

## MINUTES FOR BOARD OF ALDERMEN MEETING

August 9, 2022

6:00 PM

The following elected officials were present: Mayor Coleman, Alderman Cearley, Alderwoman Morrow, Alderman Milton, Alderman Martin, and Alderman Withers.

The following staff members were present: Maria Stroupe, Town Manager; Nolan Groce, Development Services Director; Dusty Haney, Assistant Fire Chief; Sarah Hamrick, Town Clerk; Jonathan Newton, Finance Director; Robbie Walls, Police Chief; Bill Trudnak, Public Works Director; Tom Hunn, Town Attorney; Brandon Whitener, Recreation Director; and Brian Finnegan, Planner.

Mayor Coleman called the meeting to order at 6:00pm.

Mayor Coleman opened with the Invocation and the Pledge of Allegiance to the Flag.

### **Approval of Agenda:**

Alderman Cearley motioned to set the agenda, seconded by Alderwoman Morrow, and carried unanimously.

### **Approval of Minutes:**

Alderman Milton motioned to approve the minutes from the July 12th regular Board of Aldermen Meeting and the July 26<sup>th</sup> and August 2<sup>nd</sup> Work Sessions. Alderman Cearley seconded this motion and it was carried unanimously.

### **Recognition of Citizens:**

The Mayor opened the floor to the Recognition of Citizens.

Mike Fields of 1333 Philadelphia Church Road thanked the Town Staff for their hard work at the School Supply Drive and thanked all the Town Staff that works out in the summer heat.

Curtis Wilson of 438 S. Gaston Street prayed over the Board of Alderman meeting.

### **Consent Agenda:**

#### *Item 5A Budget Amendment- 2<sup>nd</sup> Tranche of ARPA Funds*

On March 11, 2021, Congress approved the American Rescue Plan Act (ARPA) in response to the COVID-19 global pandemic. The plan included funds to be appropriated to local governments. Dallas received the first tranche in July 2021 with the second tranche to be received in 12 months. For the first tranche Dallas was estimated to receive \$700,000, for a total of \$1.4M over the two years. A budget amendment was approved in June 2021 based on the estimated figures. In July 2021, Dallas actually received \$764,395.82. Therefore, the second tranche will also be \$764,395.82. Attached is a budget amendment accepting and appropriating funds from the second tranche, as well as the additional \$64,395.82 received in the first tranche,

so that the total amount received is accepted and appropriated before any of the money is obligated (Exhibit 5A-1).

*Item 5B Filming Fee Schedule for Town Facilities*

In the past six months there has been interest in using the Dennis Franklin Gym for filming by two production companies. Currently, all uses of the Gym must be approved by the Board of Aldermen, in an effort to protect our aging facility. Staff would like to propose, in the event of a request for use of the Gym by a filming production company, that a fee be set by the Board of Aldermen and the approval of the use be delegated to to the Recreation Director and Town Manager. Usually, the filming schedule is fluid and an approval may be difficult to obtain in a timely manner based on the Board meeting schedule. If the ability to approve use of the Gym by a production company is delegated, we would like to propose that the daily fee to use the Dennis Franklin Gym be set at \$1,200 per day and the production company must provide a W-9 and a certificate of insurance naming the Town of Dallas as insured in an amount no less than \$1M. This item was discussed at the July 26<sup>th</sup> Board of Aldermen Work Session. In addition to setting a filming rate for use of the Franklin Gym, discussion was held concerning filming rates for the Historic Courthouse/Grounds and the ballfield facilities.

A proposed fee structure for all Town facilities for production filming on a daily basis follows:

Dennis Franklin Gym	\$1200 per day
Courthouse and Grounds	\$1800 per day
Carr School & Jagers Park Ball Fields	\$1400 per day per field
Cloninger & Jagers Parks	\$700 per day (ballfields not included)

Rentals would require a certificate of insurance naming the Town of Dallas as insured in an amount no less than \$1M. Use of Carr Ballfields would also require the permission of Gaston County Schools.

*Item 5C Credit Card Fees*

Beginning June 1, 2021, the Town began charging a \$2.50 transaction fee for payments made with debit or credit cards. At the time, this fee should have covered the amount of service charges being assessed to the Town from the card payment processing vendor. Until that time, the Town had been paying the assessed fees with no pass-through to the customers using the cards as their payment method, but the costs were ever increasing and the decision was made to pass the fee on to the customer.

Since instituting the fee, the card payment processing vendor has increased and modified their fee structure, and a number of large customers have begun making their payments electronically. This combination has resulted in a loss to the Town for FY 2021-22 of \$27,933.41. The card fees paid by the Town during this period totaled \$90,080.91, while only \$62,147.50 was collected in customer fees. While many people use card payments as a matter of convenience; the Town still accepts cash, money order, and check payments in-person, through the US Mail, or the two available drop boxes that do not result in processing fees for the Town or the customer. Also, the Town offers bank draft for payments at no charge to the customer.

This item was discussed at the July 26<sup>th</sup> Board of Aldermen Work Session. From that work session, the following option is recommended for approval, to be effective October 1, 2022 to allow time to inform customers of the change in fees:

Transaction amounts \$0.00 to \$85.01	\$2.50 per transaction
Transaction amounts \$85.02 to \$500.00	\$3.25 per transaction
Transaction amounts \$500.01 +	2.95% per transaction

All three items on the Consent Agenda were approved with a motion by Alderman Cearley, seconded by Alderman Martin, and carried unanimously.

**Public Hearings:**

*Item 6A Senate Bill 300 Amendments*

Alderman Withers made a motion to go into the public hearing, seconded by Alderman Milton, and carried unanimously.

Senate Bill 300 was approved in Fall 2021 and became effective December 1, 2021. This bill predominately focuses on criminal justice reform, but also included changes to the enforcement of local ordinances. Under the new statutory language, local governments must amend local ordinances to specifically identify violations that may be enforced criminally. The language also limits the amount of allowable fees a local government may impose. For example, violation of a parking ordinance may not exceed fifty dollars (\$50), which can be seen in the amendment to Chapter 72.99. The fees proposed in the text amendment are the maximum allowed by statute. This item was discussed at the July 26<sup>th</sup> Board of Aldermen Work Session. Attached is the proposed text amendment (Exhibit 6A, 1-6).

