

**AGENDA ROXBORO CITY COUNCIL MEETING  
MONDAY, NOVEMBER 19, 2018 at 9:00 A.M.  
LOCAL GOVERNMENT DAY  
CITY HALL COUNCIL CHAMBER**

<b>CALL TO ORDER</b>		Mayor Marilyn P. Newell
<b>INVOCATION:</b>		Council Member Byrd Blackwell
<b>PLEDGE OF ALLEGIANCE:</b>		Mayor Marilyn P. Newell
<b>AGENDA ADOPTION:</b>		Mayor Marilyn P. Newell
<b>CONSENT AGENDA</b>		Mayor Marilyn P. Newell
Minutes		
Fire Department		
Police Department		
Public Services		
Fuel Expenditures		
RDG/Planning Report		
<b>RECOGNITION:</b>	Susan Cushion – Piedmont Electric	
<b>Special Presentation</b>	- Assistant City Manager Tommy Warren	
<b>PUBLIC COMMENT:</b>		
<i>(5 minutes per Citizen)</i>		Mayor Marilyn P. Newell
<b>PUBLIC HEARINGS AND ORDINANCE MATTERS:</b>		
1. Text Amendment – Taxi Cabs, Commercial Solicitation		City Manager Brooks Lockhart
2. Rezoning Request – 423 S. Madison Boulevard – Public Hearing		Planning Director Lauren Johnson
3. Rezoning Request – 500 Weeks Drive – Public Hearing		Planning Director Lauren Johnson
4. Rezoning Request – Highway 501 S – Public Hearing		Planning Director Lauren Johnson
<b>OLD BUSINESS:</b>		
<b>NEW BUSINESS:</b>		
5. All-Way Stop at Crestwood Drive and Gordon Street		City Manager Brooks Lockhart
6. Crosswalk at Person County Library		Assistant Manager Tommy Warren
<b>COMMITTEE REPORTS</b>		Mayor Marilyn P. Newell
<b>ADMINISTRATIVE REPORTS:</b>		
7. Financial & Tax Report		Interim Finance Director Dan Craig
8. Assistant Manager's Report		Assistant Manager Tommy Warren
9. Manager's Report		City Manager Brooks Lockhart
<b>COUNCIL DISCUSSION:</b>		
<b>CLOSED SESSION:</b>	Per NCGS 143.318.11(a)(6) Personnel	
<b>ADJOURNMENT:</b>	Motion	Second

# Consent Agenda

## **CITY OF ROXBORO, NC Consent Agenda**

The Regular meeting of the Roxboro City Council was held in the Council Chamber of City Hall at 9:00 a.m. Monday, November 19, 2018, Local Government Day.

The following members of the Roxboro City Council were present:

The following members of the Roxboro City Council were absent:

**Mayor Marilyn P. Newell** presented the consent agenda and asked if any item should be added or removed before calling for action. After some discussion, a **motion was offered by \_\_\_\_\_ to approve the Consent Agenda as presented with a second by \_\_\_\_\_** and upon being put to a vote, was carried unanimously.

- Minutes of October 9, 2018 *(Regular Meeting)*
- Minutes of October 22, 2018 *(Special Planning Session)*
- Fire/EMS Monthly Report *(October 2018)*
- Police Dept. Monthly Report *(October 2018)*
- Public Services Monthly Report *(October 2018)*
- Fuel Expenditures Monthly Report *(October 2018)*
- Planning/RDG Monthly Report *(October 2018)*

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Trevie Adams, MMC/NCCMC  
City Clerk

*Mission Statement: "To create an inviting environment with opportunities that will add value to the Community of Roxboro"*

**MINUTES/MEETING OF THE ROXBORO CITY COUNCIL  
TUESDAY OCTOBER 9, 2018 – 7:00 P.M. CITY COUNCIL MEETING  
CITY HALL IN THE COUNCIL CHAMBERS - ROXBORO, NC**

**Members Present:** Mayor Marilyn P. Newell  
Mayor Pro-Tem Tim Chandler  
Council Member Mark Phillips  
Council Member Byrd Blackwell  
Council Member Reggie Horton  
Council Member Sandy Stigall

**Members Absent:**

**Others Present:** City Manager Brooks Lockhart  
Assistant Manager Tommy Warren  
City Clerk Trevie Adams  
City Attorney Nick Herman

**CALL TO ORDER:**

**Mayor Marilyn P. Newell** called the meeting to order at 7:00 p.m. welcoming everyone in attendance. **Public Services Director Andy Oakley** provided the invocation.

**PLEDGE OF ALLEGIANCE:**

**Mayor Marilyn P. Newell** asked that **Miss Hollyn Chandler** lead Council and those in attendance in reciting the Pledge of Allegiance to the Flag.

**AGENDA ADOPTION:**

A motion to approve the agenda as presented by the Mayor was offered by Mayor Pro Tem Tim Chandler with a second by Council Member Sandy Stigall and upon being put to a vote was carried unanimously.

**CONSENT AGENDA ADOPTION:**

**Mayor Marilyn P. Newell** presented the consent agenda and asked if anyone had any comments. A motion was offered by Council Member Reggie Horton to approve the consent agenda as presented with a second by Council Member Mark Phillips, and upon being put to a vote, was carried unanimously.

**RECOGNITIONS:** **Mayor Marilyn P. Newell** recognized the Person County Leadership group that were present to observe the City Council Meeting.

**PUBLIC COMMENT:**

**Mayor Marilyn P. Newell** invited anyone interested in addressing Council to sign-up for the public record and to limit his/her comments to five minutes.

**PUBLIC HEARINGS & ORDINANCE MATTERS:**

**1. Budget Amendment**

**Interim Finance Director Dan Craig** presented Council with Budget Amendment #2. After a brief discussion, **Council Member Byrd Blackwell** offered a motion to approve Budget Amendment #2 as presented with a second by Council Member Reggie

Horton and upon being put to a vote was carried unanimously. **Clerk's Note: A copy of said budget amendment is hereby incorporated into the minutes of this meeting.**

**2. 206 Hill Street – Demolition – *Public Hearing***

**Mayor Marilyn P. Newell opened the Public Hearing at 7:25 p.m.** Planning Director **Lauren Johnson** presented the Mayor and Council with an ordinance directing the Code Administrator to remove or demolish the property located at 206 Hill Street, Roxboro, N.C. stating staff finds that the structure described is unfit for human habitation under the City's Minimum Housing Code and that all procedures have been complied with. Mayor Newell asked for any public comment at this time and there being none, closed the Public Hearing at 7:30 p.m. After a brief discussion, **Council Member Mark Phillips offered a motion to approve the ordinance to demolish the property located at 206 Hill Street as presented, with a second by Mayor Pro Tem Tim Chandler** and upon being put to a vote was carried unanimously. **Clerk's Note: A copy of said ordinance is hereby incorporated into the minutes of this meeting.**

**3. UDO Text Amendments – *Public Hearing***

**Mayor Marilyn P. Newell opened the Public Hearing at 7:35 p.m.** Planning Director Lauren Wrenn presented the Mayor and Council with the minutes from the Roxboro Planning Board for proposed changes to two separate text amendments, each pertaining to the same permitted "uses" in the ordinance. **Mayor Newell asked for any public discussion at this time and there being none, closed the Public Hearing at 7:40 p.m.** After a brief discussion, **Mayor Pro Tem Tim Chandler offered a motion that the proposed text amendment and consistency statement presented in Docket #TA2018-04 and #TA2018-05 be approved because the application is consistent with the City's Comprehensive Land Use Plan in that it;**

- **Coordinates regulations with the City's UDO and the City Code of Ordinances to ensure clarity and an effective, area-wide land use regulatory program.**

**Furthermore, this decision is in the public interest of the City of Roxboro as it simplifies definitions of terms to aide in understanding and implementation by residents and prospective business owners, with a second by Council Member Mark Phillips** and upon being put to a vote was carried unanimously. **Clerk's Note: A copy of said consistency statement and text amendment are hereby incorporated into the minutes of this meeting.**

**NEW BUSINESS:**

**OLD BUSINESS:**

**COMMITTEE REPORTS:**

- **Council Member Byrd Blackwell** attended the Kerr Tar Annual Banquet and also had a Health Department meeting that he attended.
- **Mayor Pro Tem Tim Chandler** attended the United Way Kick Off on October 3, 2018.
- **Council Member Mark Phillips** attended the East Roxboro Neighborhood Watch meeting. Mr. Phillips also attended a presentation on the concept for the Desert Sands Building.
- **Council Member Reggie Horton** attended the Kerr Tar meeting and they approved one loan and sent one loan back for review, and also had a reclassification for approval.

## ADMINISTRATIVE REPORTS

### 4. Financial & Tax Report

**Finance Director Dan Craig** presented Council with Financial reports for months ending August 31, 2018 and tax reports ending September 30, 2018. **Clerk's Note: A copy of said financial report is hereby incorporated into the minutes of this meeting.**

### 5. Assistant Manager's Report

**Assistant Manager Tommy Warren** reported to the Mayor and Council that the recent rains slowed down the excavations at the oxidation ditch and office building site, however, contractors are still on schedule. The excavation hit rock and blasting will begin in a week or two. The rock removal was included in the bid price since a subsurface investigation was done at the site and indicated there would be rock encountered.

The residential garbage truck ordered in 2017 has been delivered and as soon as the title and tags are completed, the truck will be placed in service.

Chub Lake Street is a North Carolina Department of Transportation (NCDOT) street and was resurfaced by NCDOT this summer. NCDOT did grind and remove a layer of asphalt on the street, however, the resurfacing did increase the height of the pavement. The height has resulted in a substantial drop where the pavement meets the catch basins. NCDOT was contacted after several complaints and they stated that raising the catch basins is the paving contract and the resurfacing contractor will be doing the work. No time table was given for the catch basins to be raised.

At the September meeting, Council was informed that the NC 49S pump station would be repaired the week of September 10, 2018. The contractor was delayed a week and once the pumps were installed, the new covers did not fit the old housing correctly. The contractor was able to refurbish the old covers and make them work. Another delay was caused by the relay going bad and the pump not starting. After some trouble shooting the problem, the pump station is now up and running.

### 6. Manager's Report

**City Manager Brooks Lockhart** reported to the Mayor and Council some upcoming dates: Merchant's Forum – October 11, 6:00 p.m. at Hall's Way, Council Work Session – October 22, 2018 at 6:00 p.m., Habitat for Humanity Winstead Build Ceremony – November 3, 2018 at 4:30 p.m. at the corner of Doug Street and Burch Avenue.

Full implementation of the software is complete. For the duration of the next few months staff will have increased staffing demands as bugs associated with the implementation might occur. Staff continues to grow in comfort and skill level of mastering the new software. The software has provided additional opportunities to enhance the workflow.

Mr. Lockhart stated that he had received an update from John Sandor on the mini roundabout at the intersection of Long Avenue and Morgan Street. As noted previously, the project required the relocation of a pole by Duke Energy. Due to recent events the timetable for the utility relocation has been delayed by six weeks. Sandor is aiming for design layout work to begin in early December with possible work being completed while students are on winter break.

The Mayor and City Council has been invited to participate in the Habitat of Humanity "Winstead Build", on November 3<sup>rd</sup>, 2018. The workday begins at 8:00 a.m. with a lunch

break scheduled for noon; the primary work for the event will be the raising of the walls. An onsite ceremony is scheduled for 4:30 p.m.

Mr. Lockhart stated that he hopes to provide Council with an update on research that staff and legal counsel are conducting on ordinance matters. As an additional update, staff and legal counsel are discussing the potential for revolving loans for stormwater repairs and are evaluating next steps beyond code enforcement.

**COUNCIL DISCUSSION:**

**Mayor Newell** asked for any discussion or concerns from **Council Members**. There being no discussion, **Council Member Mark Phillips offered a motion to enter into closed session per NCGS 143.318.11(a)(1) Attorney/Client Privilege with a second by Council Member Byrd Blackwell** and upon being put to a vote was carried unanimously.

**Mayor Pro Tem Tim Chandler offered a motion to return to open session with a second by Council Member Byrd Blackwell** and upon being put to a vote was carried unanimously.

**ADJOURNMENT:**

There being no further business to discuss, **A motion was offered by Council Member Mark Phillips with a second by Mayor Pro Tem Tim Chandler to adjourn this meeting at 9:02 p.m. and** upon being put to a vote, was carried unanimously.

Submitted by:

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Trevie Adams, MMC/NCCMC  
City Clerk

October 9, 2018

**MINUTES/MEETING OF THE ROXBORO CITY COUNCIL  
MONDAY, OCTOBER 22, 2018 – 6:00 P.M. SPECIAL PLANNING MEETING  
ROXBORO CITY HALL, COUNCIL CHAMBER, ROXBORO, NC**

**Members Present:** Mayor Marilyn P. Newell  
Mayor Pro Tem Tim Chandler  
Council Member Reggie Horton  
Council Member Mark Phillips  
Council Member Byrd Blackwell  
Council Member Sandy Stigall

**Members Absent:**

**Others Present:** City Manager Brooks Lockhart  
Assistant Manager Tommy Warren  
Finance Director Dan Craig  
City Clerk Trevie Adams  
City Attorney Al Benschoff

**CALL TO ORDER:**

**Mayor Marilyn P. Newell** called the meeting to order at 6:15 p.m. welcoming everyone in attendance.

**AGENDA ADOPTION:**

**Mayor Marilyn P. Newell** presented the agenda asking for any additions or corrections and there being none, **Mayor Pro Tem Tim Chandler offered a motion to approve the agenda as presented with a second by Council Member Sandy Stigall** and upon being put to a vote was carried unanimously.

**ITEMS FOR DISCUSSION:**

• **Closed Session:**

**Council Member Sandy Stigall offered a motion to enter into Closed Session per NCGS 143.318.11(a)(1) Attorney/Client Privilege with a second by Council Member Mark Phillips** and upon being put to a vote was carried unanimously.

**Council Member Byrd Blackwell offered a motion to re-enter into Open Session with a second by Council Member Sandy Stigall** and upon being put to a vote was carried unanimously.

• **Police Department Strategic Plan**

**Police Chief David Hess** presented the Mayor and Council with a power point presentation to show the goals and objectives for the Roxboro Police Department. Some of the strengths included: professionalism, opportunity, attends RAMA and Industrial Relations. The department would like to do more cross training, and relationship building. Chief Hess stated that some weaknesses include budget and prevention and more concentration in these areas to improve.

• **City Traffic Code**

**City Manager Brooks Lockhart** presented the Mayor and Council a new proposed Traffic Calming Policy for Neighborhood Streets. Traffic calming measures are intended to be applied to City owned local streets serving predominantly single-family residential neighborhoods. Some areas of concern include: South Main Street, Crestwood Drive, Algood and Church Streets. Some suggestions offered were: slower speed limits, sidewalks, more stop signs, etc. Council discussed the possibility

of a cross-walk on South Main Street at the Public Library and a three-way stop at the intersection of Crestwood Drive and Gordon Street. Council asked that staff bring proposals and asked that **City Manager Brooks Lockhart** try to poll Crestwood residents regarding the three-way stop. **Assistant Manager Tommy Warren** will also bring more information for a crosswalk on South Main Street to the next Council meeting on November 19, 2018 to be discussed further.

**COUNCIL DISCUSSION:** **Mayor Merilyn P. Newell** reminded everyone of the Veteran's Day Parade in Uptown on Saturday, November 10, 2018. Mr. Kendrick is working on cleaning up the intersection of 501S and Old Durham Road.

**Council Member Sandy Stigall offered a motion to adjourn this meeting at 9:28 p.m. with a second by Council Member Reggie Horton** and upon being put to a vote was carried unanimously.

**Submitted By:**

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Trevie Adams, MMC/NCCMC  
City Clerk

October 22, 2018



**City of Roxboro  
Fire and Rescue Department**

**Date:** November 13, 2018  
**To:** Mayor Newell  
Roxboro City Council  
**From:** Kenneth M. Torain, Fire Chief

**Highlight**

- **Responses:** During the month of October the City of Roxboro Fire Department responded to 6 fire calls and 114 EMS calls. During the month we also responded to 18 hazardous conditions and 7 service calls. Over the course of October we responded to 124 calls in the city and 69 in county plus 22 mutual aid calls. Twenty seven percent of the time we had two or more calls going at the same time with a total of 3 full alarms.
- **Fire Extinguisher Training:** The Roxboro Fire department taught fire extinguisher training for Canterbury House, Certainteed and Pet Sense.
- **Fire Prevention Month:** During the month of October which is Fire Prevention Month we visited, Mother Goose, Lester's Toddler Care, Progressive Learning Academy, Earl Bradsher Preschool, Creative Days, Long Memorial, Learn and Play, PCC, Roxboro Christian Academy, Theresa Baptist Church and Progressive Learning Academy II.
- **Smoke Detectors:** The crews canvased some area in the city for batteries in smoke detectors and installed some smoke detectors.
- **Fire Prevention Day:** Roxboro Fire Department hosted a Car Seat Safety Check Station at fire prevention day at Lowes Home Improvement. We checked and reinstalled 8 car seats and removed and replaced two.
- **Evacuation Plans:** Chief Torain met with two churches to go over their evacuation plan.
- **Arson Dog Training:** Lt. Horton went to Reidsville to do some dog training with the trainer of the arson dog and with State Bureau of Investigations.



# ROXBORO POLICE DEPARTMENT



109 North Lamar Street  
Roxboro, North Carolina 27573

Office 336 599 8345

[www.cityofroxboro.com](http://www.cityofroxboro.com)

## City Council Report

October 2018

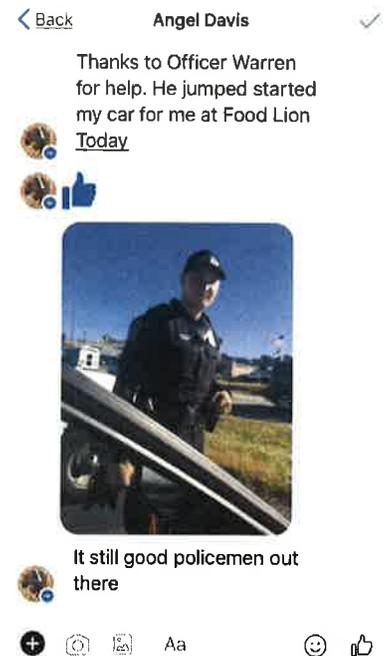
### Patrol Division

#### Highlighted Events

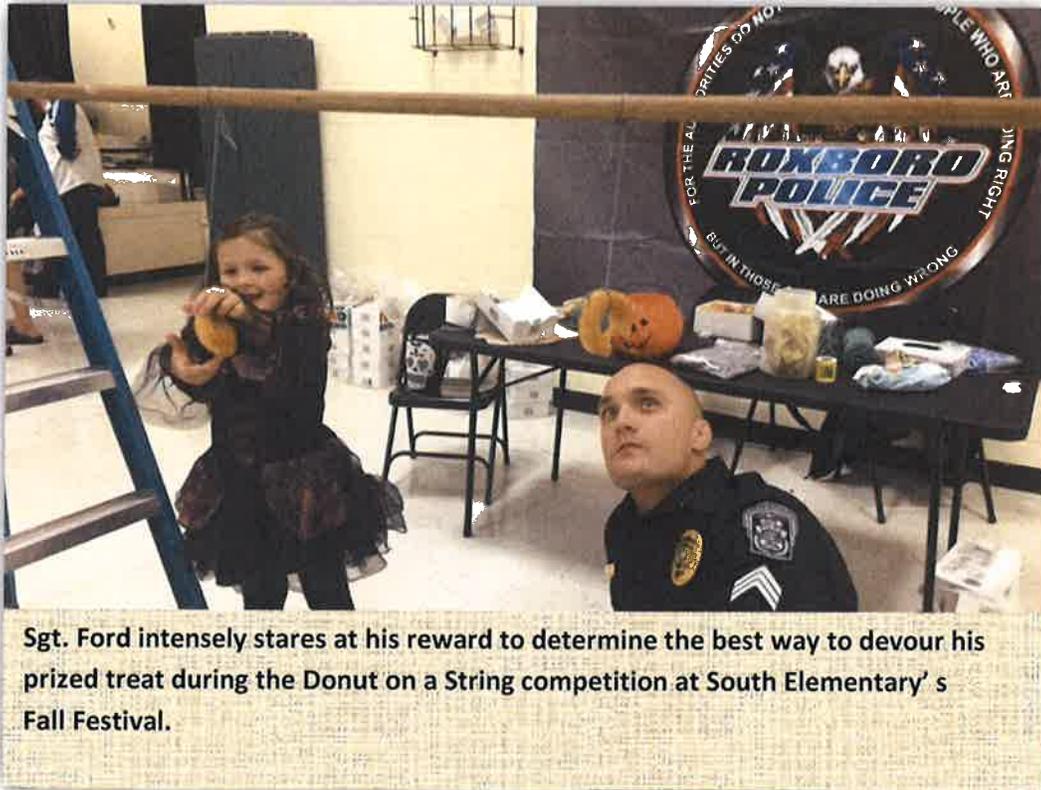
- Provided social media updates during storms.
- Hosted FBI-LEEDA course. Agencies from South Carolina, Virginia, West Virginia, and North Carolina sent officers. A special thanks to Person Tourism Development Authority for providing welcome bags for attendees.
- The police department had a site review and final review for the North Carolina League of Municipalities Risk Management accreditation. Council will receive a final update from NCLM at the January 8, 2019 council meeting.

#### Community Policing

- Participated with Roxboro Housing Authority Community Prayer Walk in neighborhoods where recent violence occurred.
- Participated with Roxboro Housing self-sufficiency event in Weatherly Heights.
- Hosted Coffee with a Cop at Stuart's Family Grille.
- Hosted Police Department facility tours for German foreign exchange students.
- Assisted Person High School with their Homecoming Parade.
- Host site for MADD VIP program.
- Attended South Elementary School Fall Festival. Hosted the Donut on a String competition.
- Attended Community Service Day at New Life Non-Denominational Church.
- Participated with BASIC's Race Unity Week.
- Hosted Person County Leadership class and provided presentation about the police department.
- Officer Brice Warren assisted a citizen with jump starting their vehicle and was recognized on social media by the citizen.

