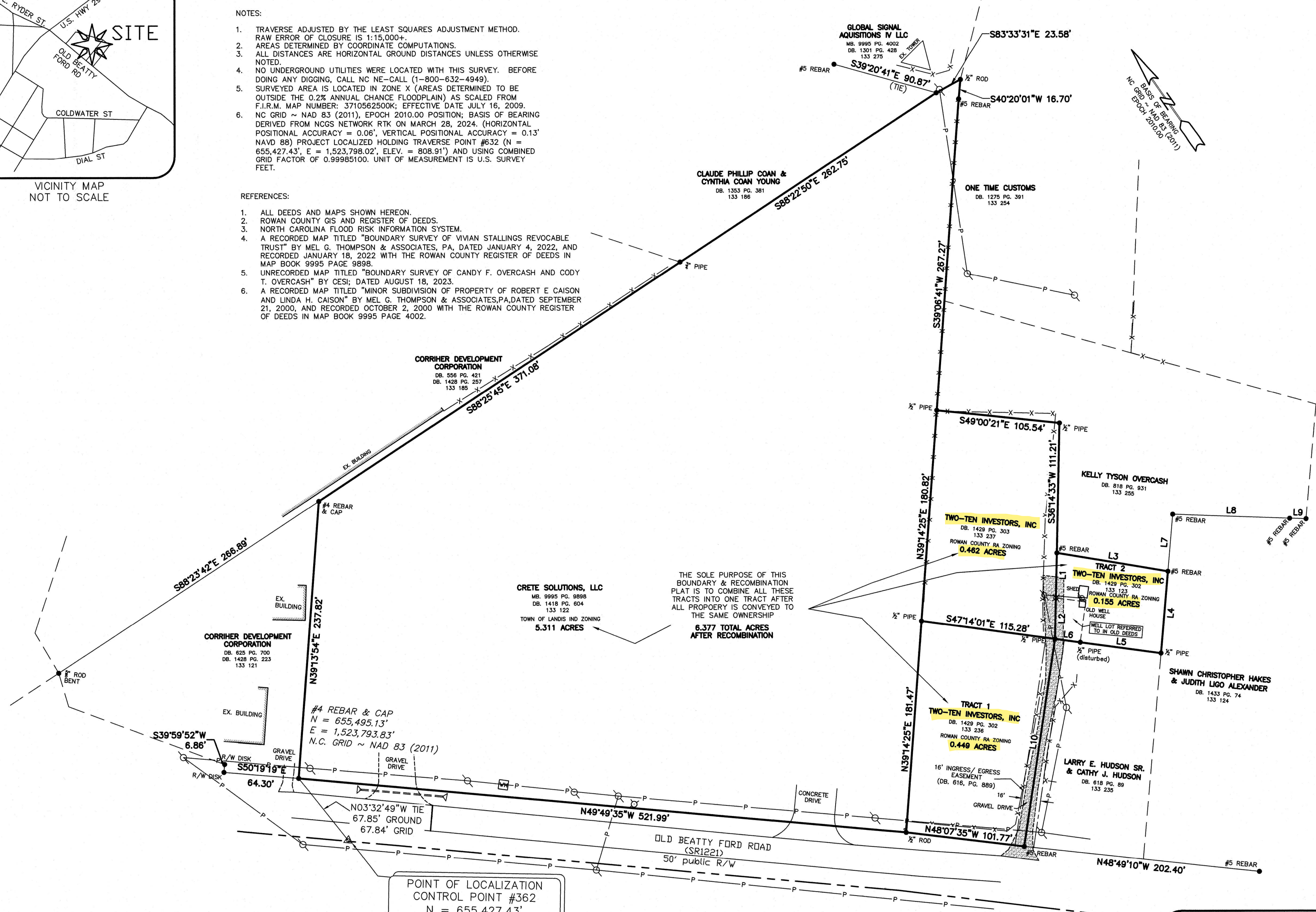
VICINITY MAP
NOT TO SCALE

NOTES:

1. TRAVERSE ADJUSTED BY THE LEAST SQUARES ADJUSTMENT METHOD. RAW ERROR OF CLOSURE IS 1:15,000+.
2. AREAS DETERMINED BY COORDINATE COMPUTATIONS.
3. ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES UNLESS OTHERWISE NOTED.
4. NO UNDERGROUND UTILITIES WERE LOCATED WITH THIS SURVEY. BEFORE DOING ANY DIGGING, CALL NC NE-CALL (1-800-632-4949).
5. SURVEYED AREA IS LOCATED IN ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SCALED FROM F.I.R.M. MAP NUMBER: 3710562500K; EFFECTIVE DATE JULY 16, 2009.
6. NC GRID ~ NAD 83 (2011), EPOCH 2010.00 POSITION; BASIS OF BEARING DERIVED FROM NCGS NETWORK RTK ON MARCH 28, 2024. (HORIZONTAL POSITIONAL ACCURACY = 0.06', VERTICAL POSITIONAL ACCURACY = 0.13' NAVD 88) PROJECT LOCALIZED HOLDING TRAVERSE POINT #632 (N = 655,427.43', E = 1,523,798.02', ELEV. = 808.91') AND USING COMBINED GRID FACTOR OF 0.99985100. UNIT OF MEASUREMENT IS U.S. SURVEY FEET.

REFERENCES:

1. ALL DEEDS AND MAPS SHOWN HEREON.
2. ROWAN COUNTY GIS AND REGISTER OF DEEDS.
3. NORTH CAROLINA FLOOD RISK INFORMATION SYSTEM.
4. A RECORDED MAP TITLED "BOUNDARY SURVEY OF VIVIAN STALLINGS REVOCABLE TRUST" BY MEL G. THOMPSON & ASSOCIATES, PA, DATED JANUARY 4, 2022, AND RECORDED JANUARY 18, 2022 WITH THE ROWAN COUNTY REGISTER OF DEEDS IN MAP BOOK 9995 PAGE 9898.
5. UNRECORDED MAP TITLED "BOUNDARY SURVEY OF CANDY F. OVERCASH AND CODY T. OVERCASH" BY CESI; DATED AUGUST 18, 2023.
6. A RECORDED MAP TITLED "MINOR SUBDIVISION OF PROPERTY OF ROBERT E CAISON AND LINDA H. CAISON" BY MEL G. THOMPSON & ASSOCIATES, PA, DATED SEPTEMBER 21, 2000, AND RECORDED OCTOBER 2, 2000 WITH THE ROWAN COUNTY REGISTER OF DEEDS IN MAP BOOK 9995 PAGE 4002.



THE SOLE PURPOSE OF THIS BOUNDARY & RECOMBINATION PLAT IS TO COMBINE ALL THESE TRACTS INTO ONE TRACT AFTER ALL PROPERTY IS CONVEYED TO THE SAME OWNERSHIP
6.377 TOTAL ACRES AFTER RECOMBINATION

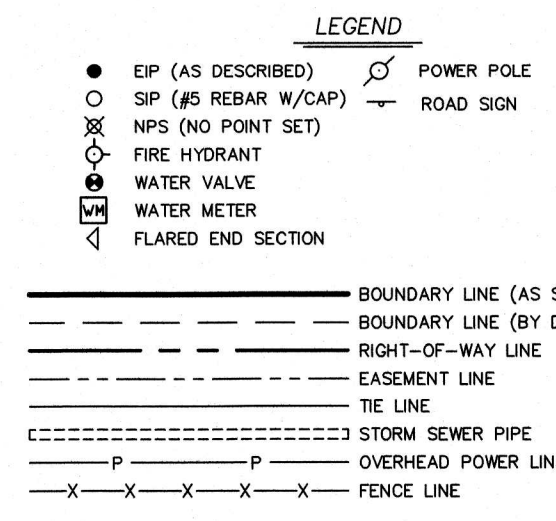
POINT OF LOCALIZATION
CONTROL POINT #362
N = 655,427.43'
E = 1,523,798.02'
CGF = 0.99985100
N.C. GRID ~ NAD 83 (2011)

LINE	BEARING	DISTANCE
L1	S36°19'16"W	38.48'
L2	S36°19'16"W	35.23'
L3	S45°31'58"E	96.39'
L4	S39°55'11"W	70.44'
L5	N47°15'16"W	69.78'
L6	N47°15'16"W	21.80'
L7	S39°53'14"W	49.02'
L8	N52°58'40"W	100.15'
L9	N52°58'40"W	14.07'
L10	S43°31'04"W	179.55'

I, MARION L. SANDLIN, JR., CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED RECORDED IN DEEDS AS SHOWN HEREON); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN DEEDS AS SHOWN; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:15,000+; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED; AND THAT THE SURVEY IS OF ANOTHER CATEGORY, SUCH AS THE RECOMBINATION OF EXISTING PARCELS, A COURT-ORDERED SURVEY, OR OTHER EXEMPTION OR EXCEPTION TO THE DEFINITION OF SUBDIVISION.

WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS THE 30TH DAY OF APRIL, 2024

(Signature)
MARION L. SANDLIN, JR.
PROFESSIONAL LAND SURVEYOR
LICENSE NO. L-2941



BOUNDARY & RECOMBINATION SURVEY OF:
CRETE SOLUTIONS & TWO-TEN PROPERTIES
CHINA GROVE TOWNSHIP, ROWAN CO., CHINA GROVE, NORTH CAROLINA

FOR CLIENT:
CRETE SOLUTIONS, LLC
2005 EASTWOOD ROAD, SUITE 200
WILMINGTON, NC 28403

DATE: 4-30-2024
REVISED:
SCALE: 1" = 60'
JOB NO.: 230372.000

COMPUTED BY: RCW
DRAWN BY: RCW
CHECKED BY: MLS

SCALE IN FEET
0 60 120 180

CESI
CIVIL - GEOTECHNICAL - SURVEYING
N.C. FIRM LICENSE NO. C-0263
45 SPRING STREET SW CONCORD (704) 786-5404
CONCORD, NC 28025
ACAD FILE: recombination.DWG
© CESI 2024

**Resolution Directing the Clerk to Investigate an
Annexation Petition Pursuant to
Article 4A of G.S. 160A Governing Contiguous Annexations**

Resolution #2024-06-10-1

WHEREAS, a petition requesting annexation of an area described in said petition was received on the May 10, 2024 by the Town of Landis; and

WHEREAS, N.C.G.S. Chapter 160A, Article 4A, Part 1 provides that the sufficiency of the petition shall be investigated by the Town Clerk of the Town of Landis, North Carolina before further annexation proceedings consistent within the petition can take place; and

WHEREAS, the Mayor and Board of Aldermen of the Town of Landis, North Carolina deems it advisable to direct the Town Clerk to investigate the sufficiency of the petition;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Landis, North Carolina that:

The Town Clerk is hereby directed to investigate the sufficiency of the above-described petition under N.C.G.S. Chapter 160A, Article 4A, Part 1 and to certify as soon as possible to the Mayor and Board of Aldermen of the Town of Landis the result of the investigation.

ADOPTED this the 10th day of June 2024

s/ _____
Meredith Bare Smith, Mayor

s/ _____
Madison Stegall, Town Clerk

TOWN OF LANDIS, NORTH CAROLINA

Certification of Sufficiency of Petition of Contiguous Annexation

Date: June 10, 2024

To the Town Board of Aldermen of the Town of Landis, North Carolina:

I, Madison Stegall, Clerk to the Board of the Town of Landis, North Carolina, do hereby certify that the request for voluntary annexation by the owners of real property located at:

270 & 280 together with a parcel located directly behind 320 OLD BEATTY FORD RD, Landis, NC 28088 (Rowan County Parcel ID numbers 133 236, 133 237, & 133 123) has been investigated for sufficiency for voluntary annexation.

The result of the investigation of this petition has been found to be sufficient under North Carolina General Statute 160A-31.

Madison Stegall, Town Clerk

Date of Public Hearing: July 15, 2024

Time of Public Hearing: 6:00 P.M.

Resolution Fixing the Date of Public Hearing on Question of Annexation Petition Pursuant to Article 4A of G.S. 160A Governing Contiguous Annexations

Resolution #2024-06-10-2

WHEREAS, a petition pursuant to N.C.G.S. Chapter 160A, Article 4A, Part 1 requesting annexation of the area described herein has been received; and

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

WHEREAS, certification by the Town Clerk as to the sufficiency of the petition has been made;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Landis, North Carolina that:

- Section 1. A public hearing on the question of annexation of the area described herein will be held at the Landis Town Hall, 312 South Main Street, Landis, NC 28088 at 6:00pm on the 15th day of July, 2024.
- Section 2. The area proposed for annexation is described as follows:
See Attached Map showing the parcel(s) lying outside of the Town Limits (Attachment A)
- Section 3. Notice of the public hearing shall be published in the Salisbury Post newspaper as required by law.

ADOPTED this the 10th day of June 2024

s/ _____
Meredith Bare Smith, Mayor

s/ _____
Madison Stegall, Town Clerk

Resolution #2024-06-10-2

ATTACHMENT A

Location Map from Rowan County GIS showing parcels located at 270 & 280 together with a parcel located directly behind 320 OLD BEATTY FORD RD, Landis, NC 28088 (Rowan County Parcel ID numbers 133 236, 133 237, & 133 123):



Resolution #2024-06-10-2



Item Cover Page

MEETING TYPE: Board of Alderman

DATE: June 10, 2024

SUBMITTED BY: Michael Ambrose, Town Manager

ITEM TYPE: Consideration

AGENDA SECTION: Considerations

SUBJECT: **Consider Approval of Sanitation Contract**

DETAILS:

Please Consider the Approval of Sanitation Contract.

STATE OF NORTH CAROLINA

COUNTY OF ROWAN

THIS CONTRACT was made and entered into this ___ day of May 2024 by and between the **Town of Landis (the "Town")**, acting by and through their **Town Mayor, and Waste Pro of North Carolina (Waste Pro)** (the "Company").

WITNESSETH:

WHEREAS, the Town is desirous of securing the services of the Company to provide equipment, personnel, and management of each Town collection, transportation, and disposal of the Town Municipal Solid Waste (MSW) and other additional collection services;

WHEREAS, the Company desires to provide these Services for the Town, having experience in the collection, transportation, and disposal of MSW and household Garbage to appropriate EPA and NCDEQ-approved Subtitle D Landfill Facilities:

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

1. DEFINITIONS

- A. **BULK WASTE**—Large solid waste items such as furniture, white goods, mattresses, and other oversized waste whose large size precludes or complicates their handling by standard solid waste collection, processing, or disposal methods.

- B. **COLLECTION** – The act of removing solid waste to a transfer station, or disposal facility.

- C. **CONSTRUCTION AND DEMOLITION WASTE** — Waste resulting solely from construction, remodeling, repair, or demolition operations on buildings or other structures, but not inert debris, land-clearing debris, yard debris, or used asphalt, asphalt mixed with dirt, sand, gravel, rock, concrete, or similar non-hazardous material.

- D. **COMPANY** – The person, corporation, or partnership performing solid waste collection services under contract with the Town.

E. DISPOSAL SITE – A refuse depository including but not limited to sanitary landfills, transfer stations, and waste processing/separation centers licensed, permitted, or approved by all governmental bodies and agencies having jurisdiction and requiring such licenses, permits, or approvals to receive refuse for processing or final disposal. The disposal or processing facility for any or all the materials collected may change to meet the needs and contractual obligations of the Town.

F. GARBAGE — Dead animals of less than ten (10) pounds in weight except those that have been slaughtered for human consumption; every accumulation of waste (animal, vegetable, or other matter) that results from the preparation, processing, consumption, Dealing in, handling, packing, canning, storage, transportation, decay or decomposition of meats, fish, fowl, birds, fruits, grains, or other animal or vegetable matter, including, but not limited to, foods or containers of food; all putrescible or easily decomposable waste; animal or vegetable matter likely to attract flies or rodents, but excluding sewage and human waste.

G. HAZARDOUS WASTE—Any chemical, compound, mixture, substance, or article designated by the United States Environmental Protection Agency or appropriate federal or state agency to be hazardous or toxic as those terms are defined by or pursuant to Federal or State law or regulations.

H. INDUSTRIAL WASTE — Waste generated by industrial processes and manufacturing.

I. LANDFILL—A legally permitted disposal facility. Copies of permit documentation verifying the legality of such landfills must be provided. This language is not intended to preclude the utilization of transfer stations.

J. LEAF and LEAVES — Vegetative matter resulting from landscaping and lawn maintenance is limited to leaves from trees and shrubs, exclusive of limbs, stumps, etc.

K. MEDICAL WASTE — Any Solid Waste that is generated in the diagnosis, treatment, or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biological, but does not include any hazardous waste or those substances excluded from the definition of Solid Waste.

L. MUNICIPAL SOLID WASTE — Solid Waste resulting from the operation of residential, commercial, industrial, governmental, or institutional establishments that would typically be collected, processed, and disposed of through a public or private solid waste management service. Municipal Solid Waste ("MSW") does not include Hazardous Waste, Special Waste, or solid waste from mining or agricultural operations.

M. REFUSE — All non-putrescible waste.

N. RECYCLABLES — Items that are acceptable by the Town include newspapers and their inserts, computer paper, white office paper and junk mail, magazines, envelopes, cereal boxes and boxes for crackers, cookies, and other similar foods, plastic soft drink bottles, plastic water and milk jugs, aluminum food cans, bi-metal and steel food cans, old corrugated cardboard boxes that are flattened, cut to 18” by 18” for placement inside the Designated Cart, and other recyclables acceptable for processing at the MRF as mutually agreed by the Town and the Company. Items to be recycled may be changed upon mutual agreement by the Town and the Company based on current market conditions for such goods. Recyclable materials may change based on the ability of the local processing facilities to process such goods.

O. RESIDENTIAL UNITS – An occupied dwelling (whether a single-family home or a multi-family unit) containing five (5) or fewer units within the corporate limits of the Town requiring curbside collection. A residential unit shall be deemed occupied when supplied with water or domestic light and power services.

P. ROLL OUT CART ("Cart") - A ninety-six (96) gallon storage receptacle with two (2) wheels and an axle and as a receiving receptacle for Garbage or Recyclables. The Cart is also equipped with a top lid constructed of special plastic that allows the Cart to be pushed or pulled to the curb of the street. It is designed to accommodate household Garbage and MSW or Recyclables.

Q. SEPTAGE — Any solid, semisolid, or liquid waste generated from municipal, commercial, industrial, or institutional wastewater treatment plants, water supply treatment plants, air pollution control facilities, or other waste with similar characteristics and effects.

R. SMALL COMMERCIAL UNIT – Any active small business in the Town that requires curbside collection.

S. TOWN – Town of Landis, NC

T. SOLID WASTE — All solid and semi-solid Garbage and Refuse, but never (a) Hazardous Waste materials, (b) the other items excluded under the Exclusions paragraph of this Contract, (c) solid or dissolved materials in domestic sewage, (d) solid or dissolved materials in irrigation return flows, (e) industrial discharges which are point sources subject to permits under Section 402 of the Federal Water Pollution Control Act as amended (86 STAT.880), and (f) source, special nuclear, or by-product materials as defined by the Atomic energy Act of 1954 as amended (68 STAT.923)

U. SPECIAL WASTE — Solid Waste requiring special handling and management, including White Goods, whole tires, used motor oil, lead-acid batteries, and Medical Wastes. Also, all treated/de-characterized (formerly hazardous) wastes, polychlorinated biphenyl ("PCB") wastes, industrial process wastes, asbestos-containing material, chemical-containing equipment, demolition debris, incinerator ash; medical wastes; off-spec chemicals, sludge; spill-cleanup wastes; underground storage tank (UST) soils; and wastes from service industries.

V. UNACCEPTABLE WASTE – Highly flammable substances, Hazardous Waste, Special Waste, liquid wastes(wastewater, fats, oils or grease (FOG), used oil, and hazardous liquids), biological and pathological wastes, explosives, toxic materials, radioactive materials, materials that the disposal facility is not authorized to receive or disposal of, and other materials deemed by state, federal, or local law, or in the reasonable discretion of the Company, to be dangerous or threatening to health or the environment, or which cannot be legally accepted at the disposal facility.