The Town's Development Services Director gave a presentation. There were no questions or comments.

Alderman Milton made a motion to go out of the Public Hearing, seconded by Alderman Cearley and carried unanimously.

Alderman Cearley made a motion to approve the Amendment, seconded by Alderman Martin and carried unanimously.

*Item 6B Urban Beekeeping Text Amendment*

Alderman Martin made a motion to go into the public hearing, seconded by Alderwoman Morrow and carried unanimously.

While reviewing ordinance updates for Senate Bill 300, Development Services staff examined the Urban Beekeeping Ordinance, 90.02. Staff is recommending several modifications to the ordinance in relation to minimum setback requirements, screening, and general upkeep. This item was discussed at the July 26<sup>th</sup> Board of Aldermen Work Session. Attached is the proposed, updated text amendment (Exhibit 6B, 1-3).

The Town's Development Services Director gave a presentation. There were no questions or comments.

Alderman Cearley made a motion to go out of the Public Hearing, seconded by Alderman Martin and carried unanimously.

Alderman Martin made a motion to approve the Amendment, seconded by Alderman Milton and carried unanimously.

**Old Business:**

There was no old business at this time.

**New Business:**

*Item 8A Special Event Request-Sons of Confederate Veterans Memorial Service*

Jim Lowery and Tim Leonhardt of the Col. William A. Stowe Camp 2142 of the Sons of Confederate Veterans have submitted a request to conduct a memorial service on the Courthouse grounds on Saturday, September 17, 2022. The service would begin at 1:00 pm and last approximately one hour. They are requesting to hold the service on the front lawn in front of the memorials. They have requested to use electric connections next to the monuments for a small microphone and amplifier. No street closures or trash receptacles are being requested (Exhibit 8A, 1-5).

Alderman Cearley made a motion to approve the event request, seconded by Alderman Withers and carried unanimously.

*Item 8B Special Event Request- Cotton Ginning Days Parade*

Jeff Hovis, of the Gaston Agriculture, Mechanical, and Textile Restoration Association (GAMTRA) is requesting permission of the Annual Cotton Ginning Days Tractor Parade through Town on Friday, October 7, 2022. The parade would follow the same route as in previous years, beginning at 9:00 am at Dallas Park and ending at approximately 10:00 am back at Dallas Park. They are anticipating approximately 35 tractors in the parade (Exhibit 8B, 1-5).

Alderman Morrow made a motion to approve the event request, seconded by Alderman Cearley and carried unanimously.

*Item 8C ARPA Funds Grant Project Ordinance*

In order to proceed with obligating and spending American Rescue Plan Act (ARPA) funds, a Grant Project ordinance must be approved. Based on US Treasury guidance, these funds must be obligated by December 31, 2024 and fully expended by December 31, 2026. Following is the Grant Project Ordinance for approval. As these funds are expended, or the remaining unassigned balance is obligated and spent, further budget amendments will be presented, as per US Treasury guidance (Exhibit 8C, 1-2).

The Town Manager gave a presentation. There were no questions or comments.

Alderman Milton made a motion to approve the Ordinance, seconded by Alderman Cearley and carried unanimously.

The Town Manager reminded the Board of up-coming events for the Town.

Alderman Cearley made a motion to adjourn, seconded by Alderman Morrow, and carried unanimously (6:28).

---

Rick Coleman, Mayor

---

Sarah Hamrick, Town Clerk

**Town of Dallas  
Budget Amendment**

Date: August 9, 2022

Action: American Rescue Plan Fund Amendment

Purpose: To Receive ARP Funds - 2nd Allotment and Adjusted 1st Allotment

Number: ARP-002

Fund	Dept	Line Item	Item Description	Original Amount	Amended Amount	Difference
80	3380	0000	ARP Allotment	\$700,000	\$1,528,792	\$828,792
80	8000	7500	CO: Construction	\$700,000	\$1,528,792	\$828,792

\_\_\_\_\_  
Approval Signature  
(Town Manager)

## Changes For Compliance:

### Per NCGS 14-4.b:

#### § 10.99 GENERAL PENALTY.

~~Any~~ Unless otherwise prohibited through North Carolina General Statute, any person, firm or corporation violating any of the provisions of any section or division of this code of ordinances for which no other penalty is provided, or failing or neglecting or refusing to comply with same, shall, upon conviction, be guilty of a Class 3 misdemeanor and subject to a fine not to exceed \$50 \$500 and/or, when permitted by general statute, imprisonment not to exceed 30 days, and each day that any of the provisions of this code of ordinances are violated shall constitute a separate offense.

(G.S. § 14-4(a))

(G.S. § 14-4(b-c))

#### *Statutory reference:*

*Enforcement of ordinances, see G.S. § 160A-175*

---

#### § 72.99

(A) *Generally.* Any person violating any of the restriction on stopping, standing or parking of motor vehicles imposed by ordinance of the town may, within 15 days of the time that a written notice for the violation was attached to his or her vehicle, pay to the official designated as a penalty for and in full satisfaction of the violation the sum of \$2. Upon failure to make the payment heretofore designated, a written notice shall be mailed to the person, and if payment not be made within 48 hours after the time of mailing of the notice, the person shall be subject to ~~punishment not to exceed \$50 or by imprisonment not to exceed 30 days~~ a fine not to exceed \$50.00. Each day past the 48 hour window payment to satisfy the penalty is not received shall be considered a separate and distinct offense subject to the above penalty.

(Prior Code, § H-IV-19)

(B) *Prima facie proof.* In any prosecution charging violation of any ordinance of the town governing the stopping, standing or parking of a motor vehicle, without a driver, proof that the particular vehicle was parked in violation of the ordinance, together with the proof that the defendant was at the time of the parking the registered owner of the vehicle, shall be prima facie proof of the fact that the registered owner of the vehicle was the person who parked or placed the vehicle at the point where, and for the time during which, the violation occurred.