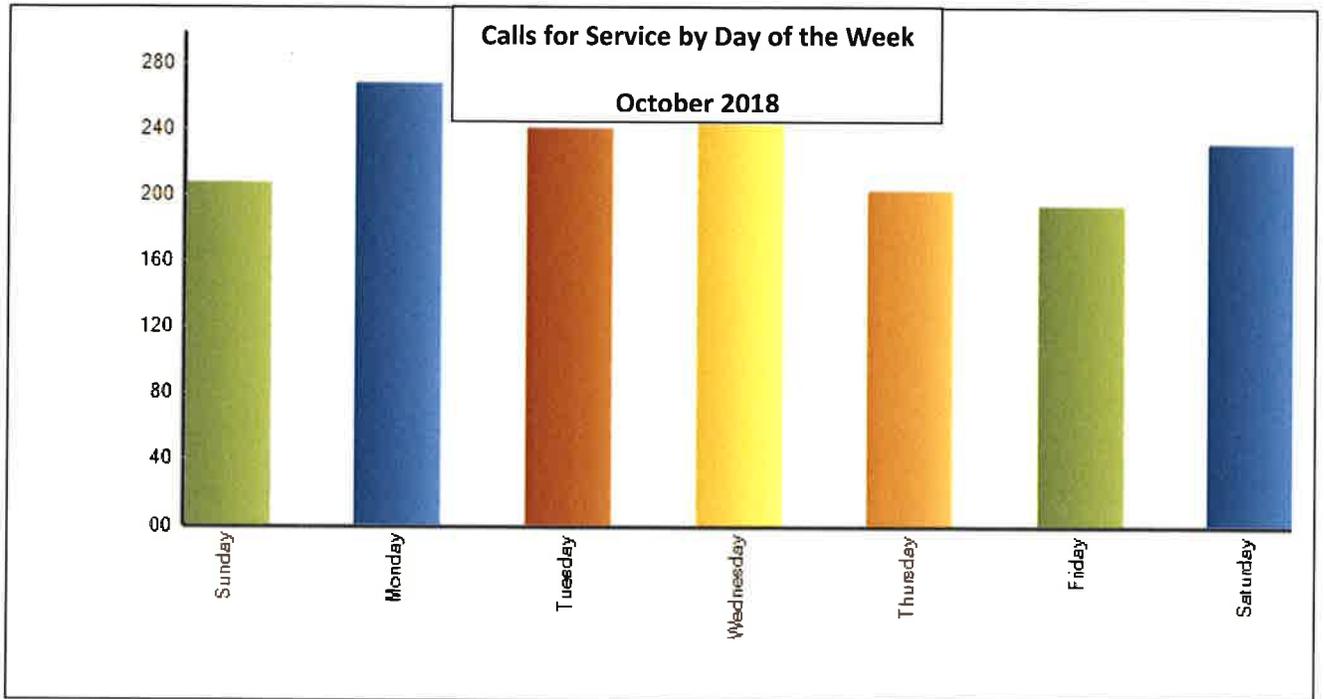


- Participated as a Trick-or-Treat safe place. Officer Leech patrolled Crestwood Drive area during Trick-or-Treat hours. For the third year in a row, Crestwood Dr. at Gordon St. had to be closed temporarily to direct traffic for pedestrian safety concerns.



**Monthly Activities**

<b>Calls for Service: 1597</b>	<b>Incident Reports: 170</b>
<b>Traffic Enforcement Requests: 13</b>	<b>Traffic Stops: 388</b>
<b>Traffic Crashes: 72</b>	<b>Citations Issued: 216</b>
<b>Total Arrests: 59</b>	<b>Warnings: 58</b>
<b>Directed/Foot Patrol: 269</b>	



#### Criminal Investigations Division

- Investigators followed up on several leads in various open investigations.
- Due to staffing shortages on patrol related to state mandated training, investigators worked a few patrol shifts throughout the month.
- Det. Howe processed a crime scene and evidence for the Sheriff's Office related a high profile case.
- Investigators executed a search warrant related to a two shootings that occurred earlier this year. Arrests and additional charges were made in those cases related to the search warrant.

#### Total Numbers for the Month

**Cases Assigned: 12**

**Hours Completing Paperwork: 90**

**Call Outs: 3**

**Felony Warrants Obtained: 6**

**Total Arrests: 6**

**Cases Closed: 8**

**Forensic Processing Hours: 15**

**Search Warrants Executed: 3**

**Follow Up Hours in the Field: 150**

**Follow Up Hours by Phone: 45**

**Out of Town Follow Ups: 9**

**Misdemeanor Warrants Obtained: 3**

**Interviews Conducted: 11**

**Total Forensics Cases: 11**

**Court Hours: 12**

#### Street Crimes Unit

- Initiated several new covert investigations.

### **Administrative Services Unit**

- Citizens Police Academy began in September. Continuing to teach various classes and assisting with course logistics.
- Assisted city staff with various police facility requests.
- Provided training equipment for annual firearms qualification.
- Overseeing department wide state mandated in-service training.
- Scheduled installation of equipment and acquisition of police vehicles approved in the budget.
- Participated in several community policing events throughout the month.
- Represented the police department at the State Fair in the Governor's Highway Safety "Safe City" tent.
- Evidence Custodian Tanya Thomas applied for and received a grant to receive free training through the International Association of Property and Evidence. Cost savings to the city of \$400.
- The four police trainees in BLET at Vance Granville Community are progressing very well. Trainee Stasuik is the Class President.

### **Administration**

#### **Meetings**

- Met with concerned citizens.
- Daily meetings with Command Staff.
- Attended various community events.
- Attended an Opioid Crisis Forum hosted by NC Attorney General Stein.
- Participated in the RHA Prayer Walk.
- Attended Dolian Harris funeral.
- Guest speaker for Roxboro Sertoma Club.
- Attended an family funeral of an employee's family member.
- Provided Halloween Safety information during live radio remote on Radio Roxboro.
- Meetings: District Attorney Perez; Roxboro Housing Authority; Department Head, Rotary; City Manager; Human Resources; Strategic Planning presentations; Staff meetings; City Council; Council work session; Judge Stoltz;

#### **Upcoming Events**

- Shop with a Cop, December 13<sup>th</sup>
- Christmas Parade, December 15<sup>th</sup>

#### **Police Department Strategic Planning Community Stakeholder meetings**

The police department completed strategic planning presentations to BASIC, CPA Alumni, City Council, Ministerial Alliance & NAACP of Person County, Kiwanis and Rotary. Incoming District Attorney Mike Waters presented to the Ministerial Alliance about how his office conducts Officer Involved Shooting investigations.



**THANK YOU FOR YOUR CONTINUED SUPPORT**

## Public Services Department Monthly Report



City of Roxboro

October 2018

Public Utilities Department			Public Works Department		
Water Repairs:	14		Commercial Garbage:	488.55	tons
Hydrant Repairs and Maint:	0		Residential Garbage:	234.82	tons
Meters Changed:	5		Brush Collected:	71.4	tons
New Water Services:	1		Leaves Collected:	24.6	tons
Broken Meters Replaced:	0			0	
			Potholes Repaired:	4	
Sewer Repairs:	1		Asphalt:	31.95	tons
Sewer Blockages:	31		Concrete:	0	yards
New Sewer Services:	1			24	
			Vehicle Repairs:	48	
Locate Services Provided:	239		Garage Materials:	\$12,979.86	
	60	Hrs			
Remarks:			Remarks:		
Water Treatment Plant			Wastewater Treatment Plant		
Total Water Treated:	86.84	MG	Average Monthly Flow:	2.14	MGD
Average Daily Treated:	2.801	MGD	Maximum Daily Flow:	8.68	MGD
Maximum Daily Treated:	3.38	MGD	Minimum Daily Flow:	1.3	MGD
Minimum Daily Treated:	1.95	MGD			
			Monthly Rainfall:	7.125"	
City Lake Level:	Full	11/5/2018	Maximum Rainfall:	4"	10/11/2018
Lake Roxboro Level:	Full	11/5/2018	Peak Hourly Flow:	19.8 mg	10/11/2018
			Monthly Samples Analyzed:	2635	
			Oil and Grease Inspections:	Schools	0
				Restaurants	0
Remarks:			Remarks:		

City of Roxboro, Nor LM  
 Distribution of Gas Tl WD  
 30-Sep-18 CS  
 GC

Shell  
 Account Number: 80-001-3945-4

Gas 0.5340  
 Diesel 0.5940

0.05 2.00%  
 per gallon 2.00%  
 Discount Discount  
 Net  
 Cost

Card Number	Dept Number	Make	Mileage	Gallons	Total Cost	Tax Adjust	per gallon Discount	2.00% Discount	Net Cost	Average Cost Per Gallon
Summary										
1	4120	City Hall		34.87	89.48	18.62	1.74	0.70	68.42	2.566
2	4130	Finance		15.36	40.23	8.20	0.77	0.31	30.95	2.619
3	4160	Public Buildings		160.75	430.22	85.84	8.04	3.22	333.13	2.676
4	4180	Purchasing		-	-	-	-	-	-	#DIV/0!
17	4910	Planning & Zoning		-	-	-	-	-	-	#DIV/0!
		Total Administrative		210.98	559.93	112.66	10.55	4.22	432.50	2.654
5	4310	Police		2,146.04	5,600.55	1,145.99	107.30	42.92	4,304.34	2.610
6	4311	CID		100.32	259.79	53.57	5.02	2.01	199.20	2.590
26	4312	Narcotics		-	-	-	-	-	-	#DIV/0!
9	4380	Animal Control		-	-	-	-	-	-	#DIV/0!
		Total Police		2,246.36	5,860.34	1,199.56	112.32	44.93	4,503.54	2.609
7	4340	Fire		1,560.88	4,234.74	896.95	78.04	31.22	3,228.53	2.713
8	4341	Fire Inspections		54.65	141.38	29.18	2.73	1.09	108.37	2.587
		Total Fire Dept.		1,615.53	4,376.12	926.14	80.78	32.31	3,336.90	2.709
10	4510	Public Services		75.02	193.49	40.06	3.75	1.50	148.18	2.579
11	4511	Streets		633.94	1,828.17	357.96	31.70	12.68	1,415.01	2.884
12	4512	Street Cleaning		-	-	-	-	-	-	#DIV/0!
13	4513	Garage		109.85	316.45	58.66	5.49	2.20	250.10	2.881
14	4710	Residential Garbage		1,283.91	3,849.40	762.64	64.20	25.68	2,996.88	2.998
15	4711	Commercial Garbage		875.07	2,624.15	519.79	43.75	17.50	2,043.10	2.999
16	4740	Cemetery		266.43	863.45	142.27	13.32	5.33	702.53	3.241
		Total Public Services		3,244.22	9,675.11	1,881.39	162.21	64.88	7,555.80	2.982
		Total General Fund		7,317.09	20,471.50	4,119.75	365.85	146.34	15,828.74	2.798
18	7112	Meter Reading		273.44	779.46	146.02	13.67	5.47	614.30	2.851
19	7114	Lake Warden		89.06	241.66	47.56	4.45	1.78	187.87	2.713
25	7118	Pump Stations		-	-	-	-	-	-	#DIV/0!
20	7120	Water Plant		167.73	447.32	91.07	8.39	3.35	344.51	2.667
21	7121	Water Line Maintenance		1,040.23	2,933.22	560.81	52.01	20.80	2,299.59	2.820
22	7130	WWTP		98.62	263.84	52.66	4.93	1.97	204.27	2.675
23	7131	Sewer Line Maintenance		757.32	2,092.77	421.13	37.87	15.15	1,618.63	2.763
24	7132	WWTP II		93.90	268.26	50.14	4.70	1.88	211.54	2.857
		Total Enterprise Fund		2,520.30	7,026.53	1,369.40	126.02	50.41	5,480.71	2.788
		Total All Funds		9,837.39	27,498.03	5,489.14	491.87	196.75	21,309.45	2.795



November 9, 2018

To: Mayor Newell  
Roxboro City Council

From: Lauren Johnson, Planning & Development Director

Subject: November Council Report

### **Uptown Development/Roxboro Development Group:**

- Small Business Saturday: As has become the tradition for the past few years, the Uptown Roxboro Group will be working with RAMA, the Chamber of Commerce, and PCC Small Business Development and Entrepreneur Center to promote Small Business Saturday in Roxboro. Taking place the Saturday following Thanksgiving, this nation-wide “event” promotes small businesses and shopping local for the holiday season. Local businesses are encouraged to visit the American Express sponsored website to request free materials for marketing and promoting the day.
- Annual Planning Meeting: The Uptown Roxboro Development Group met on November 5<sup>th</sup> to conduct their annual planning meeting. During this meeting, the group discussed the 2018 plan of work and which items should be the focus in 2019. Additionally, new members to the board are introduced to the requirements of the NC Main Street program and meeting the stipulations for conducting the 4-Point Approach to Revitalization. The group will work to finalize their plans for adoption at the December meeting, and begin reaching out to the public for financial and volunteer support for their projects in the beginning of 2019.
- Uptown Christmas Decorations: Thanks to the efforts of the Community Planner and City Clerk, there will be several new additions to the Uptown Christmas display this year. New holiday banners will be placed on the light poles throughout Uptown, and oversized Christmas ornaments will adorn the lawn at Merritt Commons. As always, sincere gratitude is shared with the Roxboro Fire Department for working tirelessly on Thanksgiving Day to install the many decorations that make the streets come to life in a special way for the holidays.
- Uptown Developments:
  - 1792 Beer Co., a bottle shop for craft beer, sodas, and more, will be opening soon in Uptown. Interior renovations are underway.
  - Belle Choses Baking Company opened inside of Hall’s Way on November 5<sup>th</sup>.
  - Annual Christmas Ornaments are now available for purchase at the Chamber of Commerce or via the office of the Community Planner.



## **Planning & Development:**

- Desert Sands Redevelopment: Staff reviewed modifications to the proposed design of the Desert Sands Redevelopment on N Main Street. After submitting comments to the landscape architect working on the project, the contracted Coulter Jewell Thames, PA will now move into the net phase of design renderings to give the steering committee a better visual of what this proposed design will “feel” like once complete. The group will try to meet in the week following Thanksgiving, and make any final adjustments necessary. After this review, the contracted organization should be in a position to move forward with preparing basic drawings for construction and allow the group to select materials for placement and pricing proposals.
- Minimum Housing Cases: Staff continues to pursue closure of the multiple minimum housing cases that remain pending. With the assistance of SCEI (State Code Enforcement, Inc.) the City has successfully passed ordinances to demolish three properties by the end of the year. Staff will continue to process the legal documents and notifications necessary to ensure proper notification for the next batch of properties, which have been identified by using the “scoring formula” developed earlier this year. This formula combines information regarding visibility, safety concerns, complaints from neighbors, and time on the list for processing to determine which properties should be addressed in what order.
- Sign Violations: Staff continues to work with property and business owners in the community to address sign violations, specifically for temporary signs. With the end of the election season now here, staff will look forward to clearer intersections and roadways as all candidates are required to remove their signage within the period following the election day. Thankfully, most business owners have been cooperative in removing their non-compliant signage immediately. Staff continues to work with others.
- Annual Report: Staff will compile data and statistics from the Planning Department for the 2018 year to present to Council at the December meeting. This report will also include statistics from previous years to help the Council see the progress made and changes in development trends.

## Additional Updates:

- Met with citizens regarding zoning and permitting questions.
- Conducted Planning Board meeting on November 5<sup>th</sup>.
- Attended Kerr-Tar COG meeting on October 25<sup>th</sup> in Henderson.
- Attended Public Information Officer training with FEMA in Kernersville on Nov. 13<sup>th</sup> and 14<sup>th</sup>.
- Prepared documents for processing payment for advisory board members after Thanksgiving.



## City of Roxboro Special Event Permit Application

---

Special Event Applications shall be submitted to the City of Roxboro no later than sixty (60) days prior to the event date, unless the event does not require a public hearing.\* When a public hearing is unnecessary, applications shall be submitted no later than thirty (30) days prior to the event date. (Incomplete applications may increase the permit processing time.) If a Public Hearing is required for your application, you will be notified of the date, time and location of the hearing. There is a \$50.00 fee for all public hearings.

\*Special Events not requiring a public hearing include (i) observations of national holidays (ii) annually recurring special events, which do not exceed two (2) hours and for which no admission fee is charged, and (iii) events hosted, in-part, by the City of Roxboro.

### I. Applicant Information:

Organization: Directors' Round Table  
Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
Daytime Phone Number: \_\_\_\_\_ Cell Number: \_\_\_\_\_ Email: \_\_\_\_\_

Primary Contact: Lynda Clayton or Alicia Puryear  
Address: 211 N. Main Street City: ROXBORO State: NC Zip Code: 27573  
Daytime Phone Number: 336-599-8333 Cell Number: \_\_\_\_\_ Email: \_\_\_\_\_

### II. General Event information:

Please provide the common name by which the event is to be known.

Jingle On Main

Please select the type of event:

- Parade
- Run/Walk Race
- Concert
- Ceremony
- Festival/Street Fair (Holiday Event)
- Other \_\_\_\_\_

Please provide a brief description of the purpose of the proposed event:

This event serves to "Kickoff" the Christmas season in Person County and the City of Roxboro.

Please indicate the following:

- a. Proposed Event Date(s): December 6, 2018
- b. Proposed Time Period(s) of the Event: 5:15 - 9:00 pm (street closure beginning @ 4:30)
- c. Location of Event: Uptown Roxboro
- d. Approximate Number of People to Attend the Event: 500 - 800

Please provide a general description of the activities planned during the event.

This event will include horse-drawn carriage rides, live music at Merritt Commons, food vendors, a barrel-train ride, tree lighting and more. Free movie showing at the Kirby.

Please list below any request for special services to be provided by the City, such as Police, Fire, Public Service Personnel/Equipment, etc. (any fees are the responsibility of the individual/organizer of said event):

- Police: 2 officers from 5:30 - 8:30 for security
- Fire: \_\_\_\_\_
- Public Service (i.e., streets or portions of streets to be closed and for what period, etc.): Russell's to Gordon Street, Court Street, Abbitt Street, connecting section of Lamar Street and all driveways that empty onto these streets.
- Other: \_\_\_\_\_

### III. Venue Details:

Please indicate any streets, parking lots, or public access areas to be closed during this event, as well as the location of any barriers, traffic control devices, etc. (a map showing the event area and all barricades is also required):

Please see above, and contact with any questions.

Specify number of:

1-3 Goods/Food Vendors 2-5 Animals 3-5 Recreational equipment (i.e. bounce house, rides, etc.)

Are you serving/selling food at your event?  Y / N Food vendors only

\*If yes, contact the Person County Environmental Health Office to be sure all necessary permits and/or documentation are obtained.

Are you serving/selling alcohol at your event? Y / N

\*If yes, be sure the perimeters of the area(s) are clearly marked, and the entrance to the area(s) shall be constructed so as to allow ready control of patrons, including the viewing of identification to prevent underage persons from being permitted in the area(s). Area(s) must be located at least 150 feet from any church, mosque, synagogue or other place of worship. Be aware, **no alcoholic beverages may be sold or consumed as a part of a special event outside of the designated area(s)**. Prior to the opening of the special event, the person in charge of the event shall ensure that any and all necessary state or other permits relating to the sale and consumption of alcoholic beverages have been secured. Such permits must be available for inspection by City staff at any time. (Keep on site during the Special Event.)

Please indicate which of the following staging items will be used during your event:

- Loud speakers
- Bleachers
- Stage(s)
- Dance Floor
- Microphones
- Live Entertainment
- Other: \_\_\_\_\_

Please indicate the size and location of any signs, banners, flags, or other attention-getting devices for this event:

Music will be at Merritt Commons, Courthouse and outside the Kirby. Signs may be located along the streets for directions and sponsor advertising purposes.

Please provide copies of the following with the completed application:

- a. Proof of Liability Insurance for event
- b. ABC permit(s)\*
- c. Person County Environmental Health Department permit(s)/license(s) for on-site food
- d. Sketch Map Showing All of the Following:
  - The area where the event is to take place
  - Any Streets or other rights-of-way to be closed or obstructed.
  - Any barriers or traffic control devices that will be erected.
  - Location of vendor booths, platforms, benches, stages, or bleachers
  - Location of alcohol selling/consumption area
  - Toilet Facilities (i.e., porta johns)
  - Garbage Facilities (dumpsters, roll out carts)

**\*\*Please note the City of Roxboro does NOT provide garbage or waste removal services for the proposed event. The event organizer is responsible for arranging for these services, if necessary.**

#### IV. Cancellation Policy

The City Manager, Roxboro Police Department, or their designee, has the authority to end the event prior to schedule based on any of the following:

- violation of any section of the permit or City Ordinance,
- security and protection concerns of event participants and the community,
- if the conditions required for approval, including insurance coverage, of the event are not met,
- if any significant change in conditions would, or may adversely affect the public health or safety of the community, or
- for any condition that would place City facilities, grounds, or other natural resources at risk of damage or destruction if the event were permitted to take place.

If an event organizer, for any reason, must cancel their event they must notify the City of Roxboro. Cancellations must be in written form. Fees are non-refundable. (If the event organizer would like to request a rain-date, please indicate this in section II under the "event date(s)."

The undersigned persons certify that all information in this application (including attachments) is complete and accurate to the best of their knowledge, that the information contained in this application form shall constitute conditions of an issued permit, that the City will be notified of any changes or revisions to the event plans as described in this application, and that the undersigned persons have received and reviewed a copy of Chapter 95 of the Roxboro City Code and agree to comply with all permit conditions and understand that failure to comply with any condition, or any violation of law, may result in the immediate cancellation of the event, revocation of the permit, denial of future events, criminal prosecution and/or administrative citations/fines.

**FUTHERMORE**, the undersigned persons hereby authorize the City Manager or designated representative to enter upon the above-referenced activity site for the purpose of inspecting and determining/verifying compliance with the City's ordinance provisions.