W. UNIT - is defined as one (1) single-family residence, detached or attached, or a designated non-residential location within the Town's Corporate Limits requiring curbside collection.

X. UNIT PRICE - is defined as the amount on “Exhibit A” to provide Refuse and Recyclable Collection. (Services as mentioned above shall not include apartment complexes.)

Y. WHITE GOODS - Refrigerators, ranges, stoves, water heaters, freezers, scrap metal, copper, and similar domestic and commercial large appliances.

Z. YARD WASTES - All vegetative matter resulting from landscaping or yard maintenance. Yard Waste shall not include Unacceptable Waste. Contractor-generated yard waste and land clearing are not included in this definition.

2. AWARD OF CONTRACT

The Town hereby awards this Contract to the Company. During the term of this Contract and any extensions or renewals, the Company shall be the only entity or person paid by the Town to provide the Services herein within the Town limits for the term of this Contract and any extensions.

3. TERM

The Term of this Contract shall begin July 1, 2024, and continue through June 30, 2029, unless sooner terminated for cause or failure to perform per the terms and conditions set forth. The Term of this Contract shall automatically extend for an additional five (5) year terms unless one party advises the other in writing at least one hundred eighty (180) days before the expiration of the then-current term of the Contract. Any such written notice shall be served by certified or registered mail return receipt requested. In no event shall the term of this Contract extend beyond that allowed by Applicable North Carolina State Law. Nothing herein shall prevent the Town and the Company from mutually agreeing upon the selection of an extension term subsequent to the initial term of the Contract.

4. SERVICE

The Services to be provided by the Company shall include the following:

A. MSW - The Company shall service each Town-approved Residence and Small Commercial Unit within the Town with one (1) ninety-six (96) gallon Cart specifically designed for the storage and collection of MSW and household Garbage. The Company will provide a scheduled service to empty the stored contents in the Company's collection refuse body on a scheduled basis once each week, which the customer adequately prepares in accordance with Section 4. A.i.

i. Each unit will be serviced with one (1) Refuse cart per unit. The Company will not be responsible for collecting overflow outside of the cart except for the weeks following Thanksgiving, Christmas, and New Year's.

ii. The Company shall not collect materials resulting from the operation of any business or commercial endeavor unless it falls under the definition of a Small Commercial Unit.

iii. The Company shall take refuse collected to the Designated Disposal Facility as specified by the Town.

iv. Tagging Non-Compliant Materials. The Company shall collect refuse placed in the Designated Collection Container provided by the Company if unacceptable materials are placed in the Designated Collection Container. The Company shall not collect materials, tag them with an explanatory printed notice to the customer, or notify the Town within eight (8) work hours. Following the notification by the Company, the Town will investigate the matter and advise the Company of its decision and any action that the Town requires. If the Town finds that the material set out does meet the specifications, the Company will be notified by the Town and must return and pick up the refuse within eight (8) working hours of notification. If the Town finds that the materials did not meet the specifications, the Company will not be required to return to the Unit until the next regularly scheduled pickup. The Company shall pick up the material if the materials set out meet the specifications at the next regularly scheduled pickup.

v. Customers will contact the Town to obtain additional Refuse Containers. Additional containers will be serviced on the regular collection day.

vi. MSW carts are provided by the Company.

5. HOURS of OPERATION

The Company shall operate from 5:30 a.m. to 8:00 p.m. All approved services shall be at the curb before 5:00 a.m. on collection day. Any material not at the curb before 5:00 a.m. may be considered late/non-compliant. The company shall not be deemed a missed service during a late set-out. Exceptions to collection hours may occur upon mutual agreement of the Town and the Company.

6. HOLIDAYS

Collection will be suspended on the observed holidays at the discretion of the Company. The observed holidays may or may not be the same as those designated by the Town for Town employees. The Company shall submit annually to the Town its observed holidays for the calendar year. Holiday schedules for the following year must be submitted by December 1, proceeding with the new calendar year. All dates are subject to change based on the disposal/processing facilities.

7. EXCLUSIONS

This Contract shall not require the company to collect, transport, dispose of, or otherwise handle Bulk, Yard, Construction, Demolition, Hazardous, Industrial, Septage, or Special Waste.

8. TITLE

The Company shall collect the Town’s MSW, and the title shall remain with the Town during the Company receipt and transportation to the designated Subtitle D Landfill for ultimate disposal of the MSW.

9. RATES

Rates are outlined in ATTACHMENT “A.”

10. RATE MODIFICATION

The rate charged by the Company to the Town for the second and subsequent years of the term hereof will be adjusted upward to reflect the changes in the Consumer Price Index (“CPI”) during the preceding twelve months. For this Contract, the CPI shall mean the Consumer Price Index for All Urban Consumers (CPI-U): U.S. Cities Water and Sewer and Trash Collection Services. The initial rate adjustment will take effect July 1, 2025, and any successive rate increases in the succeeding year throughout the term. Monthly rate payments will be adjusted to compensate for the annual rate increases. The Company shall give notice of possible rate increases before March 1st of each fiscal year based on the December report.

In addition, the Company may petition the Town for a rate increase based on other unusual changes in the Company’s cost of operations, including disposal costs or increased costs associated with the relocation of either facility, by written request with justification approved by the Town. The Town will not withhold such approval unreasonably.

11. PANDEMIC / ENDEMIC

The parties acknowledge that the financial impacts of a pandemic or endemic would be uncertain. They understand that those effects, as they become known, would constitute “unusual changes.”

12. CHANGE in FUEL PRICE

The Town shall adjust payments to the Company quarterly for either an increase or decrease in the fuel cost for providing the service to the Town as per the contract. The fuel adjustment component (fac) shall be adjusted on the first quarter after the start date of the contract with the base of fuel pricing being set at the fuel pricing as per "On Highway Retail Diesel Price" Lower Atlantic Region, U. S. Department of Energy, Energy Information Administration published on the Internet at: http://tonto.eia.doe.gov/oogiinfo/wohdp/diesel_detail_report.asp.at the start date of this contract and every quarter thereafter. This fuel adjustment component will not be considered within the CPI adjustment in paragraph F above.

Example: contract:	Fuel cost as per the internet listing at the start date of the
	\$2.90 per gallon
	5% of rate .145
	Base Rate \$3.045
	1st Quarter price \$3.25
	Rate increase .205 per gallon
	.205 multiplied by the gallons used by the Company.

Each quarter, the Company shall calculate the adjusted fuel component price described above and send a letter to the Town showing the calculations using the route miles, route hours, and gallons of fuel used to provide the services to the Town as per the contract. The rate paid to the Company will be adjusted by residential unit counts for residential will be adjusted monthly accordingly.

The base rate established for this contract is \$3.75 per gallon. Therefore, fuel increase will only occur once the fuel reaches this rate.

13. INDEMNITY

The Company shall indemnify the Town against any claims, actions, or suits, including court costs and reasonable attorneys' fees, to the extent caused by (a) the Company's negligent or willful misconduct in providing the Services herein required, (b) the Company's negligent or willful misconduct in the operation of its equipment in connection with the performance of the Services herein required, or (c) the Company’s failure to comply with any applicable law, ordinance, or regulation. The Town shall notify the Company immediately upon obtaining knowledge of any matter giving rise to possible indemnification. The Company shall have the right to defend or contest any such claim or demand in the name of the Company. The Town shall provide such cooperation in connection therewith as the Company may reasonably request and shall make available to the Company or its representatives all records or other materials reasonably required in such defense. So long as the Company is contesting or defending any such claim or demand in good faith, no amount shall be deemed due unless the Town has been required by order of any court to pay any sum arising out of the subject matter of the suit.

14. INSURANCE

During the term of this Contract and all extensions, the Company shall maintain in full force and affect the following insurance, and a Certificate of Insurance will be provided to the Town upon execution of the Contract:

The Company shall provide the Town with the Certificate of Insurance for the Company for all coverage upon executing the Contract by the parties. In writing, a thirty (30) day notification is required from the Company if the stipulated Insurance Coverage is canceled or modified. It shall be the responsibility of the Company to ensure that all subcontractors used by the Company have the exact insurance requirements hereinabove, which shall be required by the Town.

15. FORCE MAJEURE

The Company shall be relieved of its obligations hereunder when acts of God, war or public enemy, civil commotion, strike, terrorism, inclement weather, riot or insurrection, epidemic, pandemic, governmental interference, or any other event beyond the control of the Company render its performance hereunder substantially impossible. During such periods, a mutually agreed reduction in charges reflecting the decrease in service shall be made. The Company shall make all reasonable efforts to resume Service as expeditiously as possible.

16. PERMITS, LICENSES AND TAXES

The Company shall obtain all permits and licenses required by law or ordinance at its own expense and maintain same in full force and effect. The Company shall be solely responsible for permitting, licensing, and operating its equipment. The Company shall promptly pay all taxes required by local, state, and federal laws.

17. COMPLIANCE WITH LAWS AND LAWS TO GOVERN

The Company shall conduct operations under this Contract in compliance with all applicable state, federal, and local laws and ordinances, provided, however, that the term of this Contract shall govern the obligations of the Company where conflicting ordinances exist. The Company will also comply with all applicable federal, state, and local laws, rules, and regulations related to accepting, transporting, and delivering Company-collected Recyclables to the Company's-designated MRF. This Contract shall be governed by and construed in accordance with the laws of the State of North Carolina.

18. ENTIRE CONTRACT/MODIFICATION

This Contract constitutes the entire agreement and understanding between the parties with respect to the subject matter, and it shall not be considered modified, altered, changed, or amended in any respect unless in writing and signed by the parties hereto.

19. BIDING EFFECT

This Contract shall inure to the benefit of and be binding upon the lawful successors and permitted assigns of the parties hereto.

20. REPORTS

The town shall be able to review daily reports of missed stops or areas and requests for cart delivery, removal, or repairs. Monthly invoicing will be submitted by the 14th of each month after service and include the monthly tonnage information. All payments by the Town will be processed within thirty (30) days of receipt. Notification of personal injury or property damage, including vehicular damage to public or private property, including status and final disposition. The revocation of any license or permits to provide service to the Town of Mount Pleasant.

The Company shall provide the Town with information and records to assist the Town, County, or State of North Carolina in reporting data under the Solid Waste Management Act.

THIS PAGE IS INTENTIONALLY LEFT BLANK

IN WITNESS WHEREOF, this Contract was executed in duplicate on the day and in the year mentioned above. The execution by the Town shall be made pursuant to the authority granted to the Town Mayor by the Town’s elected Board. The Town Municipal corporate seal shall be affixed by the Town Mayor and attested by the Town Clerk, and Waste Pro of North Carolina, as Company, has set their hand herein below.

By: _____

Madison Stegall, Town Clerk

By: _____

Meredith Smith, Town Mayor

ATTEST:

WASTE PRO of NORTH CAROLINA (Waste Pro)

By: _____

Malinda Barkley,
Regional Director of Government Affairs

By: _____

Chip Gingles,
Regional Vice President

This instrument has been pre-audited in the manner required by the “Local Government Budget and Fiscal Control Act.”

Jeneen McMillen, Finance Director

ATTACHMENT "A"

Pricing

MSW Collected once per week per unit per month: \$11.19

MSW second cart Collected once per week per unit per month: \$11.19



Item Cover Page

MEETING TYPE: Board of Alderman

DATE: June 10, 2024

SUBMITTED BY: Blake Abernathy, Public Works Director

ITEM TYPE: Consideration

AGENDA SECTION: Considerations

SUBJECT: **Consider Awarding Sidewalk Replacement Bid**

DETAILS:

Staff have been working on identifying cracked, or damaged, sidewalks that need to be replaced around town. The following areas that are in need of repair are: 200 N Main Street, 400 N Main Street, 200 W Rice Street, 400 W Rice Street, 500 W Rice Street, 500 S Zion Street, 600 S Zion Street, 200 W Ryder Avenue, 300 W Ryder Avenue, 400 W Ryder Avenue, 500 E Ryder Avenue, 300 E Ryder Avenue, 200 E Garden Street, Buford Court Cul-De-Sac, 300 S Correll Street, 300 E Ridge Street, 500 N Central Avenue, and 200 S Central Avenue. Staff have received three bids for the project which are Carolina Siteworks, Inc in the amount of \$84,500, Yates & Funderburk, Inc. in the amount of \$76,300, and Rodger Newton Concrete, Inc in the amount of \$51,250.00.

My recommendation is to award the project to Rodger Newton Concrete, Inc due to the cost efficiency and time constraints. They claim they can start the project as soon as possible.

Rodger Newton Concrete is out of Harrisburg, NC, and come recommended by Niblock Homes, Blackwelder Associates, Gary Layton Construction, and Cumberland Development. These entities claim Rodger Newton Concrete work is superb and have all had great success using them.

ROGER NEWTON CONCRETE, INC.

P.O. Box 1297 • Harrisburg, NC 28075

Phone: (704) 721-3990 • Mobile: (704) 791-0636

Free Estimates • Low Rates

Driveways • Sidewalks • Patios • Floor Slabs

Not Responsible for cracks.



Name Town of Landis

Address ~~State~~ BLAKE

704-910 7678

Phone # B Abernathy @ Town of Flanders
N.C. 190V

Thank You for Business

Date	Yards of Concrete	Amount
4-26-2024	All Demos on Exst sidewalk haul off prep pin Exst concrete, 19 Location city of Landis Approx 5,500 SF = 70 yards Pour Back all new sidewalk all Exp Joints = 43,750.00	
	All curb Demo haul off Pour Back new curbs drill pin tie back to Exst concrete	
	All Exp Joints = 50 LF = 7500.00 curb	
	Total Due	51,250.00

Terms: Net due on receipt of statement. Amounts over 30 days subject to 1 1/2% monthly service charge and a lien will be placed on the property.

sidewalks = 43,750.00 Estimate

curbs = 7,500.00

PLEASE PAY BY THIS INVOICE

YATES & FUNDERBURK CONCRETE FINISHING, INC.
P.O Box 870
China Grove, NC 28023
704-202-6197
Proposal

Date: 4-25-24

Re: Sidewalk Remove/Replace

Joe,

We propose to provide all labor, equipment, material, and supervision to demo approx. 5,100SF of sidewalk and 70LF of curb and gutter on various roads throughout the town. We will remove all material offsite. All concrete will be a 3,000psi mix. We will backfill and seed all disturbed grass areas. I have listed all streets with quantities that I marked to be replaced.

Remove/Replace Sidewalk: \$14/SF
Remove/Replace Curb: \$70/LF

- | | | |
|--------------------------|-------------------------------|-------------------------|
| 200 N. Main St.-60SF | 500 S. Zion St.-300SF | 500 E. Ryder St.-880SF |
| 400 N. Main St.-200SF | 600 S. Zion St.-200SF | 600 E. Ryder St.-160SF |
| 200 W. Rice St.-140SF | 200 W. Ryder St.-300SF | 200 E. Garden St.-224SF |
| 400 W. Rice St.-360SF | 300 W. Ryder St.-200SF | Buford Cul-De-Sac-200SF |
| 500 W. Rice St.-80SF | 400 W. Ryder St.-740SF | 400 S. Chapel St.-312SF |
| 300 S. Correll St.-200SF | 500 N. Central Ave.-344SF | |
| 300 E. Ridge St.-200SF | 500 N. Central Ave.-70LF Curb | |

Sidewalk Lump Sum based off square footage above: \$71,400.00.
Curb Lump Sum based off linear footage above: \$4,900.00.

Sincerely,

Greg Honeycutt

Greg Honeycutt

CAROLINA SITEWORKS, INC
Post Office Box 280
China Grove, NC 28023
Telephone: 704-855-7483
Fax: 704-855-9676
NC License No. 45224

June 5, 2024

To: Blake Abernathy

Project: Landis Sidewalks

We propose to furnish all the necessary supervision, labor, equipment and materials required to complete the following work as outlined below and incorporated as part of this proposal.

500 N. Central:

Set up and maintain traffic control. Demo existing damaged sidewalk and dispose of material off-site. Form and pour approx. 340 SF of 4" concrete sidewalk approx. 5 CY @ \$890.00/CY.

ESTIMATED TOTAL: \$4,450.00

400 S. Chapel:

Set up and maintain traffic control. Demo existing damaged sidewalk and dispose of material off-site. Form and pour approx. 20 SF of 4" concrete sidewalk approx. 1 CY @ \$890.00/CY.

ESTIMATED TOTAL: \$890.00

400 N. Main:

Set up and maintain traffic control. Demo existing damaged sidewalk and dispose of material off-site. Form and pour approx. 80 SF of 4" concrete sidewalk approx. 1.5 CY @ \$890.00/CY.

ESTIMATED TOTAL: \$1,335.00

200 N. Main:

Set up and maintain traffic control. Demo existing damaged sidewalk and dispose of material off-site. Form and pour approx. 200 SF of 4" concrete sidewalk approx. 3 CY @ \$890.00/CY.

ESTIMATED TOTAL: \$2,670.00

200 W. Rice:

Set up and maintain traffic control. Demo existing damaged sidewalk and dispose of material off-site. Form and pour approx. 140 SF of 4" concrete sidewalk approx. 2 CY @ \$890.00/CY.

ESTIMATED TOTAL: \$1,780.00

400 W. Rice:

Set up and maintain traffic control. Demo existing damaged sidewalk and dispose of material off-site. Form and pour approx. 150 SF of 4" concrete sidewalk approx. 2.5 CY @ \$890.00/CY.

ESTIMATED TOTAL: \$2,225.00

500 W. Rice:

Set up and maintain traffic control. Demo existing damaged sidewalk and dispose of material off-site. Form and pour approx. 150 SF of 4" concrete sidewalk approx. 2.5 CY @ \$890.00/CY.

ESTIMATED TOTAL: \$2,225.00

500 S. Zion:

Set up and maintain traffic control. Demo existing damaged sidewalk and dispose of material off-site. Form and pour approx. 320 SF of 4" concrete sidewalk approx. 4.5 CY @ \$890.00/CY.

ESTIMATED TOTAL: \$4,005.00

600 S. Zion:

Set up and maintain traffic control. Demo existing damaged sidewalk and dispose of material off-site. Form and pour approx. 225 SF of 4" concrete sidewalk approx. 3.5 CY @ \$890.00/CY.

ESTIMATED TOTAL: \$3,115.00

200 W. Ryder:

Set up and maintain traffic control. Demo existing damaged sidewalk and dispose of material off-site. Form and pour approx. 550 SF of 4" concrete sidewalk approx. 7.5 CY @ \$890.00/CY.
ESTIMATED TOTAL: \$6,675.00

300 W. Ryder:

Set up and maintain traffic control. Demo existing damaged sidewalk and dispose of material off-site. Form and pour approx. 550 SF of 4" concrete sidewalk approx. 7.5 CY @ \$890.00/CY.
ESTIMATED TOTAL: \$6,675.00

400 W. Ryder:

Set up and maintain traffic control. Demo existing damaged sidewalk and dispose of material off-site. Form and pour approx. 400 SF of 4" concrete sidewalk approx. 5.5 CY @ \$890.00/CY.
ESTIMATED TOTAL: \$4,895.00

500 E. Ryder:

Set up and maintain traffic control. Demo existing damaged sidewalk and dispose of material off-site. Form and pour approx. 200 SF of 4" concrete sidewalk approx. 3 CY @ \$890.00/CY.
ESTIMATED TOTAL: \$2,670.00

600 E. Ryder:

Set up and maintain traffic control. Demo existing damaged sidewalk and dispose of material off-site. Form and pour approx. 100 SF of 4" concrete sidewalk approx. 1.5 CY @ \$890.00/CY.
ESTIMATED TOTAL: \$1,335.00

300 E. Ridge:

Set up and maintain traffic control. Demo existing damaged sidewalk and dispose of material off-site. Form and pour approx. 550 SF of 4" concrete sidewalk approx. 7.5 CY @ \$890.00/CY.
ESTIMATED TOTAL: \$6,675.00

200 E. Garden:

Set up and maintain traffic control. Demo existing damaged sidewalk and dispose of material off-site. Form and pour approx. 350 SF of 4" concrete sidewalk approx. 5 CY @ \$890.00/CY.
ESTIMATED TOTAL: \$4,450.00

300 S. Correll:

Set up and maintain traffic control. Demo existing damaged sidewalk and dispose of material off-site. Form and pour approx. 500 SF of 4" concrete sidewalk approx. 7 CY @ \$890.00/CY.
ESTIMATED TOTAL: \$6,230.00

200 S. Central:

Set up and maintain traffic control. Demo existing damaged sidewalk and dispose of material off-site. Form and pour approx. 250 SF of 4" concrete sidewalk approx. 4 CY @ \$890.00/CY.
ESTIMATED TOTAL: \$3,560.00

Buford CDS:

Set up and maintain traffic control. Demo existing damaged sidewalk and dispose of material off-site. Form and pour approx. 1,550 SF of 4" concrete sidewalk approx. 21 CY @ \$890.00/CY.
ESTIMATED TOTAL: \$18,690.00

NOTE: Price based on measurements and observations taken from site visit. If Carolina Siteworks, Inc. is awarded this contract, the quoted prices are good for 30 days, after that, Carolina Siteworks, Inc. may need to renegotiate prices. Final invoice to be calculated by actual cubic yards of concrete placed on the job. Job is quoted as having a minimum of 10 CY available per day. If any tree roots need to be removed, Carolina Siteworks, Inc. does not guarantee the life of the tree under any circumstance. Suitable survey stakes to be provided by others. Price includes one mobilization. Items not included in price: any curb and gutter removal and replacement, ABC stone under any concrete flat work, any extra grading, backfilling, testing, any landscaping, rock excavation, undercut of unsuitable soils, repair of damage caused by others, relocation or repair of utilities; prime coat or herbicide treatment, or anything else not specifically mentioned above.