(Prior Code, § H-IV-20)

(Ord. passed 7-11-1978)

---

**Per § 160-75A-175.b1****§ 110.99**

(A) (1) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(2) ~~The violation of any provision of this chapter shall be a misdemeanor punishable by a fine of \$100 plus cost and/or confinement in the County Jail for a term of not to exceed 30 days.~~ Violation of any provision of this chapter shall be punishable by a fine not to exceed \$500. Each day any provision of this chapter is in violation shall be a separate and distinct offense subject to the above penalty. In addition, the town specifically reserves the right to proceed in any court of competent jurisdiction for the purposes of obtaining an injunction, restraining order, or other appropriate remedy to compel compliance with §§ 110.01 through 110.10. The existence of this penalty is in addition to any and all provisions for business registration certificate revocation as detailed herein.

(B) (1) Violation of any of the provisions of § 110.21 by any person shall constitute a misdemeanor and, upon conviction, a violator shall be punished by a fine not to exceed \$50 or imprisoned for not more than 30 days.

(2) Each and every violation of § 110.21 shall constitute a separate and distinct offense.

(Prior Code, § J-VII-5) (Ord. passed 10-10-2015)

---

**§ 112.99**

Violation of any of the provisions of this chapter by any person shall ~~constitute a misdemeanor and, upon conviction a violator shall be punished by a fine not to exceed \$50 \$500., or imprisoned for not more than 30 days.~~ Each and every violation shall constitute a separate and distinct offense. Each day any provision of this chapter is in violation shall be a separate and distinct offense subject to the above penalty.

(Prior Code, § J-III-9)

---

**§ 115.99**

The violation of any provision of this chapter shall be ~~a misdemeanor punishable by a fine not to exceed \$50 \$500. and imprisonment of up to 30 days.~~ The existence of this penalty is exclusive of civil remedies for enforcement as otherwise provided by law. Each day any provision of this chapter is in violation shall be a separate and distinct offense subject to the above penalty.

(Prior Code, § O-I-14(D))

---



**§ 116.99**

The violation of any provision of this chapter shall be a ~~misdemeanor~~ punishable by a fine not to exceed ~~\$50~~ \$500, and ~~imprisonment of up to 30 days~~. The existence of this penalty is in addition to any and all provisions for permit revocation as detailed herein. Each day any provision of this chapter is in violation shall be a separate and distinct offense subject to the above penalty

(Ord. passed 4-14-2015)

---

**§ 153.002**

***HOME, CUSTOMARY OCCUPATION.*** A customary home occupation is an occupation or profession which is conducted entirely within a residential dwelling provided:

- (1) The home occupation shall be clearly incidental to the residential use of the dwelling and shall not change the essential residential character of the dwelling or adversely affect the character of the district of which it is a part.
- (2) Use of the dwelling for this purpose shall be limited to 25% of one floor of the principal building.
- (3) The home occupation shall be confined entirely to the principal building, and no accessory building or outside storage shall be used in connection with the home occupation.
- (4) Employment shall be limited to members of the family and one employee must reside in the dwelling. In no case shall more than two members of the family be engaged in home occupation.
- (5) No internal or external addition, alteration or remodeling of the dwelling is permitted in connection with the home occupation.
- (6) Chemical, mechanical, or electrical activities that creates odors, light emission, noises, or interference in radio or television reception detectable outside of the dwelling shall be prohibited.
- (7) No display of products shall be visible from the street, and only articles made on the premises may be sold;
- (8) Instruction in music, dancing and similar subjects shall be limited to two students at a time.
- (9) Only vehicles used primarily as passenger vehicles (i.e., passenger automobiles, passenger vans and passenger pick-up trucks) shall be permitted in connection with the customary home occupation. No more than two vehicles shall be used in conjunction with the customary home occupation. No on-street parking shall be allowed. Parking in association with the customary home occupation shall only take place in the driveway, carport or garage.
- (10) The activity conducted as a home occupation shall be limited to the hours between 8:30 a.m. and 8:30 p.m.

## EXHIBIT 6A-4

(11) One sign may be used to identify the customary home occupation. Such sign shall not exceed one and one-half square feet in area. No such sign shall be illuminated. Signs are also permitted on vehicles associated with the customary home occupation (also see division (9)).

(12) The following uses are permitted as customary home occupation:

- (a) Accountant.
- (b) Appraiser.
- (c) Architect.
- (d) Attorney.
- (e) Beauty salon, barber shop. Limited to two chairs; all parking provided off-street and must meet respective state Board's requirements.
- (f) Bookkeeper.
- (g) Broker or agent: real estate, insurance, etc.
- (h) Clock/watch repair.
- (i) Commission merchant (Craig's list, Ebay, One Man's Junk, etc.). Mailing address and office only; takes order only; direct shipment factory to customers only; no stock in trade permitted.
- (j) Computer and data processing.
- (k) Contractor's office. Employees may not report in person to contractor's home for work assignments or to do work therein connected with the contracting business. No storage of supplies or equipment permitted.
- (l) Consultant (financial, marketing, business, etc.).
- (m) Dance studio.
- (n) Detective.
- (o) Drafting service, blueprint. No reproduction equipment permitted.
- (p) Dressmaker, tailor, alterations. No manufacture for stock in trade. No cleaning dyeing, or pressing by mechanically operated equipment,
- (q) Engineer.
- (r) Fine arts studio. Creation of individual works of art only; no production works.
- (s) Insurance agent.
- (t) Interior decorator. Office and mailing address only; studio not permitted,
- (u) Janitorial service office. Employees not to report in person to home for work assignments.

- (v) Landscape garden office. Employees not to report in person to home for work assignments. No storage of supplies or equipment for the landscape business permitted.
- (w) Mail order business. Office and mailing address only; take orders only direct shipment from the factory to customers only; no stock in trade permitted in the residence.
- (x) Music recording studio. No sound audible from outside the residence is allowed.
- (y) Music instruction or tutoring voice or instrument. No more than two students at one time.
- (z) Photography studio.
- (aa) Professional planner (weddings, special events, held off-site only).
- (bb) Tax Preparation, CPA, Financial advisor/investor.
- (cc) Travel agent.
- (dd) Tutoring and classroom instructions, craft related (knitting, crocheting, jewelry making, etc.), limited to five persons per class.