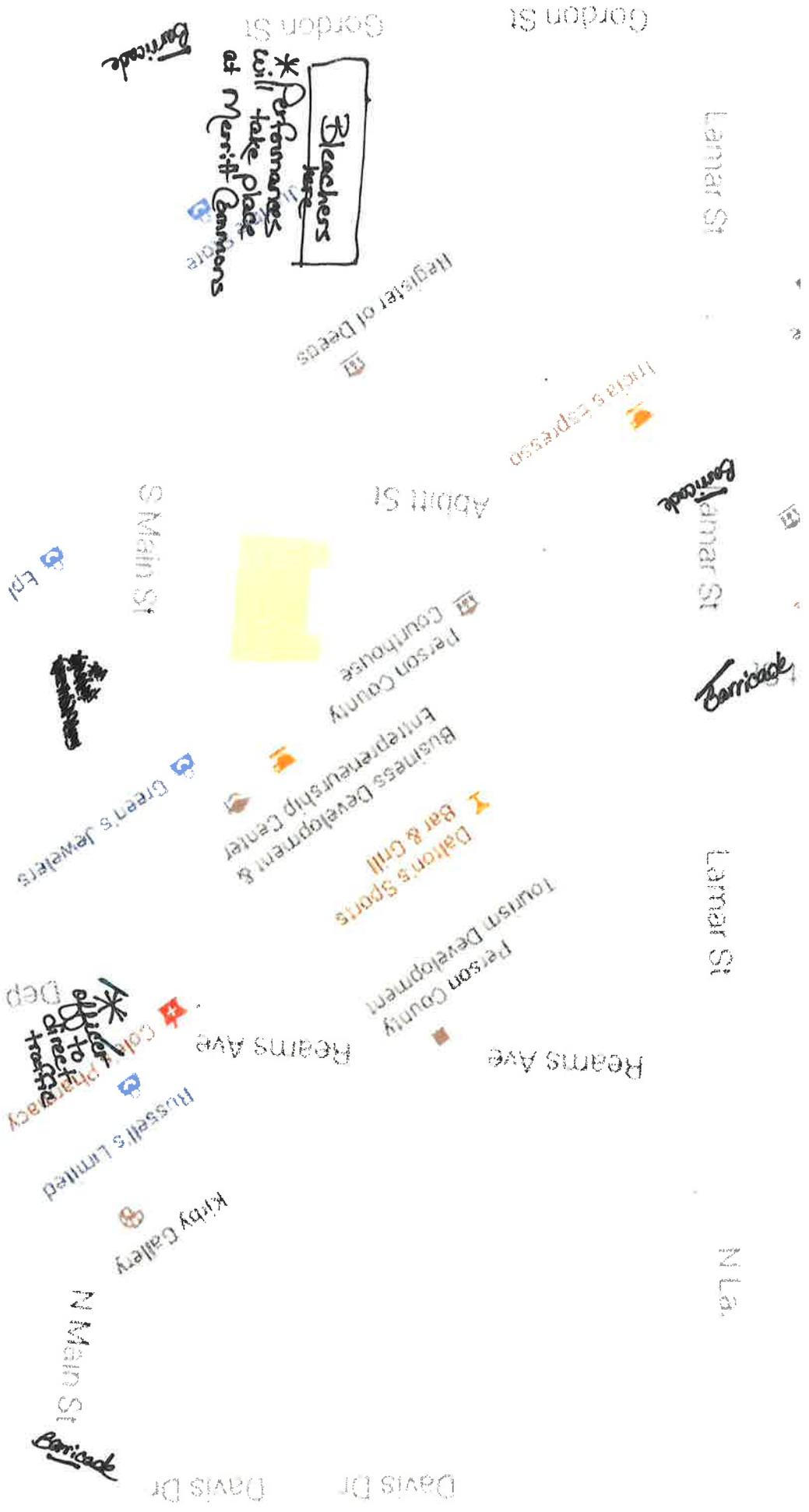
Synda Clayton  
Applicant Signature

Date: 10/23/2018

Alissa Puyear  
Responsible Planner/On-Site Manager

Date: 10/23/18

\* Carriage rides will circle the courthouse on Abbitt and Court Sts.  
 \* Barrel train will go up and down Main St.



\* Food vendors will be located near courthouses, but exact locations have yet to be determined

Security Deposit \$100.00

Total Fees (for-profit multiply number of hours by \$50) 0

**III. Usage Agreement:**

THIS AGREEMENT IS BETWEEN THE City of Roxboro AND Directors' RoundTable  
ON THE DATES AND TIMES INDICATED ON THIS FORM.

Make all checks payable to the City of Roxboro and remit to the Planning & Development Director.

It is agreed that the rules governing the use of the Merritt Commons property, County of Person, North Carolina, a copy of which has been received by the User and is an integral part of this agreement and is incorporated herein.

I/We release, absolve and agree to hold harmless and indemnify the City of Roxboro, their staff, sponsors and representatives from and against any and all liability, and from and against any claims, demands, costs or expenses, or causes of actions arising out of or in connection with the use of the facility.

**WE THE UNDERSIGNED, HAVE READ AND FULLY UNDERSTAND THIS CONTRACT AND WILL ASSUME THE AFOREMENTIONED RESPONSIBILITIES.**

This agreement is entered into this 23rd day of October, 2018. In keeping with our good faith, I hereby submit a check in the amount of \$ 0 to the City of Roxboro.

Synda D. Clayton  
Signature/Date (User)

Steven K. Johnson  
Signature/Date (Planning & Development Director)

**RELEASE AND HOLD HARMLESS  
AGREEMENT**

**STATE OF NORTH CAROLINA**

**COUNTY OF PERSON**

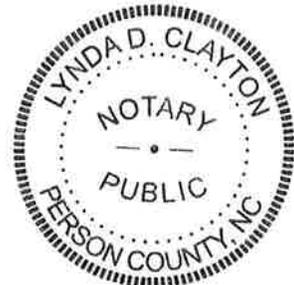
The undersigned, having received permission from the City of Roxboro to conduct dingle on main on December 7, 2018, do hereby release and forever hold harmless the City of Roxboro from any personal injuries or property damage related to the permitted use.

**IN TESTIMONY WHEREOF, I have hereunto set my hand and seal:**

This the 23 day of October, 2018

Alicia Puyear  
(Signature)

Notary Witness: Lynnda Clayton  
Comm Expires: 6/25/2022 (Seal)



# CSU Producer Resources, Inc.

A subsidiary of Cincinnati Financial Corporation  
P.O. Box 145496, Cincinnati, OH 45250-5496  
513-870-2000

**Date:** 08/14/2018

**To:** Thompson-Allen, Inc.  
107 N Main St  
Roxboro NC 27573-5534  
  
32-043

**From:** Tera Mason

**RE:** Roxboro Area Chamber of Commerce and Directors Round Table,  
Roxboro Area Chamber of Commerce, Person County Tourism

**Quote number:** 327191631

## QUOTATION

We are pleased to present a quote for this risk. This quote is based on the information you submitted, however the terms and conditions may differ from what was requested. Please review carefully.

Coverage to be provided by The Cincinnati Specialty Underwriters Insurance Company, an approved non-admitted company.

**Proposed Policy Period:** From: 12/06/2018 To: 12/07/2018

**Quote Expiration:** 01/05/2019

**Description of Operations:** Special Event

### Coverage:

**General Liability - OCCURRENCE**

**Retroactive Date:** NONE

<b>Limits of Insurance</b>	
Each Occurrence	\$ 1,000,000
Damage to Premises Rented to You	\$ 100,000
Medical Expense	Excluded
Each Offense -- Personal & Advertising Injury	\$ 1,000,000
General Aggregate other than Completed Operations	\$ 2,000,000
Products/Completed Operations Aggregate	\$ 2,000,000

<b>Deductible</b>	<b>Per Claim</b>	<b>Per Occurrence</b>
Bodily Injury	Not Applicable	Not Applicable
Property Damage	Not Applicable	Not Applicable
Combined BI and PD	\$ 1,000	Not Applicable

**Payment Options:** CSU offers both Agency Bill and Direct Bill payment methods. Listed below are the payment methods available to the insured.

Roxboro Area Chamber of Commerce and Directors Round Table,  
 Re: Roxboro Area Chamber of Commerce, Person County Tourism

**Agency Bill:**

Premium:	
CGL Deposit Premium	\$ 525.00
Flat Premium	\$ N/A
Terrorism Risk Insurance Act	\$ 8.00
Broker Fee	\$ 35.00
Surplus Lines Tax	\$ 26.65
Stamping Fee	\$ 2.13
Other Taxes or Fees	\$ N/A
<b>TOTAL</b>	<b>\$ 596.78</b>

**Direct Bill:**

	<b>Annual</b>	<b>Semi-Annual</b>	<b>Quarterly</b>	<b>25%/9</b>
CGL Deposit Premium	\$ 525.00	\$ 541.00	\$ 552.00	\$ 568.00
Flat Premium	\$ N/A	\$ N/A	\$ N/A	\$ N/A
Terrorism Risk Insurance Act	\$ 8.00	\$ 8.00	\$ 8.00	\$ 8.00
Broker Fee	\$ 35.00	\$ 35.00	\$ 35.00	\$ 35.00
Surplus Lines Tax	\$ 26.65	\$ 27.45	\$ 28.00	\$ 28.80
Stamping Fee	\$ 2.13	\$ 2.20	\$ 2.24	\$ 2.30
Other Taxes or Fees	\$ N/A	\$ N/A	\$ N/A	\$ N/A
<b>TOTAL</b>	<b>\$ 596.78</b>	<b>\$ 613.65</b>	<b>\$ 625.24</b>	<b>\$ 642.10</b>
<b>Down-Payment*</b>	<b>\$ 596.78</b>	<b>\$ 613.65</b>	<b>\$ 625.24</b>	<b>\$ 642.10</b>

\*Down-Payment includes any fully earned or flat premiums, Broker Fee (where applicable), and all Surplus Lines Tax and other state specific taxes or fees. Depending on the bind request date or length of the policy term, the down-payment may include premiums from subsequent installments.

## DISCLOSURE NOTICE OF TERRORISM INSURANCE

You are hereby notified that under the Terrorism Risk Insurance Act, as amended, that you have the right to purchase insurance coverage for losses resulting from acts of terrorism, as defined in Section 102(1) of the Act.

### **Certified Act of Terrorism**

As defined in Section 102(1) of the Act, the term "act of terrorism" means any act that is certified by the Secretary of the Treasury - in concurrence with the Secretary of State, and the Attorney General of the United States - to be an act of terrorism; to be a violent act or an act that is dangerous to human life, property, or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of certain air carriers or vessels or the premises of a United States mission; and to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

### **Disclosure of Federal Participation in Payment of Terrorism Losses**

You should know that where coverage is provided for losses resulting from certified acts of terrorism, such losses may be partially reimbursed by the United States government under a formula established by federal law. However, your policy may contain other exclusions which might affect your coverage, such as an exclusion for nuclear events. Under the formula, the United States government generally reimburses 85% of covered terrorism losses exceeding the statutorily established deductible paid by the insurance company providing the coverage. The premium charged for this coverage is provided below and does not include any charges for the portion of loss that may be covered by the federal government under the Act.

You should also know that the Terrorism Risk Insurance Act, as amended, contains a \$100 billion cap that limits U.S. government reimbursement as well as insurers' liability for losses resulting from certified acts of terrorism when the amount of such losses in any one calendar year exceeds \$100 billion. If the aggregate insured losses for all insurers exceed \$100 billion, your coverage may be reduced.

### **Disclosure of Premium**

In accordance with the federal Terrorism Risk Insurance Act, we are required to provide you with a notice disclosing the portion of your premium, if any, attributable to coverage for acts of terrorism certified under that Act.

The portion of your premium attributable to coverage for acts of terrorism certified under the Act is Excluded plus applicable taxes and fees. This amount does not include any charges for the portion of losses covered by the United States government.

## REJECTION OF TERRORISM INSURANCE COVERAGE

You may choose to reject this offer of coverage for losses resulting from acts of terrorism as defined in the Act by signing the statement below and returning it to your insurance producer.

**Coverage Rejection** - I hereby reject the offer to purchase coverage for certified acts of terrorism as defined in the Act. I understand that I will have no coverage for losses resulting from such acts of terrorism.

\_\_\_\_\_  
Authorized Signature by Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Named Insured

\_\_\_\_\_  
The Cincinnati Specialty Underwriters Insurance Company Policy Number



**The Cincinnati Specialty Underwriters Insurance Company**  
A Stock Insurance Company

Headquarters: 6200 S. Gilmore Road, Fairfield, OH 45014-5141  
Mailing address: P.O. Box 145496, Cincinnati, OH 45250-5496  
www.cinfin.com ■ 513-870-2000

**COMMON POLICY DECLARATIONS**

**POLICY NUMBER:**

**PREVIOUS POLICY NUMBER:**

**NAMED INSURED AND MAILING ADDRESS:**

Roxboro Area Chamber of Commerce and Directors Round Table,  
Roxboro Area Chamber of Commerce, Person County Tourism

Refer to Named Insured Schedule CSIA409  
211 N MAIN ST  
ROXBORO NC 27573

**PRODUCER - Your contact for matters pertaining to this policy: 32-043**

Thompson-Allen, Inc.  
107 N Main St  
Roxboro NC 27573-5534

Broker: 1897317  
CSU Producer Resources, Inc.  
6200 South Gilmore Road  
Fairfield, OH 45014-5141  
Scott Hintze

**Policy Period:** From 12/06/2018 To 12/07/2018 AT 12:01 A.M. STANDARD TIME AT YOUR MAILING ADDRESS SHOWN ABOVE.

**Form of Business:**

Individual  Partnership  Corporation  Joint Venture  Limited Liability Company  Other

**Business Description:** Special Event

**IN RETURN FOR THE PAYMENT OF THE PREMIUM, AND SUBJECT TO ALL THE TERMS OF THIS POLICY, WE AGREE WITH YOU TO PROVIDE THE INSURANCE AS STATED IN THIS POLICY.**

**THIS POLICY CONSISTS OF THE FOLLOWING COVERAGE PARTS FOR WHICH A PREMIUM IS INDICATED. THIS PREMIUM MAY BE SUBJECT TO ADJUSTMENT.**

COVERAGE PARTS	PREMIUM
<b>DEPOSIT PREMIUM</b>	
Commercial General Liability	\$ 525.00
Terrorism Risk Insurance Extension Act	\$ 8.00
<b>TOTAL POLICY PREMIUM</b>	<b>\$ 533.00</b>
<b>CANCELLATION MINIMUM EARNED PREMIUM IS 25.0% OF TOTAL POLICY PREMIUM.</b>	
Broker Fee	\$ 35.00
Surplus Lines Taxes	\$ 26.65
Stamping Fee	\$ 2.13
Other Taxes or Fees	N/A
<b>TOTAL</b>	<b>\$ 596.78</b>

Premium is subject to annual audit:  Yes  No

## Commercial General Liability Classification and Premium Sched

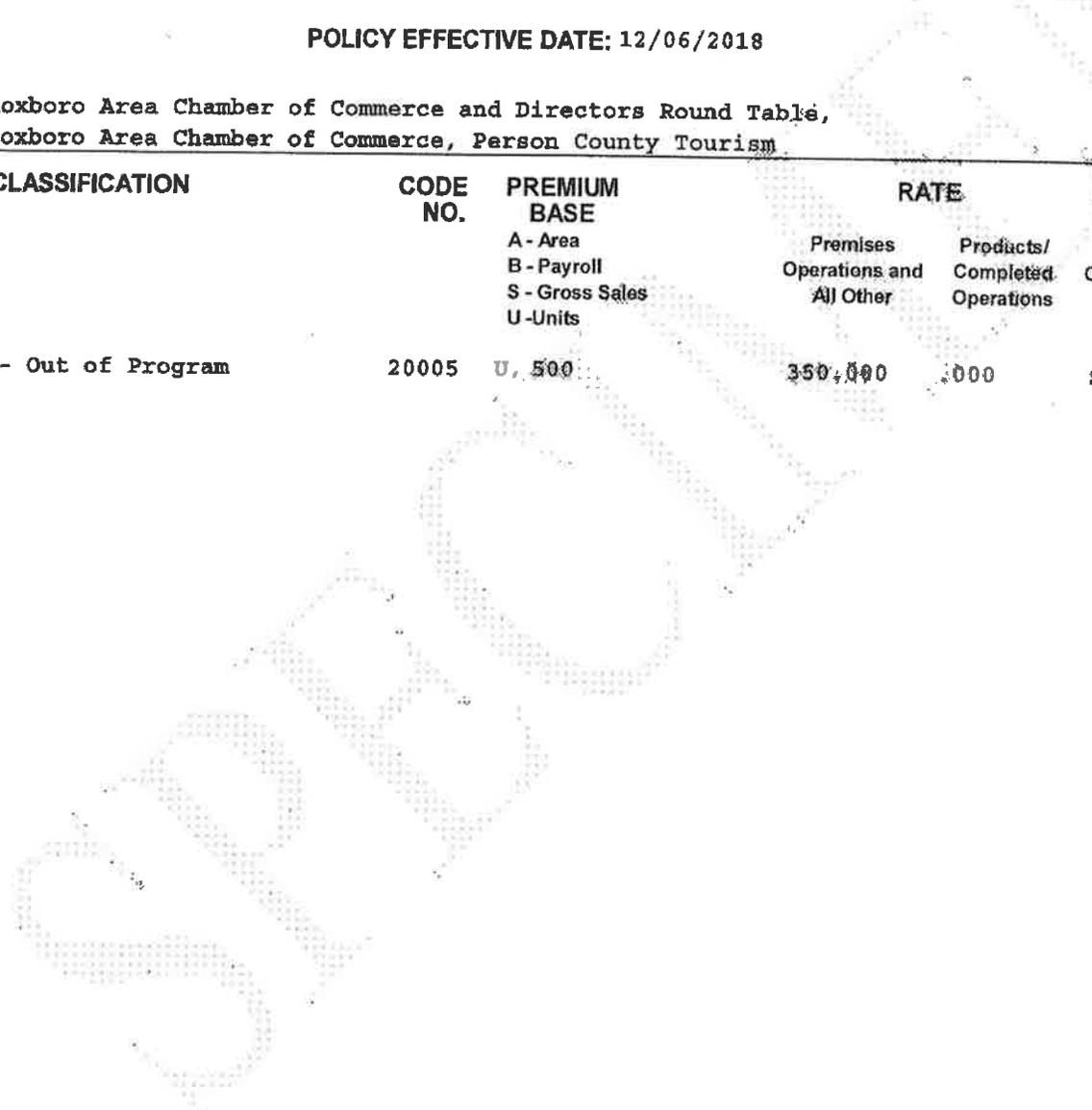
**POLICY NUMBER:**

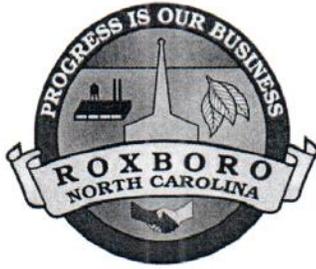
**POLICY EFFECTIVE DATE:** 12/06/2018

**NAMED INSURED:**

Roxboro Area Chamber of Commerce and Directors Round Table,  
 Roxboro Area Chamber of Commerce, Person County Tourism

LOC NO.	CLASSIFICATION	CODE NO.	PREMIUM BASE	RATE		O
				Premises Operations and All Other	Products/Completed Operations	
1	Special Event - Out of Program	2005	U, 500	350,000	000	\$





# City of Roxboro Special Event Permit Application

---

Special Event Applications shall be submitted to the City of Roxboro no later than sixty (60) days prior to the event date, unless the event does not require a public hearing.\* When a public hearing is unnecessary, applications shall be submitted no later than thirty (30) days prior to the event date. (Incomplete applications may increase the permit processing time.) If a Public Hearing is required for your application, you will be notified of the date, time and location of the hearing. There is a \$50.00 fee for all public hearings.

\*Special Events not requiring a public hearing include (i) observations of national holidays (ii) annually recurring special events, which do not exceed two (2) hours and for which no admission fee is charged, and (iii) events hosted, in-part, by the City of Roxboro.

## I. Applicant Information:

Organization: Roxboro J.C.'s  
Address: PO Box 1035 City: Roxboro State: NC Zip Code: 27573  
Daytime Phone Number: 336-599-1757 Cell Number: 336-503-3803 Email: robby@walkerinsurance.biz

Primary Contact: Robby Jones  
Address: PO Box 1035 City: Roxboro State: NC Zip Code: 27573  
Daytime Phone Number: SAME Cell Number: SAME Email: SAME

## II. General Event information:

Please provide the common name by which the event is to be known.

Roxboro Christmas Parade Presented by the Roxboro J.C.'s

Please select the type of event:

- Parade
- Run/Walk Race
- Concert
- Ceremony
- Festival/Street Fair
- Other \_\_\_\_\_

Please provide a brief description of the purpose of the proposed event:

Christmas Parade

Please indicate the following:

- a. Proposed Event Date(s): Dec 15, 20018
- b. Proposed Time Period(s) of the Event: 2:00 PM
- c. Location of Event: Main St.
- d. Approximate Number of People to Attend the Event : 10,000

Please provide a general description of the activities planned during the event.

Christmas Parade

Please list below any request for special services to be provided by the City, such as Police, Fire, Public Service Personnel/Equipment, etc. (any fees are the responsibility of the individual/organizer of said event):

- Police: \_\_\_\_\_
- Fire: \_\_\_\_\_
- Public Service (i.e., streets or portions of streets to be closed and for what period, etc.): \_\_\_\_\_
- Other: \_\_\_\_\_

**III. Venue Details:**

Please indicate any streets, parking lots, or public access areas to be closed during this event, as well as the location of any barriers, traffic control devices, etc. (a map showing the event area and all barricades is also required):

see Attached

Specify number of:

0 Goods/Food Vendors 15 Animals 10 Recreational equipment (i.e. bounce house, rides, etc.)

Are you serving/selling food at your event? Y / (N)

\*If yes, contact the Person County Environmental Health Office to be sure all necessary permits and/or documentation are obtained.

