



TOWN OF SYLVA BOARD OF COMMISSIONERS WORK SESSION

Thursday, July 25, 2024 at 9:00 AM
Board Room, 83 Allen Street Sylva, North Carolina

AGENDA

CALL TO ORDER

APPROVAL OF AGENDA

All items listed and adopted are for discussion or possible action

PUBLIC COMMENTS

REPORTS

1. Mayor's Report
2. Commissioner's Report
3. Manager's Report
4. Public Works Department Report
5. Police Department Report
6. Fire Department Report
7. Main Street Report
8. Planning Board Report
9. TWSA Board Report
10. Pinnacle Park Report

NEW BUSINESS

- [11.](#) Solicitation Ordinance--Discussion Only
- [12.](#) Draft Economic Development Committee Rules of Procedure--Discussion Only

ADJOURNMENT

**An Ordinance to Amend
Chapter 30 of the Town of Sylva Code of Ordinances:
Streets and Sidewalks**

The Ordinance is now after discussion and affirmative vote amended to state the following:

Section 30-14. Public solicitation and begging upon the Streets and Sidewalks Regulated

A. Definitions:

Accosting: approaching or speaking to an individual or individuals in such a manner as would cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon his or her person, or upon property in his or her immediate possession.

Solicit: use of the spoken, written, or printed word, or other acts as are conducted in the furtherance of the purpose of immediately collecting contributions for the use of oneself or others. As used in this Section 30-14 the word "*solicit*," and its forms, includes soliciting and begging. This definition shall not include transactions between family members or mutual acquaintances.

Financial institution: any bank, industrial bank, credit union, savings and loan, or automated teller machine.

Forcing oneself upon the company of another:

- (1) Continuing to solicit within eight (8) feet of the individual addressed after the person to whom the solicitation is directed has made a negative response, either verbally, by physical sign, by attempting to leave the presence of the person soliciting, or by other negative indication.
- (2) Blocking the passage of the individual solicited; or
- (3) Otherwise engaging in conduct that could reasonably be construed as intending to compel or force a person to accede to a solicitation.

B. Prohibited acts. It shall be unlawful for any person to solicit or beg as defined above:

1. By accosting another, or by forcing oneself upon the company of another.
2. Within 20 feet of any financial institution.
3. Within 10 feet of any bus stop, train station, or taxi stand, or while in a public transit vehicle.
4. Within 20 feet of any commercial establishment which is open for business.
5. While the person being solicited is standing in line waiting to be admitted to a commercial establishment.
6. By touching the person being solicited without that person's consent.
7. By blocking the path of a person being solicited or blocking the entrance or exit to any building or vehicle.
8. By following the person who has been solicited after that person has declined the request or walked away.
9. By or with the use of threatening, profane, or abusive language, during the solicitation or following an unsuccessful solicitation.
10. By or with the use of any gesture or act intended to cause a reasonable person to be fearful of the solicitor or feel compelled to accede to the solicitation.
11. During nighttime hours from dusk to dawn.

C. Related Activities Prohibited. In accordance with North Carolina General Statutes, it shall further be unlawful for any person to solicit or beg as defined above:

1. While intoxicated as prohibited by N.C.G.S. §14-444.
2. By using false or misleading information such as stating that the donation is needed to meet a specific need which does not exist, is already met, or when the requestor already possesses the funds necessary to meet the stated need; or such as representing that the solicitor is a veteran when the requestor is in fact not a veteran of the military as prohibited by N.C.G.S §14-100.
3. By indicating that the solicitor or any member of his/her family suffers from a physical or mental disability when such information is false as prohibited by N.C.G.S. §14-113 and/or N.C.G.S. §4-100.

D. Penalty. A violation of Section B is punishable as a \$50 fine in accordance with Sec. 1-7 and 1-9 of the Town of Sylva Code of Ordinances. Any protest or appeal of the issuance of a fine shall be made in writing or in person within 30 days of issuance to the Sylva Chief of Police, who shall have full authority to decide and render decision. Further appeal of the decision by the Chief of Police shall be made to the Town Manager, who shall have final authority over the matter.

N.C. Statutory Reference - Authority to prohibit or regulate begging. N.C.G.S. §160A-179.

Existing N.C. General Statutes prohibiting acts described above in section C.

N.C. Statutory Reference – Intoxicated and Disruptive in Public, N.C.G.S. §14-444

N.C. Statutory Reference – Obtaining Property by False Pretenses. N.C.G.S. §14-100

N.C. Statutory Reference – Obtaining Money by False Representation of Physical Disability. N.C.G.S. §14-113

This ordinance shall be in full force and effect upon its adoption on February 8, 2024.

Johnny Phillips, Mayor

Attest:

Approved as to form:

Amanda W. Murajda, Town Clerk

Town Attorney

**PROCEDURES OF
TOWN OF SYLVA ECONOMIC DEVELOPMENT ADVISORY COMMITTEE
An Advisory Committee to the Economic Development Director
and to the Town of Sylva Board of Commissioners**

Article I
Purpose

The Town of Sylva Economic Development Advisory Committee, hereafter occasionally referred to as “Committee”, exists to promote, retain, and enhance economic development throughout the Town of Sylva, North Carolina. The Committee’s mission is to grow the town’s tax base by attracting and retaining quality jobs; soliciting new business and development compatible with the assets and values of the Town of Sylva; promoting Sylva’s business image; assisting in the expansion of existing companies and enhancing Sylva’s overall quality of life.