(13) The Development Services Director shall have the authority to allow a customary home occupation that is not listed above, provided the Director determines that the proposed use will be in harmony with all existing and potential nearby residential uses and meets all the criteria associated with the customary home occupation listed herein.

(14) A special permit issued by the Development Services Director is required for the conduct of any home occupation. The fee for such special permit shall be \$50. A special permit for a home occupation is not transferable. A new permit must be applied by each applicant and shall be subject to a new permit fee of \$50.

(15) *Abatement.* When any home occupation results in an undesirable condition interfering with the general welfare of the surrounding residential area, said home occupation may be terminated and the special permit revoked.

(16) According to Town of Dallas Code § 10.99, General Penalty, any person, firm or corporation violating any of the provisions of any section or division of this code of ordinances for which no other penalty is provided, or failing or neglecting or refusing to comply with same, shall, ~~upon conviction, be guilty of a Class 3 misdemeanor and~~ subject to a fine not to exceed \$50 ~~\$500 or imprisonment not to exceed 30 days~~, and each day that any of the provisions of this code of ordinances are violated shall constitute a separate offense.

## Changes to Update Fines

### § 90.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) (1) Failure to comply with the provisions of § 90.02 may result in the revocation of a beekeeping permit in addition to the imposition of prescribed civil penalties.

(2) Violations of any of the provisions of § 90.02 shall subject the offender to a civil penalty in the amount of ~~\$50~~ \$150. In the event there is more than one violation in any 30-day period, then the civil penalties shall be increased for each additional violation over one during the period as follows: ~~\$100~~ \$300 for a second offense; ~~\$150~~ \$500 for a third and subsequent offenses during a 30-day period. The date of the initial violation shall serve as the beginning for the initial 30- day period. Each day any provision of this chapter is in violation shall be a separate and distinct offense subject to the above penalty. The Town Attorney or designee may initiate litigation on behalf of the town to collect any unpaid citations including but not limited to interest, court costs and attorney's fees. Appeals of any citation issued under § 90.02 may be appealed in writing to the Town Manager or designee within 72 hours of the citation.

(3) Section 90.02 may also be enforced through equitable remedies, including but not limited to nuisance abatement procedures as issued by a court of competent jurisdiction.

(Ord. passed 7-9-2013)

## Beekeeping Updates

### § 90.02 URBAN BEEKEEPING.

(A) *Purpose.* The purpose of this section is to encourage persons who keep bees to properly maintain hives, comply with state regulatory requirements and be considerate of neighbors.

(B) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**APIARY.** An area where bees, comb, hives or colonies are kept, located or found.

**APIARY DENSITY.** The density of an apiary which is determined by the colony's foraging range and the coverage area it encompasses (it is the amount of foraging that determines the success of the colony, not the size of the lot on which the apiary is located).

**APIARY INSPECTOR.** The person designated by the State Department of Agriculture to inspect all bees and hives within the state.

**BEES.** Eggs, larvae, developing bees and adult bees.

**BEEKEEPER.** A person who keeps and raises bees and harvests honey.

**CERTIFICATE OF INSPECTION.** A document from State Department of Agriculture Apiary Inspector certifying the health of the bees and approval of any equipment to keep bees.

**FORAGING.** A normal honeybee behavior which consists of bees actively flying to collect nectar, pollen, water, or propolis (a compound created by the bees to use as a coating to build their hives).

**FORAGING BEHAVIOR FOR HONEYBEES.** An average forage area is between a 2.5 to five mile radius from their hive.

**FRONT YARD.**

(a) The area extending across the full length of a lot from side lot line to side lot line and lying between the abutting street right-of-way or easement line and the building line; or

(b) In the case of a lot abutting more than one street, the **FRONT YARD** shall include all areas extending across the full length of a lot from property line to property line and lying between the abutting street right-of-way or easement and building line.

**HEALTH CERTIFICATE.** The periodic health inspection conducted by the State Department of Agriculture.

**HIVES.** The wooden frame boxes used to house bees.

**PERMIT.** A one-time permit fee of \$50 for the keeping of more than five hives.

(C) *Urban beekeeping requirements.*

(1) No more than ~~50~~ 5 hives may be permitted/allowed on any parcel unless the parcel is larger than ~~one-acre~~ two acres in size. No more than 100 hives may be placed on any single parcel regardless of size.

(2) The area wherein the hive(s) are located shall be screened from view by either an opaque (“non see-through”) fence of at least four feet in height, and/or an equivalent screening of vegetation. If a vegetative screen is used, such vegetation shall be installed at a minimal height of four feet upon planting. In no case shall a hive be visible from a public street or sidewalk.

(3) No hive shall be located in the front yard (between the front of the house and the street). All hives shall be located a minimum of ~~five~~ ten feet from side and rear yard property lines. In the event a side or rear yard abuts vacant and undeveloped property, the setback may be reduced to ~~zero~~ five feet, as long as there is written consent expressly given from the adjacent property owner. ~~Should any complaint arise from the adjacent property owner.~~ Should any complaint arise from the adjacent property owner who originally gave written consent, the setback will revert to the ~~five-foot~~ ten feet minimum setback requirement.

(4) All beekeeping equipment and hives must be maintained in good condition.

(5) All hives shall be placed at ground level or securely attached to an anchor or stand. If the hive is securely attached to an anchor or stand, the town may permit the anchor or stand to be permanently attached to a roof surface.

(6) A clean water source must be provided on the same property the hive is located.

(7) When placed less than twenty (20) feet from the property line, all hives must be surrounded by a fence 6 feet in height equipped with screen or netting designed as a flyover barrier.

(D) *Permitting and inspection requirements for urban beekeeping.*

(1) It shall be unlawful for any person within the town limits of Dallas to keep bees (more than five hives) without first obtaining a permit from the town.