Are you serving/selling alcohol at your event? Y / N

\*If yes, be sure the perimeters of the area(s) are clearly marked, and the entrance to the area(s) shall be constructed so as to allow ready control of patrons, including the viewing of identification to prevent underage persons from being permitted in the area(s). Area(s) must be located at least 150 feet from any church, mosque, synagogue or other place of worship. Be aware, **no alcoholic beverages may be sold or consumed as a part of a special event outside of the designated area(s)**. Prior to the opening of the special event, the person in charge of the event shall ensure that any and all necessary state or other permits relating to the sale and consumption of alcoholic beverages have been secured. Such permits must be available for inspection by City staff at any time. (Keep on site during the Special Event.)

Please indicate which of the following staging items will be used during your event:

- Loud speakers
- Bleachers
- Stage(s)
- Dance Floor
- Microphones
- Live Entertainment
- Other: \_\_\_\_\_

Please indicate the size and location of any signs, banners, flags, or other attention-getting devices for this event:

NA

Please provide copies of the following with the completed application:

- a. Proof of Liability Insurance for event
- b. ABC permit(s)\*
- c. Person County Environmental Health Department permit(s)/license(s) for on-site food
- d. Sketch Map Showing All of the Following:
  - The area where the event is to take place
  - Any Streets or other rights-of-way to be closed or obstructed.
  - Any barriers or traffic control devices that will be erected.
  - Location of vendor booths, platforms, benches, stages, or bleachers
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  - Toilet Facilities (i.e., porta johns)
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**\*\*Please note the City of Roxboro does NOT provide garbage or waste removal services for the proposed event. The event organizer is responsible for arranging for these services, if necessary.**

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**FUTHERMORE**, the undersigned persons hereby authorize the City Manager or designated representative to enter upon the above-referenced activity site for the purpose of inspecting and determining/verifying compliance with the City's ordinance provisions.

  
\_\_\_\_\_  
Applicant Signature

Date: 11-9-18

\_\_\_\_\_  
Responsible Planner/On-Site Manager

Date: \_\_\_\_\_

**RELEASE AND HOLD HARMLESS  
AGREEMENT**

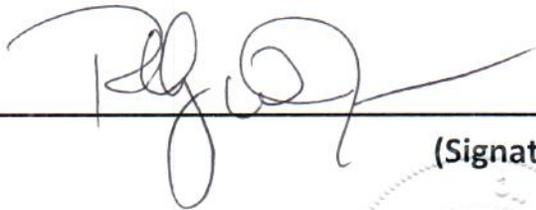
**STATE OF NORTH CAROLINA**

**COUNTY OF PERSON**

The undersigned, having received permission from the City of Roxboro to conduct Christmas Parade on Dec 15, 2018, do hereby release and forever hold harmless the City of Roxboro from any personal injuries or property damage related to the permitted use.

**IN TESTIMONY WHEREOF, I have hereunto set my hand and seal:**

This the 9 day of November, 2018

  
\_\_\_\_\_  
(Signature)

Notary Witness: Gene Shaw  
11-12-23 (Seal)





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/09/2018

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Walker Insurance Agency, Inc. PO Box 1035 Roxboro NC 27573		<b>CONTACT NAME:</b> DeAnn Mimms <b>PHONE (A/C, No, Ext):</b> (336)599-1751 <b>FAX (A/C, No):</b> (336)599-5288 <b>E-MAIL ADDRESS:</b> deann@walkerinsurance.biz	
<b>INSURED</b> Roxboro Jaycees Inc P O Box 473 Roxboro NC 27573		<b>INSURER(S) AFFORDING COVERAGE</b> INSURER A: Philadelphia Insurance Company NAIC # 000000 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

**COVERAGES**

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	N	N	PHPK1430589	12/16/2017	12/16/2018	EACH OCCURRENCE	\$ 1000000
	DAMAGE TO RENTED PREMISES (Ea occurrence)						\$ 100000	
	MED EXP (Any one person)						\$ 0	
	PERSONAL & ADV INJURY						\$ 1000000	
	GENERAL AGGREGATE						\$ 3000000	
	PRODUCTS - COMP/OP AGG						\$ 3000000	
							\$	
AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS							COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)	\$ \$ \$ \$
<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB DED RETENTION \$	<input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE						EACH OCCURRENCE AGGREGATE	\$ \$ \$
WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> Y <input type="checkbox"/> N		N/A				PER STATUTE OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	\$ \$ \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

**CERTIFICATE HOLDER****CANCELLATION**

City of Roxboro  
 PO Box 128  
 105 South Lamar Street

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

Roxboro

NC 27573

AUTHORIZED REPRESENTATIVE

Fax:

Email:

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ACORD 25 (2014/01)

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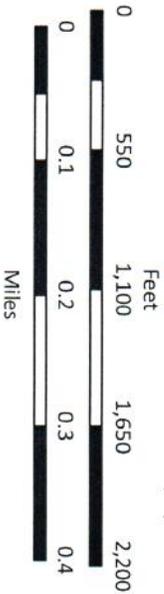


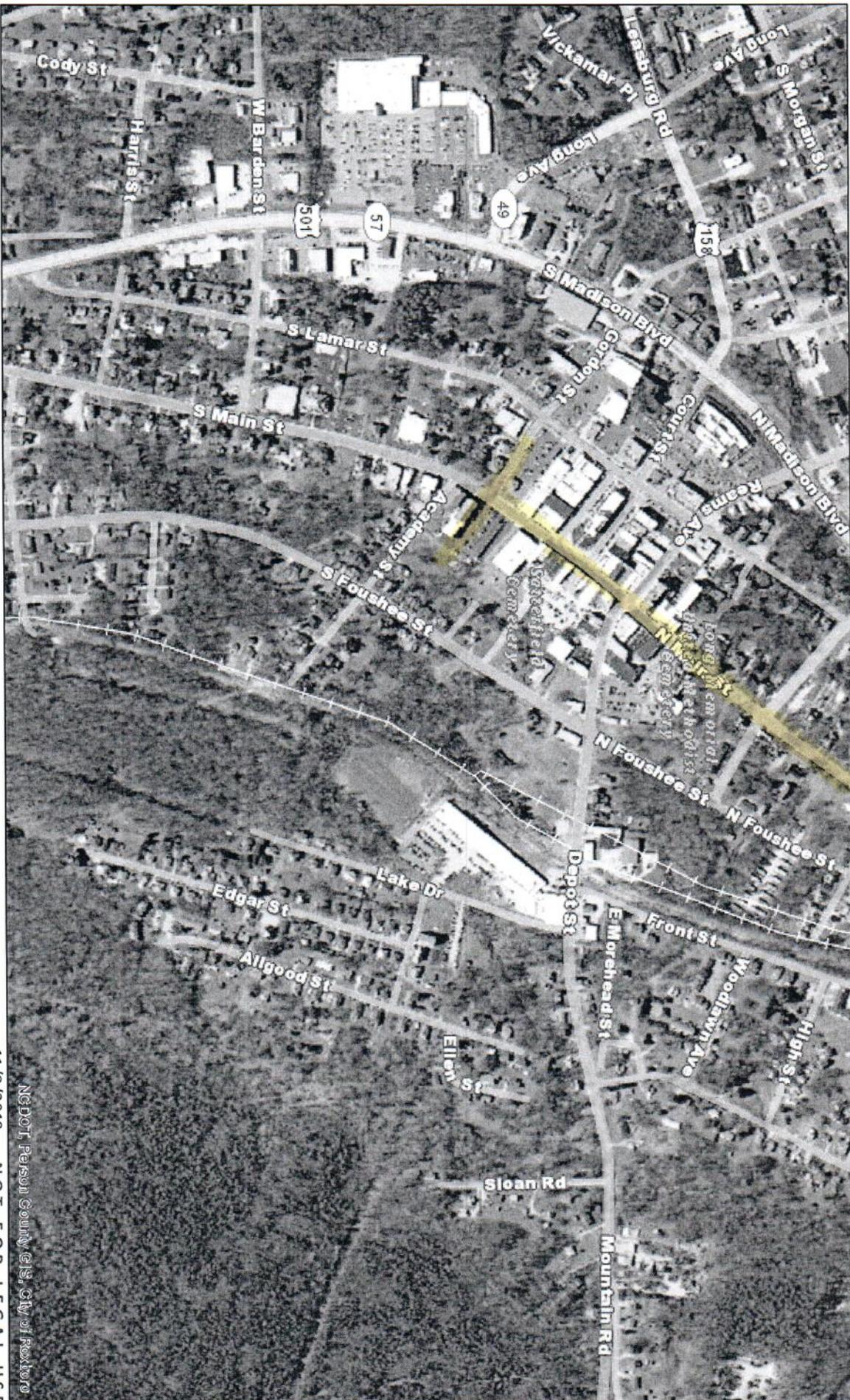
Legend

- County
- CountyBoundary\_9K
- Railroad\_9K
- AdministrativeAreaBoundaryLine\_9K

11/9/2018 NOT FOR LEGAL USE

NGDOT, Person County GIS, City of Roxboro





Legend

AdministrativeAreaBoundaryLine\_9K

County

CountyBoundary\_9K

Railroad\_9K

11/9/2018 NOT FOR LEGAL USE

NGDOT, Person County GIS, City of Foxboro



0 550 1,100 1,650 2,200  
 Feet

0 0.1 0.2 0.3 0.4  
 Miles

# 1. Text Amendment - Taxi Cabs, Commercial Solicitation

## **Text Amendment-Taxi Cabs and Commercial Solicitation**

This agenda item is the completion of work with our Legal Counsel to develop revisions to our City Code of Ordinances governing Business Regulations (Title XI). The proposed changes to the Ordinance are being made to reflect changes in the NC state laws over the last 12 years. Other changes are needed to create parity with our newly adopted Unified Development Ordinance. Finally some changes are being considered to allow the City Ordinance to address new trends. Below are summaries that explain the proposed changes; the ordinances, as suggested to amend, follow.

### **Chapter 113 Taxicabs**

Minor changes are recommended to create efficiencies for the applicant and the City. In 2015, the General Assembly passed 160A-304 (c) which prohibits our ability to regulate ride sharing companies. The proposed changes are intended to make traditional taxi services have less of a competitive disadvantage without abolishing our ability to regulate. It is very likely that legislation on the ride-sharing companies will change in the near future; we will need to revisit this Chapter at that time.

### **Chapter 116 Commercial Solicitation**

Our previous ordinance completely prohibited any solicitation within 20 feet of any public right of way. Case law on Ordinances in the early 2000's in Chapel Hill and Durham, who both had similar Ordinances to Roxboro's, were ruled unconstitutional. The proposed changes were drafted by our legal counsel and a majority of those changes are located in **Section 116.10 Solicitation regulated near rights-of-way**. The primary regulation is to ensure the safety of our citizens in and out of vehicles.

Staff and Legal Counsel recommend the following changes be adopted by the City Council.

## **CHAPTER 113: TAXICABS GENERAL PROVISIONS**

### **§ 113.01 DEFINITIONS.**

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

***CERTIFICATE.*** A certificate of public convenience and necessity issued in accord with this chapter.

***DRIVER'S PERMIT.*** The permit issued by the city, after examination, authorizing a person to drive a taxicab operating under this chapter.

***OWNER.*** The person who owns a taxicab operating under this chapter, or the person who is in charge of the operation of the taxicab.

***TAXICAB.*** Every vehicle driven or propelled by gasoline, electric motor or other mechanical devices, other than motor buses operating along regular routes or schedules, which is used for the purpose of carrying, transporting or conveying any person from one place to another, for which service a charge or fee is made, not including any transportation networking company regulated under General Statutes Chapter 20, Art. 10A.

***TAXICAB COMPANY*** A sole proprietorship, corporation, professional corporation, non-profit corporation, limited liability company, limited partnership, limited liability partnership or any other partnership whether or not formed under the laws of the State of North Carolina in the business of owning, operating, leasing or providing taxi cabs or taxi cab services for hire by the public. All foreign business enterprises must be licensed by the Secretary of State of North Carolina to do business in North Carolina.  
(^90 Code, § 19-1)

### **§ 113.02 TAXICAB INSPECTOR.**

(A) There is created the office of Taxicab Inspector, who shall be appointed by the City Manager,.

(B) The Taxicab Inspector shall be responsible for the inspection of taxicabs, the practical administration of this chapter and other ordinances [WHAT OTHER ORDINANCES?], and the safety and welfare of the public in connection with the operation and use of taxicabs. The Taxicab Inspector shall advise the City Manager, the Chief of Police with respect to matters governed or incidentally involved in the operation or administration of this chapter. He or she shall make recommendations to the City Manager with respect to the adequacy of taxicab service in the city. He or she shall make such studies and recommendations as he or she may deem advisable, looking toward the more efficient operation of taxicabs to the end that the public safety and welfare will be served and proper and adequate taxicab service to the general public will be promoted. He or she shall report to the City Manager, the names of all taxicab drivers' permits recommended, granted or denied and all those recommended to be revoked, and shall

make such other reports to the City Manager and the Council as may be requested from time to time.

(Ord. passed 7-8-69)

### **§ 113.03 RESPONSIBILITY OF OWNER; COMPLIANCE.**

Every owner of a taxicab or taxicab company shall comply with the provisions of this chapter and require that all drivers or chauffeurs driving or proposing to drive any taxicabs for the owner adhere to and at all times conform to the requirements of this chapter. No such owner shall drive or operate any taxicab upon the streets of the city in violation of any of the provisions of this chapter or other ordinances of the city. Further, no owner shall knowingly permit or cause to be driven or operated upon any of the streets or other public ways of the city any taxicab belonging to the owner by any driver or chauffeur who has not complied with or who violates any of the provisions of this chapter or other ordinances of the city relating to the chauffeur or driver.

(90 Code, § 19-3)

### **§ 113.04 FEDERAL STATUTES AND REGULATIONS.**

Nothing contained in this chapter shall be construed to relieve or attempt to relieve operators and owners of taxicabs from compliance with any rule, regulation or statute made by the Congress of the United States or promulgated pursuant to authority of any action of the Congress of the United States or other authorized federal agency.

(90 Code, § 19-4)

### **§ 113.05 INFORMATION FILED BY OWNER.**

Every owner of a taxicab or taxicab company shall maintain on file with the Taxicab Inspector his or her name, business address, garage address, all business telephones listed in his or her name, the names of all drivers, their license numbers and addresses and shall, within 48 hours after any change in connection therewith is made, report the change to the Taxicab Inspector.

AND VEHICLES?

(90 Code, § 19-6) Penalty, see § 10.99

## **REGULATIONS**

### **§ 113.20 INSURANCE;<sup>1</sup>**

(A) No person engaged in the business of transporting passengers for hire over the public streets of the city shall operate on the public streets of the city any taxicab, except those operated under the jurisdiction of the State Utilities Commission, without furnishing and keeping in effect for each taxicab so operated a policy of insurance. The policy of insurance shall obligate the operator to be responsible for money damages for legal liability incurred on account of bodily

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<sup>1</sup> "Bond" is removed under the assumption that taxicab owners will not be able to obtain bonds. In addition, the City Council may not be equipped to judge the sufficiency of the sureties. Also, since 2008 bonding companies do not pay unless and until litigation is filed to compel payment. Roxboro won't file lawsuits over the relatively small amounts of money involved.

injury to persons or damage to or destruction of property resulting from the operation of the operator's taxicab upon the streets of the city, and shall be such amounts as the City Council shall from time to time require.

(B) The policy of insurance shall be filed with the Taxicab Inspector as a condition precedent to the operation of any taxicab over the streets of the city.

(C) Any insurance policy filed in accordance with this section shall provide that the same shall not be canceled without first giving thirty days' notice to the policy holder. If a taxicab owner or taxi cab company owner receives a notice of cancellation of an insurance policy, or any line of coverage, the owner will notify the Taxicab Inspector within five business days.<sup>2</sup>

(D) It shall be deemed a sufficient compliance with this section if a certificate issued by the insurer showing that the insured has secured the required insurance and that the same is in force and is filed with the Taxicab Inspector. If the certificate is filed, the original policy may be surrendered.

(^90 Code, § 19-5)

### **§ 113.21 MAXIMUM FARES.**

The maximum rates to be charged passengers of taxicabs operating under this chapter shall be such as are prescribed from time to time by the City Council.

(^90 Code, § 19-8)

### **§ 113.22 FARE SCHEDULE IN VEHICLE.**

No owner of a taxicab shall allow or permit the same to be driven or operated upon the streets of the city unless there is posted and kept posted in the taxicab a printed schedule of fares and rates not exceeding the maximum amounts prescribed by the Council. The schedule of fares and rates shall be in such form and posted in such places in the interior of the taxicab as may be approved by the Taxicab Inspector.

(^90 Code, § 19-9)

### **§ 113.23 EXCESS FARE; FAILURE TO PAY.**

It shall be unlawful for the owner or driver of any taxicab to charge or collect from any passenger any fare in excess of the rates prescribed by the Council or for any passenger to fail or refuse to pay any fare charged in accordance therewith.

(^90 Code, § 19-10) Penalty, see § 10.99

### **§ 113.24 INSPECTION OF VEHICLES.**

(A) Before a taxicab may be operated under a license issued under this chapter, the owner thereof shall cause the same to be delivered to and inspected by the Taxicab Inspector, who shall examine the same to determine that the cab is mechanically and structurally in good repair and working order and will not be unsafe to operate.

(B) In addition to the inspection required above prior to the initial operation of a taxicab, the Taxicab Inspector shall have the right, at any time, after displaying proper identification, to enter

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<sup>2</sup> Insurance companies no longer give notices to third parties.

into or upon any taxicab for the purpose of inspection and of ascertaining whether or not the taxicab is unsafe or in any way unsuitable for taxicab service.  
(90 Code, § 19-11)

### **§ 113.25 MAINTENANCE RECORD.**

Every owner is required to institute a system of regular monthly inspections of all taxicabs and equipment owned and operated by him or her (or his or her taxicab company) and to keep all such taxicabs and their equipment in proper and safe repair and in good sanitary condition at all times. A record of all such inspections shall be kept by the owner and shall be available to the Taxicab Inspector at all times.

(90 Code, § 19-12) Penalty, see § 10.99

### **§ 113.26 DEFECTIVE VEHICLES.**

If the Taxicab Inspector finds, upon any inspection made as provided in this chapter, that a taxicab is unsafe or in any way unsuitable for taxicab service, he or she is authorized and empowered to immediately order the same out of service and require that the same be kept out of service until it has been repaired and re-inspected and approved by the Taxicab Inspector. Any owner whose taxicab is found to be unsafe for taxicab operation shall have such repairs and alterations made as may be required, and no such owner shall keep any taxicab in taxicab service during the period in which it is found by the Inspector to be unsafe or unsuitable for taxicab service.

(90 Code, § 19-13) Penalty, see § 10.99

### **§ 113.27 VEHICLE IDENTIFICATION.**

(A) *Company name.* No person shall operate or cause to be operated within the city any taxicab carrying passengers for hire from place to place within the city unless the correct name and telephone number of the person or firm owning and operating the vehicle is clearly and visibly marked on both sides of the vehicle in permanent letters at least four inches high.

(B) *Vehicle number.* The Taxicab Inspector shall assign a number to each taxicab permitted to be operated under the provisions of this chapter. The numbers shall begin with number one and shall run consecutively from that number up to and including the total number of taxicabs authorized to be operated in the city. No two taxicabs shall be numbered the same, it being the intent of this section that the numbering of taxicabs in the city shall not be according to the number operated by any individual firm or owner, but shall be according to the total number of taxicabs authorized to be operated within the city. Each person receiving a license under this chapter shall appear before the Taxicab Inspector for assignment of a number for the taxicab covered by the license, and the number so assigned shall be permanently marked on the sides of the taxicab, immediately below the required name and telephone number, in numerals four inches high. No person shall operate or cause to be operated any taxicab without the number being painted thereon as required by this section, or to operate or cause to be operated any taxicab which is numbered in any manner except as required by this section. No person shall operate more than one taxicab with the same numbers marked thereon.

(90 Code, § 19-14) Penalty, see § 10.99

### **§ 113.28 LIGHTED SIGN.**

Each taxicab operated in the city shall have on the top thereof an electrically lighted sign displaying the word "Taxi."  
(90 Code, § 19-15) Penalty, see § 10.99

### **§ 113.29 HOURS OF OPERATION.**

The regulation of hours for each taxicab shall be under the supervision of the City Manager, it being the intention to so regulate and distribute the hours as to make certain, as nearly as possible, that as many cabs as are needed may be available at any given time.  
(90 Code, § 19-16)

### **§ 113.30 MOST DIRECT ROUTE.**

Any taxicab driver employed to carry a passenger to a definite point shall take the most direct route possible that will carry the passenger safely and expeditiously to his or her destination.  
(90 Code, § 19-17) Penalty, see § 10.99

### **§ 113.31 PARKING NEXT TO TAXICAB STANDS.**

No person, while operating or in control of any taxicab, shall park the taxicab or allow it to remain stationary, whether occupied or not, in any street adjacent to premises or parking lots designated for the use of taxicabs. The stopping of a taxicab at the points herein referred to for sufficient time to let off passengers, and no longer, shall not be deemed a violation of this section.  
(90 Code, § 19-18) Penalty, see § 10.99

### **§ 113.32 STOPPING AT BUS STOP.**

The driver of a taxicab shall not park or stand the same at any regular bus stop in the city or ask or solicit employment at any such bus stop. It shall likewise be unlawful for the owner of any taxicab to permit or allow any driver employed by him or her to violate any provision of this section.  
(90 Code, § 19-19) Penalty, see § 10.99

### **§ 113.33 REPORT OF ACCIDENT.**

No driver of any taxicab shall move the same or cause the same to be moved, after a collision or accident involving the taxicab, until the driver has first reported the same to the Police Department of the city and a police officer arrives at the scene of the accident or collision and authorizes the moving of the taxicab.  
(90 Code, § 19-20) Penalty, see § 10.99

## **LICENSE**

**§ 113.45 REQUIRED.**

No person shall operate any taxicab in the city without first having obtained a license from the City Manager or designee authorizing the operation.