Respectfully Submitted,
Mark Hoesman
Carolina Siteworks, Inc.

Accepted as Contract:

Carolina Siteworks, Inc.



Item Cover Page

MEETING TYPE: Board of Alderman

DATE: June 10, 2024

SUBMITTED BY: Jeneen McMillen, Finance Director

ITEM TYPE: Consideration

AGENDA SECTION: Considerations

SUBJECT: **Consider Awarding South Upright Street Basin Sanitary Sewer Rehabilitation Project Bid**

DETAILS:

Consider Awarding the South Upright Sewer Rehabilitation Bid to Locke-Lane. The town received five bids for this project, and Locke-Lane Construction was the lowest bid at \$1,698,220. The consulting engineers, Municipal Engineering, Inc. have reviewed the bids and recommend awarding the bid to Locke-Lane Construction.



June 10, 2024

The Honorable Meredith B. Smith
Landis Board of Aldermen
PO Box 8165
Landis, NC 28088

**RE: Division A-1: S. Upright St. Basin Sanitary Sewer Rehabilitation
Recommendation of Tentative Award
State Project Nos. SRP-W-ARP-0184 and CS370652-03
MESCO Project Nos. G20053.0**

Dear Ms. Smith:

Bid Evaluation

Formal bids for the referenced project were opened on May 2, 2024 at 2:00 PM Eastern Daylight Time (EDT) at the Landis Town Hall in Landis, NC. A total of five bids were received. A copy of the certified bid tabulation is attached.

Based on our bid analysis, Locke-Lane Construction, Inc. is the lowest responsive, responsible bidder with a Total Base Bid of \$1,698,220.00. Locke-Lane Construction is located in Stony Point, NC and has been doing utility work in North Carolina for many years. They have worked successfully on similar projects of equal size for other municipalities, including the Town of Landis, and private clients.

Budget Assessment

The project will be funded by American Rescue Plan Act Earmarks and a Clean Water State Revolving Fund loan administered by the Division of Water Infrastructure (DWI) of the North Carolina Department of Environmental Quality. The lowest Total Price Bid of \$1,698,220.00 is within the estimated construction cost budget of \$2,251,260.00. Therefore, based on our bid evaluation and budget assessment, we recommend the construction project be tentatively awarded to Locke-Lane Construction, Inc. in the amount of \$1,698,220.00, pending approval by the NC Division of Water Infrastructure.

As always, we appreciate the opportunity to provide you with our services and look forward to assisting you with the construction of this project.

MUNICIPAL ENGINEERING SERVICES CO., PA

Gary M. Flowers, PE
Principal Senior Project Manager

Enclosures (Certified Bid Tabulation)
cc: Michael Ambrose, Town Manager (via email)

68 Shipwash Drive
Garner, NC 27529
(919) 772-5393
www.mesco.com

Certified Bid Tabulation

I certify this document to be a true and accurate tabulation of bids as received:

By: 



Client: Town of Landis
 Project: S. Upright St. Basin Sanitary Sewer Rehabilitation
 Bid Date: May 2, 2024
 Place: Landis Town Hall
 Municipal Engineering, Inc.
 Garner, North Carolina

Locke-Lane Const., Inc. PO Box 139, Stony Point, NC 28678 NC No. 66575	Baker Underground, Inc. 422 W. Mountain St. Kernersville, NC 27284 NC No. 85066	State Utility Contractors, Inc. 4417 Old Charlotte Hwy. Monroe, NC 28111-5019 NC No. 17793	Dellinger, Inc. PO Box 929 Monroe, NC 28111 NC No. 5992	Mountaineer Contractors, Inc. PO Box 606 Kingwood, WV 26537 NC No. 76264
---	--	---	--	---

Bid Item No	Description	Unit	QTY	Price Bid per unit	Total Price Bid	Price Bid per unit	Total Price Bid	Price Bid per unit	Total Price Bid	Price Bid per unit	Total Price Bid	Price Bid per unit	Total Price Bid
S. Upright St. Basin Sanitary Sewer Rehabilitation													
1	Mobilization	LS	1	\$ 30,000.00	\$ 30,000.00	\$ 34,000.00	\$ 34,000.00	\$ 55,000.00	\$ 55,000.00	\$ 65,000.00	\$ 65,000.00	\$ 79,500.00	\$ 79,500.00
2	Gravity Sewer - 8-Inch Diameter Class 350 Ductile Iron												
	0' - 6' Depth	LF	228	\$ 154.00	\$ 35,112.00	\$ 200.00	\$ 45,600.00	\$ 455.00	\$ 103,740.00	\$ 686.00	\$ 156,408.00	\$ 600.00	\$ 136,800.00
	14' - 16' Depth	LF	14	\$ 164.00	\$ 2,296.00	\$ 500.00	\$ 7,000.00	\$ 540.00	\$ 7,560.00	\$ 1,800.00	\$ 25,200.00	\$ 1,100.00	\$ 15,400.00
	16' - 18' Depth	LF	19	\$ 175.00	\$ 3,325.00	\$ 500.00	\$ 9,500.00	\$ 625.00	\$ 11,875.00	\$ 2,300.00	\$ 43,700.00	\$ 1,500.00	\$ 28,500.00
	18' - 20' Depth	LF	22	\$ 410.00	\$ 9,020.00	\$ 500.00	\$ 11,000.00	\$ 700.00	\$ 15,400.00	\$ 2,600.00	\$ 57,200.00	\$ 2,000.00	\$ 44,000.00
	20' - 22' Depth	LF	26	\$ 625.00	\$ 16,250.00	\$ 500.00	\$ 13,000.00	\$ 750.00	\$ 19,500.00	\$ 2,800.00	\$ 72,800.00	\$ 2,200.00	\$ 57,200.00
3	Gravity Sewer - 8-Inch Diameter SDR 35 PVC												
	0' - 6' Depth	LF	1,561	\$ 84.00	\$ 131,124.00	\$ 120.00	\$ 187,320.00	\$ 420.00	\$ 655,620.00	\$ 445.00	\$ 694,645.00	\$ 520.00	\$ 811,720.00
	6' - 8' Depth	LF	1,006	\$ 97.00	\$ 97,582.00	\$ 140.00	\$ 140,840.00	\$ 424.00	\$ 426,544.00	\$ 544.00	\$ 547,264.00	\$ 604.00	\$ 607,624.00
	8' - 10' Depth	LF	323	\$ 105.00	\$ 33,915.00	\$ 160.00	\$ 51,680.00	\$ 435.00	\$ 140,505.00	\$ 640.00	\$ 206,720.00	\$ 700.00	\$ 226,100.00
	10' - 12' Depth	LF	154	\$ 110.00	\$ 16,940.00	\$ 300.00	\$ 46,200.00	\$ 450.00	\$ 69,300.00	\$ 900.00	\$ 138,600.00	\$ 715.00	\$ 110,110.00
	12' - 14' Depth	LF	61	\$ 185.00	\$ 11,285.00	\$ 300.00	\$ 18,300.00	\$ 470.00	\$ 28,670.00	\$ 1,500.00	\$ 91,500.00	\$ 750.00	\$ 45,750.00
	14' - 16' Depth	LF	12	\$ 650.00	\$ 7,800.00	\$ 300.00	\$ 3,600.00	\$ 510.00	\$ 6,120.00	\$ 1,500.00	\$ 18,000.00	\$ 1,000.00	\$ 12,000.00
4	8-Inch Diameter Cured In Place Pipe (CIPP)	LF	3,357	\$ 90.00	\$ 302,130.00	\$ 68.00	\$ 228,276.00	\$ 94.00	\$ 315,558.00	\$ 80.00	\$ 268,560.00	\$ 65.00	\$ 218,205.00
5	Full (100%) Reinstatement of Active Service Laterals	EA	15	\$ 300.00	\$ 4,500.00	\$ 100.00	\$ 1,500.00	\$ 350.00	\$ 5,250.00	\$ 90.00	\$ 1,350.00	\$ 190.00	\$ 2,850.00
6	Heavy Cleaning and Debris Removal	LF	1,680	\$ 7.00	\$ 11,760.00	\$ 5.00	\$ 8,400.00	\$ 9.00	\$ 15,120.00	\$ 1.50	\$ 2,520.00	\$ 12.00	\$ 20,160.00
7	Standard Manhole - 4-ft ID with Standard Frame & Cover												
	0' - 6' Depth	EA	5	\$ 10,000.00	\$ 50,000.00	\$ 6,000.00	\$ 30,000.00	\$ 4,500.00	\$ 22,500.00	\$ 4,500.00	\$ 22,500.00	\$ 7,000.00	\$ 35,000.00
	6' - 8' Depth	EA	6	\$ 10,300.00	\$ 61,800.00	\$ 7,000.00	\$ 42,000.00	\$ 5,100.00	\$ 30,600.00	\$ 5,000.00	\$ 30,000.00	\$ 8,000.00	\$ 48,000.00
	8' - 10' Depth	EA	3	\$ 10,750.00	\$ 32,250.00	\$ 8,000.00	\$ 24,000.00	\$ 5,700.00	\$ 17,100.00	\$ 6,000.00	\$ 18,000.00	\$ 12,000.00	\$ 36,000.00
	10' - 12' Depth	EA	1	\$ 16,000.00	\$ 16,000.00	\$ 9,000.00	\$ 9,000.00	\$ 6,400.00	\$ 6,400.00	\$ 6,200.00	\$ 6,200.00	\$ 18,000.00	\$ 18,000.00
8	4' Dia. Manhole Rehabilitation by Cementitious Lining	VF	127	\$ 400.00	\$ 50,800.00	\$ 325.00	\$ 41,275.00	\$ 540.00	\$ 68,580.00	\$ 500.00	\$ 63,500.00	\$ 450.00	\$ 57,150.00
9	Manhole Bottom/Bench/Invert Re-Construction	EA	1	\$ 3,970.00	\$ 3,970.00	\$ 2,500.00	\$ 2,500.00	\$ 1,500.00	\$ 1,500.00	\$ 600.00	\$ 600.00	\$ 750.00	\$ 750.00
10	Connection of Existing Sewer to New Manhole	EA	3	\$ 2,788.00	\$ 8,364.00	\$ 2,500.00	\$ 7,500.00	\$ 8,200.00	\$ 24,600.00	\$ 5,000.00	\$ 15,000.00	\$ 5,000.00	\$ 15,000.00
11	Connection of New Sewer Pipe to Existing Manhole	EA	3	\$ 5,500.00	\$ 16,500.00	\$ 2,500.00	\$ 7,500.00	\$ 7,300.00	\$ 21,900.00	\$ 4,000.00	\$ 12,000.00	\$ 5,500.00	\$ 16,500.00
12	Gravity Sewer 8-Inch Pipe Abandonment/Line Plugging	EA	1	\$ 4,800.00	\$ 4,800.00	\$ 6,000.00	\$ 6,000.00	\$ 9,000.00	\$ 9,000.00	\$ 950.00	\$ 950.00	\$ 5,000.00	\$ 5,000.00
13	Manhole Removal and Disposal	EA	11	\$ 7,460.00	\$ 82,060.00	\$ 4,000.00	\$ 44,000.00	\$ 900.00	\$ 9,900.00	\$ 3,000.00	\$ 33,000.00	\$ 10,000.00	\$ 110,000.00
14	Manhole Abandonment (Standard)	EA	1	\$ 7,050.00	\$ 7,050.00	\$ 4,000.00	\$ 4,000.00	\$ 1,800.00	\$ 1,800.00	\$ 10,000.00	\$ 10,000.00	\$ 11,000.00	\$ 11,000.00
15	Sanitary Sewer Service Lateral Replacement/Reconnection to New/Rehabilitated Main												
	4" Lateral	EA	74	\$ 2,750.00	\$ 203,500.00	\$ 1,500.00	\$ 111,000.00	\$ 2,300.00	\$ 170,200.00	\$ 2,200.00	\$ 162,800.00	\$ 5,000.00	\$ 370,000.00
16	Sanitary Sewer Service Lateral Replacement/Reconnection to New/Rehabilitated Manhole												
	4" Lateral	EA	11	\$ 3,070.00	\$ 33,770.00	\$ 2,000.00	\$ 22,000.00	\$ 2,300.00	\$ 25,300.00	\$ 5,000.00	\$ 55,000.00	\$ 4,000.00	\$ 44,000.00
17	Additional 4-in Sanitary Sewer Lateral Pipe	LF	500	\$ 34.00	\$ 17,000.00	\$ 50.00	\$ 25,000.00	\$ 80.00	\$ 40,000.00	\$ 40.00	\$ 20,000.00	\$ 105.00	\$ 52,500.00
18	Asphalt Removal and Replacement (Town Streets)	SY	1,078	\$ 84.00	\$ 90,552.00	\$ 200.00	\$ 215,600.00	\$ 196.00	\$ 211,288.00	\$ 125.00	\$ 134,750.00	\$ 108.00	\$ 116,424.00
19	Asphalt Removal and Replacement (NCDOT Streets)	SY	20	\$ 300.00	\$ 6,000.00	\$ 800.00	\$ 16,000.00	\$ 500.00	\$ 10,000.00	\$ 3,200.00	\$ 64,000.00	\$ 435.00	\$ 8,700.00

Certified Bid Tabulation

I certify this document to be a true and accurate tabulation of bids as received:

By: 

Client: Town of Landis
 Project: S. Upright St. Basin Sanitary Sewer Rehabilitation
 Bid Date: May 2, 2024
 Place: Landis Town Hall



Locke-Lane Const., Inc. PO Box 139, Stony Point, NC 28678 NC No. 66575	Baker Underground, Inc. 422 W. Mountain St. Kernersville, NC 27284 NC No. 85066	State Utility Contractors, Inc. 4417 Old Charlotte Hwy. Monroe, NC 28111-5019 NC No. 17793	Dellinger, Inc. PO Box 929 Monroe, NC 28111 NC No. 5992	Mountaineer Contractors, Inc. PO Box 606 Kingwood, WV 26537 NC No. 76264
---	--	---	--	---

Bid Item No	Description	Unit	QTY	Price Bid per unit	Total Price Bid	Price Bid per unit	Total Price Bid	Price Bid per unit	Total Price Bid	Price Bid per unit	Total Price Bid	Price Bid per unit	Total Price Bid
20	Asphalt Driveway Removal and Replacement	SY	100	\$ 96.00	\$ 9,600.00	\$ 180.00	\$ 18,000.00	\$ 125.00	\$ 12,500.00	\$ 100.00	\$ 10,000.00	\$ 160.00	\$ 16,000.00
21	Removal and Replacement of Concrete Curb and Gutter	LF	70	\$ 295.00	\$ 20,650.00	\$ 100.00	\$ 7,000.00	\$ 120.00	\$ 8,400.00	\$ 80.00	\$ 5,600.00	\$ 350.00	\$ 24,500.00
22	Removal and Replacement of Concrete Driveways, Sidewalks and Flatwork	SY	6	\$ 350.00	\$ 2,100.00	\$ 1,000.00	\$ 6,000.00	\$ 300.00	\$ 1,800.00	\$ 250.00	\$ 1,500.00	\$ 2,500.00	\$ 15,000.00
23	Removal and Replacement of Curb Inlet	EA	1	\$ 1,100.00	\$ 1,100.00	\$ 5,000.00	\$ 5,000.00	\$ 3,000.00	\$ 3,000.00	\$ 5,500.00	\$ 5,500.00	\$ 6,500.00	\$ 6,500.00
24	Removal and Replacement of Storm Pipe (15" RCP, CL III)	LF	8	\$ 900.00	\$ 7,200.00	\$ 150.00	\$ 1,200.00	\$ 160.00	\$ 1,280.00	\$ 125.00	\$ 1,000.00	\$ 350.00	\$ 2,800.00
25	Restoration of Gravel Areas	SY	150	\$ 34.00	\$ 5,100.00	\$ 60.00	\$ 9,000.00	\$ 20.00	\$ 3,000.00	\$ 40.00	\$ 6,000.00	\$ 35.00	\$ 5,250.00
26	Select Backfill	CY	1,000	\$ 110.00	\$ 110,000.00	\$ 60.00	\$ 60,000.00	\$ 47.00	\$ 47,000.00	\$ 110.00	\$ 110,000.00	\$ 150.00	\$ 150,000.00
27	Extra Stone Stabilization	TON	200	\$ 65.00	\$ 13,000.00	\$ 80.00	\$ 16,000.00	\$ 58.00	\$ 11,600.00	\$ 75.00	\$ 15,000.00	\$ 110.00	\$ 22,000.00
28	Stone Screenings for Asphalt Protection	LF	1,140	\$ 20.00	\$ 22,800.00	\$ 20.00	\$ 22,800.00	\$ 5.00	\$ 5,700.00	\$ 4.00	\$ 4,560.00	\$ 10.00	\$ 11,400.00
29	Clearing and Grubbing	LS	1	\$ 72,433.00	\$ 72,433.00	\$ 30,000.00	\$ 30,000.00	\$ 120,000.00	\$ 120,000.00	\$ 40,000.00	\$ 40,000.00	\$ 202,000.00	\$ 202,000.00
30	Sediment and Erosion Control Devices												
	Silt Fencing	LF	4,202	\$ 5.00	\$ 21,010.00	\$ 8.00	\$ 33,616.00	\$ 4.00	\$ 16,808.00	\$ 6.00	\$ 25,212.00	\$ 12.00	\$ 50,424.00
	Inlet Protection	EA	4	\$ 550.00	\$ 2,200.00	\$ 400.00	\$ 1,600.00	\$ 250.00	\$ 1,000.00	\$ 600.00	\$ 2,400.00	\$ 700.00	\$ 2,800.00
	Temporary Construction Entrance	EA	3	\$ 1,600.00	\$ 4,800.00	\$ 8,000.00	\$ 24,000.00	\$ 2,950.00	\$ 8,850.00	\$ 4,500.00	\$ 13,500.00	\$ 5,000.00	\$ 15,000.00
31	Cleanup, Seeding and Mulching	SY	5,310	\$ 1.20	\$ 6,372.00	\$ 10.00	\$ 53,100.00	\$ 1.00	\$ 5,310.00	\$ 1.00	\$ 5,310.00	\$ 18.00	\$ 95,580.00
32	Project Sign	EA	2	\$ 1,200.00	\$ 2,400.00	\$ 2,000.00	\$ 4,000.00	\$ 1,000.00	\$ 2,000.00	\$ 1,000.00	\$ 2,000.00	\$ 1,500.00	\$ 3,000.00
TOTAL PRICDE BID - ITEMS 1-32:					\$ 1,698,220.00		\$ 1,704,907.00		\$ 2,794,678.00		\$ 3,285,349.00		\$ 3,982,197.00



Item Cover Page

MEETING TYPE: Board of Alderman

DATE: June 10, 2024

SUBMITTED BY: Jeneen McMillen, Finance Director

ITEM TYPE: Consideration

AGENDA SECTION: Considerations

SUBJECT: **Consider Awarding Patterson Road/Flat Rock Road Waterline Project Bid**

DETAILS:

Please consider awarding the facilitation of the Patterson Road/Flat Rock Road Waterline project bid to MESCO (Municipal Engineering). This bid opening was placed on our website, and in the Salisbury Post, however MESCO was the only bid for this project. MESCO has completed many water and wastewater related projects for the Town of Landis over the years and is familiar with our system.