(2) *Permit.* A one-time permit fee of \$50 for the keeping of more than five hives on a single property. Any existing permitted hive within the town limits shall be subject only to the regulations set forth at the time the permit was granted, and not to any regulation adopted after the date the permit was issued, unless otherwise stated in this ordinance.

(E) *Sale of honey and beeswax-related products on site.* The sale of honey and related products on site shall be considered to be in the same category and definition as “sales of agricultural products grown on-site” and shall follow the following regulations:

(1) Sales may occur on any lot upon which hives are kept, regardless of the underlying zoning district.

(2) Such sales shall be allowed during daylight hours only.

(3) Sales at ~~an~~ one site are allowed a ~~mzximum~~ maximum of 180 consecutive days during any calendar year.

(4) One yard sign shall be allowed, up to a maximum size of 24 inches by 24 inches. Sign needs to be placed on private property, outside of the right-of-way.

(Prior Code, § K-III-2) (Ord. passed 7-9-2013; Am. Ord. passed 9-27-2016; Am. Ord. passed 1-10-2017) Penalty, see § 90.99

## **NCGS:**

### **§ 160D-906. Bee hives.**

Restrictions on bee hives in local development regulations shall be consistent with the limitations of G.S. 106-645. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d).)

### **§ 106-645. Limitations on local government regulation of hives.**

(a) Notwithstanding Article 6 of Chapter 153A of the General Statutes, no county shall adopt or continue in effect any ordinance or resolution that prohibits any person or entity from owning or possessing five or fewer hives.

(b) Notwithstanding Article 8 of Chapter 160A of the General Statutes, a city may adopt an ordinance to regulate hives in accordance with this subsection. The city shall comply with all of the following:

- (1) Any ordinance shall permit up to five hives on a single parcel within the land use planning jurisdiction of the city.
- (2) Any ordinance shall require that the hive be placed at ground level or securely attached to an anchor or stand. If the hive is securely attached to an anchor or stand, the city may permit the anchor or stand to be permanently attached to a roof surface.
- (3) Any ordinance may include regulation of the placement of the hive on the parcel, including setbacks from the property line and from other hives.
- (4) Any ordinance may require removal of the hive if the owner no longer maintains the hive or if removal is necessary to protect the health, safety, and welfare of the public.

(c) For purposes of this section, the term "hive" has the same definition as in G.S. 106-635(15). (2015-246, s. 8.)

---



**Special Events/  
Activities Application**

Town of Dallas  
210 North Holland Street  
Dallas, NC 28034-1625  
(704) 922-3176  
Fax: (704) 922-4701

The purpose of this application is to provide information about your event or activity in order for the Town of Dallas to best assist you. Refer to the Special Events Policy and Town of Dallas Fee Schedule for all Special Events requirements. Applicants are responsible for providing complete and accurate information on the application. The applicant is responsible for notifying the Town of Dallas of any changes. **A COMPLETE application must be submitted by no later than the first Tuesday of the month for consideration at the next Board of Aldermen meeting. Events must be approved at least 14 days in advance of the event.**

**INCOMPLETE APPLICATIONS WILL BE RETURNED.**

**APPLICATION INFORMATION**

Name of Event:	Confederate Memorial Service		
Facility Requested:	The front lawn in front of the memorials		
Applicant Name:	Col. William A. Stone Camp #2142 Sons of Confederate Veterans		
Organization:	Jim Lowery and Tim Leunhardt / Col. William A. Stone Camp #1142		
Mailing Address:	765 Old Willis School Rd		
City / State / Zip:	Dallas, N.C. 28034		
Daytime Phone:	704-648-6321	Cell: 704-922-0550	E-Mail:
Description of the Event:	45 min to 1 hr service honoring the confederate veterans who enlisted on the Dallas courthouse grounds		
Does the event have a Facebook, Twitter, or other social networking page:	<input type="checkbox"/> No		
If yes, please list URL(s):			
Date (s) Requested for Event:	SEPT. 17TH OR SEPT. 24TH 2022		
Event Start Time:	Sept 17th @ 1 PM	Event End Time:	2 PM
Road Closure Time Begins (if applicable):	N.A.	Road Closure Time Ends:	N.A.
Set Up Begins:	1:00 p.m.	Set Up Ends:	2 PM
Preferred Date & Time of Inspection (if required):			
Estimated Attendance:	50 + 100		
The Event is:	<input type="checkbox"/> Private (by invitation only)	or	<input checked="" type="checkbox"/> Open to General Public
Describe the procedures to be used for selecting vendors and exhibitors for this event:			
THERE WILL BE NO VENDORS OR EXHIBITORS.			

Applicant's Signature: Jim Leunhardt / Jim Lowery Date: 7-12-22

A pre-event meeting may be required and will be scheduled to include appropriate staff. The event applicant must attend the meeting.



**TENTS / CANOPIES / MEMBRANE STRUCTURES**

Will tents/canopies/membrane structures be used? (Circle one) Yes / **No** (if no, proceed to next section)

# of Canopies  (fabric structure that is open without sidewalls on 75% or more of perimeter)  
 # of Tents  (fabric structure that is enclosed with sidewalls on more than 25% of perimeter)  
 # of Membrane structures  (air supported or air inflated structure)  
 Other type of structure (provide description)

\*Notes\*

**VOICE / MUSIC AMPLIFICATION**

Will amplified sound be used during the event? (Circle one) **Yes** / No (if no, proceed to next section)

If yes, state the number of stages, number of bands and type of music:

Number of stages:  Number of Bands:  *Small Microphone and amp.*

Type(s) of music:

Indicate times of amplified sound. Start Time:  Finish Time:

Will sound checks be conducted prior to the event?  Yes  No

If yes, please indicate times: Start Time:  Finish Time:

\* Must comply with Town of Dallas general entertainment and noise ordinance.

**HAZARDOUS MATERIALS (helium, propane, butane, gasoline, etc.)**

Will hazardous materials in tanks/cylinders be used? (Circle one) Yes / **No** (if no, proceed to next section)

If yes, all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.