(^90 Code, § 19-36) Penalty, see § 10.99

**§ 113.46 APPLICATION FORM.**

(A) All persons applying to the City Manager or designee for a license for the operation of a taxicab company or one or more taxicabs shall file with the City Manager or designee a sworn application therewith, on the following form provided by the City:

"TO THE CITY MANAGER OF THE CITY OF ROXBORO:

The undersigned hereby makes application for a license for the operation (i) of \_\_\_\_\_ taxicabs or (ii) a taxicab company under and in accordance with the provisions of Chapter 113 of the Roxboro Code of Ordinances, and presents to the City Manager the following information:

(1) The applicant is familiar with the Ordinances of the City of Roxboro relating to liability insurance, driver regulations, regulations of rates and other matters pertaining to the operation of taxicabs.

(2) The individual, corporate or trade name and business address of the applicant is:

\_\_\_\_\_  
(Name) (Address)

The registered agent of the corporation, partnership or other business entity is:

\_\_\_\_\_  
(Name) (Address)

(3) Applicant is:

A. \_\_\_\_\_ An individual and sole owner of the taxicab business to be operated under the above name.

B. \_\_\_\_\_ A partnership consisting of the following persons: (Give names and addresses)

C. \_\_\_\_\_ A corporation chartered under the laws of \_\_\_\_\_ in the year \_\_\_\_, and officers of the corporation are:  
(Give names and business addresses)

(4) Applicant is requesting a license to operate (number) \_\_\_\_\_ of taxicabs.

(6) In support of this application, there is attached hereto and made a part hereof the following exhibits:

Exhibit A. <sup>3</sup> A complete list of applicant's motor equipment, showing year, make, model and carrying capacity of each unit.

<sup>3</sup> This is the requirement for a quasi-judicial hearing. Unless there is something to be gained by having a legal hearing with sworn witnesses, cross-examination and evidentiary findings, I suggest avoiding the complication.

Exhibit B. Insurance policies or certificates of insurance for the vehicles, owner(s).  
[statement showing assets, liabilities and net worth of applicant. *Such a financial statement is not a public record. It can be collected, but unless it is important, and City has a way to use the financial statement to evaluate the application I'd drop it AB*]

Exhibit C. Statement showing applicant has made complete arrangements for off-street parking of all such motor vehicles.

Exhibit D. Statement of proposed fares for transportation of persons and property.

Exhibit E. Statement of experience of applicant in conducting taxicab business.

(Signed) \_\_\_\_\_

Owner (s)

ATTEST (Notary Public)

My commission expires: \_\_\_\_\_ .”

(B) The applicant shall also furnish any additional commercially reasonable information that the City Manager or designee shall require.

(^90 Code, § 19-37) Penalty, see § 10.99

### **§ 113.47 CITY MANAGER ACTION.**

(A) No license shall be granted under this chapter unless the City Manager or designee shall, after a review of the application and a personal interview of the applicant(s), if requested by the City Manager , determine that the requirement of this Chapter have been met.

(B) In determining whether public convenience and necessity require the operation of a taxicab or taxicabs for which application for a certificate or certificates is made, the Council shall consider and investigate whether the demand of the public requires additional taxicab service; the adequacy of existing mass transportation and taxicab service; the financial responsibility and experience of the applicant; the ability of the applicant to earn a fair return on the capital invested; the number, kind and type of equipment and the color scheme to be used; the effect which such additional taxicab service may have upon traffic congestion and parking; whether the additional taxicab service will result in a greater hazard to the public; and such other relevant facts as the Council may deem advisable or necessary.

(^90 Code, § 19-38)

### **§ 113.48 APPEAL TO CITY COUNCIL**

(A) If the City Manager or designee denies and application for a license, the owner(s) / applicant(s) may request a hearing before the City Council. Appeals shall be made in writing within thirty (30) calendar days of denial of the application.

(B) Appeals shall be made on a form provide by the Taxicab Inspector. The City Council may adopt a fee for the appeal.

(C) The City Manager or designee shall forward the application and the written reasons for denial of the application to the City Council, as well as the appeal form received.

(D) The City Clerk shall schedule the appeal at a convenient time, but in case later than sixty days after receipt of a completed appeal form and fee.

(E) The City Council will consider the appeal in a quasi-judicial proceeding and base their decision on sworn or verified testimony of the parties and witnesses present, and any

written evidence accepted by the Council. Decisions shall be based on substantial, competent and relevant evidence submitted at the public hearing.

#### **§ 113.49 FEE.**

The owner of each taxicab for which a license is granted shall pay to the city for each such cab a fee, the amount of which shall be as set from time to time by the City Council. The fee shall be in addition to, and not in lieu of, any other license fees and charges established by proper authority and applicable to taxicabs in the city.

(^90 Code, § 19-39) Penalty, see § 10.99

#### **§ 113.50 ISSUANCE.**

The City Manager, designee or Council shall grant to every person who has filed application therefor as provided in this chapter a license for the taxicab(s) or taxicab company, subject to such commercially reasonable conditions as the City Manager or Council may require, provided that:

(A) The owner thereof shall have complied with all the provisions of this chapter.

(B) The vehicle(s) for which application for a certificate is made is found to be in strict compliance with this chapter.

(^90 Code, § 19-40)

#### **§ 113.51 MEMORANDUM LICENSE.**

For each taxicab for which a license has been granted a memorandum license shall be issued in such form as the City Manager may, from time to time, prescribe, such memorandum license to be displayed at all times in a conspicuous place in the taxicab for which issued.

(^90 Code, § 19-41)

#### **§ 113.52 ASSIGNMENT OR TRANSFER.**

No license may be assigned or transferred except upon written application to the City Manager or designee setting forth the purpose, terms and conditions of the assignment or transfer. The City Manager or designee shall, after investigation, approve or disapprove the assignment or transfer.

(^90 Code, § 19-42) Penalty, see § 10.99

#### **§ 113.53 EXPIRATION.**

All licenses shall expire one year from the date the license was granted. *[Is this followed? I assume the deadline of June 30 comes from privilege licenses. AB]*

(^90 Code, § 19-43)

#### **§ 113.54 RENEWAL.**

Upon application prior to the termination of each year, the City Manager or designee may renew any license or cause a new license to be issued for the ensuing year in the absence of any contrary evidence regarding the continued validity of the facts of the application for the taxicab service.

(90 Code, § 19-44)

### **§ 113.55 SUSPENSION; REVOCATION.**

(A) Licenses issued under this chapter may be suspended or revoked by the City Manager or designee at any time in case:

(1) The owner fails to operate the taxicab in accordance with the provisions of this chapter or violates any provision of this chapter;

(2) The owner ceases to operate the taxicab for a period of 30 consecutive days without having obtained permission for cessation of the operation from the City Manager or designee; or

(3) For any other reason which the City Manager or designee may deem warrants suspension or revocation.

(B) No license shall be revoked unless and until 48-hours notice as shown by the record of service of the notice of a hearing thereon has been given to the holder of the license and the hearing is duly had thereon.

(C) A license which has been suspended or revoked by the City Manager shall be surrendered by the holder thereof, and the operation of any taxicab covered by the license shall cease.

(90 Code, § 19-45)

### **§ 113.56 CHANGE OF OWNERSHIP.**

Change of ownership of or title to any taxicab or taxicab company shall automatically revoke any license previously granted for the operation of the taxicab or taxicab company. The purchaser of any such taxicab or taxicab company may not operate the vehicle as a taxicab until he or she has applied for and been granted a new license in the manner provided in this chapter. For the purposes of this section, a change of ownership is deemed to have taken place, in addition to other methods usually employed, if the owner of any taxicab leases the same to any person under any lease or other arrangement whereby the person shall have the right, upon the payment of an amount of money or other consideration, to acquire title at any future date to the taxicab or any other thing of value.

(90 Code, § 19-46)

### **§ 113.57 REPLACEMENT VEHICLE.**

(A) Whenever an owner sells or transfers title to any taxicab for which licenses have been granted and the vehicle is retired from use as a taxicab, and, within the 30 days after such sale or transfer, purchases another taxicab, the City Manager or designee shall, as a matter of right, upon written application within 30 days of the purchase, issue new licenses for the operation of no greater number of taxicabs than those so sold or transferred, provided the owner has complied with all the provisions of this chapter.

(B) Any owner whose taxicabs, for which licenses have been granted, have been destroyed

involuntarily or who voluntarily destroys any taxicab, will, as a matter of right, upon written application to the City Manager or designee within 30 days after the destruction, be issued new licenses for the operation of no greater number of taxicabs than those so destroyed, upon satisfactory evidence presented to the City Manager or designee of the destruction, provided the owner has complied with all the provisions of this chapter.  
(90 Code, § 19-47)

### **§ 113.58 WHEN VEHICLE RETIRED AND NOT REPLACED.**

Any owner who permanently retires any taxicab from taxicab service and does not replace the same within 30 days thereof shall immediately surrender any license granted for the operation of the taxicab to the City Manager or designee, and the owner may not secure any additional license for the operation of a taxicab without having first made application therefor in the manner provided in this chapter.  
(90 Code, § 19-48) Penalty, see § 10.99

## ***DRIVER'S PERMIT<sup>4</sup>***

### **§ 113.70 REQUIRED.**

No person shall drive any taxicab carrying passengers for hire from place to place within the city unless he or she has first applied for and secured a permit from and paid a \$15.00 fee to the City Manager or designee.  
(90 Code, § 19-66) Penalty, see § 10.99

### **§ 113.71 INFORMATION ON APPLICATION.**

An application for a driver's permit required by this subchapter shall be filed with the Taxicab Inspector. The application shall be in writing, signed and sworn to by the applicant, and shall contain the following specific information:

- (A) The full name, age and address of the applicant.
- (B) The length of time of his or her residence in the city and in North Carolina, and whether or not he or she is a citizen of the United States.
- (C) His or her full personal description, including his or her height, weight, race, color of eyes, complexion, color of hair and body and facial marks and defects, if any.
- (D) His or her previous experience in driving taxicabs.
- (E) Whether or not he or she has been convicted of a felony against this State, or conviction of any offense against another state which would have been a felony if committed in North Carolina and full information concerning same,
- (F) Whether he or she has been convicted of any violation of the law or ordinance in the operation of a motor vehicle, and if so, full information concerning the same; whether he or she has been convicted of any federal or State law relating to the sale, possession or use of narcotic or barbiturate drugs or alcoholic beverages, and if so, full information concerning the same.
- (G) The number and date of issuance of the state driver's or chauffeur's license issued to the applicant.

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<sup>4</sup> Changes made in this Part are required by G.S. § 160A-304, Regulation of Taxicabs, amended in 2015.

(H) A consent to a criminal background check and use of the applicants photographs and finger prints to be conducted by the NC Department of Public Safety at the request of the City, and consent that the applicant's finger prints may be forwarded by the Dept. of Public Safety to the FBI for a national criminal history check.  
(90 Code, § 19-67)

### **§ 113.72 PHOTOGRAPHS AND FINGERPRINTS.**

Each applicant for a permit under this subchapter shall have his or her full fingerprints taken and shall have his or her photograph, both front and side view, with his or her hat on and hat off, taken, and such fingerprints and photographs of the applicant shall be filed with the Taxicab Inspector and shall accompany the written application mentioned in § 113.71 and shall constitute a part of the application. The finger prints are not a public record.  
(90 Code, § 19-68)

### **§ 113.73 PHYSICIAN'S CERTIFICATE.**

Each applicant for a permit under this subchapter shall submit with his or her application as a part thereof a certificate of a reputable physician in the city showing that, after examination, the applicant is not afflicted with any disease, physical disability or physical affliction which could materially impair his or her ability to drive a taxicab in a safe manner. The certificate shall also specifically state the condition of the hearing and eyesight of the applicant. The physicians certificate is not a public record.  
(90 Code, § 19-69)

### **§ 113.74 ACTION OF CITY MANAGER .**

(A) The Taxicab Inspector shall transmit each application for a permit under this chapter, together with the fingerprints and photographs of the applicant and the certificate of the physician, to the City Manager or designee for its consideration. The Taxicab Inspector shall make such recommendations to the City Manager concerning any such application as he or she may deem consistent with the public interest, welfare, morals and safety. The City Manager or designee, upon favorable findings by it, shall order the permit issued.

(B) The following factors shall be deemed sufficient grounds for refusing to issue a permit or for revoking a permit already issued:

- (1) Conviction of a felony against this state or conviction of any offense against another state which would have been a felony if committed in this state;
- (2) Violation of any federal or state law relating to the use, possession or sale of alcoholic beverages or narcotic or barbiturate drugs;
- (3) Addiction to or habitual use of alcoholic beverages or narcotic or barbiturate drugs;
- (4) Violation of any federal or state law relating to prostitution;
- (5) Noncitizenship in the United States;
- (6) Habitual violation of traffic laws or ordinances.

(C) The City Council or designee may likewise refuse to issue the permit to anyone whose physical or mental condition as shown on the physician's certificate is such that, it would be unsafe to passengers or to the public generally for such a person to drive a taxicab.

(D) Appeals may be made to the City Council [*Appeals are not recommended because private information will be publicly disclosed. Let me know your thoughts. AB*]  
(^90 Code, § 19-70)

### **§ 113.75 IDENTIFICATION OF DRIVER.**

(A) *Issuance.* When a permit to drive a taxicab is issued by the City Manager in accordance with the provisions of this subchapter, the permittee shall pay a fee for the issuance to him or her of an identification card by the Taxicab Inspector.

(B) *Contents.* The card shall not be less than 3¾-inches by 4¾-inches in dimension, shall contain a full-view photograph of the permittee and his or her name, together with the number of the chauffeur's license issued to him or her by the state shall have printed thereon in type the following language:

"TO THE PASSENGER OF THIS CAB: If the description of the driver of this cab does not conform to the photograph herein, you will please leave the cab and notify the Police Department immediately, giving the name of the cab and the operating name of the concern."

(C) *Display.* The identification card issued under division (A) of this section shall be kept by the driver to whom it is issued on the inside of the taxicab which he or she is operating, in a permanent container which the owner shall furnish for that purpose in the space immediately above the front windshield and in the middle thereof, measured from the left door to the right door. The identification card shall at all times be in full view of the passengers riding in either the front or the rear seat of the taxicab, and the identification card container in which the identification card is inserted shall be permanently attached in such location in each taxicab which the driver is operating or has in his or her charge.

(^90 Code, § 19-71) Penalty, see § 10.99

### **§ 113.76 EXPIRATION AND RENEWAL.**

All permits issued under this subchapter shall automatically expire one year following the date of issuance. The permits may be renewed for periods of 12 months by the City Manager or designee upon application and compliance with the same terms and conditions as are prescribed for original applications and the issuance of original permits.

(^90 Code, § 19-72)

## CHAPTER 116: COMMERCIAL SOLICITATION

### Section

- 116.01 Intent
- 116.02 Definitions
- 116.03 Permit required
- 116.04 Permit application
- 116.05 Procedures for considering application
- 116.06 Permit renewal
- 116.07 Appeals
- 116.08 Revocation of permit
- 116.09 Exemptions
- 116.10 Solicitation regulated near rights-of-way
- 116.99 Penalty

### § 116.01 INTENT.

The purpose of this chapter is to regulate door-to-door salesmen, itinerant merchants, and peddlers doing business in the city, and to thereby promote the public safety, health, and welfare. (Ord. passed 4-11-06)

### § 116.02 DEFINITIONS.

For purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

**DOOR-TO-DOOR SALESMAN.** A person who travels from dwelling to dwelling selling or offering for sale or taking orders for the sale of any goods, wares, magazines, periodicals, services or other merchandise of any kind.

**ITINERANT MERCHANT.** A person, other than a merchant with an established retail store in the city, who transports an inventory of goods to a building, vacant lot, or other location in the city, and who, at that location, displays the goods for sale and sells the goods at retail or offers the goods for sale at retail.

**PEDDLER.** A person who travels from place to place with an inventory of goods, who sells the goods at retail or offers the goods for sale at retail, and who delivers the identical goods.

**PERSON.** An individual, a firm, an association, a partnership, a limited liability company, a corporation, or another group acting as a unit. (Ord. passed 4-11-06)

### § 116.03 PERMIT REQUIRED.

(A) No person shall conduct any business within the city as a door-to-door salesman, itinerant merchant, or peddler until such person has obtained a commercial solicitation permit in accordance with this chapter and has paid an administrative fee to the city of \$10<sup>5</sup> for processing of the permit.

(B) No person shall conduct any business within the city as a door-to-door salesman, itinerant merchant, or peddler unless:

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<sup>5</sup> Suggest increasing this

- (1) Such activity occurs between the hours of 9:00 a.m. and 8:00 p.m.;
  - (2) The commercial solicitation permit is carried at all times by the permittee when engaged in the activity and is displayed when requested by any police officer or person solicited; and
  - (3) All other permits or licenses required by law have been obtained .
- (Ord. passed 4-11-06)

#### **§ 116.04 PERMIT APPLICATION.**

(A) Applications for commercial solicitation permits under this chapter shall be submitted to the Police Department during normal business hours (Monday through Friday, 9:00 a.m. to 5:00 p.m.) on a form provided by the Police Department, under oath, and shall include, but not be limited to, the following information:

- (1) The full name of the applicant;
- (2) The permanent residence address of the applicant;
- (3) The applicant's temporary address in or in the vicinity of the city, if applicable;
- (4) The name and address of the applicant's employer or the organization with which the applicant is associated in connection with activity;
- (5) The type(s) of goods, wares, merchandise, food, periodicals or services to be sold, offered for sale, displayed, or delivered;
- (6) The period for which the application is sought, which shall not exceed one year from the date of issuance of the permit, except that permits may be renewed in accordance with § 116.06;
- (7) A record of all crimes of which the applicant has been convicted or has pleaded no contest in the ten years preceding the submittal of the application;
- (8) The age and height of the applicant and any other additional information which the city may reasonably require for identification, including a copy of the document(s) used by the applicant to verify personal identification (e.g., driver's license, passport, picture I.D.); and
- (9) A complete listing of and information concerning all other permits or licenses, which were obtained by the applicant.

(B) If an application is filed by an employer, there shall also be filed separate applications for each individual engaging in the activity, giving the information set forth above for each such individual and signed and sworn to by each such individual, and a separate permit shall be issued for each such individual.

(Ord. passed 4-11-06)

#### **§ 116.05 PROCEDURES FOR CONSIDERING APPLICATION.**

(A) Upon receipt of a complete application, the Police Chief or designee shall make such investigation as is reasonably necessary to verify the information in the application and to assure compliance with the provisions of this chapter and shall issue a permit unless the applicant:

- (1) Has not submitted a complete application, along with the administrative fee for the permit;
- (2) Is not permitted by law to engage in the activity due to age;
- (3) Has been convicted of, or has pleaded no contest to, a felony charge within the ten years preceding the submittal of the application;
- (4) Has been, within the previous five years, convicted of, or pleaded no contest to, a misdemeanor charge under G.S. § 66-257, or a misdemeanor charge, involving theft, fraud, forging, uttering, or other crimes of like nature or any crime involving moral turpitude;
- (5) Does not have valid driving privileges in the state in those cases where the applicant will

be operating a vehicle in the course and scope of the commercial solicitation; or

(6) Has not obtained the necessary licenses, including privilege licenses.

(B) The Police Chief shall have up to 72 hours to approve or deny an application and issue a permit.

(Ord. passed 4-11-06)

#### **§ 116.06 PERMIT RENEWALS.**

Commercial solicitation permits may be renewed by following the procedures in §§ 116.04 and 116.05.

(Ord. passed 4-11-06)

#### **§ 116.07 APPEALS.**

The appeal of a refusal to issue a permit or the revocation of a permit shall be made to the City Manager by filing a written notice of appeal, specifying with particularity the grounds upon which the appeal is made, no later than ten days from the date of the refusal to issue a permit or the revocation of a permit. The City Manager shall fix a reasonable time for the hearing of the appeal, shall give due notice to all parties, and shall render a decision within a reasonable time. The order or decision of the City Manager shall be final municipal action for the purpose of judicial review.

(Ord. passed 4-11-06)

#### **§ 116.08 REVOCATION OF PERMIT.**

Permits issued under this chapter may be revoked by the Police Chief, after notice and hearing, for any of the following causes:

(A) Any fraud, misrepresentation or false statement contained in the application for the permit;

(B) Any fraud, misrepresentation or false statement made in connection with the selling of goods, wares, merchandise and services;

(C) Any violation of this code and/or other ordinance of the city;

(D) Conducting the activity under this code and/or any ordinance of the city in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety, morals or general welfare of the public; and

(E) Where evidence is presented, it is shown that the applicant has been arrested for a felony or a misdemeanor under G.S. § 66-257 or a misdemeanor involving theft, fraud, forgery, moral turpitude, criminal trespass, or a threat to the public safety during the permit period, or has otherwise violated the provisions of this chapter.

(Ord. passed 4-11-06)

#### **§ 116.09 EXEMPTIONS.**

The following are exempt from the provisions of this chapter:

(A) The delivery of goods or services which have been ordered before delivery;

(B) The circulation of petitions for signature or lawful distribution of advertising materials, flyers, or materials expressing views on political, social, or religious matters;

(C) The lawful promotion or expression of views concerning political, social, religious and other like matters;

(D) The selling or offering for sale of goods, wares, merchandise, food, periodicals or

services by bona fide members or representatives of charitable, religious, civic, educational or fraternal organizations, and who receive no compensation of any kind for their services, and such sale or offering by children under the age of 18 years who are students in a public or private school for school activities;

(E) The solicitation of contributions or pledges thereof for bona fide nonprofit organizations;

(F) The selling or delivery of goods to business establishments; and

(G) The selling of an individual's household personal property at a yard sale on the premises of the individual's residence.

(H) Any person or group who holds a permit issued under the Code of Ordinances Chapter 95. (Ord. passed 4-11-06)

#### **§ 116.10 SOLICITATION REGULATED NEAR RIGHTS-OF-WAY.**

(A) No person shall stand or loiter in the main traveled portion, including the shoulders and median, of any city or state highway or street, or stop any motor vehicle for the purpose of soliciting employment, business or contributions from the driver or occupant of any motor vehicle that impedes the normal movement of traffic on the public highways or streets; provided that the provisions of this section shall not apply to (1) licensees, employees or contractors of the Department of Transportation or of any municipality engaged in construction or maintenance or in making traffic or engineering surveys, or (2) As provide below.

(B) No person shall conduct any business as an itinerant merchant or peddler within 20 feet of any right-of-way in the city, or on any sidewalk without a permit as provide above.