The engineering team that will work with us, if approved, will be headed by Vince Tomaino, P.E. He will be supported by Gary Flowers, P.E, and Bobby Blowe, P.E, as well as other staff members as necessary. These gentlemen have many years of experience in the design of water, wastewater, and stormwater systems. MESCO’s Design Engineers and Project Managers are very familiar with the new requirements of the DWI Funding Programs. They are available to start immediately and can complete the project within the timeframe provided by the funding agency.



Engineering Excellence: Innovative Approaches / Sustainable Solutions

March 13, 2024

Ms. Jeneen McMillen, Finance Director
Town of Landis

RE: Statement of Qualifications
Patterson Road / Flat Rock Road Waterline

Dear Ms. McMillen:

Municipal Engineering, Inc. (MESCO) is pleased to submit our Statement of Qualifications for Professional Engineering Services associated with the Patterson Road / Flat Rock Road Waterline project for the Town of Landis. Mr. Bobby Blowe, P.E. will be your primary point of contact for questions during the RFQ selection process. He can be reached at (919) 772-5393 Office, or bblowe@mesco.com.

MESCO is a corporation headquartered in Garner, North Carolina with a branch office in Boone. Established in 1978, we have had the opportunity to complete many water and wastewater related projects for the Town of Landis and other municipalities across North Carolina. Our **NC HUB Certification** will also assist the Town in meeting the requirements of the State and Federal funding programs.

If selected, our engineering team will be headed by Mr. Vince Tomaino, P.E. at our Garner location. Mr. Tomaino will be supported by Mr. Gary Flowers, P.E. and other staff members as necessary. Each of these gentlemen has many years of experience in the design of water, wastewater and stormwater systems. Our Design Engineers and Project Managers are very familiar with the new requirements of the DWI Funding Programs and have great working relationships with the staff.

In closing, I would like to assure you and the Town that our Project Managers and I will be available at any time you need assistance. I have the professional staff available to get started immediately and complete the project within the timeframe provided by the funding agency. We look forward to continuing our work with you and the Town of Landis.

Very truly yours,
MUNICIPAL ENGINEERING, INC.

Carol R. Woodie
Principal Owner

MESCO.COM

Licenses: F-0812 & C-586

STATEMENT OF QUALIFICATIONS

Professional Services - Civil Engineering Services

Patterson Road - Flat Rock Road Waterline

• Town of Landis, NC •



Submitted by:

Municipal Engineering, Inc.

Due: March 28, 2024



MUNICIPAL ENGINEERING INC.

A Woman Owned Business with Over 45 Years of Experience



INTRODUCTION – BACKGROUND INFORMATION

Municipal Engineering, Inc. (MESCO) has prepared a response to the Town of Landis’ Request for Qualifications that highlights our expertise in the planning, design, permitting, bidding, construction administration, and grant administration of many water and sewer infrastructure projects for local governments all across North Carolina – including the Town of Landis. Our projects have involved new and upgraded water and wastewater treatment plants, water distribution systems, wastewater collection systems, elevated water storage tanks, wastewater lift stations, and the replacement of water meters.

Originally chartered in 1978 as Municipal Engineering Services Company, P.A., MESCO was restructured on January 1, 2022 as Municipal Engineering, Inc. **Municipal Engineering, Inc.** is a majority *woman-owned business, or MBE*, offering **Professional Engineering, Surveying, and Geology services** all under the same name. Our **NC HUB Certified MBE designation** often assists our clients attain one of the goals of the American Rescue Plan Act (ARPA), as well as, other State and Federal funding programs.

Our corporate headquarters are located in Garner, NC and we also have a full-service satellite office in Boone. Since 1978, MESCO has performed Municipal and County Infrastructure projects throughout North Carolina. Our 6,500 square foot Corporate Office at 68 Shipwash Drive in Garner, N.C. employs 30 professional and support staff, and there are five professional and support staff in our Boone Office. MESCO has demonstrated its stability and commitment to North Carolina local Governments over the past 45 years by providing consistent and quality service throughout the firm's history. We have staff with experience working on many water and wastewater related projects funded by the Division of Water Infrastructure. The Highlighted Projects listed on the following pages will demonstrate a strong background in understanding comprehensive Water and Sewer System Design and Operation.

As a local North Carolina consulting firm, we can provide a much higher level of client support with lower overhead than many of our competitors. Over the years, our conservative business approach has allowed MESCO to remain a strong, debt-free, and financially stable company. As the founder of MESCO, Jimmy



MUNICIPAL ENGINEERING, INC.

***A NC Hub Certified
Woman Owned Business***

**NC Board of Examiners for
Engineers and Surveyors:
License # F-0812**

**NC Board for Licensing of
Geologists:
License # C-586**

Federal ID # 56-2177667

Carol Woodie, Principal
cwoodie@mesco.com

Headquarters

**68 Shipwash Drive
Garner, NC 27529
Telephone: (919) 772-5393**

Branch Office

**820-B State Farm Rd.
Boone, NC 28607
Telephone: (828) 262-1767**

***Proudly providing Excellence in
Engineering for our clients since
1978!***

MUNICIPAL ENGINEERING INC.

A Woman Owned Business with Over 45 Years of Experience



Woodie, often says, *"There are many engineering firms that can design a project for you, but few that will offer you the level of personal attention that we do throughout the life of the project and beyond."*

SERVICES OFFERED

MESCO offers a full scale of civil engineering services in the areas of Water & Wastewater Treatment, Distribution, and Collection; in-house Surveying and Mapping; Rate Studies; Site Development; Stormwater; Solid Waste; Sidewalks; Permitting; Contract Administration; Construction Observation; and Funding Assistance.

MESCO has also been approved as a private consulting firm by the NC-DOT for the following disciplines: Erosion & Sediment Control Design, GPS-Technical Services, Field Data Collection-GIS, Public Water Distribution System-Utilities, Public Water Transmission Systems – Utilities, Route Location Surveys-Technical Services, Sanitary Sewer Collection System-Utilities, Sanitary Sewer Outfall System-Utilities, SUE-Technical Services, Utility Coordination-Utilities, Building Site Design-Facilities Management, Topographic Surveying-Facilities Management, Boundary Surveying-Facilities Management, and Easement Surveying-Facilities Management. *Much of our work with NC-DOT involves the relocation of water and sewer lines, and, we have two engineers each in the Boone Office and Garner Office who have received the NC-DOT Certification for Utility Coordination.*

Our project team also includes professionals who are certified Haested Methods Master Modelers of Water CAD and graduates of the National Association of Sewer Service Companies (NASSCO) Pipeline Assessment Certification Program.

Mr. Bobby Blowe, P.E. will be the primary point of contact for the purposes of this Statement of Qualifications. He can be reached at (919) 772-5393, or bblowe@mesco.com. The Senior Project Manager / Engineer assigned to any particular project will be the primary point of contact on all other matters. The Town's primary point of contact will be provided mobile phone numbers for all key MESCO personnel involved in the Project with the invitation to call at any time!

EXPERIENCE WORKING WITH GOVERNMENT AGENCIES

Each of our Senior Project Managers has extensive experience working with the State and Federal Agencies that manage financial assistance programs. Mr. Bobby Blowe, P.E. of our staff, has over 18 years of experience managing the Grant and CWSRF Programs administered by what is now the NC. Division of Water Infrastructure. He is also experienced working with other funding agencies such as EDA, USDA-Rural Development, Golden Leaf, Appalachian Regional Commission, CDBG-I, and the NC Department of Commerce. Mr. Blowe will be available to assist in the administration of the funding for this new waterline project administered by the NC Division of Water Infrastructure.

The newest addition to our staff, Mr. Vincent Tomaino, P.E., was previously the DWSRF Branch Head in the NC Division of Water Infrastructure and has over 30 years of experience in Drinking Water and Air Quality Engineering. His contributions to the development of the Division of Water Infrastructure's ARPA policies have made him an extremely valuable member of our team.

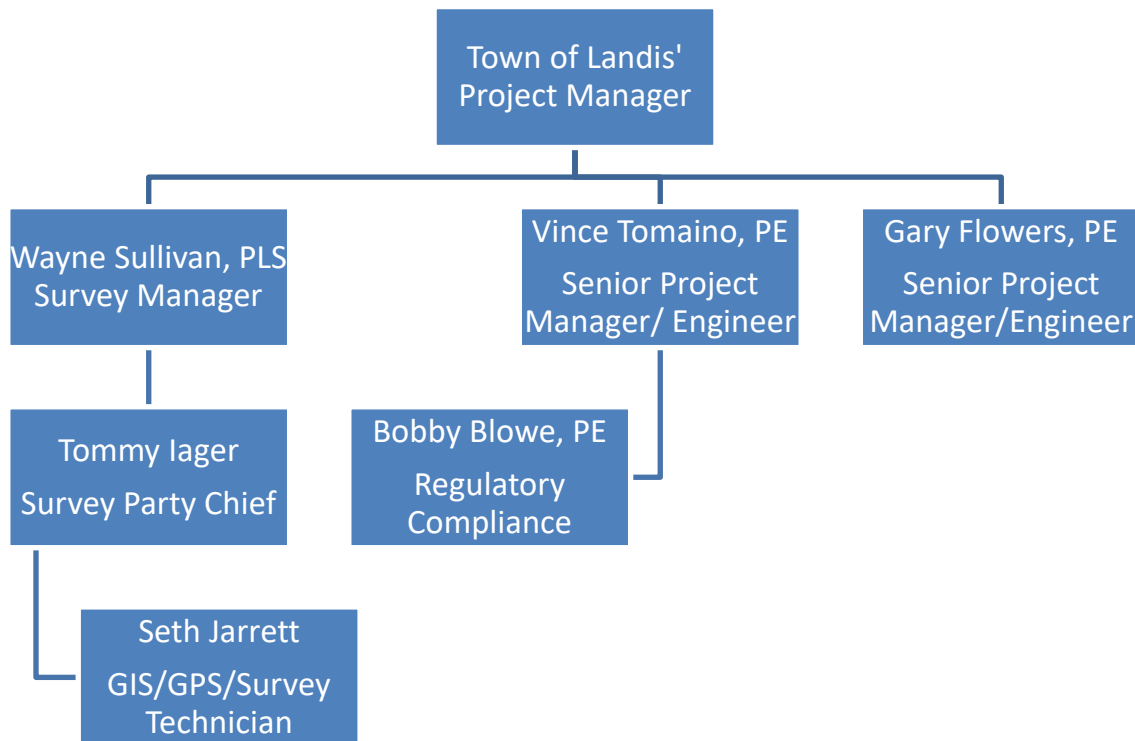


In addition, each of our Project Managers and Engineers has an excellent long-standing professional relationship with the financial and permitting personnel of the NC Division of Water Infrastructure and Division of Water Resources.

QUALIFICATIONS OF INDIVIDUAL TEAM MEMBERS

All project planning and design services for the Town of Landis will be managed from our Corporate Office located at 68 Shipwash Drive near Garner, NC, 27529. MESCO has a number of highly qualified Senior Project Managers / Design Engineers that will be available to participate as part of a Project Team based upon the individual experience, and/or desires of the Client. The Overall Project Management Team for the Patterson Road / Flat Rock Waterline will likely be headed by Vince Tomaino, P.E., with engineering and management support from Gary Flowers, P.E., Ben Clawson, P.E., and Bobby Blowe, P.E. MESCO performs our surveying in-house. Wayne Sullivan, P.L.S. is our Senior Survey Manager and Seth Jarrett is our GIS Specialist. These are the individuals that the Town's staff will actually be meeting and working with throughout the life of this project. These gentlemen will be supported by a plethora of technical and administrative support personnel, as well as having access to other professionals within our organization.

O-CHART OF PROPOSED KEY PROJECT TEAM MEMBERS





MUNICIPAL ENGINEERING INC.

A Woman Owned Business with Over 45 Years of Experience



Vince Tomaino, P.E.
NC Professional Engineer # 25068

Mr. Tomaino joins MESCO with 30 years of experience in Water Quality and Air Quality engineering. He has a BS Physics from Carnegie Mellon University and a MS Meteorology from Penn State University. Most recently, Mr. Tomaino served as the DWSRF Branch Head in the Division of Water Infrastructure where he assisted in establishing the Division of Water Infrastructure’s Policies for administering the ARPA funds allocated to the Drinking Water Grant and Loan Programs. His experience in developing the criteria for the Drinking Water AIA criteria and reviewing hundreds of applications for funding will make him uniquely qualified to manage this project for the Town of Landis. Most recently, Mr. Tomaino is managing the Elevated Water Tank Replacement project for the Ocracoke Sanitary District, waterline extensions for the Town of Robersonville, as well as Water & Sewer AIA’s for the Town of Robersonville, Village of Walnut Creek, and the Ocracoke Sanitary District.



Gary Flowers, P.E.
NC Professional Engineer # 20148

NASSCO Certified in Pipeline Condition Assessment, Manhole Condition Assessment and Lateral Condition Assessment.

Mr. Flowers has over 30 years of experience in water and wastewater infrastructure projects. He graduated from NC State University in 1991 with a BS in Civil Engineering. Mr. Flowers joined MESCO in February 2016 after 8 1/2 years with WK Dickson & Co. Prior to that, Mr. Flowers spent 2-1/2 years with Earth Tech and 19 years with Peirson & Whitman Architects and Engineers. During that time, Mr. Flowers personally managed the design and construction of over \$105,000,000 in municipal infrastructure projects involving over 225 miles of pipeline (new and rehabilitation), pump stations, roadways, elevated tanks and utility relocation projects. He has also managed over a dozen Water & Sewer AIA projects for our clients including the Town of Landis.



Bobby Blowe, P.E.
NC Professional Engineer #19677

Regulatory Compliance – Water Resources. Mr. Blowe has a BS Degree in Civil Engineering from NC State University and has over eight years with MESCO. He is also a licensed NC General Contractor and is licensed in NC Plumbing/HVAC (Plumbing-Class 1, H-1, H-2 & H-3). Mr. Blowe continually monitors changes in rules and regulations (both proposed and implemented), so MESCO can be "ahead of the game" in keeping our clients compliant. Mr. Blowe came to MESCO from the North Carolina Rural Economic Development Center (5 years) and NC Department of Environmental Quality (30 years). Mr. Blowe's experience meshes well with MESCO because of his work managing the NC Clean Water State Revolving Fund Program and the Construction Grants & Loans Section for 19 years.



Ben Clawson, P.E.

NC Professional Engineer # 33710

Certified Master Modeler from Haestad Methods Training

Mr. Clawson has a **BS Degree in Environmental Engineering from NC State University** and has 24 years with MESCO. He is skilled in AutoCAD 12-15 (2004) Civil 3D, ASPEN, ASIM, Innovyze-H2O, and is a Certified Master Modeler from Haestad Methods Training Course. During his career with MESCO, Mr. Clawson has been involved in the planning, design and modeling of many new water distribution systems, wastewater collection systems, pump stations, force mains, inverted siphons, treatment plants, and associated office and maintenance buildings. Mr. Clawson has also served as the Senior Design Engineer and Project Manager for numerous water and wastewater projects funded by DWI, USDA, Golden Leaf, EDA, and the Department of Commerce.



D. Wayne Sullivan, P.L.S.

NC Professional Surveyor # L-2525

D. Wayne Sullivan, Project Coordinator/Advisor, has a BS Degree in Civil Engineering from NC State University and has over 45 years of experience in surveying with 34 years of experience with Municipal Engineering. Mr. Sullivan coordinated numerous boundary surveying and mapping projects, deed research, preparation of deed descriptions, horizontal/vertical control surveys, topographic, planimetric, location layout, and route surveys (water and sewer line projects). He has provided surveys for state and federal government agencies and universities, cities, and counties across North Carolina. Mr. Sullivan has been the *Principal Project Manager* for all surveying projects performed by MESCO in the 34 years he has been with the firm, including those listed herein. He has been the PLS of record for most of the surveying projects during those 34 years as well.

Tom Iager, Survey Party Chief

Mr. Iager has served as MESCO's Survey Party Chief since 1986. His surveying experience also includes Railroad and NC DOT Encroachments and Easement Plats. He understands the state and federal requirements that must be met from a technical standpoint. He is experienced in working through the Senior Project Managers on regulatory issues on projects of all sizes and scopes. Mr. Iager has performed numerous surveys for MESCO since 1986, including Boundary Surveys, Wetlands Location, Horizontal/Vertical Control, Subdivision Layout, Topographic Surveys, Construction Layout, Easement Surveys, Planimetric Surveys, Route Location, and Hydrographic Surveys. He has worked on many water, wastewater, and solid waste landfill projects for MESCO over the past 35 years.



MUNICIPAL ENGINEERING INC.

A Woman Owned Business with Over 45 Years of Experience



Seth Jarrett
GIS Specialist

Mr. Jarrett has a BS in Geography from Appalachian State University and a Certificate in Geographic Information Systems. He started with MESCO upon his graduation in 2016. He is experienced in GIS and Remote Sensing, data collection and management, spatial analysis, LiDAR point cloud data, both vector and raster data, geo-computation, and floodplain mapping. He is also experienced in field surveying with Total Station and Trimble GNSS. He has provided GIS mapping for many of our clients' water distribution and wastewater collection systems.

Some of Mr. Jarrett's recent related projects include: *Water and Sewer Asset Inventory and Assessment* projects for the Towns of Landis, Warrenton, Old Fort, Murfreesboro, and North Wilkesboro. Each of those projects involved the creation of a GIS database and collection of existing water and sewer systems for physical and interactive digital maps for the Towns to manage and improve their systems.

SUB-CONSULTANTS

It is not anticipated that any Sub-Consultants will be needed for this project; however, MESCO has a group of highly qualified firms, many of which are also HUB-Certified, that we routinely partner with on an as needed basis.

OTHER / SIMILAR PROJECTS

GIS MAPPING

MESCO performs all of our Surveying and Mapping services in-house. We believe in utilizing the latest surveying technologies to improve accuracy and decrease the time necessary to complete the project. Each of our Mapping Projects involves GNSS location of utility features with Trimble R10 Receiver connected to NC-VRN. All features are coded to include detailed attribute lists such as size, location, material, etc. MESCO will discuss which specific attributes can be identified and included in the database with the Town's Administrative and Technical personnel.

Most of our more recent Mapping & Hydraulic Modeling Projects have been financed through the NC Division of Water Infrastructures Asset Inventory Assessment (AIA) Grant Program.

MESCO has completed, or is in the process of performing, Asset Inventory Assessments for the Towns of North Wilkesboro (Water & Sewer), Old Fort (Sewer), Stantonsburg (Sewer), Jamesville (Water & Sewer), Landis (Water & Sewer), Warrenton (Water & Sewer), Kinston (Water), Ayden (Water & Sewer), Murfreesboro (Water, Sewer & Stormwater), Louisburg (Water & Sewer), Kenly (Water & Sewer), Fremont (Water, Sewer & Stormwater), Ocracoke Sanitary District (Water), River Bend (Water & Sewer), Bunn (Water & Sewer), Micro (Water & Sewer), Robersonville (Water & Sewer), and the Village of Walnut Creek (Water & Sewer). In addition, MESCO recently completed mapping of the Town of Atlantic Beach's Water System.



MUNICIPAL ENGINEERING INC.