Will there be any portable heaters?  Yes  No  
 Will there be any deep fat fryers?  Yes  No

Will there be any fireworks, lasers, torches, candles or pyrotechnics?  Yes  No

Will generators be used?  Yes  No  
 Electric Connections requested?  Yes  No *\*If yes, provide load/location.*

In the case of extraordinary use or hookups, extra fees may apply. *Next to Conference Management*

**RIDES / ATTRACTIONS**

Will mechanical rides or similar attractions be used? (Circle one) Yes / **No** (if no, proceed to next section)

If yes, company name?

Company address:

List details, if any:

**\*\*Applicants contracting with amusement ride companies are required to provide the Town of Dallas with a certificate of insurance, naming applicant and the Town of Dallas as additional insured on general liability.**

**ALL rides must be inspected and approved by The Department of Labor.**

**VENDORS**

A vendor is anyone who is serving, selling, sampling, or displaying food, beverages, merchandise or services

Will the event include any vendors? (Circle one) Yes / **No** (if no, proceed to next section)

If the event will have food vendors, please check the following that apply:

Served     Sold     Catered     Prepared Outdoors

Does the event include food concession and/or cooking areas?     Yes     No

If yes, please list each food vendor and specify cooking method (Gas, Electric, Charcoal, etc.)  
*(Use additional sheet if necessary)*

Vendor Name	Address	Phone Number	Cooking Method	Food Item

Food and beverages shall not be sold at an event unless approved and licensed, if necessary by the Gaston County Health Department  
**Event organizers are responsible for arranging health inspections for their event.**

*List all other vendors who will be present during the event (serving, selling, sampling, or displaying).*

VENDOR NAME	ADDRESS	PHONE NUMBER (S)

**EVENT SCHEDULE**

Provide a detailed schedule of the event including dates and times for entertainment, activities, hours of event, start time, finish time, etc. If the event requires an extended time frame for set-up, include details with a timeline listing the times and locations where streets or public property will be impacted and when dismantling will be complete  
(Use additional sheet of paper if necessary)

DATE	TIME	ACTION	ADDITIONAL NOTES

**SITE PLAN**

Provide a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets and the surrounding area. The plan should include the following information:

- Location of the event/activity on the property with approximate distances from roads, fire hydrants, existing buildings, etc.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, etc.
- Identify location of all cooking devices and open flames; generators and fuel storage.
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.

**SERVICES**

The Town of Dallas does not provide amenities such as portable toilets, sound systems, tables, chairs, tents, canopies or other equipment. The applicant is responsible for arranging and providing services such as clean up, traffic control, etc.

**TRASH CONTAINERS**

In order to determine what types of containers best suit the needs of the event, please answer the following questions:

Will the event be serving/selling/distributing beverages?  Yes  No

If yes, in what containers will they come packaged in?

aluminum cans  glass bottles/jars  plastic bottles/jugs/jars

How many trash cans are you requesting for trash?

Delivery Location?

Date and Time for trash cans to be picked up?

**\*\*Applicants are responsible for cleaning and restoring the site after the event.**

**Clean-up fees may be incurred due to applicant's failure to clean and/or restore the site following the event.**

**PUBLIC PROPERTY CLEAN-UP**

Contracted personnel or volunteers may be used if indicated below. What is the clean-up plan for the event?

**SAFETY AND SECURITY (CHECK ALL TYPES OF SECURITY USED)**

Stage Security  Event Area Security  Road Closure Security

Other

Overnight Security From  :  To  :

Dates & Times security will be on site: *OK by Dallas Police Chief*

Security provided by: *off duty officer* Number of Security Personnel: *2*

**ROUTE AND TRAFFIC PLAN**

PARADE (Includes floats, vehicles, and persons)

BICYCLES

MARCH OR WALK (persons only)

FOOT RACE

VEHICLES ONLY (Includes motorcycles)

OTHER (Description: )

Number of Persons:  % Children:

Number of Vehicles:  Vehicle Types:

Number of Animals:  Kinds:

**DESCRIBE BELOW THE EVENT ROUTE. IF THERE IS MORE THAN ONE SEGMENT TO AN EVENT, INCLUDE START AND FINISH TIMES FOR EACH SEGMENT. (Ex: A "RUN" may include a 5k, a 10k, and a Fun Run).**

**ROAD CLOSURES**

If your event involves road closures, a parade, a foot or bike race, any type of procession, or more than one location, attach a Route and Traffic Plan. Include the required information (listed below) and any additional information you believe applies to your event. When planning a moving route, the Dallas Police Dept. is available to assist you.

- NC and US roadways will also require approval from the NCDOT.
- The proposed route to be traveled including the requested starting and termination point. Please also clarify the directions of movement of your event.
- Routing plans for traffic. Illustrate a plan to include roads that you are requesting to be closed to vehicular or other traffic for your event. Include planned arrangements to resolve conflicts with people trying to reach businesses, their own residences, places of worship and public facilities including public transportation.
- Whether the event will occupy all or a portion of the street(s) requested for use.
- Proposed locations for barricades, signs and police/volunteers.
- The provision of twenty foot (20') minimum emergency access lanes throughout the event site.
- White temporary water base paint can be used to mark the route on the street pavement (May be purchased at common hardware stores such as Lowes Home, Home Depot, etc.).

**Please Note:** All road closure requests will be strictly reviewed by the Town of Dallas. Approval, denial, or modification of all road closure requests are at the sole discretion of the Town of Dallas. The Town has final discretion over your Route and Traffic Plan including, but not limited to the route, placement and number of all barricades, signs, and police/volunteer locations.

**DO NOT ASSUME, ADVERTISE, OR PROMOTE YOUR EVENT UNTIL YOU HAVE A SIGNED PERMIT FROM THE TOWN OF DALLAS. CONFLICTS DO ARISE AND CHANGES TO THE REQUEST MAY BE NECESSARY.**

Applicant's Signature: Tim Schell / Tim Henry Date: 7-12-22

\*Once approved, a Special Event Fee will be assessed based on the current Town of Dallas Fee Schedule. The event fee is due and payable **NO LATER THAN five (5) business days** prior to the event. Events will be cancelled if fees are not paid when due.