(C) Individuals over the age of 15 may solicit motor vehicles on roads other than state-maintained roads to solicit employment, business or contributions or deliver or offer to deliver a tangible thing to an occupant of a motor vehicle if:

- (1) The vehicle is traveling on a street that has a speed limit of 35 MPH or less.
- (2) The vehicle is in one of the following locations:
  - (a) On a two-way street and the vehicle is located in the travel lane that is rightmost from the driver's viewpoint;
  - (b) On a one-way street with two or more travel lanes and the vehicle is located in the travel lane that is rightmost or leftmost from the driver's view point;
  - (c) On a street with one travel lane, and the vehicle is located in the travel lane; and
- (3) The vehicle is approaching a traffic signal or sign the requires the vehicle to come to a complete stop; and
- (4) The individual is on a paved sidewalk.
- (5) The individual may only solicit during daylight hours. Daylight hours are from 20 minutes after sunrise to 20 minutes before sunset.
- (6) The individual must wear Class II or class III ANSI 107-2004 outerwear that is reasonably clean and in good repair. No more than four square inches of the outerwear may be obscured by anything attached to or resting on the outerwear.
- (7) The individual may not carry or display a sing greater than two square feet in area, or display anything with illuminated, animated, blinking, chasing, flashing, or moving effects that may be seen by a person with 20-20 vision from a distance of four feet.
- (8) Individuals may not solicit in work zones.
- (9) While delivery or offer to deliver is occurring, it is not a violation of this ordinance if the driver of the vehicle comes to a complete stop in order to comply with a traffic signal or a

stop sign.

- (10) It is not a violation of this ordinance if the individual is on the side of the vehicle closest to the edge of the road way while delivering or offering to deliver a tangible thing to a vehicle or accept a tangible thing from a vehicle.

**§ 116.99 PENALTY.**

Commercial solicitation without a permit or otherwise in violation of any of the provisions of this chapter, including failing to surrender a revoked permit, shall constitute a criminal misdemeanor and shall subject the offender to a fine of not more than \$500 or imprisonment for not more than 30 days or a civil penalty under §10-99 of this ordinance.

(Ord. passed 4-11-06)

## 2. Rezoning Request - 423 S. Madison Boulevard Public Hearing

# Memo



**To:** Mayor Newell and Roxboro City Council  
**From:** Lauren Johnson/ Planning & Development Director  
**cc:** Trevie Adams City Clerk (for City Records)  
**Date:** November 7, 2018  
**Re:** Recommendation from Planning Board Regarding Rezoning Request for  
Property at 423 S Madison Boulevard, Tax Map 23 Lot 18

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Madam Mayor and Council,

Please be advised that the City of Roxboro Planning Board met on October 1<sup>st</sup>, 2018 to review a request for a Rezoning for the parcel located at the corner of Madison Boulevard and Harris Street, identified as Tax Map 23, Lot 18.

Upon review of the enclosed application and staff report, the City Planning Board offers a unanimous favorable recommendation to approve the request for Rezoning. Enclosed you will find the written consistency statement signed by the Planning Board Chair and department head.



**Required Submittal Items:**

A complete application must contain the following additional items for consideration:

- Application Fee - \$200 (cash, check, or money order accepted)
- Copy of the applicable Person County Tax Map, or other documentation verifying the location and size of the parcel(s)
- Property Deed - Please enclose most recent deed to the property. This can be obtained from the Person County Register of Deeds Office.
- Survey Plat - Please enclose a copy of the property survey plat, if on record with the Person County Register of Deeds Office.
- If the applicant is not the owner of the property, a letter must be provided with the notarized signature of the property owner, verifying awareness of the request being made.
- List of adjacent property owners, with addresses of same.

419 S Madison Blvd  
Owner DLLTCP LLC to the right  
PO BOX 488 Roxboro NC 27573

114 Harris St.  
McGhee Walter F Jr. Behind  
57 Crawley McGhee Ln  
Leasburg NC 27291

Lot across Harris St. to the left  
Giorgis ~~Mecheil~~ Mecheil  
714 Chub Lake Rd.  
Roxboro 27573

FILED  
Person County  
Russell Jones  
Tax Administrator

FILED in PERSON County, NC  
on Aug 13, 2018 at 09:53:02 AM  
by: TONYA R. WILSON  
REGISTER OF DEEDS  
Book 987 Page 416  


Issued Aug 13, 2018  
**\$60.00**  
State Of North Carolina  
Person County  
Real Estate Excise Tax  
377453

**NORTH CAROLINA  
GENERAL WARRANTY DEED**

Excise Tax: \$ 60.00

Tax Map: 23-18

Mail after recording to: Grantee

This instrument was prepared by: Christy M. Grissom, Attorney  
GRISSOM & HOLLOMAN, P.C.

Brief Description for the Index: **Lot, Roxboro Township**

THIS DEED made this 13<sup>th</sup> day of August, 2018 by and between

**GRANTOR**

**MARY MARIE BREEDLOVE CHAMBERS** and husband,  
**GLEN BARRY CHAMBERS**  
166 Hickory Leaf Court  
Roxboro, North Carolina 27573

**GRANTEE**

**LARRY A. DOWELL** and wife,  
**BARBARA M. DOWELL**  
8490 Hurdle Mills Road  
Hurdle Mills, North Carolina 27541

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land, and all improvements and appurtenances thereto, and more particularly described as follows:

Being that certain tract or parcel of land lying and being in the Roxboro Township, within the corporate limits of the City of Roxboro, Person County, North Carolina and BEGINNING at a stake in the Western margin of Madison Boulevard, the corner of Lot No. 3 of the property of H. W. Newell as shown by a plat prepared by W. R. Cates, January 3, 1950 and running thence with the said margin of said Boulevard, South 12° 29' East 83 feet to a stake, the Northern intersection of

Harris Street with Madison Boulevard; thence with the Northern margin of Harris Street, North 83° 20' West 168.8 feet to a stake, the corner of Lot No. 1; thence with the line of Lot No. 1, North 6° 40' East, 75 feet to the point of beginning, being Lot No. 2 of the above referred to plat.

This property is currently known generally as "423 S. Madison Boulevard" in Roxboro, North Carolina.

The above described property  does not include the primary residence of the Grantor.

This is the same that was acquired by the Grantor by Deeds recorded in Deed Book 85, Page 252 and Deed Book 223, Page 389, Person County Registry. See also the Free Trader Agreement recorded in Deed Book 864, Page 96, Person County Registry.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

1. All valid and existing easements and/or rights of way for utilities; and
2. Those matters which would be revealed by a current survey of the property.

**IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officer(s).**

 (SEAL)  
MARY MARIE BREEDLOVE CHAMBERS

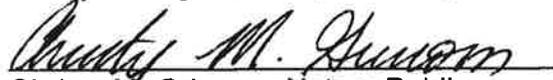
 (SEAL)  
GLEN BARRY CHAMBERS

NORTH CAROLINA  
COUNTY OF PERSON

I, Christy M. Grissom, certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: **Mary Marie Breedlove Chambers** and **Glenn Barry Chambers**.

Witness my hand and official stamp or seal, this the 13<sup>th</sup> day of August, 2018.

My Commission Expires: August 16, 2018

  
Christy M. Grissom, Notary Public



Document shows proof /acknowledgement before officer authorized to take proof /acknowledgement; acknowledgement includes officer's signature, commission expiration date, official seal, if required.

  
Tonya R. Wilson, Person County Register of Deeds



## CITY OF ROXBORO STAFF REPORT

Prepared by: Lauren Johnson, Planning & Development Director

<b>Meeting Dates:</b> Planning Board: October 1, 2018  City Council: November 19, 2018	<b>Request:</b> <input checked="" type="checkbox"/> Rezoning <input type="checkbox"/> Special Use Permit
<b>Property Location:</b> 423 S Madison Blvd	<b>Current Zoning:</b> R-6 (Residential District, High Density)
<b>Tax Map#: 23 18</b>	<b>Proposed Zoning:</b> B-1 (Highway Commercial)
<b>Applicant Information:</b> Larry Dowell 8490 Hurdle Mills Road Hurdle Mills, NC 27541	<b>Future Land Use Map Classification:</b> Commercial

### Summary:

Larry Dowell requests a rezoning for the property located at 423 S Madison Boulevard. The property, identified as Tax Map and Lot number 23 18, constitutes a .26 acre tract of land off Highway 501 at the corner of Harris Street. The property is currently zoned R-6 for residential use, and has a single-family dwelling on the site. The applicant would like the property rezoned to B-1, Highway Commercial, for commercial use.



The surrounding properties are zoned R-6 (Residential), R-12 (Residential) & B-1 (Commercial).

## **Conformity to the Land Use Plan (LUP):**

### **Goals and Implementation Strategies (LUP, p. 69-75):**

- An implementation strategy listed for Economic Development (pg. 71), directs the City to encourage well-planned commercial establishments to provide necessary goods and services to area employers and residents. This property is located along a major thoroughfare, and fronts directly onto the commercial highway.
- Another implementation strategy listed for Economic Development (pg. 71) directs the City to discourage the intermingling of residential land uses in commercial or industrial areas that often results in conflicting land use problems. This property has a large car washing facility next door and a garden supply/Florist across the road.
- Additionally, there is an implementation strategy that directs the City to “develop regulations/guidelines that would ensure new development or redevelopment is compatible with the established character and community vision” (pg.71). This property is an ideal candidate for redevelopment in an appropriate way, given the type of development that has occurred around it over the years.

### **Future Land Use Map Classification: Commercial**

Commercial (LUP, p. 79):

The commercial land use classification includes existing retail, wholesale, and business and professional services. Where such development has an established pattern, other lands that represent a logical extension of commercial use are also included. New commercial development should occur with limited and/or shared access to major thoroughfares.

### **Staff Remarks:**

It is staff's opinion that this rezoning is consistent with the Future Land Use Plan, as it is located directly on the primary highway running through the city limits. Furthermore the road-frontage on a 4-lane highway, makes this less appealing for residential use and presents safety concerns for young families or senior citizens. The Future Land Use Map clearly identifies this area for commercial development, which is made possible by approving this request.

Staff encourages the board to remember that rezoning request reviews should take into consideration all uses allowed within the respective zoning. Furthermore, as a legislative decision, comments provided by the public regarding this matter may be influential in making a determination.

**City of Roxboro Unified Development Ordinance**  
**Permitted/Special Uses by District**

**R-6 Residential District**

**Permitted Uses:**

Accessory buildings/structures  
Accessory uses  
Agricultural uses  
Community gardens  
Dwelling, garage apartment  
Dwelling, single-family  
Dwelling, two-family (duplex)  
Off-street parking facilities (as permitted by Article 9, Part II)  
Public utility pumping stations  
Publicly-owned and operated outdoor recreational facilities  
Rooming and boardinghouse  
Signs (as permitted by Article 9, Part III)

**Permitted Uses with Supplemental Regulations (refer to UDO Article 7):**

Family care home  
Family child care home  
Forestry activities  
Granny pods/temporary health care structures  
Home occupations  
Retaining walls and fences  
Satellite dish antennas, non-commercial use  
Small child care center  
Solar energy generating facility, accessory  
Swimming pools, private  
Temporary storage facility (portable storage units)  
Tiny houses

**City of Roxboro Unified Development Ordinance**  
**Permitted/Special Uses by District**

**R-6 Residential District (continued)**

**Special Uses:**

Adult care home (over 6 residents)  
Athletic fields  
Barber shops, beauty shops  
Church, synagogue, temple or other religious building, including accessory services  
Country clubs  
Dwelling, manufactured home Class A (on a single lot)  
Dwelling, multi-family  
Family foster home  
Fire stations  
Government buildings/offices  
Multi-unit assisted housing with services  
Museums  
Nursing home  
School, elementary or secondary  
Swimming clubs  
Tourist homes

**Special Uses with Supplemental Regulations (refer to UDO Article 7):**

Bed & breakfast  
Cemetery as an accessory use to a church, including columbarium  
Child care center  
Dwelling, townhouse development  
Golf courses  
Public utility towers, substations, and storage tanks  
Residential child-care facility  
Satellite dish antennas, commercial  
Temporary emergency, construction, and repair residences  
Wireless communication facilities, 50' tall or less  
Wind energy generating facility, accessory

**City of Roxboro Unified Development Ordinance**  
**Permitted/Special Uses by District**

**B-1 Highway Business District**

**Permitted Uses:**

ABC store  
Accessory buildings/uses  
Accessory uses  
Accounting agencies  
Advertising agencies  
Agricultural product warehousing  
Agriculturally-related business  
Antique stores  
Art galleries  
Attorneys  
Automobile parking garages or parking lots (independent)  
Automobile parts and accessories, with installation  
Automobile repair services or body shop  
Automobile sales and service  
Automobile service stations, including routine/minor maintenance  
Automobile window tinting, stereo or rim installation  
Bakery (retail)  
Banks/financial services  
Barber shops, beauty shops  
Book store, including the retail of stationery, books, magazines, newspapers  
Bowling alleys  
Building supplies and sales  
Bus terminal  
Campgrounds  
Car wash  
Catering  
Chiropractic  
College, universities, community colleges  
Coliseums, stadiums designed to accommodate more than 1,000 people  
Commercial greenhouse or nursery  
Community centers  
Community gardens  
Computer sales and repair  
Contractors offices (no outside storage)  
Convenience stores, less than one (1) acre  
Deli  
Dog grooming (no outdoor kennels)  
Drug store  
Dry cleaner, Laundromat  
Electrical equipment sales and repair

**City of Roxboro Unified Development Ordinance**  
**Permitted/Special Uses by District**

**B-1 Highway Business District (continued)**

**Permitted Uses (continued):**

Electrical repair or contractor (no open storage)  
Electrical repair or contractor (open storage allowed)  
Emergency management program  
Engine repair, small (including motorcycle)  
Exterminating and pest control services  
Fabric store  
Farm, craft, produce markets  
Farm equipment, and boat sales or rental or sales and service  
Fire stations  
Florists  
Funeral home  
Furniture store  
General contractors (no open storage)  
General contractors (open storage allowed)  
Gift shops  
Government buildings/offices  
Governmental postal facilities  
Grocery/food store  
Hardware store  
Health spa  
Heating and air conditioning installation and repair (no open storage)  
Heating and air conditioning installation and repair (open storage allowed)  
Home appliance dealers  
Home appliance repair  
Hotels and motels  
Ice cream stand or store  
Insurance office  
Indoor athletic and exercise facilities  
Indoor tennis and squash courts  
Interior decorating service  
Jewelry store/repair  
Leather goods store  
Medical and dental offices/clinics  
Medical support offices (testing labs)  
Military reserve, National Guard centers  
Miniature golf courses  
Movie theaters  
Music instrument sales and service  
Music studio  
Nail/tanning salon

**City of Roxboro Unified Development Ordinance**  
**Permitted/Special Uses by District**

**B-1 Highway Business District (continued)**

**Permitted Uses (continued):**

Office, clerical, research and services not primarily related to goods and merchandise  
Office supplies  
Off-street parking facilities (as permitted by Article 9, Part II)  
Opticians  
Paint store  
Pet cemetery  
Pet store  
Photo studios  
Plumbing repair contractor (no open storage)  
Plumbing repair contractor (open storage allowed)  
Police stations  
Printing, publishing, and engraving establishments  
Private postal shipping and receiving  
Publicly-owned and operated outdoor recreational facilities  
Public utility pumping stations  
Real estate office/appraisal  
Rental of goods, merchandise, and equipment (no outside storage or display of goods)  
Rental of goods, merchandise, and equipment (with outside storage or display of goods)  
Restaurants, excluding fast food & drive thru services  
Restaurants, including fast food & drive thru services  
Sales of goods, merchandise, and equipment (no outside storage or display of goods)  
Sales of goods, merchandise, and equipment (with outside storage and display of goods)  
Self-service storage facility  
Service establishments  
Shoe store or repair  
Signs (as permitted by Article 9, Part III)  
Sporting goods store  
Storage inside completely enclosed structure  
Storage of goods not related to the sale or use of those goods on the same lot where they are stored  
Tailor/dressmaker/seamstress  
Taxi stands  
Tennis courts, commercial  
Tire sales, no outside storage  
Toy store  
Travel agencies  
Truck stop  
Truck wash  
Upholstery – furniture repair  
Veterinarian, animal clinic, no outside kennel

**City of Roxboro Unified Development Ordinance**  
**Permitted/Special Uses by District**

**B-1 Highway Business District (continued)**

**Permitted Uses (continued):**

Warehouses  
Wholesale sales

**Permitted Uses with Supplemental Regulations (refer to UDO Article 7):**

Artisan's workshop (3,000 square feet or less)  
Bars  
Battery charging station  
Battery exchange station  
Bingo  
Dance halls  
Distilleries  
Dwelling, single-family (as an accessory for a principal business)  
Engineering/surveying/architectural services – general  
Gamerooms  
Gas sales operations  
Golf courses  
Manufactured home sales/modular home sales  
Microbrewery  
Retaining walls and fences  
Satellite dish antennas, non-commercial use  
Solar energy generating facility, accessory  
Tattoo/body piercing parlors  
Temporary emergency, construction, and repair residences  
Temporary storage facility (portable storage units)  
Towing, automobile and truck  
Veterinarian, animal clinic, outside kennel

**Special Uses:**

Adult care home (over 6 residents)  
Ambulance service, rescue squad  
Athletic fields  
Church, synagogue, temple, or other religious building, including accessory services  
Convenience stores, one (1) acre or more  
Farm stand  
Fraternal clubs and lodges, non-profit  
Golf driving ranges not accessory to golf courses  
Hospitals, clinics, other medical treatment facilities  
Kindergarten/nursery schools/pre-K  
Museums  
Nursing home

**City of Roxboro Unified Development Ordinance**  
**Permitted/Special Uses by District**

**B-1 Highway Business District (continued)**

**Special Uses (continued):**

Outdoor athletic and exercise facilities  
Par 3 golf courses  
Repair shops not otherwise listed  
School, elementary or secondary  
Shopping center, less than 30,000 sq ft gross enclosed floor area  
Shopping center, greater than 30,000 sq ft gross enclosed floor area  
Skateboard parks  
Skating rinks  
Swimming clubs  
Tire sales, with outside storage  
Utility company (no open-air storage)  
Water slides

**Special Uses with Supplemental Regulations (refer to UDO Article 7):**

Artisan's workshop (exceeding 3,000 square feet)  
Billiards and pool halls  
Child care center  
Child care center (as an accessory use for a principal business/industry)  
Cemetery  
Crematorium  
Daycare facility, adult  
Mixed Use  
Night clubs and social clubs  
Public utility towers, substations, and storage tanks  
Satellite dish antennas, commercial  
Storage outside completely enclosed structure  
Swimming pools, commercial/community  
Swimming pools, private  
Temporary uses/sales  
Wind energy generating facility, accessory  
Wind farm  
Wireless communication facilities, 50' tall or less



**CITY OF ROXBORO, NORTH CAROLINA**  
**Planning Board**

**October 1, 2018**  
**6:00 p.m.**

**MEMBERS PRESENT:** Tony Cole, Margaret Kay, Kenneth Montgomery, Benji Gault, and Danny Cultra

**STAFF:** Lauren Johnson, Planning Director

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**MINUTES**

Vice-Chairman Cultra called the meeting to order at 6:04pm and asked everyone to sign in on the sheet passed around.

**APPROVAL OF MINUTES**

Board Member, Tony Cole, motioned to approve the minutes from the September 10, 2018 meeting. Board Member, Benji Gault, seconded. Motion carried. (Vice-Chairman Cultra voted to approve, although he was not present at the previous meeting.)

**REPORTS OF COMMITTEES**

None.

**NEW BUSINESS**

**Rezoning Request – 423 S Madison Blvd, Tax Map 23 18:** Vice-Chairman Cultra introduced the agenda item to the Board, highlighting the information provided on the application for identification of the property and applicant. He then turned the floor over to Ms. Johnson for the staff summary. Ms. Johnson restated the request to rezone the property from R-6 to B-1, and informed the board that a residential home is currently located on the property. After highlighting the information on the map, outlining the zoning of the surrounding properties, Ms. Johnson continued by outlining the conformity to the land use plan as outlined in the agenda packets.

Vice-Chairman Cultra asked if the Board had any questions for Ms. Johnson. Board Member, Margaret Kay, inquired of the applicant what he plans to put on the site. The applicant stated it may be used for office or retail space. Ms. Kay asked what kind of retail, because it is a “pretty small space.” Ms. Johnson interjected that while it is a small structure, the lot itself is a quarter acre in size. She also reminded Ms. Kay and the rest of the Board that the rezoning decision

should not be based on any specific use of the property, but on all potential uses. She continued to say that the Board should consider whether this site is best suited for commercial or residential use, based on the fact surrounding the property.

Ms. Kay said that her concern centered on the availability of parking. Ms. Johnson reminded the Board that any specific development would be required to comply with the regulations in the UDO for parking, setbacks, etc., and would be decided subsequent to the rezoning request.

Vice-Chair Cultra asked the applicant if he wished to share anything additional with the Board.

Mr. Larry Dowell came forward, stated his name, and that this was not his first redevelopment. He feels the City and County will benefit from the project and “with the right vision, this will be turned from an eyesore to a very nice, appealing structure.” Mr. Dowell continued that he felt parking could be adequately provided in the rear of the property and would hate to see something torn down that could be salvaged for a new use.

Mr. Dowell shared some additional information about the history of the property and how he came to acquire the property from a long-time friend. He stated that in order for him to get much benefit out of the property, it would need to be rezoned to commercial.

Vice-Chairman Cultra noted there was no one else in the audience to offer support or object to the rezoning, then asked if there were any additional questions from the Board.

Board Member, Tony Cole, made a motion to recommend approval of the request. Board Member, Margaret Kay, seconded. Motion carried unanimously.

### **UNFINISHED BUSINESS**

**A. UDO Text Amendments – Electronic Gaming Operations:** Ms. Johnson reminded the Board that this item was on the previous agenda from September, but due to the amount of discussion and proposed changes to the amendment request, she felt it best to bring the item back to the Planning Board with a draft inclusive of those proposed changes and confirm their acceptance before moving on the Council.