A Woman Owned Business with Over 45 Years of Experience

RELOCATION OF UTILITIES IN NC-DOT RIGHTS OF WAY

US 1 Water Line Relocations – Richmond County, NC. Bryan Land, Richmond County Manager bryan.land@richmondnc.gov, (910) 417-1189. Gary Flowers, P.E., Senior Project Manager/Design Engineer

NCDOT Project (R-2501C) was required to relocate waterlines along US 1 from SR 1001 to SR 1606 in Richmond County to widen US Highway 1. The Project consisted of the design and relocation of approximately 19,300 linear feet of 10-inch water line, 400 linear feet of 8-inch waterline, and 400 linear feet of 6-inch water line. All branch lines off the mainline within the project area were also designed and relocated, and approximately 40 water services were relocated and replaced. The Project required coordination between MESCO, NCDOT, Richmond County, the natural gas and power companies, and telephone, cable, and fiber-optic utilities. MESCO also obtained all permits required for the Project (NC Public Water Supply, Sedimentation & Erosion Control), assisted Richmond County with bidding and awarding the Project, and provided construction administration and construction observation services. **The Project was constructed on time and approximately \$82,000 under the \$1.18 million construction budget.**

WATER TREATMENT PLANTS

Town of Jamesville, NC, New RO Water Treatment Plant (population 495)
Contact: Kim Cockrell, Town Administrator/Town Clerk/Finance Officer
jamesville@embargmail.com (252) 792-5006. MESCO Principal Project Manager is Michael McAllister, and Ben Clawson, P.E. is the Senior Design Engineer.

MESCO assisted the Town of Jamesville in obtaining Grant/Loan funding to replace the Town's existing Water Treatment Plant. The existing 100,000 gpd water treatment plant, built-in 1972, is in very poor condition due to wear and significant corrosion. As noted in a recent State inspection, many of the vital components for the treatment train are in need of repair or replacement, and failure of any of these components could result in a total loss of the Town's water supply. This Project will include a replacement of the water treatment plant with a new 100,000 gpd Reverse Osmosis plant, a new Operations Building, SCADA system, and dedicated Standby Generator. This project is currently under construction with a scheduled completion date of August 2024.



Richmond County Water Treatment Expansion from 6.7 MGD to 9.0 MGD

Contact: Bryan Land, County Manager,
bryan.land@richmondnc.gov (910) 997-8211

Jimmy Woodie, P.E., and the project team at MESCO assisted the County with the Funding, Design, and Construction Administration/Observation of upgrading the capacity of the County's 6.7 MGD Water Treatment Plant to 9.0 MGD. The Project included a capacity upgrade by adding basins, filters, sludge removal systems, high service pumps, new filters with air scour, and a complete overhaul of the chemical dosing system. The owner and operator were involved in each step of the design process. This Project was completed in March 2017.

Town of Jonesville Water Treatment Plant Expansion (population 2,551)

Contact: Michael Pardue, Town Manager mpardue@townofjonesvillenc.com (336) 835-3426

Jimmy Woodie, P.E. and the project team at MESCO assisted the Town with the Funding, Design, Permitting, and Construction Administration/Observation of doubling the Water Treatment Plant's capacity from 0.5 MGD to 1.0 MGD using an entirely new treatment technique. The Town of Jonesville maintained an aging water treatment plant built in the 1960s until 2011. At that point, the treatment plant was using powdered alum, dosed into an open channel using vibrational feeders. The old plant had a permitted capacity of approximately 0.5 MGD. The plant upgrade brought the plant's capacity to 1.0 MGD by undertaking major renovations and including an entirely new treatment technique, Microsand Enhanced Flocculation (MEF). MESCO evaluated several new innovative techniques by including pilot-scale testing at the site using the pre-existing raw water source. This pilot testing incorporated several coagulants and flocculation aids over a range of known turbidities from four to several hundred NTU to ensure the dependability of the processes over these conditions. Municipal Engineering worked closely with the owners and operators, making several trips to visit plants using the new technology in other states, as this was to be the first stand-alone facility of its kind in the state of North Carolina. The Project was completed in March 2013.

Town of Wilkesboro 2.0 MGD Clear Water Reservoir (population 3,495)

Contact: Ken Noland, Town Manager, townmanager@wilkesboronc.org (336) 838-3951; Jimmy Woodie, P.E. / Ben Clawson, P.E. were the Project Managers for MESCO.

This Project consisted of expanding the 1.0 MGD Clear Well capacity at the Town of Wilkesboro's Water Treatment Plant by adding a new 2.0 MGD Clear Well and High Service Pumping Station. The new clearwell structure consisted of cast-in-place reinforced concrete with a pre-cast plank roof structure. The new pump station included two (2) 600 Hp vertical turbine pumps and one (1) 100 Hp vertical turbine backwash pump. The Project also included a standby generator and yard piping. The total Clear Well capacity at the completion of the Project in 2005 was 3.0 MGD.

WATER DISTRIBUTION

Town of Wilkesboro Brown's Ford Road Water Improvements (population 3,495)

Contact: Ken Noland, Town Manager, townmanager@wilkesboronc.org (336) 838-3951; Ben Clawson, P.E. was the Project Manager for MESCO.

The Town of Wilkesboro had an existing industry that was expanding their manufacturing facility on NC Hwy 268 where the Town had consistent issues with water pressure and water quality from a bottle neck in the system. Municipal Engineering worked with the Town to upgrade the existing 8" waterline from the Town's Water Treatment Plant to a 16" waterline. MESCO designed a new 16" waterline along Brown's Ford Road that crossed the Yadkin River and connected to an existing 10" waterline on



US 421, thereby creating a loop and eliminating the dead end waterline. In addition, MESCO designed a new 500,000 gallon elevated water storage tank for fire protection, a 540 gpm booster pump station, and

MUNICIPAL ENGINEERING INC.

A Woman Owned Business with Over 45 Years of Experience



modified one existing booster pump station. The completed Project was able to remediate long standing problems with water pressure, water quality, and fire protection in this area of Wilkesboro's water system. The Project was completed in late 2020. **Funding was provided by the US EDA, Golden Leaf, and NC Department of Commerce Industrial Development Fund.**

Richmond County Water System Improvements

Contact: Bryan Land, County Manager, (910) 997-8211 bryan.land@richmondnc.gov

MESCO has assisted Richmond County with the funding, design, and construction of many Water Tanks over the years. One Project consisted of three (3) phases that were successfully fast-tracked due to an immediate need for large amounts of treated water for the construction of Progress Energy's nearby power generation facility. Phase 3 included the design, permitting, specifications, construction administration, and observation for the construction of a 750,000-gallon elevated water storage tank on Airport Road and a variable frequency drive pump station. MESCO completed surveying for the tank and 16,000 feet of waterline, including a route location survey, a topographic survey, boundary surveys, and easement surveys.



MESCO completed a hydraulic planning study of approximately 200 miles of waterlines, 6 pump stations, and seven water storage tanks. Designed, permitted, and performed construction administration/observation of another 750,000-gallon elevated water storage tank on Highway 220.

MESCO designed, permitted, and performed construction administration and observation of a 300,000-gallon elevated water storage tank on Gibson Road. The cost of this tank was covered by a CDBG grant and included the tank, water, sewer, and access road.



One of our most challenging and rewarding projects was raising an existing 500,000-gallon elevated water storage tank approximately 40 feet to achieve the same hydraulic profile throughout the pressure zone, which resulted in a 60% increase in its capacity.

MESCO's Hydraulic Modeling has proved useful to the County in recognizing areas where more waterlines are needed in order to meet increasing demands caused by growing development.

Town of Columbus, NC (population 1,167)

Contact: Timothy Barth, Manager, manager@columbusnc.com (828) 894-8236; Ben Clawson, P.E. is the MESCO Project Manager.

This is a 3 Phase project for the Town of Columbus. **Phase I** involved the Design and Construction of a new 500,000-gallon finished water ground storage tank adjacent to the Town's existing tank. The purpose of this tank was to replace the old existing concrete tank. The new tank sits immediately adjacent to the existing tank. In order to build the new tank with the same overflow elevation as the existing tank, the old

abandoned water plant had to be removed, and the significant excavation work and other earthwork was accomplished to achieve the required floor level and overflow elevation for the new tank. **Phase 2:** Phase 2 included designing and constructing a new 12" PVC/DIP water line from the main 12" water line, coming from the Town to the new tank to replace the old 10" asbestos cement line.

Additionally, an existing cross-country 8" AC water line was abandoned, and a new 8" water line installed along a roadway. This new 8" PVC/DIP water line connects to a new 10" directionally drilled water line across Hwy 74. **Phase 3:** Phase 3 involved installing and rehabilitating several old terra cotta sewer lines in various locations throughout the Town's sanitary sewer system. The main purpose of these sewer lines was to redirect sanitary sewer from under several buildings to new sewer lines that will not cross under existing buildings. The project was completed in July, 2022.

Town of Kenly, NC (population 1,683)

Contact: Tony Sears, Town Manager, town.manager@townofkenly.com (919) 284-2116; Michael McAllister, was the MESCO Principal Project Manager.

The Town of Kenly had a recurring disinfection byproducts issue within its water system partially caused by water age due to no mixing in their existing 100,000-elevated tank that was built ca. 1939. The Town also had an abandoned town hall adjacent to the tank that needed to be demolished. The Project consisted of demolishing the old single-story brick building and constructing a new 100,000-gallon elevated pedestal tank with separate inflow and outflow pipes, a hydraulic interior mixing system, and a recirculation pump. The existing tank was demolished and removed, the west elevation of the adjacent building was painted, the site was graded, and grass sod was installed. The Project created a green space for public events within the downtown business district. The Project was completed on time and well under budget, which allowed the Town to purchase much-needed equipment related to the water system with the remainder of the grant funds. The Town received a \$25,000 STEP grant (for study), a \$983,000 loan, and \$1,128,000 grant from USDA.

Brunswick County / Columbus County – Water and Sewer Improvements.

Contact: Brent Lockamy, P.E., Project Manager, brent.lockamy@brunswickcountync.gov 910-253-2460; Ben Clawson, P.E. is the Project Manager for MESCO.

Municipal Engineering, Inc. provided the Route Surveying and Design for 11,000 LF of 16 inch Water line, Collection Sewers, 2 Sewer Pump Stations and a Force Main to serve the Mid-Atlantic Industrial Rail Park in Brunswick County. The Project included the location of the highway boundary, Piedmont Natural Gas easement, wetlands, storm structures, and topographic features. The Project was tied to the N.C. State Plane Coordinate System with control set at close intervals along the entirety of the route. This project was completed in July 2022.

Hertford County Northern Water District – Waterline Extensions

Contact: Stanley Lassiter, Rural Water Manager, stanley.lassiter@hertfordcountync.gov (252) 395-1417; Ben Clawson, P.E. was the Project Manager for MESCO

MESCO assisted the Hertford County Northern Water District obtain a USDA grant/loan commitment in the amount of \$1.35 million to further extend the existing County system into additional unserved areas.

The project consisted of approximately 25,000 lf of 4” – 8” waterline extensions to serve and loop four areas of the County’s system. This project was successfully completed in late 2019.

Town of Wilkesboro Waterline Extensions and System Improvements

Contact: Kenneth Noland, Town Manager, townmanager@wilkesboronc.org (336) 838-3951; Ben Clawson, P.E. is the Project Manager for MESCO.

This project involved providing updates to the Hydraulic Model of Wilkesboro’s water system *originally created* by MESCO; numerous waterline extension projects utilizing 6” to 30” waterline and totaling over 25,000 linear feet; restoration of a 500,000 gallon elevated water storage tank and a 150,000 gallon elevated steel water storage tank; an inspection of the Town’s elevated water storage tanks; preparation of plans and specs for painting the interior and exterior of the Town’s elevated water storage tanks; and Phase I and II Environmental Site Assessments.

Richmond County Well Contamination Project

Contact: Bryan Land, County Manager bryan.land@richmondnc.gov (910) 997-8211;

The North Carolina Division of Public Health notified particular residents in Richmond County that wells in the vicinity of Fox Road were found to have substandard water quality. Wells in the area tested positive for a known carcinogen, 1, 2-dibromo-3-chloropropane (DBCP). Residents whose wells were impacted were warned to avoid consumption of water from those wells and to limit physical contact, i.e., baths and showers, to 10 minutes or less.

Municipal Engineering designed approximately **60,000 LF of waterline** (approximately 7,179 LF of 2” SDR-21 PVC; 3,080 LF of 6” SDR-21 PVC; 15,240 LF of 8” SDR-21 PVC; 32,478 LF of 12” SDR-21 PVC; and 2,120 LF of 14” SDR-21 PVC) and associated appurtenances to serve the area. MESCO was responsible for funding assistance, grant administration, design, surveying, permitting, bidding, construction contract administration, record drawings and construction observation. **Ben Clawson, P.E. was the MESCO Project Manager.**

Franklin County Water System Improvements

Contact: Chris Doherty, Utilities Director cdoherty@franklincountync.us (919) 556-6177; Ben Clawson, P.E. was the Project Manager for MESCO.

The Town of Franklinton experienced difficulties meeting EPA limits for disinfection by-products (TTHM and HAA5) at its water treatment facility. In order to address this critical issue, Municipal Engineering Services Co. (MESCO) was asked to design modifications to the facility as well as make much needed improvements to the distribution system. MESCO utilized grant funding in the amount of \$1,573,250 which **included \$750,000 from CDBG** and \$823,250 from the NC Rural Center.

The improvements to the distribution system included replacement of approximately 11,450 LF of 3/4”, 1”, 2” galvanized iron pipe and 6” cast iron pipe with new 2” and 6” PVC water pipe in various areas of the Town of Franklinton. In areas where pipe size was increased to 6”, new fire hydrants were installed. Additional gate valves were installed to allow the isolation of smaller areas for repairs whereas before almost the whole town was affected. All street cuts were repaired, including several on NC DOT



roadways. New service lines and new meters were also installed. The project was completed within budget.

Municipal Engineering, Inc. is currently working with the *Town of Landis* and the Ocracoke Sanitary District on the replacement of two elevated water storage tanks.

GENERAL WATER STORAGE TANKS IN NORTH CAROLINA

Over the years, MESCO has designed numerous elevated and ground-level storage tanks ranging in size from 10,000 gallons to 2,000,000 gallons. We have also been involved with many maintenance and refurbishment projects.

The following is a list of our water storage tank clients: Blue Ridge Water Association, Brushy Mountain Water Association, City of Laurinburg, Moravian Falls Water Works, Inc., Mulberry-Fairplains Water Association, Ocracoke Sanitary District, Richmond County, Surry County, Town of Boone, Town of Cofield, Town of Columbus, Town of East Bend, Town of Elizabethtown, Town of Garner, Town of Linville, Town of Newport, Town of Stantonsburg, Town of Surf City, Town of White Lake, Town of Wilkesboro, West Wilkes Water Association, and West Wilkes Sanitary District (now owned by West Wilkes Water Association).

SUCCESSFUL PROJECT MANAGEMENT

Our Team has significant experience with all aspects of the design and construction of new and expanded water treatment, distribution, and transmission facilities. Our previous work with the Town of Landis' Wastewater AIA and Water AIA grants, Lift Station Replacement grant, and in preparing the Funding Application for this water line project has provided our Project Management Team a great deal of background knowledge of the Town's water distribution system. It has been our experience that successful project management is based not only upon a strong understanding of the technical requirements necessary to achieve the desired goals, *but just as importantly*, ongoing communication and participation of the client to ensure that all parties have a clear understanding of the desired final project.

REFERENCES

In addition to the Contact Info for the projects highlighted above, please feel free to contact the following Water System and Water AIA clients:

Hertford County Water: Stanley Lassiter, Rural Water Manager, (252) 358-1417

Town of Jamesville: Kim Cockrell, Clerk/Finance Officer, (252) 792-5006

Town of Robersonville: Chris Roberson, Town Manager, (252) 508-0311

Town of Fremont: Joyce Artis, *Interim* Town Administrator, (919) 242-5151

Town of Louisburg: Sean Medlin, *New* Town Administrator – *Previously* Town Finance Officer, (919) 497-1015

Town of Murfreesboro: Carolyn Brown, Town Administrator, (252) 398-5904



WHY HIRE MESCO?

- ✓ **MBE / HUB Goals:** Municipal Engineering, Inc. is a majority Woman Owned Business. We also utilize the services of MBE / HC HUB sub-consultants for electrical and geotechnical engineering.
- ✓ **Our Team:** Our team members have many years of experience in the areas of Water Distribution System planning, design, modeling, and Asset Inventory and Assessments.
- ✓ **Our Project Experience:** MESCO has been providing these services to clients all across NC since 1978 – including many for the Town of Landis.
- ✓ **Our Funding Administration Experience:** Two of our team members managed the Clean Water and Drinking Water SRF Programs for the Division of Water Infrastructure. Mr. Blowe was also the Senior Project Engineer at the NC Rural Center and Mr. Tomaino was involved in developing the State’s guidance for ARPA funds administered by the Division of Water Infrastructure.
- ✓ **Personal Service:** Our conservative business approach, lower overhead, attention to detail, accessibility, and level of personal service coupled with the knowledge and experience of our Team Members makes MESCO the obvious choice.



**GRANT / LOAN FUNDED
MESCO PROJECTS
in Partnership with the
TOWN OF LANDIS**



Landis Water AIA

Landis Sewer AIA's (2)

*Landis Sewer Lift Station
Replacement*

Landis Waterline Improvements

*Landis S. Upright Sewer
Rehabilitation*

*Landis 100,000 gal Elevated Water
Tank*

*Numerous On-Call Projects for the
Town of Landis*



Item Cover Page

MEETING TYPE: Board of Alderman

DATE: June 10, 2024

SUBMITTED BY: Blake Abernathy, Public Works Director

ITEM TYPE: Consideration

AGENDA SECTION: Considerations

SUBJECT: **Consider Awarding FY24 Paving Project Bid**

DETAILS:

Consider approval of 2024 Paving Project as provided by NJR Group. The scope of work will be to mill & fill the approved roads, provide traffic control and replace pavement markings and symbols. These roads were identified by our last SEPI review to be paved. The contractor, NJR Group tentatively, is procured by the State, therefore additional bids are not required. This project will allow it to be funded through Powell Bill funds, and the full amount of the project is \$217,233.19. Roads to be approved are: Tranquil Lake Drive, Lake Drive, Lawing Drive, S. Meriah Street (W. Ryder Ave. to W. Ridge Ave), and N. Meriah Street (W. Ryder Ave. to 150 N. of W. Blume St.).