Special Events/ Activities Application

Town of Dallas
210 North Holland Street
Dallas, NC 28034-1625
(704) 922-3176
Fax: (704) 922-4701

The purpose of this application is to provide information about your event or activity in order for the Town of Dallas to best assist you. Refer to the Special Events Policy and Town of Dallas Fee Schedule for all Special Events requirements. Applicants are responsible for providing complete and accurate information on the application. The applicant is responsible for notifying the Town of Dallas of any changes. A COMPLETE application must be submitted by no later than the first Tuesday of the month for consideration at the next Board of Aldermen meeting. Events must be approved at least 14 days in advance of the event. INCOMPLETE APPLICATIONS WILL BE RETURNED.

APPLICATION INFORMATION

Form with fields for Name of Event, Facility Requested, Applicant Name, Organization, Mailing Address, City/State/Zip, Daytime Phone, Cell, E-Mail, Description of the Event, Social media info, Date requested, Event times, Road closure, Set up, Attendance, and Event type.

Applicant's Signature: [Signature] Date: 8-15-2020

A pre-event meeting may be required and will be scheduled to include appropriate staff. The event applicant must attend the meeting.

**TENTS / CANOPIES / MEMBRANE STRUCTURES**

Will tents/canopies/membrane structures be used? (Circle one) Yes / No (if no, proceed to next section)	
# of Canopies <input type="text"/>	(fabric structure that is open without sidewalls on 75% or more of perimeter)
# of Tents <input type="text"/>	(fabric structure that is enclosed with sidewalls on more than 25% of perimeter)
# of Membrane structures <input type="text"/>	(air supported or air inflated structure)
Other type of structure (provide description) <input type="text"/>	

\*Notes\*

**VOICE / MUSIC AMPLIFICATION**

Will amplified sound be used during the event? (Circle one) Yes / No (if no, proceed to next section)	
If yes, state the number of stages, number of bands and type of music:	
Number of stages: <input type="text"/>	Number of Bands: <input type="text"/>
Type(s) of music: <input type="text"/>	
Indicate times of amplified sound. Start Time: <input type="text"/>	Finish Time: <input type="text"/>
Will sound checks be conducted prior to the event? <input type="text"/> Yes <input type="text"/> No	
If yes, please indicate times: Start Time: <input type="text"/>	Finish Time: <input type="text"/>

\* Must comply with Town of Dallas general entertainment and noise ordinance.

**HAZARDOUS MATERIALS (helium, propane, butane, gasoline, etc.)**

Will hazardous materials in tanks/cylinders be used? (Circle one) Yes / No (if no, proceed to next section)	
If yes, all tanks must be secured in a manner to prevent accidentally being knocked over. All helium tanks not being used shall have their caps in place.	
Will there be any portable heaters? <input type="text"/> Yes <input type="text"/> No	
Will there be any deep fat fryers? <input type="text"/> Yes <input type="text"/> No	
Will there be any fireworks, lasers, torches, candles or pyrotechnics? <input type="text"/> Yes <input type="text"/> No	
Will generators be used? <input type="text"/> Yes <input type="text"/> No	
Electric Connections requested? <input type="text"/> Yes <input type="text"/> No	*if yes, provide load/location.
In the case of extraordinary use or hookups, extra fees may apply.	

**RIDES/ ATTRACTIONS**

Will mechanical rides or similar attractions be used? (Circle one) Yes / No (if no, proceed to next section)	
If yes, company name?	<input type="text"/>
Company address:	<input type="text"/>
List details, if any:	<input type="text"/>

**\*\*Applicants contracting with amusement ride companies are required to provide the Town of Dallas with a certificate of insurance, naming applicant and the Town of Dallas as additional insured on general liability.**

**ALL rides must be inspected and approved by The Department of Labor.**

**VENDORS**

*A vendor is anyone who is serving, selling, sampling, or displaying food, beverages, merchandise or services*

Will the event include any vendors? (Circle one) Yes / No (if no, proceed to next section)	
--	--

If the event will have food vendors, please check the following that apply:  
 Served     Sold     Catered     Prepared Outdoors

Does the event include food concession and/or cooking areas?     Yes     No

If yes, please list each food vendor and specify cooking method (Gas, Electric, Charcoal, etc.)  
*(Use additional sheet if necessary)*

Vendor Name	Address	Phone Number	Cooking Method	Food Item

Food and beverages shall not be sold at an event unless approved and licensed, if necessary by the Gaston County Health Department  
**Event organizers are responsible for arranging health inspections for their event.**

*List all other vendors who will be present during the event (serving, selling, sampling, or displaying).*

VENDOR NAME	ADDRESS	PHONE NUMBER (S)

**EVENT SCHEDULE**

Provide a detailed schedule of the event including dates and times for entertainment, activities, hours of event, start time, finish time, etc. If the event requires an extended time frame for set-up, include details with a timeline listing the times and locations where streets or public property will be impacted and when dismantling will be complete  
*(Use additional sheet of paper if necessary)*

DATE	TIME	ACTION	ADDITIONAL NOTES

**SITE PLAN**

Provide a detailed Site-Plan sketch of the event. Include maps, outline or diagram of the entire event venue including the names of all streets and the surrounding area. The plan should include the following information:

- Location of the event/activity on the property with approximate distances from roads, fire hydrants, existing buildings, etc.
- Location of temporary structures that will be used during the event. Must indicate size of temporary structures, distances between temporary structures and existing buildings.
- Identify how each temporary structure will be used. Example: type of vendor, food preparation, etc.
- Identify location of all cooking devices and open flames; generators and fuel storage.
- Location of all fencing, barricades, or other restrictions that will impair access to and from the event or property.
- Identify all designated parking areas.

**SERVICES**

The Town of Dallas does not provide amenities such as portable toilets, sound systems, tables, chairs, tents, canopies or other equipment. The applicant is responsible for arranging and providing services such as clean up, traffic control, etc.

**TRASH CONTAINERS**

In order to determine what types of containers best suit the needs of the event, please answer the following questions:

Will the event be serving/selling/distributing beverages?  Yes  No

If yes, in what containers will they come packaged in?

aluminum cans  glass bottles/jars  plastic bottles/jugs/jars

How many trash cans are you requesting for trash?