The Committee’s duties include:

1. Identify and assess business development opportunities.
2. Recommend policy positions on economic development matters to the Town of Sylva Economic Development Director and Town Board of Commissioners.
3. Prioritize business development needs and projects according to Town of Sylva priorities.
4. Conduct research and provide input on business development program policy decisions.
5. Consider ongoing economic development initiatives in progress by partners including: Jackson County Economic Development, Southwestern Commission, Mountain West Partnership, and local Small Business Center.

Article II
Officers

Section 1. Officers. The Officers of the Town of Sylva Economic Development Advisory Committee shall be Committee members and shall consist of a chairman and vice-chairman appointed by the Committee. All terms shall be for a period of one year.

Section 2. Chairman. The chairman shall preside at all meetings and hearings of the Committee and shall have the duties normally conferred by parliamentary usage of such office.

Section 3. Vice-Chairman. The vice-chairman shall act for the chairman in his or her absence and shall exercise the same powers and duties as the chairman in such instances.

Article III
Administration

Staff. The Town of Sylva Economic Development Director shall serve as staff to the Economic Development Advisory Committee. Staff will be responsible for sending meeting notices and reporting minutes.

Article IV
Membership

The Town of Sylva Economic Development Advisory Committee shall consist of seven (7) voting members approved by the Town of Sylva Board of Commissioners and who serve at the pleasure of the Town of Sylva Board of Commissioners.

Section 1. Member Selection. Membership will serve for the following terms.

Position	Term
Member	1 year
Member	1 year
Member	3 years
Vice Chairman	3 years
Chairman	3 years
Regional Economic Development Appointee (non-voting)	3 years
Small Business Center Appointee (non-voting)	3 years

Section 2. Vacancies. In the event of a vacancy on the Committee, the Town of Sylva Board of Commissioners shall appoint a new member for appointment to fill the unexpired term of the vacated position.

Article V
Meetings

Section 1. Regular Meetings. Regular meetings of the Town of Sylva Economic Development Advisory Committee will be held at least quarterly. Meetings may be called more frequently based on pertinent information or ongoing projects. The meeting date, and time, will be determined by the Economic Development Director. Meetings will be held at Town Hall in the Commissioner’s board room at 83 Allen Street, Sylva NC 28779. Meetings shall be scheduled so as to comply with the North Carolina open meetings law notice requirements.

Section 2. Live Streaming. Regular meetings and work sessions will be live-streamed on the Town of Sylva’s YouTube channel. Unless there is a State of Emergency, Committee Members must be present in-person in order to deliberate and vote.

Section 3. Rules of Procedure. The Committee shall follow the “Suggested Rules of Procedures for Small Local Government Boards” written by Fleming Bell and published by the School of Government.

Section 4. Attendance. Regular attendance at Town of Sylva Economic Development Advisory Committee meetings is expected. Failure to attend three (3) consecutive meetings without prior notice to the chairman or the Economic Development Director may result in the Committee recommending dismissal to the Town of Sylva Board of Commissioners.

Section 5. Voting / Quorum. A quorum shall consist of at least three (3) voting members of the Committee provided the chairman or vice-chairman is among the three (3).

Section 6. Conduct of Meetings. The order of business at the regular meetings shall be as follows:

1. Call to order and taking of the roll
2. Call for approval of minutes of previous meetings
3. Consideration of additions to the agenda
4. Consideration of items on the agenda
5. Adjournment

Section 7. Cancellation of Meetings. Whenever there is no business for the Committee or a quorum will not be available, the director may dispense with a regular meeting by giving at least a written public notice to all committee and sunshine list members not less than twenty-four (24) hours prior to the time set for the meeting.

Article VI Rules of Conduct for Members

Committee members shall act with integrity, and honesty, and adhere to the highest standards of moral and ethical values and principles through personal and professional behavior. Members shall recuse themselves from taking part in the discussion or voting of matters in which he or she is personally or financially interested or immediate family to someone who is. Immediate family is defined as a spouse, child, parent, sibling, grandparent, grandchild, aunt and uncle to include in-law, step and half relationships and individuals living in the same household who share a relationship comparable to immediate family members.

Article VII Membership Liability

The Town of Sylva Economic Development Advisory Committee and the individual members thereof, serving as an Advisory Committee to the Town of Sylva Board of Commissioners, are protected from liability in so far as their actions are within the scope of their duties and responsibilities, North Carolina General Statute 153A-11 and 153A-12.

Article VIII
Amendments

These rules may, with the limits allowed by law, be amended at anytime by an affirmative vote of the majority of the members of the Committee, provided that such amendments be presented in writing at a regular or special meeting preceding the meeting at which the vote is taken.

Adopted this the _____ day of _____, 2024 by the Town of Sylva Board of Commissioners.

**Mayor
Town of Sylva Board of Commissioners**

Attest:

**Amanda W. Murajda
Town Clerk**