Map # and

Location Link	Street Name	Beginning	Ending	Treatment	Width	Length	SY	Estimated Tons
1A	Tranquil Lake Drive**	Mt. Moriah Ch. Rd.	EOM	Mill 1.5" and Fill 2"		20	1600	3555.6
2A	Lake Drive**	N. Moriah Church Road	Lawing Drive	Mat Coat 78M and overlay 1.5"		18	1210	2420.0
3A	Lawing Drive	Mt. Moriah Ch. Rd.	Lake Drive	Mill 1.5" and Fill 1.5"		20	695	1544.4
3A	N-Central Avenue	E-Ryder Ave.	E-Garden Street	Mill 1.5" and Fill 1.5"		58	465	2996.7
3A	S-Central Avenue	E-Ryder Ave.	E-Mill Street	Mill 1.5" and Fill 1.5"		58	465	2996.7
6A	S. Meriah Street	W. Ryder Ave.	W. Ridge Ave.	Mill 1.5" and Fill 1.5"		28	922	2868.4
7A	N. Meriah Street	W. Ryder Ave.	150' N of W. Blume	Mill 1.5" and Fill 1.5"		28	1060	3297.8
Total								1788

	S9.5B (\$52.34)	Asphalt Binder For Plant Mix (\$685)	Milling 1.5" (\$1.88)	Patching (\$125) 350 total tons	AST Treatment 78M (\$1.40)	Emulsion For AST (\$2.58)	ADJ / Manhole (\$1127.5)	ADJ/Valve (\$1094.50)	Traffic Control (\$1700/Map)	Pavement Markings and Symbols	Mobilization 5%	Total Dollars
1A	\$ 21,250.04	\$ 18,077.15	\$ 6,684.44	\$ 21,875.00					1700		\$ 2,150.00	\$ 71,736.63
2A	\$ 10,834.38	\$ 9,216.68		\$ 21,875.00	\$ 3,388.00	\$ 1,873.08	\$ 2,255.00	\$ 1,094.50	1700		\$ 2,150.00	\$ 54,386.64
3A	\$ 6,961.22	\$ 5,921.83	\$ 2,903.56						1700		\$ 2,150.00	\$ 19,636.60
3A												
6A	\$ 12,875.64	\$ 10,953.15	\$ 5,392.68						1700	\$ 338.50	\$ 2,150.00	\$ 33,409.97
7A	\$ 14,759.88	\$ 12,556.05	\$ 6,199.82						1700	\$ 697.60	\$ 2,150.00	\$ 38,063.35
Total	\$ 66,681.16	\$ 56,724.85	\$ 21,180.50	\$ 43,750.00	\$ 3,388.00	\$ 1,873.08	\$ 2,255.00	\$ 1,094.50	\$ 8,500.00	\$ 1,036.10	\$ 10,750.00	\$ 217,233.19



Item Cover Page

MEETING TYPE: Board of Alderman

DATE: June 10, 2024

SUBMITTED BY: Blake Abernathy, Public Works Director

ITEM TYPE: Consideration

AGENDA SECTION: Consideration

SUBJECT: **Consider Approval of Installing 8 Sewer Taps for the Kimball Landing Townhomes**

DETAILS:

Consider approval for installation of 8 Sewer Taps (eight to twelve feet deep) at Kimball Landing Townhomes. The scope of this job exceeds our normal taps that are performed by the town. This tap will require 12-foot taps, with a lot of shoring. All quotes were received from Carolina Siteworks \$27,791.00, State Utility Contractors, Inc. \$28,000.00, and Locke-Lane Construction, Inc. \$29,722.00. The developer has paid the tap fees, with additional costs. I make the recommendation this project be awarded to Carolina Siteworks, due to previous work performed and time for completion.

CAROLINA SITEWORKS, INC.
Post Office Box 280
China Grove, North Carolina 28023
Telephone: 704-855-7483
Fax: 704-855-9676
Kimball Rd. Sewer Services
May 3, 2024

To: Town of Landis
Tristan Walter

Project: Kimball Rd. Sewer Services
Landis, NC

Carolina Siteworks Inc. is honored to be given the opportunity to offer our proposal for the civil improvements of the Kimball Road sewer services project. See below for our summary of the project total cost as well as our notes which has our project scope broken out in more detail.

PROJECT SCOPE:

Carolina Siteworks, Inc. will be performing eight short side PVC sewer services located across the street from 205 Kimball Rd. Price includes traffic control for the services. If rock is encountered additional fees will be at a negotiated rate. Town of Landis to supply all materials needed for the eight short side sewer services.

NOTES:

No extra grading, undercut, rock excavation, clearing, landscaping, seeding, permits, bonds, or anything else not specified above included. No allowances for extra work included. No removal of any hazardous materials included.

No video inspection is included.

Price excludes all clearing, landscaping, matting.

PROJECT TOTAL: \$27,791.00

Respectfully submitted,

Alex Deal
Carolina Siteworks, Inc.

Accepted as Contract:
Carolina Siteworks, Inc.

Tristan Walter
Town of Landis



Effective Construction Solutions

Date: June 3, 2024

To: Blake Abernathy
City of Landis
Public Works Director

Subject: **Landis – 8 Sewer Taps for New Townhomes on Kimball Road**

Mr. Abernathy,

Locke-Lane Construction is a Certified Service-Disabled Veteran-Owned Small Business (SDVOSB), Disadvantaged Business Enterprise (DBE) and Historically Underutilized Business (HUB). We are pleased to provide a proposal for the (8) Sewer Taps for the townhomes on Kimball Road in Landis. The scope of work is based upon a site visit conducted on 5-17-2024 with Mr. Blake Abernathy.

Our Scope and Price is as follows: \$29,722.00

- One Mobilization
- Call in 811 Utility Scan
- Provide Excavation and Labor for (8) sewer taps for new townhomes
- All Material provided by Town of Landis
- Tap Fees provided by Town of Landis
- Rock Excavation is Excluded
- Backfill trenches with stone as required
- Demobilize

Exclusions

- Permits
- Bonds
- Builders Risk
- Tap Fees
- Impact Fees
- Non-Excavatable Rock
- Unsuitable Soils
- Hazardous Material
- Testing
- Construction Fencing
- Traffic Control
- Seeding, Straw, or Landscaping
- Relocation of Utilities
- Concrete or Asphalt patching
- Surveys

Please let me know if you have any questions concerning this proposal.

Respectfully,
Brad Warren
Brad Warren
Locke-Lane Construction, Inc.



STATE UTILITY CONTRACTORS, INC.

P.O. BOX 5019 - MONROE, N.C. 28111-5019 (704) 289-6400 FAX (704) 282-0590

PROPOSAL

Date: 5-6-24

To: Town of Landis

Attn: Blake Abernathy

Phone: 704-857-2411

RE: Kimball Rd. Sewer Services

We propose to furnish labor, equipment and materials to complete the following construction for the above referenced project. **Sewer Services**

Our prices are based on the following plans and specifications:

NA

Our prices are as follows:

Provide the labor and equipment only to install 8 sewer taps for the Town Homes at 203 Kimball Rd. in Landis for the lump sum price of \$28,000.00.

EXCLUSIONS:

- Bond – if required, add 1% to total
- Rock Excavation – if required, \$100.00 per cubic yard with minimum \$5,000.00 per occurrence
- Rock Excavation by Rock Hammer – if required, \$350.00 per hour
- Layout, staking or engineering, engineered or surveyed as built drawings
- Fees or permits, tapping, capacity, impact fees
- Offsite borrow or waste, soils/materials testing or sampling
- Remove, replace, or relocate existing utilities, poles, cables, vaults, gas mains, and boxes
- Bracing of utility poles
- All materials are to be provided by the Town of Landis

NOTES:

- Our pricing is based on one (1) mobilization to the project site to complete all work priced.
- Payments to be made within 30 days of billing, late payment add 1% per month on outstanding balance.
- This proposal may be withdrawn by us if not accepted within 30 days.
- All material guaranteed to be as specified, all work to be commenced in a workmanlike manner according to standard practices.
- Our prices are based on completing all work priced, any break-out would be negotiated.

This proposal is to become an attachment to the contract if State Utility Contractors, Inc. is awarded the project.

If you have questions regarding our proposal, please do not hesitate to call.

Submitted by:
STATE UTILITY CONTRACTORS, INC.

Mike Paluso
State Utility Contractors



Item Cover Page

MEETING TYPE: Board of Alderman

DATE: June 10, 2024

SUBMITTED BY: Jessica St. Martin, Parks and Recreation Director

ITEM TYPE: Report

AGENDA SECTION: Departmental Reports

SUBJECT: **May Report**

DETAILS:

Events:

The Cruise-In on May 3rd had good participation in the beginning, however it ended early due to some rainy conditions. The next one is June 7th with the theme of ‘Cars & Crafts’. We are trying to promote some crafters and produce vendors to set up during the Cruise-In with hopes to gain more interest in a Farmer’s Market. We currently have around 5 crafters, and possibly 1 produce vendor.

Shred-It Event on May 4th was rescheduled to May 11th due to weather. There were approx. 10 drop offs during 10:00-1:00.

Senior Lunch and Bingo is scheduled for Wednesday June 5th @ 12:00 – Trinity Lutheran Church

Central Ave Food Truck on Thursdays during lunchtime hours of 11:00-2:00. Feedback from most vendors has stated not much support. Some vendors cancelled future lunchtime bookings. Continuing to book vendors through the summer will be determined. Currently bookings are through the end of June.

Additional 2024 Event Dates:

- Cruise-Ins- 6/7, 7/5, 8/3, 9/6
- National Night Out- 8/6
- Touch-A-Truck- 9/20
- Fall Festival/Trunk or Treat- 10/26
- Christmas Parade/ Tree Lighting- 11/26
- Campfire Christmas by the Lake- 12/14

Park Operations:

- Parking Lot off Tranquil Lake Dr. graded and graveled.
- Routine ground maintenance.
- Cabins and campsites 100% bookings on weekends.
- Eagle Scout Project signs installed – Scout recognition on June agenda

Ballfield Rentals: Fields are booked Mon-Thurs through the end of June. Reservations have started for July-October.

Pool Operations:

- Diving Board renovations and resurfacing complete.
- Routine cleaning, monitoring, and balancing chemicals.
- Passed Operators Permit Inspection with Rowan County.
- Completed staff orientations and training.
- Pool Parking Lot Graveled
- 40 additional pool loungers have been ordered and are projected to be delivered the week of June 2nd. This will give us a total of 100 loungers.

Pool Memberships sales started May 1st. Currently 47 memberships have been sold.
Opening Day Monday, May 27th

Campsite Reservations: 24 Shelter Rentals: 3 Daily Fishing Passes Sold: 536 State License: 12

Boat Registration: 6 2020 Ford Explorer Mileage: 52600 Ford F250 Mileage: 169997



Item Cover Page

MEETING TYPE: Board of Alderman
DATE: June 10, 2024
SUBMITTED BY: Angie Sands, Deputy Town Clerk
ITEM TYPE: Report
AGENDA SECTION: Department Reports
SUBJECT: Monthly Report

DETAILS:

Utility Services Monthly Report

CASH PAYMENTS	433
CREDIT CARD PAYMENTS	1334
CHECK PAYMENTS	1289
BANK DRAFT PAYMENTS	430
DISCONNECTIONS	74
AMI ELECTRICAL METERS	3272
REMAINING MANUAL METERS	22
WATER METERS	2167
CUSTOMER USAGE PORTAL	456



Item Cover Page

MEETING TYPE: Board of Alderman
DATE: June 10, 2024
SUBMITTED BY: Blake Abernathy, Public Works Director
ITEM TYPE: Report
AGENDA SECTION: Department Reports
SUBJECT: Monthly Report

DETAILS:

PUBLIC WORKS MONTHLY REPORT

Water - Sewer	
Taps	1
Irrigation Taps	1
Water Main Breaks	0
Meter Box Replacement	0
Hydrant (Water Quality Flushing) Routes	Weekly
Meter/MXU Change Out	0
Water Pump Station (quantity 1) Quality	Daily
Sewer Lift Station (quantity 10)	Daily
Monitoring and Repairs Needed for Sewer Lift Station	1
Customer Calls/Resident Needs	18
New/Current Resident Work Orders, Start & Stop Service	3
Stormwater	
Requested Repair Quotes Requested for Attached Maps	1
Storm Drain Repair and Maintenance (All Public Works Employees Help)	1

Electricity	
Current/New Resident Work Orders	21
New (Temp) Service	3
Disconnects	74
Streetlights	5
Security Lights	3
Pole Repair/Replace	11
Outages	
Environmental:	2
Load Demand:	1
Vehicle Wreck:	0
Other:	1
Streets	
Weekly Schedule: Mon-Wed Bulk Pick up, Thurs-Fri Chipping/Leaves	
Rowan County Dump Runs	8
Customer Calls	37
Work Orders	0
Go Gov	2



Department Report

MEETING TYPE: Board of Alderman

DATE: June 10, 2024

SUBMITTED BY: Matthew Geelen, Police Chief

ITEM TYPE: Report

AGENDA SECTION: Departmental Report

SUBJECT: **June 2024**

DETAILS:

Total Calls for Service (Including Self-initiated calls) – 1,107

Self-Initiated Calls – 975

Calls for Service – 131

Traffic Stops - 128

Traffic Accidents – 8

Vehicle Mileage:

LPD-081: 140,977	LPD-173: 76,198	LPD-231: 2,353
LPD-101: 104,696	LPD-174: 66,819	LPD-232: 5,060
LPD-131: 106,827	LPD-175: 68,786	
LPD-151: 69,593	LPD-176: 64,650	
LPD-161: 72,018	LPD-177: 79, 674	
LPD-171: 68,134	LPD-212: 22,145	



Item Cover Page

MEETING TYPE: Board of Alderman
DATE: June 10, 2024
SUBMITTED BY: Jason Smith, Fire Chief
ITEM TYPE: Report
AGENDA SECTION: Departmental Reports
SUBJECT: **Monthly Report**

DETAILS:

MONTHLY STATS

MEDICAL: 31
FIRE: 40
TRAFFIC ACCIDENT: 6
MUTUAL AID GIVEN: 29
MUTUAL AID RECEIVED: 13
TOTAL CALLS: 77

VEHICLE MILAGE

ENGINE 443: 100475
ENGINE 442: 36870
ENGINE 581: 28732
LADDER 58: 22697
CAR 44: 137321
CHIEF 440: 18870

Town of Landis
Division of Land Use
Zoning Permits Issued – Year 2024

Section 8, Item 8.1

Permit #	Date	Name	Job Address	Permit Use
ZN-24-01	01-03-24	NIBLOCK	2411 CALLAGHAN CT	NEW SFR
ZN-24-02	01-09-24	JAMES/PAR 3	112 N CENTRAL AVE #ZN-23-40 REVISED.W/TOWN AGREEMENT – ADDITION	
ZN-24-03	01-10-24	TARLTON	109 S CORRELL ST	ACCESS. BLDG
ZN-24-04	01-10-24	ADKINS	400 N BEAVER ST	NEW DECK
ZN-24-05	01-11-24	LESARGE	510 N CENTRAL AVE	FENCE
ZN-24-06	01-11-24	ROBLES	212 W LIMITS ST	NEW SFR
ZN-24-07	01-17-24	TRINITY LUTHERAN	108 W RICE ST	NEW SIGN
ZN-24-08	01-23-24	SOTELO	1020 LINN ST	REMODEL & ADDITION
ZN-24-09	02-07-24	NIBLOCK	959 TAMARY WAY	NEW SFR
ZVL-24-01	02-07-24	PZR.COM	OLD BEATTY FORD RD PROJ.	ZONING VERIF. LETTER
ZN-24-10	02-08-24	RUTLEDGE	503 S CENTRAL AVE	REMODEL
ZN-24-11	02-08-24	JOURNEY CAP	207 E RICE ST	TOWNHOME
ZN-24-12	02-08-24	JOURNEY CAP	209 E RICE ST	TOWNHOME
ZN-24-13	02-08-24	JOURNEY CAP	211 E RICE ST	TOWNHOME
ZN-24-14	02-08-24	JOURNEY CAP	215 E RICE ST	TOWNHOME
ZN-24-15	02-08-24	JOURNEY CAP	219 E RICE ST	TOWNHOME
ZVL-24-02	02-14-24	STANDARD TITLE	PARKDALE MILL PROP	ZONING VERIF. LETTER
ZN-24-16	02-15-24	NIBLOCK	1060 IRISH CREEK DR	NEW SFR
ZN-24-17	02-27-24	EASTER	503 WINDWARD LN	ACCESS.- DECK
ZN-24-18	03-07-24	REAUME	115 W GARDEN ST	NEW BUSINESS
ZN-24-19	03-21-24	CAROLINA BUILDERS	220 W LIMITS ST	NEW SFR
ZN-24-20	03-27-24	KRAVICE	703 S MAIN ST	FENCE
ZVL-24-03	04-17-24	HICKS & WOOLFORD	130 OVERCUP CT	ZONING VERIF. LETTER
ZN-24-21	04-23-24	NIBLOCK	2440 CALLAGHAN CT	NEW SFR
ZN-24-22	04-23-24	NIBLOCK	2420 CALLAGHAN CT	NEW SFR
ZN-24-23	04-24-24	SHIRLEY	1015 WOODFIELD DR	FENCE
ZN-24-24	04-24-24	FRAMPTON CONST.	619 OLD BEATTY FORD RD.	TEMP. PORTABLE OFFICE (LANDIS RIDGE)
ZN-24-25	05-01-24	JSC-CCI LANDIS I, LLC	619 OLD BEATTY FORD RD.	IND SITE BLDG #1A (LANDIS RIDGE)
ZN-24-26	05-01-24	JSC-CCI LANDIS I, LLC	619 OLD BEATTY FORD RD.	IND SITE BLDG #1A (LANDIS RIDGE)
ZN-24-27	05-01-24	JSC-CCI LANDIS I, LLC	619 OLD BEATTY FORD RD.	IND SITE BLDG #1A (LANDIS RIDGE)
ZN-24-28	05-01-24	WOODWARD	2220 WEST A STREET	FENCE
ZN-24-29	05-23-24	LANDIS APTS.	1365 MT. MORIAH CHURCH RD	APARTMENTS
ZVL-24-04	05-30-24	LUCK	412 E TAYLOR ST	ZONING VERIF. LETTER


LANDIS DEVELOPMENT PLANS UNDER REVIEW

Section 8, Item 8.1

Application #	Name (surveyor & owner)	Job Address	Type/# of lots	Status FEES PD
<p>SITE-07-21 PLANNER OFFICE (GRAY FILE DRAWER) WAS JOHNSON/WOOD- NEW NAME: VILLAS AT LANDIS RYDER PLACE (11-8-22)</p>	<p>Yarbrough-Williams & Hoyle (Nest Communities, LLC/Johnson Wood Townhomes) FEES PD:</p>	<p>Corner of E. Ryder Ave & Upright Streets Map 109 149 & 133 165</p>	<p>Major Subdivision Duplex, Townhomes, SF</p>	<p>10-11-21 Application/sketch rec'd 10/11/21 \$100 SKETCH REVIEW 10-12-21 sketch plan reviewed by RF 11-16-21 \$100 rec'd for review 11-29-21 \$2,092.11 rec'd for technical review of plans. 12-8-21 TECH REV TEAM MTG 3-29-22 Zoning verification letter 4-12-22 Received updated infrastructure information- Capacity Analysis 6-2-22 PLANS REC'D 6-21-22 TRC REVIEW of PLANS 8-10-22 PL. BD REV. *SITE DEV PLAN APPROVED AS NOTED- NEXT STEP: CONSTRUCTION PLANS 8-23-22 email with St. light update to plan 9/20/22 \$22,026.16 CONSTRUCTION PLANS REC'D WITH CALCULATIONS (BESIDE MAP CAGE) 11-15-22 ENGINEER memorandum rec'd. 11-28-22 emailed-waiting on water/sewer plans 12-6-22 Water/sewer plans emailed, waiting on hard copies- REC'D 12-7-22 12-8-22 NCDOT driveway permit completed and rec'd. 12-15-22 final initial comments on w/s notified applicant to p/up their set of plans w/comments ✓ 12-19-22 PICKED UP 1-3-23 ACTIVE FILE 1-5-23 REC'D NCDOT DRIVEWAY PERMIT W/CONDITIONS 2-2-23 REC'D REQ. FOR HIGH DENSITY DEV. AGR. 3-20-23 PUB. HEARING FOR DEV. AGREEMENT 3-20-23 Board Approved Dev. Agreement 4-12-23 revised plans rec'd 4-26-23 RF reviewed plans, waiting on stormwater review. (Tristin is aware) 5-16-23 Stormwater review completed. NEXT STEP CONSTRUCTION CONFERENCE date: 05-24-23 @ 2pm 5-17-23 DEV. PLANS & DEV. AGR P/UP 5-23-23 1st submittal POST DEV. PLAN, NCDEQ FORM, DEEDS, USGS MAP, WETLAND DELINEATION</p>