Delivery Location?

Date and Time for trash cans to be picked up?

**\*\*Applicants are responsible for cleaning and restoring the site after the event.**

**Clean-up fees may be incurred due to applicant's failure to clean and/or restore the site following the event.**

**PUBLIC PROPERTY CLEAN-UP**

Contracted personnel or volunteers may be used if indicated below. What is the clean-up plan for the event?

**SAFETY AND SECURITY (CHECK ALL TYPES OF SECURITY USED)**

Stage Security  Event Area Security  Road Closure Security

Other

Overnight Security From  :  To  :

Dates & Times security will be on site:

Security provided by:  Number of Security Personnel:

**ROUTE AND TRAFFIC PLAN**

- PARADE (Includes floats, vehicles, and persons)  BICYCLES
- MARCH OR WALK (persons only)  FOOT RACE
- VEHICLES ONLY (Includes motorcycles)
- OTHER (Description: Tractors)

Number of Persons:  % Children:

Number of Vehicles:  Vehicle Types:

Number of Animals:  Kinds:

DESCRIBE BELOW THE EVENT ROUTE. IF THERE IS MORE THAN ONE SEGMENT TO AN EVENT, INCLUDE START AND FINISH TIMES FOR EACH SEGMENT. (Ex: A "RUN" may include a 5k, a 10k, and a Fun Run).

Start Leisure Lane. Right onto West Trade. Rt onto North Gaston Street. Rt onto West Main. Left onto South Pine Street. Rt on West Carpenter Street. Right into Ingles Parking Lot. Left onto West Trade. Left onto Leisure Lane. End.



## ROAD CLOSURES

If your event involves road closures, a parade, a foot or bike race, any type of procession, or more than one location, attach a Route and Traffic Plan. Include the required information (listed below) and any additional information you believe applies to your event. When planning a moving route, the Dallas Police Dept. is available to assist you.

- NC and US roadways will also require approval from the NCDOT.
- The proposed route to be traveled including the requested starting and termination point. Please also clarify the directions of movement of your event.
- Routing plans for traffic. Illustrate a plan to include roads that you are requesting to be closed to vehicular or other traffic for your event. Include planned arrangements to resolve conflicts with people trying to reach businesses, their own residences, places of worship and public facilities including public transportation.
- Whether the event will occupy all or a portion of the street(s) requested for use.
- Proposed locations for barricades, signs and police/volunteers.
- The provision of twenty foot (20') minimum emergency access lanes throughout the event site.
- White temporary water base paint can be used to mark the route on the street pavement (May be purchased at common hardware stores such as Lowes Home, Home Depot, etc.).

*Please Note: All road closure requests will be strictly reviewed by the Town of Dallas. Approval, denial, or modification of all road closure requests are at the sole discretion of the Town of Dallas. The Town has final discretion over your Route and Traffic Plan including, but not limited to the route, placement and number of all barricades, signs, and police/volunteer locations.*

**DO NOT ASSUME, ADVERTISE, OR PROMOTE YOUR EVENT UNTIL YOU HAVE A SIGNED PERMIT FROM THE TOWN OF DALLAS. CONFLICTS DO ARISE AND CHANGES TO THE REQUEST MAY BE NECESSARY.**

Applicant's Signature:  Date: 7-15-2020

**\*Once approved, a Special Event Fee will be assessed based on the current Town of Dallas Fee Schedule. The event fee is due and payable NO LATER THAN five (5) business days prior to the event. Events will be cancelled if fees are not paid when due.**



**Grant Project Ordinance for the Town of Dallas American Rescue Plan Act of 2021: Coronavirus State and Local Fiscal Recovery Funds**

**BE IT ORDAINED** by the Board of Aldermen of the Town of Dallas, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

**Section 1:** This ordinance is to establish a budget for a project to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (CSLFRF). The Town of Dallas (Town) has received the first tranche in the amount of \$764,395.852. The total allocation is \$1,528,791.64, with the remainder to be distributed to the Town within 12 months of the first tranche. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff;
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector;
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic;
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

**Section 2:** The Town has elected to take the standard allowance, as authorized by 31 CFR Part 35.6(d)(1) and pends all its SLFRF funds for the provision of government services.

**Section 3:** The following amounts are appropriated for the project and authorized for expenditure:

<b>Internal Project Code</b>	<b>Product Description</b>	<b>Expenditure Category</b>	<b>Cost Object</b>	<b>Appropriation of CSLFRF Funds</b>
WS-01	Water/Sewer Maintenance Services for period of July 1, 2022 through June 30, 2023	6.1	Salaries	\$373,800
WS-02	Waste Water Treatment Services for period of July 1, 2022 through June 30, 2023	6.1	Salaries	\$112,200
WS-03	Water Treatment Services for period of July 1, 2022 through June 30, 2023	6.1	Salaries	\$100,000
	Unassigned			\$942,791.64
	<b>TOTAL</b>			<b>\$1,528,791.64</b>



**Section 4:** The following revenues are anticipated to be available to complete the project:

<b>ARP/CSLFRF Funds:</b>	\$1,528,791.64
<b>Total:</b>	\$1,528,791.64

**Section 5:** The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements, including payroll documentation and effort certifications, in accordance with 2 CFR 200.430 & 2 CFR 200.431 and Town’s Uniform Guidance Allowable Costs and Principles Policy.

**Section 6:** The Finance Officer is hereby directed to report the financial status of the project to the Board of Aldermen on a quarterly basis.

**Section 7:** Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer, and to the Town Clerk.

**Section 8:** This grant ordinance expires on December 31, 2026, or when all of the ARP/CSLFRF funds have been obligated and expended by the Town, whichever comes first.

Motion by \_\_\_\_\_ to adopt the Grant Project Ordinance for ARP/CSLFRF funds, seconded by \_\_\_\_\_, and carried by the following vote:

Ayes:

Nays:

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Mayor Rick Coleman

Attested: \_\_\_\_\_  
Sarah Hamrick, Town Clerk