Ms. Johnson stated that she and the City Attorney’s office reviewed the information and she made changes based on the input from the Planning Board and language guidance of the attorney.

The Table of Uses addition did not change from the previous month's approval to allow Electronic Gaming in the B-1 district with Supplement Regulations.

Ms. Johnson highlighted the changes to those supplemental regulations, which included the language of requiring the accessory use of "Electronic Gaming Operations" to be partitioned from the primary use of the building.

Vice-Chairman Cultra inquired about the intent of that language, and if the Electronic Gaming constituted a second primary use at the site, would the games still be required to be partitioned. Ms. Johnson stated that if it was a principal use, the entire building would be required to operate under the supplemental regulations, unless partitioned off from the second primary use. Vice-Chairman Cultra said he just wanted some clarification of the intent.

Board Member, Benji Gault, inquired if anything with three or more machines would be considered a primary use and would all the regulations apply. Ms. Johnson said this was the case, yes. She also clarified that this would likely only happen in instances where there was already an established business that wished to add Electronic Gaming as a second primary use at the site. If a new business intended to open with multiple uses in the same location, it would require a mixed use permit and go through a slightly different process.

After some additional discussion, it was advised that the intent of this language, as a result of the concerns outlined by the Planning Board, was to deter allowing Electronic Gaming as an accessory use, as it is easier to assure compliance with the ordinance if it was its own entity and not operating simultaneously with another business with other regulations.

Vice-Chairman Cultra then moved to the second change outlined in the agenda packet, which was to the parking ordinance. Mr. Cultra asked if this change was proposed because the use was not previously delineated in the parking ordinance chart. Ms. Johnson said yes. The Board had concerns during the September meeting that the Electronic Gaming could cause parking issues. While she originally planned to classify this use similar to recreation and base the parking requirements off the seating capacity, the Board wanted some further investigation. Discussion with the City Attorney's office resulted in the proposed addition to the parking ordinance, which would require one (1) parking space for each seat or station utilized for Electronic Gaming.

Mr. Cultra said this seemed appropriate for the principal use, but if it was necessary for the accessory use. Board Member, Benji Gault, referred to the existing parking ordinance and the requirement being based on square footage for parking requirements for commercial uses. He continued that while he felt most places probably had adequate parking to meet the requirement for both uses, if necessary, he believed it was really just another hurdle to make it difficult for this use to be utilized as an accessory in commercial establishments. Ms. Johnson said

she would be happy to take the “includes accessory use” out of the language, if the Board preferred not to restrict the accessory. Mr. Cultra said he thought it was fine to leave the language in, so long as the intent of the Board was to make it more restrictive.

Board Member, Benji Gault, then asked how the seats/stations would be determined for certain types of Electronic Gaming, such as “fish tables” where there is no fixed seat for the game. Ms. Johnson stated this would be an instance where the interpretation of the Zoning Administrator would come into play. She would utilize one of two tactics for determining the number of stations for such a game; determining if there is a limit to the number of individuals that can play that game at a time, or determining how many people could physically stand around the machine to access the game at a given time.

Vice-Chair Cultra said he felt this was an appropriate approach, because trying to define station in the ordinance could result in an unintended determination. He believed this was a place where the Administrator’s interpretation would be best based on each, individual application and as the games change over time.

Ms. Johnson stated that covered the changes since the September meeting, and asked if the Board would like to recommend approval as-is, with additional changes, or simply reject the amendments altogether.

Board Member, Benji Gault, asked for the Board to verify if they had any issues with the hours and days of operation outlined in the supplemental regulations. Vice-Chairman Cultra asked if there were any legalities that determined what was appropriate regulation and not. Ms. Johnson advised that the language presented was exactly what the attorney sent as a suggestion for the regulations. Board Member, Tony Cole, stated he was fine with the language as-is. Other members of the Board nodded in agreement, and there was no further discussion of the hours and days of operation allowed.

Vice-Chairman Cultra inquired if there was any new legislation regarding these gaming devices. Ms. Johnson stated that the facilities were currently operating under the injunction. Board Member, Benji Gault, stated he was under the impression it would be January before any additional discussions would be held on the legislative outcomes.

There being no other items to discuss, Board Member, Benji Gault, motioned to recommend approval of the changes. Board Member, Margaret Kay, seconded the motion. Motion carried unanimously.

**B. Basic Training for Board Members:** At this point, Ms. Johnson inquired if there was anyone who wished to leave. Since all members wished to remain for the training, the meeting was not adjourned. Ms. Johnson presented the Board

with a PowerPoint of basic Planning & Zoning information, and packets with printed resources for the Board to utilize.

**ADJOURNMENT**

There being no other business before the Board, Board Member, Tony Cole, motioned to adjourn. Board Member, Margaret Kay, seconded. Motion carried and the meeting adjourned at 7:08pm.

Submitted by:

  
Lauren W. Johnson,  
Planning & Development Director

**Planning Board Motion Format for Recommended Approval of Request:**

I make a motion that we recommend approval of the rezoning request presented in Docket #RZ2018-06, because the amendment is consistent with the City's Comprehensive Land Use Plan in that it;

- Encourage well-planned commercial establishments to provide necessary goods and services to area employers and residents (pg. 71),
- Discourage the intermingling of residential land uses in commercial or industrial areas that often results in conflicting land use problems (pg. 71), and
- ensure new development or redevelopment is compatible with the established character and community vision (pg. 71).

Furthermore, this decision is in the public interest of the City of Roxboro as it allows for new commercial development opportunity, which will help in providing necessary goods and services to the citizens of this community, as well as allow for the redevelopment of a property for appropriate usage along the major transportation corridor.

Motion Made by: Tony Cole

Seconded by: Benji Gault

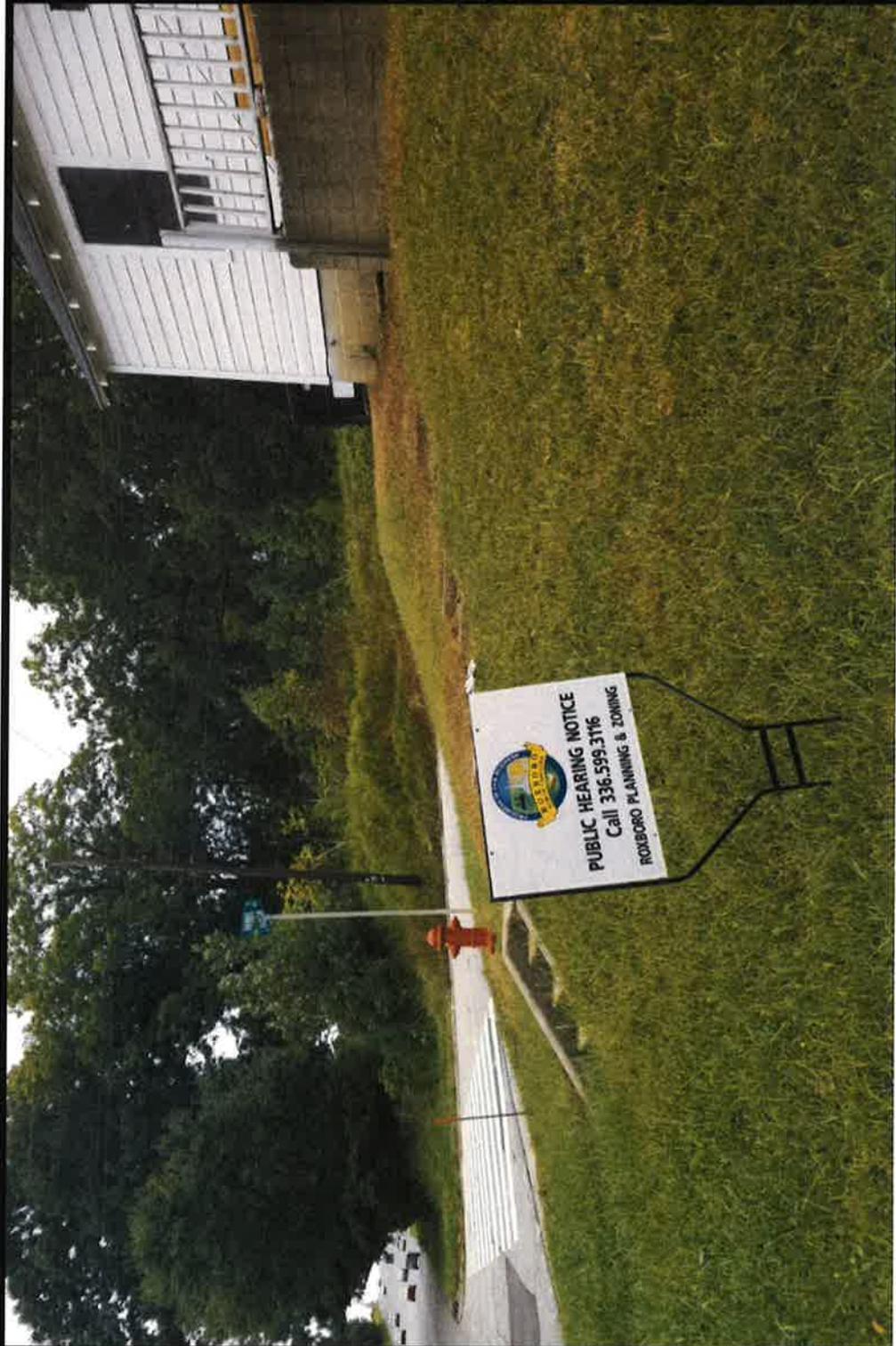
Approved: 5 to 0

This report reflects the recommendation of the Planning Board, this the 1<sup>st</sup> day of October, 2018.

Attest:

Danny Cultra  
Danny Cultra, Planning Board Vice-Chairman

Lauren W. Johnson  
Lauren W. Johnson, Planning Director



File name  
20180918\_143752.jpg

Date  
Tuesday, September 18, 2018 2:37 PM

Size  
3.7 MB

Dimensions  
4032 x 3024

Sheet  
1/640 sec. 1/1.7 4.2mm

ISO  
50

Device  
SM-G935V

Source  
This PC

Location  
Roxboro



Current Map



# Memo

**To:** Mayor Newell, Roxboro City Councilmen  
**From:** Lauren Johnson  
**cc:** City Clerk, Trevie Adams  
**Date:** October 30, 2018  
**Re:** Certification of Written Notice

Please be advised letters were mailed First Class to the following property owners notifying same of the pending Rezoning Request, Docket #: RZ2018-06, for the parcel identified as 23, 18 on today's date. This list includes all property owners with land adjacent to the parcels within 200 feet, as well as the listed owners of the property under consideration.

1. DLLTCP, LLC
2. Mecheil Girgis & Kamel Ashraf
3. Henry O. Newell, Jr. & Others
4. Walter & Renee McGhee
5. Wallace & Jeanette Williams
6. Gail Eluwa
7. Ellen Lawrence Estate
8. Frank Johnson Estate
9. William Alexander Jones, III
10. Eva Harris
11. Abbitt Dickerson Properties, Inc.
12. Person Memorial Hospital FDT, Inc.
13. Thomas Long, Sr.
14. Donald Bradsher, Jr.
15. Jean Scoville
16. Larry & Barbara McDowell

  
Lauren W. Johnson, CZO  
Planning & Development Director

ATTEST:

Witness my hand and notarial seal, this 30 day of October 2018.

  
Trevie D. Adams  
Notary Public

My Commission Expires: Feb 11, 2023





City of Roxboro  
October 30, 2018

DLLTCP, LLC  
PO Box 488  
Roxboro, NC 27573

Dear sir or madam,

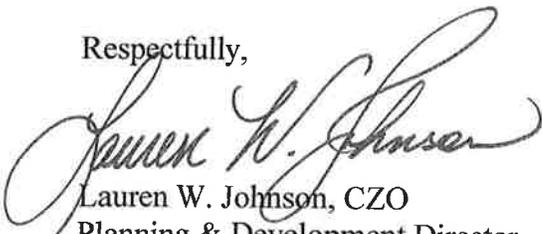
You are receiving this letter because a site adjacent to your property (see attached) is under consideration for **Rezoning**.

An application for the parcel located at 423 S Madison Boulevard is pending review by the Roxboro City Council. The applicant requests Council rezone the property, identified as Tax Map 23, Lot 18, from R-6 (High Density Residential) to B-1 (Highway Commercial).

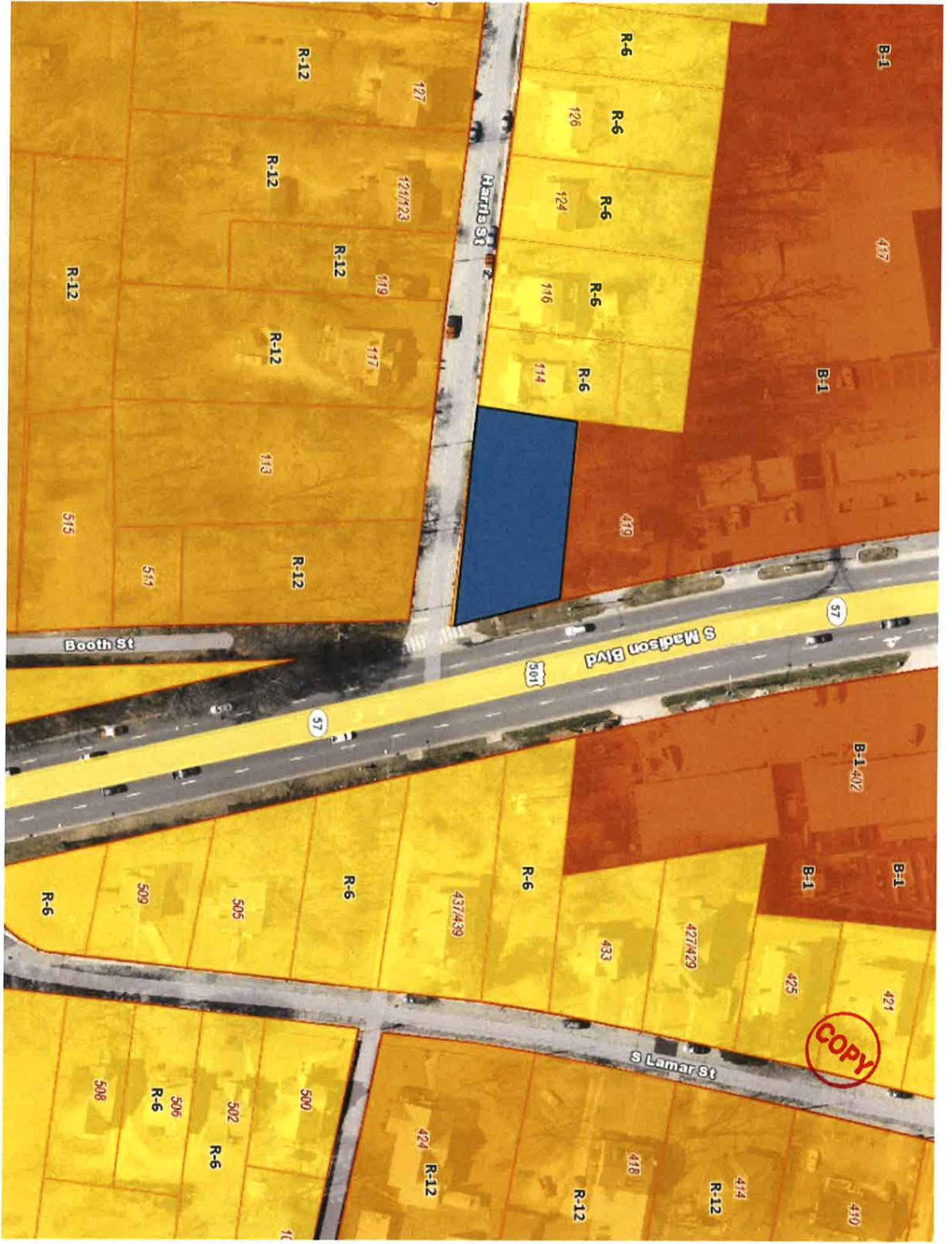
The application will be reviewed by the Roxboro City Council at 9 a.m. on November 19<sup>th</sup>, 2018. This meeting is a Public Hearing and will be held at 105 S. Lamar Street, Roxboro, N.C. 27573 in the Council Chambers. Comments made by the public may be considered by Council when making a decision.

Please be aware this rezoning request is only for the parcel identified above. This will not change the zoning of your property. If you have any questions regarding this matter, please contact the Roxboro Planning and Development Office at 336.322.6018.

Respectfully,

  
Lauren W. Johnson, CZO  
Planning & Development Director  
City of Roxboro

Enclosure



**COPY**



City of Roxboro  
October 30, 2018

Larry and Barbara Dowell  
8490 Hurdle Mills Road  
Hurdle Mills, NC 27541



Dear Mr. and Mrs. Dowell,

This letter is to inform you of the pending Public Hearing for the request for Rezoning for the property located at 423 S Madison Boulevard, and identified as Tax Map 23 Lot 18.

The application will be reviewed by the Roxboro City Council at 9 a.m. on November 19<sup>th</sup>, 2018. This meeting is a Public Hearing and will be held at 105 S. Lamar Street, Roxboro, N.C. 27573 in the Council Chambers. Comments made by the public may be considered by Council when making a decision.

If you have any questions regarding this matter please contact the Roxboro Planning and Development Office at 336.322.6018.

Respectfully,

  
Lauren W. Johnson, CZO  
Planning & Development Director  
City of Roxboro

**Motion Format Requirements:**

Per NCGS 153A-341, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment, the governing board shall adopt one of the following statements regarding plan consistency, which shall not be subject to a judicial review.

A) A statement approving the zoning amendment and describing its consistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.

B) A statement rejecting the zoning amendment and describing its inconsistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.

C) A statement approving the zoning amendment and containing at least all of the following:

1. A declaration that the approval is also deemed an amendment to the comprehensive plan. The governing board shall not require any additional request or application for amendment to the comprehensive plan.

2. An explanation of the change in conditions the governing board took into account in amending the zoning ordinance to meet the development needs of the community.

3 Why the action was reasonable and in the public interest.

The Planning Board shall advise and comment on whether the proposed amendment is consistent with a comprehensive plan and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the City Council that addresses comprehensive plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with a comprehensive plan shall not preclude consideration or approval of the proposed amendment by the City Council.

**Consistency Statement:**

I make a motion that we approve the proposed rezoning request presented in Docket #TA2018-06, because the amendment is consistent with the City's Comprehensive Land Use Plan in that it;

- Encourages well-planned commercial establishments to provide necessary goods and services to area employers and residents (pg. 71),
- Discourages the intermingling of residential land uses in commercial or industrial areas that often result in conflicting land use problems (pg. 71), and
- Ensures new development or redevelopment is compatible with the established character and community vision (pg. 71).

Furthermore, this decision is in the public interest of the City of Roxboro as it allows for new commercial development opportunities, which will help in providing necessary goods and services to the citizens of this community, as well as allow for the redevelopment of a property for appropriate usage along the major transportation corridor.

Motion To Adopt Made by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved: \_\_\_\_ to \_\_\_\_

Attest:

\_\_\_\_\_  
Merilyn P. Newell, Mayor

\_\_\_\_\_  
Trevie Adams, City Clerk

### 3. Rezoning Request - 500 Weeks Drive Public Hearing

# Memo



**To:** Mayor Newell and Roxboro City Council  
**From:** Lauren Johnson/ Planning & Development Director  
**cc:** Trevie Adams City Clerk (for City Records)  
**Date:** November 7, 2018  
**Re:** Recommendation from Planning Board Regarding Rezoning Request for  
Property at 500 Weeks Drive, Tax Map 96 Lot 39

---

Madam Mayor and Council,

Please be advised that the City of Roxboro Planning Board met on November 5<sup>th</sup>, 2018 to review a request for a Rezoning for the parcel located at the corner of Old Durham Road and Weeks Drive, identified as Tax Map 96, Lot 39.

Upon review of the enclosed application and staff report, the City Planning Board offers a unanimous favorable recommendation to approve the request for Rezoning. Enclosed you will find the written consistency statement signed by the Planning Board Chair and department head.



Application for  
**Official Zoning Map Amendment**

Roxboro Planning & Development  
105 S Lamar Street Roxboro, N.C. 27573 336-322-6018

**TO THE PLANNING BOARD AND THE CITY COUNCIL:**

I/We, the undersigned, do hereby make application and petition to the City Council of the City of Roxboro to amend the Official Zoning Map of the City of Roxboro as hereinafter requested. I hereby certify that I have full legal right to request such action. (Type or Print Clearly)

Petitioner(s): PROPERTY UNLIMITED LLC

Address: 140 CUAYTON HOLLOW RD. ROXBORO, NC 27574

Telephone Number: 336-599-1339 Fax Number: 336-599-0734

Interest in Property: OWNER  
(I.e., Owner, Part Owner, Option holder, Governmental Agency, Etc.)

**Property Information:**

Address: 500 WEEKS DR. ROXBORO, NC 27573

Watershed: FALLS Lot Size: 2 29/100 AC

Township: ROXBORO CITY Tax Map/Lot #: 96 39

Current Use: BUSINESS

Available Utilities: (check all that apply)

City Water  City Sewer  Well  Septic System  None

**Zoning Map Amendment:**

Current Zoning Classification: I-1

Requested Zoning Classification: B-1

The undersigned hereby certify that the application material is complete and accurate. Furthermore, the undersign hereby authorizes the City of Roxboro's Zoning Administrator or designated representative to enter upon the above referenced property for the purpose of evaluating this request.

B. Cytt  
Applicant Signature

25 SEP 18  
Date

**Staff Use Only:**

Date Received:

9/25/18

Docket #:

AZ 2018-07

Planning Board Meeting Date:

11/5/18

City Council Meeting Date:

11/19/18

**Required Submittal Items:**

A complete application must contain the following additional items for consideration:

- Application Fee - \$200 (cash, check, or money order accepted)
- Copy of the applicable Person County Tax Map, or other documentation verifying the location and size of the parcel(s)
- Property Deed – Please enclose most recent deed to the property. This can be obtained from the Person County Register of Deeds Office.
- Survey Plat – Please enclose a copy of the property survey plat, if on record with the Person County Register of Deeds Office.
- If the applicant is not the owner of the property, a letter must be provided with the notarized signature of the property owner, verifying awareness of the request being made.
- List of adjacent property owners, with addresses of same.