<p>(CONT.) #07-21 RYDER PLACE</p>				<p>5-24-23 Pre-Construction meeting - **Construction authorized upon completion of fees and several other requirements. 5-30-23 Operation and Maintenance Agreement rec'd 6-6-23 Sent Zoning Permit Application 6-16-23 Stormwater Report From Alley William Carmen & King 7-5-23 Rec'd water system specs. 8-9-23 Stormwater specs reviewed ready for pickup. 8-10-23 stormwater reviews p/up by courier. 12-7-23 Dev. Petition to NCDEQ for w/s regulation exception 1-25-24 issued Willingness to Serve for electricity 2-13-24 Rec'd NCDEQ Auth. For water system 2-20-24 Issued Willingness to Serve water and waste</p>
<p>SITE 11-21 FILE DRAWER NEW NAME: <u>LANDIS APARTMENTS</u></p>	<p>Steve Ross – Dynamic Developers of the Carolinas, LLC Mark Siemieniec- Architect</p>	<p>716 W. Ryder Ave & Mt. Moriah Ch. Rd Map 130b 096</p>	<p>PROPOSED TOWNHOMES APARTMENTS</p>	<p>12-22-21 PAYMENT: \$100 SKETCH PLAN REV. 12-28-21 RF to Engineer, email with comments re sketch plan layout. 2-8-22 R. Flowe mtg w/Developer Engineer 5-16-22 DEV. MTG WITH R FLOWE SKTECH PLAT REV. 7-5-22 PAYMENT \$100 FOR 5-16-22 REVIEW 7-15-22 REC'D 2 COPIES OF PRELIMINARY SITE PLAN- <i>Location: floor beside map cage</i> <i>Payment: site plan rev. \$388.25</i> 8-10-22 PL. BD REVWD. PLAN REJECTED. DEV WILL SUBMIT ANOTHER SITE PLAN 10-19-22 rec'd revised plan 11-8-22 OVERVIEW W/PL. BD. 11-16-22 MTG W/FLOWE & MNGR- WILL RE-SUBMIT PLANS NO TRC ON CURRENT PLANS. 12-6-22 REC'D REVISED PLANS. R FLOWE COMMENTED. EMAILED ARCHITECT W/COMMENTS 12-21-22 re-sent email of 12-6-22 to architect/confirmed recpt. 1-3-23 ACTIVE FILE 2-8-23 revised plan sent by email- next step is site dev. Plan rev. 2-28-23 PLAN HARD COPIES REC'D 2-28-23 PAYMENT: \$388.25 site plan rev. 3-2-23 REC'D REVISED SITE PLAN 3-15-23 Revised Site Plan approved- next step-construction plans & review</p>

Section 8, Item 8.1

<p>#11-21 LANDIS APTS</p>				<p>5-17-23 SC spoke w/Arch. M. SIEMIENIEC- Construction plans to be del today 5-18-23 per M.Siemieniec. plan del delay 5-24-23 CONSTRUCTION PLANS REC'D 5-31-23 FEES PAID FOR REVIEW. \$10,266.55 **Fees include zoning permit application when ready **=PLAN REVIEW(RD,PARK/LOAD/DRAINAGE,W/S LINES, STORMWATER, PERMIT APPLICATION) 6-23 & 28th TRC REVIEW OF PLANS- NOTES ADDED- DEV. P/UP THEIR SET OF PLANS W/NOTES 7-25-23 REC'D 2 SETS OF REVISED CONST PLANS 7-27-23 R FLOWE REVIEWED PLANS- ISSUED EMAIL TO TECH. REV. COMM. TO REVIEW PLANS IN T.HALL 8-3-23 Fire Marshal reviewed plans 8-9-23 Plans ready for p/up, emailed Engineer. ✓ 11-08-23 Rec'd Erosion & Soil Sedim. From County 11-8-23 Pre-const. mtg set for 12-13-23 @ 9a.m.✓ 12-13-23 Stormwater calcs needed. 5-21-24 Groundbreaking Ceremony on site 5-23-24 Permit issued</p>
<p> YEAR 2022</p>				
<p>Application #</p>	<p>Name (surveyor &/OR owner)</p>	<p>Job Address</p>	<p>Type/# of lots</p>	<p>Status FEES PD</p>
<p>SITE DEV 09-22 <u>IRISH CREEK PREL. PLAT</u> <u>LANDIS PORTION PHASE</u> <u>2&4</u></p>	<p>LENNAR CAROLINAS – LAND DESIGN ENGINEER NOTICE OF INTENT FOR NEW DEVELOPER- SHEA HOMES</p>	<p>CANNON FARM RD</p>	<p>430 LOTS- MU-1 & SFR-2 CZ ZMA 24-04-08-1 MU-1 TO SFR-3</p>	<p>9-6-22 REC'D PLAT W/\$3,000 9-13-22 REC'D MASTER PLAN PRELIMINARY PLAT W/\$5,140 AND \$4,580 TOTAL \$12,720 9-13-22 PLAT OVERVIEW W/PL BD. ✓ 12-6-22 ACTIVE FILE 3-7-23 NO ACTIVITY 7-25-23 NOTICE OF NEW DEVELOPER INTENT FROM ATLANTIC AMERICAN PROP. 9-5-2023 MTG W/PL. DIR. W/NEW DEV. 9-25-23 MTG W/PL DIR. FLOWE 9-28-23 REC'D MEETING NOTES 12-12-23 Rec'd form w/ZMA request no funds rec'd 12-19-23Rec'd partial fee for ZMA request 1-3-24 Rec'd full funds for ZMA request- March BOA mtg 2-13-24 Planning Bd did not meet- April BOA mtg 2-15-24 Utilities meeting with Dev.& Land Design 2-26-24 Neighborhood Meeting for Phase II Site</p>

<p>SITE DEV 09-22 <u>IRISH CREEK PREL. PLAT</u> <u>LANDIS PORTION PHASE</u> <u>2&4</u></p>				<p>3-6 & 3-7 Water/Sewer Plans rec'd 4-08-2024 PUB. HRNG ZMA- approved 4-16-24 Irish Crk Development Team met with P/Z 5-10-24 rec'd revised lot drawing</p>	
<p>SITE DEV #10-22- LANDIS RIDGE LANDIS 85 OLD BEATTY FORD RD INDUSTRIAL SITE</p> <p>NAME CHANGE: <u>LANDIS RIDGE</u> <u>LANDIS 85</u></p> <p><u>DEV #10-22</u> <u>LANDIS RIDGE</u></p> <p>OLD BEATTY FRD RD IND. SITE <u>LANDIS 85</u></p>	<p>RYAN BEADLE/JACKSON-SHAW- LIPE, MILLS, DEAL PROPERTIES</p>	<p>OLD BEATTY FORD RD INDUSTRIAL SITE</p>	<p><u>ANNEX & ZMA</u> <u>LOTS:</u> MAP 140, PARCELS: 003,167, 138, 169 & 170 11-14-22- BD APPROVED ANNEXATION ZONING: IND 2-13-23 BD TO CONSIDER ANNEXATION WITH PUB. HEARING ON MARCH 20, 2023 -BD APPROVED</p>	<p>9-13-22 REC'VD PAYMENT \$600 ZMA REQ. ANNEX W/ ZMA NOV.8 & 14 2022 MTGS 11-14-22 BD APPROVED ANNEX & IND ZONING 12-6-22 ACTIVE SITE- PLANS DEVELOPING 12-8-22 NCDOT TRAFFIC IMPACT STUDY CHECKLIST REC'D 12-20-22 2 CHECKS OF \$875 REC'D = \$1,750 FOR: 1) ZMA W/ANNEX APPL. (APPL. REC'D 12-15-22) 2) & ZTA (TEXT AMEND.) 1-3-2023 ACTIVE FILE 1-09-23 ANNEXATION REQ. TABLED UNTIL FEB 2-13-23 ZTA APPROVED ANNEX AND MAP AMEND SET FOR MARCH PUB HEARING. 3-1-23 SITE PLAN REV. W/ DEV & PUB. WORKS 3-14-23 FUNDS REC'D FOR: SITE PLAN REVIEW & PREL PLAT REVIEW: \$4,801.75</p> <p>3-20-23 Pub. Hearing Annexation additional properties, req. IND zoning. BOARD APPROVED 4-11-23 Plan revisions received. 4-26-23 Plan review completed with comments. 4-27-23 R Beadle picked up Dev. Copy with comments. 5-25-23 Zoom mtg w/R Flowe 6-13-23 NCDOT scoping documents received 8-2-23 rec'd updated site dev. Plans from Developer 8-2-23 rec'd NCDOT updated TIA scoping docs link 9-19-23 REC'D REVISED SITE PLAN PGS 3,4 &5 ON REVIEW TABLE FOR TRC- REVIEWED 10-18-23 REC'D W/S WILLINGNESS TO SERVE REQUEST 10-23-23 PLANNING BOARD MTG UPDATE ✓ 11-14-23 Mtg req. by Developer- ZOOM W/RFLOWE 11-21-23 FUNDS REC'D FOR SITE PLAN REVIEW 11-30-23 WAITING ON CONSTRUCTION PLANS 12-21-23 Rec'd revised Const. plans & all documents 12-21-23 FUNDS REC'D \$36,136 FEES. 1-2-24 DIGITAL FILES REC'D 1-24-24 TRC mtg held – examined plans 2-13-24 Meeting with Developer and Eng. Review of TRC</p>	

LANDIS DEVELOPMENT PLANS UNDER REVIEW

Section 8, Item 8.1

<p><u>DEV #10-22</u> <u>LANDIS RIDGE</u></p>				<p>2-14-24 Address from Rowan Cty GIS for constr.: 3-12-24 REC'D REV. CONST. PLANS & CALCS WAITING ON ENG. REVIEW 3-27-24PRE-CONSTRUCTION MEETING HELD 4-24-24 PERMIT FOR TEMP CONST. OFFICE 5-1-24 PERMIT FOR BLDGS 1A, 1B, & 2 5-8-24 STORMWATER AUTHORIZATION TO PROCEED</p>
<p>ALL 2023 2023 PROJECTS. NOW IN CONSTRUCTION PHASE</p>				
<p><u>2024</u> <u>2024</u> <u>2024</u> <u>2024</u> <u>2024</u></p>				
<p>Application/ Site #</p>	<p>Name (surveyor & owner)</p>	<p>Job Address</p>	<p>Type/# of lots</p>	<p>Status, FEES PD</p>
<p>SITE 01-24</p>	<p>DOMINION ENERGY</p>	<p>MT MORIAH CH RD</p>		<p>UTILITY – GAS LINE INSTALLATION ON TOWN EASEMENT/ FLOODWAY/FLOODPLAIN 2-7-24 PLANS REC'D 5-2-24 R.O.W PERMIT REQUESTED 5-28-24 REC'D HARD COPY OF PLANS 5-30-24 EMAILS TO INCLUDE PUB. WORKS 6-4-24 REC'D UPDATED PLANS BY EMAIL</p>
<p>SITE 02-24</p>	<p>OCAMPO- Owner WEITHORN-Surveyor</p>	<p>2410 US 29</p>	<p>BUILDING EXPANSION/ IMPROVEMENTS</p>	<p>2-28-24-ELECTRONIC SITE PLAN REC'D 3-5-24 REC'D \$325 SITE PLAN REVIEW FEE 4-3-24 Rec'd hard copies of site plan- waiting on building elevations</p>
<p>EXEMPT #02-24 EXEMPTION PLAT 5-28-24</p>	<p>DELTA LAND SERVICES</p>	<p>W LAUREL STREET</p>		<p>EXEMPTION PLAT</p>

<p>Exemption Recombination 7-15-24 PUB. HRNG</p>	<p>CRETE SOLUTIONS & TWO-TEN PROPERTIES</p>	<p>220 OLD BEATTY FORD RD</p>	<p>COMBINING OF 3 SMALLER LOTS WITH 1 LARGE LOT</p>	<p>ANNEXATION AND RECOMBINATION</p>
<p>PLANS IN CONSTRUCTION/ REVIEW</p>				
<p>SITE 02-23 CONCRETE PLANT- NEW OWNERSHIP/ NEW PLANS- ZONING PERMIT ISSUED 5-17-23</p>	<p>William N. West Owner Crete Solutions</p>	<p>220 OLD BEATTY FORD RD</p>	<p><u>CONCRETE PLANT</u></p>	<p>04-11-2023 PD \$6,188.83 NEW SITE PLANS, STORMWATER, CALCS. 4-26-23 RF review & staff rev. complete comments on plans 4-27-26 Owner/Dev. Bill West p/up set w/comments. 5-9-23 Rec'd partial set of plans- advised need complete sets. 5-10-23 rec'd 2 complete sets of plans w/revisions 5-17-23 R. Flowe to Developer West, plan set – scale is off. West to deliver a new complete plan set to NFocus Office this day. Flowe to review and sign zoning permit application if plans are approved. 5-17-23 Plans rec'd. R. Flowe approved plans for site construction. Zoning Permit #ZN-23-27 issued. Site work active. 3-27-24 POSSIBLE SITE REVISION 4-3-24 REVISED SITE PLAN \$525 PD 5-10-24 ANNEXATION AND RECOMB. FOR 7-15-24 HRG</p>
<p>SITE 03-23 PINNACLE PARKING LOT SITE PLAN</p>	<p>CESI ENGINEERING JASON MARTINEZ(SITE)</p>	<p>1600 PINNACLE WAY DR.</p>	<p><u>NEW DRIVEWAY- PARKING LOT EXPANSION</u></p>	<p>7-12-23 PLANS RECEIVED W/FEE PD \$875 8-1-23 PLAN REVIEW R FLOWE- MEETING RESULTS: NEW PLANS WILL BE SUBMITTED ASAP. 9-6-23 PLANS SUBMITTED 9-12-23 PLAN REV. RFLOWE AND T. WALTERS- REVIEW CONTINUES 9-19-23 RFLOWE & TWALTERS SIGNED OFF ON PLANS. EMAILED ALL- DEV. SET READY AT FRONT DESK. 9-25-23 PLANS P/UP 9-27-23 NCDOT APPROVAL, SIGNED DRIVEWAY PERMIT</p>
<p>SITE 01-23 BYRNE PROP KIMBALL RD PERMIT ISSUED 11-30-23</p>	<p>SHANNON SPARKS SURVEYOR BYRNE PROP. INC</p>	<p>KIMBALL ROAD MAP 123B 115</p>	<p><u>TOWNHOMES 9 PROPOSED</u> 9-11-23 BD ALD APPROVED DEV. AGREEMENT</p>	<p>2-2-23 SKETCH PLAT REVIEW & CONSULT 2-2-23 PD \$245 SKETCH PLAT REV. & CONSULT 4-13-23 PD \$1085 FOR SITE PLAN REVIEW 4-26-23 Plans Reviewed by RF- approved. TRC & PL BD. (JUNE 21,2023) 6-27-23 owner paid for all tap fees \$45,000 6-29-23 rec'd updated plans</p>

Section 8, Item 8.1

				<p>8-1-23 rec'd revised plan</p> <p>8-8-23 Pl. Bd to review Dev. Agreement for Kimbar Landing</p> <p>9-11-23 BD ALD. Pub. Hearing for Dev. Agreement- APPROVED</p> <p>9-27-23 DEV. AGREEMENT SIGNATURE BY DEV.</p> <p>10-18-23 CONSTR. PLANS REC'D.</p> <p>10-18-23 PAYMENT OF \$325 PARTIAL CONSTR PLAN REVW</p> <p>10-18-23 PAYMENT OF \$680 (8 TWNHMS- zoning permit)</p> <p>10-19-23 RFLOWE REVIEWED. NEED UPDATED BUILDING ELEVATIONS TO CURRENT PLAN.</p> <p>10-24-23 DEVELOPER AWARE OF PLANS NEEDED.</p> <p>10-26-23 UPDATE CONST. PLANS REC'D</p> <p>10-26-23 PAYMENT OF \$627- REMAINDER OF CONST REVW FEES PD.</p> <p>11-29-23 PRE-CONST MTG</p> <p>11-29-23 PLANS APPROVED FOR CONSTRUCTION</p> <p>11-30-23 PERMIT ISSUED FOR SITE WORK</p> <p>3-13-24 BUILDING BEGINNING</p>
--	--	--	--	---

<p>SITE DEV 04-22</p> <p>RICE RD TWNHOMES</p> <p>PERMIT ISSUED 12-28-22 FOR SITE DEV.</p>	<p>JOURNEY CAPITAL, LLC</p> <p>ANDREW WALTZ 704-453-2700</p> <p>RICE RD TOWNHOMES</p> <p>ACTIVE FOR REVIEWS</p>	<p>221 E RICE STREET</p>	<p>TOWNHOMES</p>	<p>1-12-22 MTG R FLOWE</p> <p>PAYMENTS: 5-11-22: \$325, 5-17-22: \$1,812</p> <p>6-21-22 TRC MTG TO REVIEW</p> <p>PLAN- Location: IN map cage</p> <p>8-10-22 PL. BD REV. -DEV/ENGINEER NEED TO MEET TO DISCUSS WITH R FLOWE</p> <p>9-1-22 MTG W/FLOWE NEXT STEP: SUBMITTAL OF REVISED SITE</p> <p>11-3-22 REVISED PLANS REC'D</p> <p>11-8-22 PL BD OVERVIEW</p> <p>11-22-22 TRC COMMENTS COMPLETE</p> <p>11-30-22 PLANS W/COMMENTS READY FOR P/UP</p> <p>12-5-22 plans p/up by developer for review/revisions</p> <p>12-13-22 REC'D REVISED PLANS</p> <p>12-15-22 PLANS REVIEWD BY RFLOWE APPROVED AS NOTED READY FOR PICK UP (EMAILED)</p> <p>12-19-22 PICKED UP by developer</p> <p>12-19-22 rec'd zoning permit appl by email.</p> <p>12-28-22 rec'd address from county</p> <p>12-28-22 issued zoning permit # ZN-22-81</p> <p>4-18-23 Rec'd 1 new page to plans.</p> <p>4-26-23 RF review, waiting on stormwater review, still need correct buildings sheet.</p> <p>5-2-23 STORMWATER REVIEWED</p>
---	---	---------------------------------	------------------	--

<p>#04-22 RICE ST. TWNHMS CONT.</p>				<p>5-3-23 Emailed screenshot of comments- Waiting corrected buildings sheet. 5-16-23 REC'D 2 COMPLETE SET OF PLANS 5-16-23 PLANS APPROVED –DEV. To p/up NEXT STEP: PRE-CONST. CONF. SET 05-24-23 @ 3:30 PM 5-19-23 PLANS P/UP 5-24-23 Pre-Construction meeting - **Construction authorized upon completion of fees and several other requirements 6-6-23 Const. Admin Fees Pd: \$1,180.50 6-30-23 UPDATED PLANS REVIEWED-APPROVED 7-6-23 REC'D MATERIALS LIST SITE DEV # 04-22 RICE STREET TOWNHOMES CONT. REVIEW OF W/S, BLDG ELEVATION FEES PD: PREL PLAT \$450, SKETCH PLAN \$100, UNITS \$100 SITE WORK ACTIVE 10-11-23 REC'D UTILITY AS BUILTS 10-16-23 PLANS ACCEPTED BY RFLOWE 10-17-23 EMAILED DEV. READY FOR PICK UP 10-18-23 FINAL PLAT- MYLAR REC'D 10-19-23 R FLOWE SIGNED PLAT 10-25-23 ENGINEER W.WEBB REVIEWING FOR SIGNATURE 10-31-23 MORE INFO NEEDED- EMAILED DEVELOPER– as-built drawings, construction certifications from the design engineer, and cad files for the water, sewer, and storm drainage locations 11-8-23 Rec'd mylar – waiting on State permits 11-16-23 mtg w/state rep re approvals 11-20-23 application submitted with NCDEQ 11-21-23 REC'D \$350 FINAL PLAT FEE 2-7-24 REC'D PERMIT FEES FOR 10 TOWNHOMES (10X\$50 2-8-24 PER UNIT FEES PD FOR 10 TOWNHMS (10 X \$35) 2-8-24 PERMIT ISSUED FOR 5 TOWNHMS 2-14-24 Rec'd NCDEQ permit to construct water system. 2-21-24 NCDEQ permit to construct wastewater system. 3-27-24 VIOLATION NOTICE TO DEVELOPER \$9,654.66 4-29-24 SEWER CERT REQUEST</p>
---	--	--	--	--

TOWN OF LANDIS

Case Number	Violation Address	Owner or Occupant	Status or Conditions
MINIMUM HOUSING			
HC-20-02	property near intersection of East Ryder Avenue and Coldwater Street	Villas at Landis Development LLC (Ryder Place Development)	abandoned dilapidated mobile office or classroom structures. Both units have been demolished, awaiting completion of clearance of all debris.
HC-21-04	314 Town Street	Ruth C Deadmon (Heirs)	occupied substandard dwelling without water, sewer or electric services. Full inspection conducted. Hearing held and Findings of Fact and Order issued to Repair or Close by a date not later than 05-05-2024. Preparing Memorandum and Ordinance to Close to be presented at the July Council meeting.
HC-21-08	317 East Corriher Street	Gail D Jackson	unsafe and unsanitary conditions inside and outside the house. Conducted inspection with warrant. Hearing held with decision she will continue with clean up and I will conduct periodic inspections until compliance is met. Follow up inspection delayed due to her health conditions.
HC-24-01	109 Everhart Avenue	Mary Gray Hilton Heirs	Abandoned substandard housing and nuisance conditions. Research completed, will schedule inspection with warrants soon.. Preparing Warrants and related documentation.

TOWN OF LANDIS

Case Number	Violation Address	Owner or Occupant	Status or Conditions
HC-24-02	111 Everhart Avenue	Mary Gray Hilton Heirs	Abandoned substandard housing and nuisance conditions. Research completed, will schedule inspection with warrants soon.. Preparing Warrants and related documentation.
HC-24-03	201 Everhart Avenue	Mary Gray Hilton Heirs	Abandoned substandard housing and nuisance conditions. Research completed, will schedule inspection with warrants soon.. Preparing Warrants and related documentation.
HC-24-04	202 Everhart Avenue	Mary Gray Hilton Heirs	Abandoned substandard housing and nuisance conditions. Research completed, will schedule inspection with warrants soon.. Preparing Warrants and related documentation.
HC-24-05	203 Everhart Avenue	Mary Gray Hilton Heirs	Abandoned substandard housing and nuisance conditions. Research completed, will schedule inspection with warrants soon.. Preparing Warrants and related documentation.
HC-24-06	205 Everhart Avenue	Mary Gray Hilton Heirs	Abandoned substandard housing and nuisance conditions. Research completed, will schedule inspection with warrants soon.. Preparing Warrants and related documentation.
HC-24-07	206 Everhart Avenue	Mary Gray Hilton Heirs	Abandoned substandard housing and nuisance conditions. Research completed, will schedule inspection with warrants soon.. Preparing Warrants and related documentation.

TOWN OF LANDIS

Case Number	Violation Address	Owner or Occupant	Status or Conditions
HC-24-08	207 Everhart Avenue	Mary Gray Hilton Heirs	Abandoned substandard housing and nuisance conditions. Research completed, will schedule inspection with warrants soon.. Preparing Warrants and related documentation.
HC-24-09	209 Everhart Avenue	Mary Gray Hilton Heirs	Abandoned substandard housing and nuisance conditions. Research completed, will schedule inspection with warrants soon.. Preparing Warrants and related documentation.
HC-24-10	210 Everhart Avenue	Mary Gray Hilton Heirs	Abandoned substandard housing and nuisance conditions. Research completed, will schedule inspection with warrants soon.. Preparing Warrants and related documentation.
HC-24-11	211 Everhart Avenue	Mary Gray Hilton Heirs	Abandoned substandard housing and nuisance conditions. Research completed, will schedule inspection with warrants soon.. Preparing Warrants and related documentation.
HC-24-12	212 Everhart Avenue	Mary Gray Hilton Heirs	Abandoned substandard housing and nuisance conditions. Research completed, will schedule inspection with warrants soon.. Preparing Warrants and related documentation.
HC-24-13	214 Everhart Avenue	Mary Gray Hilton Heirs	Abandoned substandard housing and nuisance conditions. Research completed, will schedule inspection with warrants soon.. Preparing Warrants and related documentation.

TOWN OF LANDIS

Case Number	Violation Address	Owner or Occupant	Status or Conditions
HC-24-14	215 Everhart Avenue	Mary Gray Hilton Heirs	Abandoned substandard housing and nuisance conditions. Research completed, will schedule inspection with warrants soon.. Preparing Warrants and related documentation.
HC-24-15	216 Everhart Avenue	Mary Gray Hilton Heirs	Abandoned substandard housing and nuisance conditions. Research completed, will schedule inspection with warrants soon.. Preparing Warrants and related documentation.
HC-24-16	217 Everhart Avenue	Mary Gray Hilton Heirs	Abandoned substandard housing and nuisance conditions. Research completed, will schedule inspection with warrants soon.. Preparing Warrants and related documentation.
HC-24-17	807 North Zion Street	Mary Gray Hilton Heirs	Abandoned substandard housing and nuisance conditions. Research completed, will schedule inspection with warrants soon.. Preparing Warrants and related documentation.
HC-24-18	809 North Zion Street	Mary Gray Hilton Heirs	Abandoned substandard housing and nuisance conditions. Research completed, will schedule inspection with warrants soon.. Preparing Warrants and related documentation.
HC-24-19	1020 Linn Street	Jesus Dotelo Andrade & Susana Bernal Lorenzo	Substandard housing conditions. Conducted inspection and am preparing the report and will schedule the hearing soon.

Case Number	Violation Address	Owner or Occupant	Status or Conditions
HC-24-20	103 Church Street	Stephen A & Paatricia G Stancil	Substandard housing conditions. Conducted inspection and am preparing the report and will schedule the hearing soon.
NUISANCES			
PN-23-04	210-214 Rankin Road	Mary Theresa Martin	Various forms of trash, debris and similar materials. Met on site with the owner and he has begun abatement actions. Notice issued with new deadline off 06-16-24 and have noted some progress. Will follow up again on the 6th
PN-23-18a	316 North Beaver Street, accessed from North Upright	Villas at Landis Ddevelopment LLC	demolition and building material debris, trash, and large pieces of tree trunks and other forms of debris. Notice issued with no response from owners. Dumping continues to grow. In conversation with developer. Pending abatement by the Town.
PN-23-20	504 East Corriher Street	Edwin Ray Jones	report of dumping of concrete and similar materials in the gulley behind the house. During a site visit and due to the reduction in the foliage, it was observed that the dumping is coming from the subject property. Pending notice.

TOWN OF LANDIS

Case Number	Violation Address	Owner or Occupant	Status or Conditions
PN-23-22	209 West Hoke Street	Margaret Morris Lisk	various forms of trash and debris. Notice issued. Several follow up inspections show slow but continued progress. Will follow up again on June 6th.
PN-24-01	property near intersection of East Ryder Avenue and Coldwater Street	Villas at Landis Development LLC (new owners)	abandoned dilapidated mobile office or classroom structures. Notice issued one of the owners responded relating the structures would be removed soon. No further actions by the owners, Pending other enforcement actions.
PN-24-02	404 Blume Street	Straight Path Real Estate Solutions LLC	Erosion control issue causing mud slides and damage to the adjoining property. Pending additional research for possible notice of violation.
PN-24-04	707 & 709 West Ridge Avenue	Bernardo Huizar	Trash, debris, building material debris, junked/nuisance vehicles and possible business use of the property. Notice issued and abated by owner. Pending determination of possible business operation.
PN-24-05	107 North Meriah Street	James A Hall Jr Heirs	trash, debris, and other similar items along with junked/nuisance vehicles again. Pending new notice of violation.

TOWN OF LANDIS

Case Number	Violation Address	Owner or Occupant	Status or Conditions
ABANDONED-JUNKED-NUISANCE VEHICLES			
MVO-24-01	110 Upright Street	T D Enterpris Inc	All outside violations have been abated by the tenant and owners. Case will remain open to monitor.
MVO-24-02	616 South Main Street	Dwayne & Arnold & Carlyin Crouch	Abandoned business with multiple junked/nuisance vehicles remaining. Notice issued and all vehicles have been removed. CLOSED 05-08-24.
ZONING			
Z-23-02	303 Buford Drive	Fon Ernest	Planning Department is handling the final aspects of these issues. Planning department related they have not complied with all requirement. Will initiate further enforcement actions.
Z-24-02	512 West Blume Street	Next Project LLC c/o Rosa Quijada	construction of a residential addition without required zoning permits. Notice of violation - Stop Work Order issued on 04-30-24. Will continue to monitor.
Non-Residential Buildings			

TOWN OF LANDIS

Case Number	Violation Address	Owner or Occupant	Status or Conditions
NR-24-01	2570 South US 29 Hwy	Joseph J Rojas	Commercial building convenience store. Severe defects and dilapidation. Inspection conducted on 04-02-24. Pending report completion and scheduling of hearing.
NR-24-02	616 South Main Street	Dwayne & Arnold & Carlyin Crouch	Commercial building Auto Repair shop abandoned. Severe defects and dilapidation. Inspection conducted on 04-02-24. Pending report and scheduling of hearing.



Item Cover Page

MEETING TYPE Board of Alderman

DATE: July 15, 2024

SUBMITTED BY: Staff

ITEM TYPE: Report

AGENDA SECTION: Reports

SUBJECT: **Departmental Reports**

DETAILS: Reports in Order:

- Parks and Recreation Report
- Utility Billing Report
- Public Works Report
- Police Report
- Fire Report
- Planning and Zoning Report
- Code Enforcement Report



Item Cover Page

MEETING TYPE Board of Alderman

DATE: June 10, 2024

SUBMITTED BY: Jeneen McMillen, Finance Director

ITEM TYPE: Report

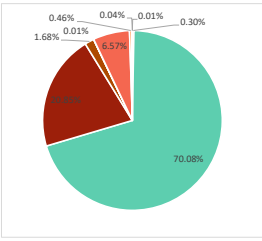
AGENDA SECTION: Reports

SUBJECT: **Financial Dashboard**

DETAILS:

Town of Landis
FY 24 Monthly Summary
May 2024

Operating Budget Revenues	Budgeted FY24	May	FY24 YTD	%
Annual Sales Tax from Rowan County	-	-	-	0%
Property Tax - Current (Monthly)	2,127,862	23,653	1,933,744	91%
Tax Collection - Prior Years (Monthly)	35,000	3,807	12,594	36%
Vehicle Interest	1,400	-	-	0%
Interest and Penalties	10,000	1,146	1,146	11%
Property Tax Auto - Current (Monthly)	212,977	19,394	19,394	9%
Vehicle Tag Fee	63,000	5,830	5,830	9%
Building Rental Fees	7,200	575	575	8%
Sponsorships	1,500	-	-	0%
Medical Stipend Rowan County	-	-	-	0%
Interest on Investments	57,000	33,417	33,417	59%
Interest on Investments - Powell Bill	-	3,026	3,026	0%
Miscellaneous Income	-	0	0	0%
Police Fees & Fines	780	120	120	15%
First Responder	1,320	-	-	0%
Downtown Revitalization Grant Rcv'd	100,000	810	810	100%
Excise Tax on Piped Gas	10,500	-	-	0%
Franchise Tax on Electric PO	273,000	-	-	0%
Sales Tax on Telecommunications	10,500	-	-	0%
Sales Tax on Video Programming	9,100	-	-	0%
Local Government Sales and Use Tax	990,000	98,058	98,058	10%
Powell Bill Revenues	117,500	-	-	0%
ABC Revenue - County	14,000	3,781	3,781	27%
Court Cost	400	72	72	18%
EMT Monies from Rowan County	-	810	810	0%
Planning/Zoning Fees	50,000	220	220	0%
Garbage Collection Fees	305,000	27,314	27,314	9%
Fire Dept Grant Received	6,195	-	-	0%
Resource Officer Reimburse	175,000	-	-	0%
EMS Utility Reimbursement	7,500	-	-	0%
ABC Profits - State	14,000	18,707	18,707	134%
Solid Waste Disposal Tax	1,800	730	730	41%
East Landis Property Tax	25,000	753	753	3%
East Landis Tax - Prior Years	200	-	-	0%
State Utilities Collection by County	-	-	-	0%
East Landis Penalties and Interest	2,000	-	-	0%
East Landis - Motor Vehicles	3,500	-	-	0%
Debt Setoff - 10 Fund	-	-	-	0%
Sales Tax Refund	-	-	-	0%
Sale of Fixed & Surplus Assets	11,500	-	-	0%
Vendor Reimbursement	-	-	-	0%
Insurance Proceeds	-	4	4	0%
Restitution	-	-	-	0%
Rowan Municipal Association	-	1,180	1,180	0%
Fund Balance Appropriated	637,486	-	-	0%
Administrative Service Charges	725,331	-	-	0%
Park Revenues	128,100	12,041	12,041	9%
Water Service	1,100,000	89,762	89,762	8%
Construction Services - Water	-	-	-	0%
Interest on Investments	6,888	87	87	1%
Miscellaneous Income	-	-	-	0%
Tap Fees - Water	48,000	-	-	0%
Debt Setoff - 20 Fund	-	-	-	0%
Insurance Proceeds	-	-	-	0%
East Landis Water	-	-	-	0%
Sewer Service Fees	993,000	87,582	87,582	9%
Sewer Impact Fees	-	-	-	0%
Tap Fees	30,000	4,000	4,000	13%
Stormwater Fees	115,000	9,830	9,830	9%
Interest on Investments - Stormwater	1,200	218	218	18%
Construction Services - Electric	3,000	-	-	0%
Electricity Fees	5,900,000	479,166	479,166	8%
Penalties - Electric	70,000	8,860	8,860	13%
Reconnect Fees	65,000	16,800	16,800	26%
Meter Tampering Fees	-	-	-	0%
Pole Attachments	8,000	-	-	0%
Interest on Investments - Electric	20,000	7,280	7,280	36%
Miscellaneous Income	1,500	-	-	0%
Underground Service	-	-	-	0%
Payment Return Fees	2,000	330	330	17%
Sale of Scrap Metal	-	384	384	0%
Debt Setoff	1,500	87	87	6%
Sales Tax Refund	50,000	-	-	0%
Sale of Surplus Assets - Electric	-	-	-	0%
Over/Short	-	(4)	(4)	0%
Retained Earn Appropriated - Electric	136,181	-	-	0%
TOTAL	14,686,920	959,829	2,878,707	20%



Bank OZK - General Fund	Payroll Account
NCCMT - General Fund	General Fund Sweep Acct
Passive Park Fund Savings	Passive Park A/P Acct
NCCMT - Powell Bill	USDA Reserve Account
Landis Police Foundation	

Bank Balances		
Bank OZK - General Fund	\$1,000	0.01%
Payroll Account	\$41,778	0.37%
NCCMT - General Fund	\$7,986,771	70.78%
General Fund Sweep Acct	\$2,361,678	20.93%
Passive Park Fund Savings	\$178,905	1.59%
Passive Park A/P Acct	\$1,000	0.01%
NCCMT - Powell Bill	\$707,174	6.27%
USDA Acct Closed 3/7/24	\$0	0.00%
Landis Police Foundation	\$5,930	0.05%
TOTAL	\$11,284,236	100%

Operating Budget Expenditures	Budgeted FY24	May	FY24 YTD	%
Administration	\$1,677,329	\$75,775	\$75,775	5%
Police Department	\$1,417,717	\$102,644	\$102,644	7%
Fire Department	\$920,560	\$78,740	\$78,740	9%
Streets Department	\$995,140	\$40,766	\$40,766	4%
Sanitation Department	\$428,500	\$41,334	\$41,334	10%
Parks and Recreation	\$479,073	\$52,558	\$52,558	11%
Electric Department	\$6,287,181	\$362,803	\$362,803	6%
Water Department	\$882,000	\$53,674	\$53,674	6%
Sewer Department	\$1,018,000	\$85,133	\$85,133	8%
Storm Water Department	\$116,200	\$7,832	\$7,832	7%
Debt Service - Municipal Loan/Copiers	\$60,025	\$1,597	\$1,597	3%
Debt Service-USDA Bonds/Sewer Equip /Srf Loan	\$299,000	\$0	\$0	0%
Total Expenditures	\$14,580,725	\$902,856	\$902,856	6%

Capital Improvement Plan Budgets	Budgeted	May	FY24 YTD	%
<i>Year-To-Date Capital Expenditures</i>				
Total Revenues	\$0.00	\$0.00	\$0.00	100%
Total Expenditures	\$0.00	\$0.00	\$0.00	100%

Landis Police Foundation	Budgeted	May	FY24 YTD	%
Total Revenues	\$15,000.00	\$0.00	\$0.00	0%
Total Expenditures	\$15,000.00	\$0.00	\$6,351.00	42%

Passive Park Fund	Budgeted	May	FY24 YTD	%
<i>Year-To-Date Passive Park Fund</i>				
Total Revenues	\$53,750.00	\$0.00	\$53,750.00	0%
Total Expenditures				
Supplies	\$0.00	\$0.00	\$0.00	0%
Purchased Services	\$3,750.00	\$0.00	\$0.00	0%
Professional Fees	\$50,000.00	\$0.00	\$0.00	0%
TOTAL	\$53,750.00	\$0.00	\$0.00	0%





Item Cover Page

MEETING TYPE Board of Alderman

DATE: June 10, 2024

SUBMITTED BY: Michael D. Ambrose, Town Manager

ITEM TYPE: Report

AGENDA SECTION: Reports

SUBJECT: **Managers Report**

DETAILS:



Town Manager Report Month of May 2024

We have completed the fifth month of the calendar year. I want to continue giving an overview as part of my manager report.

1. Lake Landis, Corriher, and Warrior Dams have some issues as identified with NCDEQ. The Town has explored some grant opportunities for correcting these issues, however the grant application requires an Action Plan that must be provided by an Engineer. Staff have begun working with Schnabel Engineering, and this firm has assured us they can get the action plan delivered to us prior to the spring grant application deadline.
2. The Town has applied for NC Strap Funding to repair our current Lake Landis Dam. The Town will receive notification by the end of June 2024, if we are approved for the grant allocation.
3. The Mount Moriah/W Ryder water line, and the elevated water tank grant projects are approved by the North Carolina Department of Environmental Quality. The bidding process is moving forward to hopefully have these projects started by fall 2024.
4. The sewer line project on South Main Street is moving forward as it has just been approved by the North Carolina Department of Environmental Quality. This project should be off the ground soon and will include rehabbing the Upright Lift Station which is expected to cure the inflow and infiltration issue we are currently experiencing.
5. I have been continually involved in meetings about stormwater, stormwater funding sources, and ways to improve our stormwater infrastructure needs. The Town has applied for an additional \$400,000 in grant funding for this issue. The town has also requested state allocations in the amount of \$1,000,000 dollars.
6. The Town Staff are presenting a recommendation on the 2024 paving project. This contractor recommended is working with the NCDOT and will be able to begin paving the outlined roadways in September 2024.
7. The Landis Pool has successfully opened, and I appreciate our pool staff for this smooth opening. Our pool lifeguards are very attentive to their duties, and two individuals have been saved because of their training and attention.
8. This month we began highlighting our employees through the Town Facebook page, and our monthly newsletter.

Please stop by my office or contact me directly if you have any issues or concerns.

Thank you,

Michael D. Ambrose

Michael D. Ambrose

2024 JULY



Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
30	1	2	3	4 Town Offices Closed	5 Downtown Cruise-In 5-9PM	6
7	8	9 Planning Board Meeting: 6:00PM	10	11 Board of Aldermen Work Session Meeting: 5:30PM	12	13
14	15 Board of Aldermen Regular Scheduled Meeting: 6:00PM	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31	1	2	3
4	5	6	7	8	9	10

AUGUST

NOTE

COMMUNITY EVENTS

2023-2024



- 11/21/2023 : Christmas Parade
- 11/21/2023 : Downtown Tree Lighting Event
- 12/9/2023 : Campfire Christmas with Santa
- 3/23/2024 : Easter EGG-stravaganza
- 4/5/2024 : Downtown Car Cruise-In (also held on 5/3/2024, 6/7/2024, 7/5/2024, 8/2/2024, and 9/6/2024)
- 8/6/2024 : National Night Out
- 9/20/2024 : Touch-A-Truck Event
- 10/26/2024 : Fall Festival/Trunk or Treat
- 11/26/2024 : Christmas Parade
- 11/26/2024 : Downtown Tree Lighting Event
- 12/14/2024 : Campfire Christmas by the Lake

312 S. Main St.
704-857-2411
www.townoflandisnc.gov