Issued Jan 12, 2017  
\$950.00  
State Of North Carolina  
Person County  
Real Estate Excise Tax  
368606

FILED in PERSON County, NC  
on Jan 12, 2017 at 03:54:16 PM  
by: TONYA R. WILSON  
REGISTER OF DEEDS  
Book 942 Page 823



### NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$950.00  
Parcel Identifier No. 102-54 Verified by \_\_\_\_\_ County on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_  
By: \_\_\_\_\_

Mail/Box to: Grantee

This instrument was prepared by: KING LAW GROUP, PLLC

Brief description for the Index: \_\_\_\_\_

THIS DEED made this 12th day of January, 2017, by and between

GRANTOR	GRANTEE
D.D.S., INC. PO Box 349 Roxboro, NC 27573	<i>su R. J. H.</i> Property Unlimited, LLC 140 Clayton Hollow Rd. Roxboro, NC 27574

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, parcel of land or condominium unit situated in the City of Roxboro, Roxboro Township, Person County, North Carolina and more particularly described as follows:

See Attached

The property hereinabove described was acquired by Grantor by instrument recorded in Book 491 page 637.  
All or a portion of the property herein conveyed    includes or X does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book 10 page 4-G.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

BOOK 942 PAGE 824 368606

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

By: D.D.S., INC. (Entity Name) (SEAL) Print/Type Name: \_\_\_\_\_

By: [Signature] Print/Type Name & Title: Daniel M. Talbert, Sr., President (SEAL) Print/Type Name: \_\_\_\_\_

By: \_\_\_\_\_ (SEAL) Print/Type Name & Title: \_\_\_\_\_ Print/Type Name: \_\_\_\_\_

By: \_\_\_\_\_ (SEAL) Print/Type Name & Title: \_\_\_\_\_ Print/Type Name: \_\_\_\_\_

State of \_\_\_\_\_ - County or City of \_\_\_\_\_  
I, the undersigned Notary Public of the County or City of \_\_\_\_\_ and State aforesaid, certify that \_\_\_\_\_ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

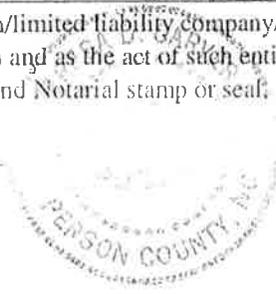
My Commission Expires: \_\_\_\_\_ Notary Public  
(Affix Seal) \_\_\_\_\_  
Notary's Printed or Typed Name

State of \_\_\_\_\_ - County or City of \_\_\_\_\_  
I, the undersigned Notary Public of the County or City of \_\_\_\_\_ and State aforesaid, certify that \_\_\_\_\_ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires: \_\_\_\_\_ Notary Public  
(Affix Seal) \_\_\_\_\_  
Notary's Printed or Typed Name

State of North Carolina - County or City of Person  
I, the undersigned Notary Public of the County or City of Person and State aforesaid, certify that Daniel M. Talbert, Sr. personally came before me this day and acknowledged that he is the President of D.D.S., INC., a North Carolina or \_\_\_\_\_ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this 12th day of January, 2017.

My Commission Expires: October 18, 2021 Notary Public  
(Affix Seal) \_\_\_\_\_  
Notary's Printed or Typed Name



Document shows proof /acknowledgement before officer authorized to take proof /acknowledgement; acknowledgement includes officer's signature, commission expiration date official seal, if required.

ATTACHMENT

BOOK 942 PAGE 825 368606

That certain tract or parcel of land lying and being in Roxboro Township, Person County, North Carolina and being more specifically that parcel containing 2.45 acres, more or less, as shown and depicted on that plat of survey entitled "EDGAR D. TALBERT, JR. & TERRI M. TALBERT" surveyed by Neal C. Hamlett L-2465 in March 1996, said plat being specifically incorporated herein for a more accurate metes and bounds description and is of record in Plat Cabinet 10, Hanger 4-G, Person County Registry.

SAVE AND EXCEPT: That parcel designated as Parcel 5 containing 0.16 of an acre on that plat of survey entitled "STREET DEDICATION CITY OF ROXBORO WEEKS DRIVE" City of Roxboro, Person County, NC dated July 1999 prepared by John J. Jennings L-3052 of Hamlett-Jennings & Associates, said plat being of record in Plat Cabinet 11, Hanger 81-H, Person County Registry.

Also conveyed herewith is that appurtenant, non-exclusive and perpetual easement which is recorded in Book 942, Page 821 of the Person County Registry.

SE

B-400



## CITY OF ROXBORO STAFF REPORT

**Prepared by: Lauren Johnson, Planning & Development Director**

<b>Meeting Dates:</b> Planning Board: November 5, 2018  City Council: November 19, 2018	<b>Request:</b> <input checked="" type="checkbox"/> Rezoning  <input type="checkbox"/> Special Use Permit
<b>Property Location:</b> 500 Weeks Drive	<b>Current Zoning:</b> I-1 (Light Industrial)
<b>Tax Map#: 96 39</b>	<b>Proposed Zoning:</b> B-1 (Highway Commercial)
<b>Applicant Information:</b> Property Unlimited, LLC. 140 Clayton Hollow Road Roxboro, NC 27574	<b>Future Land Use Map Classification:</b> Commercial

### Summary:

Property Unlimited, LLC. requests a rezoning for the property located at 500 Weeks Drive. The property, identified as Tax Map and Lot number 96 39, constitutes a 2.00 acre tract of land off Old Durham Road at the corner of Weeks Drive. The property is currently zoned I-1 for industrial use, and has a commercial business with carpet, cabinetry, and other home furnishing sales on the site. The applicant would like the property rezoned to B-1, Highway Commercial.



The surrounding properties are zoned R-12 (Residential) and B-1 (Commercial).

## **Conformity to the Land Use Plan (LUP):**

### **Goals and Implementation Strategies (LUP, p. 69-75):**

- An implementation strategy listed for Economic Development (pg. 71), directs the City to encourage well-planned commercial establishments to provide necessary goods and services to area employers and residents. This location has been utilized for commercial retail sales for some time. The current owner would like to expand this commercial business, but cannot do so under current zoning regulations.
- An implementation strategy for Land Use Goals (pg. 69) directs the City to minimize conflicts between incompatible land uses. Given the proximity to some residential properties and many commercial businesses, this area lends itself for the less-intense commercial use, as opposed to industrial use.

### **Future Land Use Map Classification: Commercial**

Commercial (LUP, p. 79):

The commercial land use classification includes existing retail, wholesale, and business and professional services. Where such development has an established pattern, other lands that represent a logical extension of commercial use are also included. New commercial development should occur with limited and/or shared access to major thoroughfares.

### **Staff Remarks:**

It is staff's opinion that this rezoning is consistent with the Future Land Use Plan, as it is surrounded by commercial properties, and located on a feeder street for the commercial highway. Furthermore, rezoning this property would allow for less-intense uses near some existing residential properties in the vicinity.

Staff encourages the board to remember that rezoning request reviews should take into consideration all uses allowed within the respective zoning. Furthermore, as a legislative decision, comments provided by the public regarding this matter may be influential in making a determination.

**City of Roxboro Unified Development Ordinance**  
**Permitted/Special Uses by District**

**I-1 Light Industrial District**

**Permitted Uses:**

- Accessory buildings/structures
- Accessory uses
- Ambulance service, rescue squad
- Animal sales
- Automobile repair services or body shop
- Bottling plants
- Building materials sales and storage yards
- Cabinet and woodworking establishments
- Clothing manufacture
- Colleges, universities, community colleges
- Commercial greenhouse or nursery
- Commercial laundries
- Community or municipal sewage and water treatment plants
- Contractors office and equipment storage
- Cold storage plant
- Dairy products processing
- Dry cleaning plants
- Electrical equipment sales and repair
- Electronic equipment manufacture
- Emergency management operation
- Exterminating and pest control services
- Farm machinery/equipment sales and service
- Food processing plants, except slaughtering of animals
- Fire stations
- Furniture manufacture
- Government buildings/offices
- Governmental postal facilities
- Ice plants
- Industrial education and research facilities
- Laboratories for research and testing
- Machine shops
- Metal working shops
- Military reserve, National Guard centers
- Office uses as an accessory use to an industrial type activity, and being located on the same lot
- Off-street parking facilities (as permitted by Article 9, Part II)
- Police stations
- Printing, publishing, and engraving establishments
- Public utility pumping stations
- Publicly-owned and operated outdoor recreational facilities
- Real estate office/appraisal

**City of Roxboro Unified Development Ordinance**  
**Permitted/Special Uses by District**

**I-1 Light Industrial District (continued)**

**Permitted Uses (continued):**

- Recycling center with no open-air storage
- Self-service storage facility
- Signs (as permitted by Article 9, Part III)
- Storage inside completely enclosed structure
- Truck terminals
- Upholstery - furniture repair
- Utility company (no open-air storage)
- Warehouses

**Permitted Uses with Supplemental Regulations (refer to UDO Article 7):**

- Battery exchange station
- Battery charging station
- Child care center (as an accessory use for a principal business/industry)
- Dwelling, single-family (as an accessory for a principal business)
- Forestry activities
- Public utility towers, substations, and storage tanks
- Retaining walls and fences
- Satellite dish antennas, commercial
- Satellite dish antennas, non-commercial use
- Storage outside completely enclosed structure
- Solar energy generating facility, accessory
- Temporary emergency, construction, and repair residences
- Temporary storage facility (portable storage units)
- Wireless communication facilities, 50' tall or less
- Wireless communication facilities, more than 50' tall

**Special Uses:**

- Automobile service stations, including routine/minor maintenance
- Coliseums, stadiums designed to accommodate more than 1,000 people
- Penal & correctional facilities
- Radio and TV stations/studios
- Recycling processing centers
- School, trade or vocational

**Special Uses with Supplemental Regulations (refer to UDO Article 7):**

- Artisan's workshop (exceeding 3,000 square feet)
- Solar farm
- Temporary uses/sales
- Wind farm
- Wind energy generating facility, accessory

**City of Roxboro Unified Development Ordinance**  
**Permitted/Special Uses by District**

**B-1 Highway Business District**

**Permitted Uses:**

ABC store  
Accessory buildings/uses  
Accessory uses  
Accounting agencies  
Advertising agencies  
Agricultural product warehousing  
Agriculturally-related business  
Antique stores  
Art galleries  
Attorneys  
Automobile parking garages or parking lots (independent)  
Automobile parts and accessories, with installation  
Automobile repair services or body shop  
Automobile sales and service  
Automobile service stations, including routine/minor maintenance  
Automobile window tinting, stereo or rim installation  
Bakery (retail)  
Banks/financial services  
Barber shops, beauty shops  
Book store, including the retail of stationery, books, magazines, newspapers  
Bowling alleys  
Building supplies and sales  
Bus terminal  
Campgrounds  
Car wash  
Catering  
Chiropractic  
College, universities, community colleges  
Coliseums, stadiums designed to accommodate more than 1,000 people  
Commercial greenhouse or nursery  
Community centers  
Community gardens  
Computer sales and repair  
Contractors offices (no outside storage)  
Convenience stores, less than one (1) acre  
Deli  
Dog grooming (no outdoor kennels)  
Drug store  
Dry cleaner, Laundromat  
Electrical equipment sales and repair

**City of Roxboro Unified Development Ordinance**  
**Permitted/Special Uses by District**

**B-1 Highway Business District (continued)**

**Permitted Uses (continued):**

Electrical repair or contractor (no open storage)  
Electrical repair or contractor (open storage allowed)  
Emergency management program  
Engine repair, small (including motorcycle)  
Exterminating and pest control services  
Fabric store  
Farm, craft, produce markets  
Farm equipment, and boat sales or rental or sales and service  
Fire stations  
Florists  
Funeral home  
Furniture store  
General contractors (no open storage)  
General contractors (open storage allowed)  
Gift shops  
Government buildings/offices  
Governmental postal facilities  
Grocery/food store  
Hardware store  
Health spa  
Heating and air conditioning installation and repair (no open storage)  
Heating and air conditioning installation and repair (open storage allowed)  
Home appliance dealers  
Home appliance repair  
Hotels and motels  
Ice cream stand or store  
Insurance office  
Indoor athletic and exercise facilities  
Indoor tennis and squash courts  
Interior decorating service  
Jewelry store/repair  
Leather goods store  
Medical and dental offices/clinics  
Medical support offices (testing labs)  
Military reserve, National Guard centers  
Miniature golf courses  
Movie theaters  
Music instrument sales and service  
Music studio  
Nail/tanning salon

**City of Roxboro Unified Development Ordinance**  
**Permitted/Special Uses by District**

**B-1 Highway Business District (continued)**

**Permitted Uses (continued):**

Office, clerical, research and services not primarily related to goods and merchandise  
Office supplies  
Off-street parking facilities (as permitted by Article 9, Part II)  
Opticians  
Paint store  
Pet cemetery  
Pet store  
Photo studios  
Plumbing repair contractor (no open storage)  
Plumbing repair contractor (open storage allowed)  
Police stations  
Printing, publishing, and engraving establishments  
Private postal shipping and receiving  
Publicly-owned and operated outdoor recreational facilities  
Public utility pumping stations  
Real estate office/appraisal  
Rental of goods, merchandise, and equipment (no outside storage or display of goods)  
Rental of goods, merchandise, and equipment (with outside storage or display of goods)  
Restaurants, excluding fast food & drive thru services  
Restaurants, including fast food & drive thru services  
Sales of goods, merchandise, and equipment (no outside storage or display of goods)  
Sales of goods, merchandise, and equipment (with outside storage and display of goods)  
Self-service storage facility  
Service establishments  
Shoe store or repair  
Signs (as permitted by Article 9, Part III)  
Sporting goods store  
Storage inside completely enclosed structure  
Storage of goods not related to the sale or use of those goods on the same lot where they are stored  
Tailor/dressmaker/seamstress  
Taxi stands  
Tennis courts, commercial  
Tire sales, no outside storage  
Toy store  
Travel agencies  
Truck stop  
Truck wash  
Upholstery – furniture repair  
Veterinarian, animal clinic, no outside kennel

**City of Roxboro Unified Development Ordinance**  
**Permitted/Special Uses by District**

**B-1 Highway Business District (continued)**

**Permitted Uses (continued):**

Warehouses  
Wholesale sales

**Permitted Uses with Supplemental Regulations (refer to UDO Article 7):**

Artisan's workshop (3,000 square feet or less)  
Bars  
Battery charging station  
Battery exchange station  
Bingo  
Dance halls  
Distilleries  
Dwelling, single-family (as an accessory for a principal business)  
Engineering/surveying/architectural services – general  
Gamerooms  
Gas sales operations  
Golf courses  
Manufactured home sales/modular home sales  
Microbrewery  
Retaining walls and fences  
Satellite dish antennas, non-commercial use  
Solar energy generating facility, accessory  
Tattoo/body piercing parlors  
Temporary emergency, construction, and repair residences  
Temporary storage facility (portable storage units)  
Towing, automobile and truck  
Veterinarian, animal clinic, outside kennel

**Special Uses:**

Adult care home (over 6 residents)  
Ambulance service, rescue squad  
Athletic fields  
Church, synagogue, temple, or other religious building, including accessory services  
Convenience stores, one (1) acre or more  
Farm stand  
Fraternal clubs and lodges, non-profit  
Golf driving ranges not accessory to golf courses  
Hospitals, clinics, other medical treatment facilities  
Kindergarten/nursery schools/pre-K  
Museums  
Nursing home

**City of Roxboro Unified Development Ordinance**  
**Permitted/Special Uses by District**

**B-1 Highway Business District (continued)**

**Special Uses (continued):**

Outdoor athletic and exercise facilities  
Par 3 golf courses  
Repair shops not otherwise listed  
School, elementary or secondary  
Shopping center, less than 30,000 sq ft gross enclosed floor area  
Shopping center, greater than 30,000 sq ft gross enclosed floor area  
Skateboard parks  
Skating rinks  
Swimming clubs  
Tire sales, with outside storage  
Utility company (no open-air storage)  
Water slides

**Special Uses with Supplemental Regulations (refer to UDO Article 7):**

Artisan's workshop (exceeding 3,000 square feet)  
Billiards and pool halls  
Child care center  
Child care center (as an accessory use for a principal business/industry)  
Cemetery  
Crematorium  
Daycare facility, adult  
Mixed Use  
Night clubs and social clubs  
Public utility towers, substations, and storage tanks  
Satellite dish antennas, commercial  
Storage outside completely enclosed structure  
Swimming pools, commercial/community  
Swimming pools, private  
Temporary uses/sales  
Wind energy generating facility, accessory  
Wind farm  
Wireless communication facilities, 50' tall or less

**CITY OF ROXBORO, NORTH CAROLINA**  
**Planning Board**

**November 5, 2018**  
**6:00 p.m.**

**MEMBERS PRESENT:** Tony Cole, Margaret Kay, Kenneth Montgomery,  
Robert Trotter, and Danny Cultra

**STAFF:** Lauren Johnson, Planning Director

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**MINUTES**

Chairman Trotter called the meeting to order at 6:01pm and asked everyone to sign in on the sheet passed around.

**APPROVAL OF MINUTES**

Board Member, Kenneth Montgomery, motioned to approve the minutes from the October 1, 2018 meeting. Board Member, Margaret Kay, seconded. Motion carried.

**REPORTS OF COMMITTEES**

None.

**NEW BUSINESS**

**Rezoning Request – 500 Weeks Drive, Tax Map 96 39:** Ms. Johnson directed the Board to the meeting packet with the application from Property Limited, LLC. to rezone the 2 acre tract of land from I-1 to B-1. Ms. Johnson identified this area as the current location of Carpet One and pointed out that the zoning of the surrounding area with B-1 being the zoning of all properties surrounding, with R-12 Residential across Old Durham Road. Ms. Johnson specifically pointed out the one other industrially zoned property, which is further south on 158/Old Durham Road. Ms. Johnson highlighted the implementation strategies of the land use plan that support the rezoning request, which encouraged “well-planned commercial establishments to provide necessary goods and services to area employers and residents,” as well as advised the City to “minimize conflicts between incompatible land uses.” She then advised the Board that the Future Land Use Map classifies this parcel for commercial use. She continued to say that the current use of the property, which is for a commercial establishment, would better coincide with the requested B-1 zoning than the existing I-1 industrial, also

reducing the intensity of the land use possibilities for an area that is adjacent to residential properties.

Chairman Trotter asked for clarification on the zoning of the surrounding lots and classification of the parcels on the map provided with the staff report.

Chairman Trotter asked if there was anyone from the public who wished to address the Board. There being only two individuals present, both applicants for the hearings on the agenda, no one came forward and the public hearing was closed.

Chairman Trotter asked if the Board had any questions or concerns. Board member Margaret Kay stated this seemed pretty straight forward.

Board Member Tony Cole made a motion to recommend approval. Board Member Margaret Kay seconded. Motion carried unanimously.

**Rezoning Request – Lot off 501 S, Parent Tract Tax Map A51 Lot 17:** Ms. Johnson began by informing the Board this request may look familiar as the Planning Board previously recommended approval for the rezoning of the entire parcel of A51, Lot 17, but quickly clarified that a subdivision of the parcel had since taken place and the property would now like to rezone the newly formed lot that fronts on 501 from residential to B-1 Commercial.

Ms. Johnson continued by informing the Board this new lot would be assigned a new Tax Map and Lot number as a result of the subdivision, and that the tract is vacant and approximately 30 acres in size.

Continuing through her staff report, Ms. Johnson highlighting the implementation strategies of the Land Use Plan which support the rezoning request because it would “minimize conflicts between incompatible land uses,” and “discourage the intermingling of residential land uses in a commercial area.” Ms. Johnson advised that most all parcels fronting on 501 are zoned for commercial use, and the type of development required for commercial development is better suited for accessing a major thoroughfare such as this. Additionally, not allowing residential development to front directly on the highway could reduce issues with traffic and safety.

Chairman Trotter asked if there was anyone who wished to speak for or against the request. Mr. Wilkins said he would be happy to provide any information the Board needed.

Chairman Trotter said he drove out to the site and did remember consideration of a zoning for this parcel previously.

Chairman Trotter asked if there were any questions or concerns from the Board. Vice-Chairman Danny Cultra inquired about the original zoning of the parcel

prior to the recent rezoning. Ms. Johnson advised that the lot was originally zoned B-1, but under County zoning jurisdiction. When the parcel was annexed, it was required to undergo a rezoning to transfer to City jurisdiction. Due to the time-sensitivity of that process and pending transfers of ownership, the subdivision of this parcel could not take place prior to the original rezoning.

Chairman Trotter asked if there were any other questions, or a motion. Vice-Chair Danny Cultra made the motion to recommend approval based on the conformity with the land use plan. Board Member Margaret Kay seconded. Motion carried unanimously.

**2019 Meeting Schedule:** Ms. Johnson directed the Board to the proposed dates in the packet and inquired if there was any issue or conflict for these dates/times.

Vice-Chair Danny Cultra asked about any holiday conflicts and Ms. Johnson advised that Labor Day presented the only conflict and she already made accommodations for that by moving the September meeting date to the following Monday, which would be the 9<sup>th</sup>.

Board Member Margaret Kay inquired about the meeting time. Ms. Johnson advised it would remain 6pm, unless it was the pleasure of the Board to make a change.

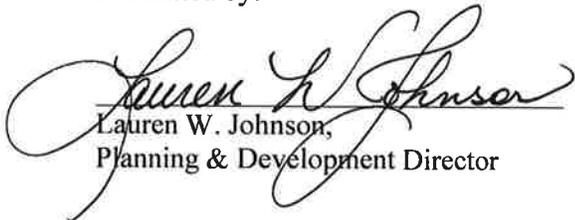
Chairman Trotter asked if there were any objections or a motion. Board Member Kenneth Montgomery made a motion to approve this schedule. Board Member Tony Cole seconded. Motion carried unanimously.

## **UNFINISHED BUSINESS**

## **ADJOURNMENT**

Ms. Johnson advised there were no applications for December, so the Board would not meet. She also stated that checks for each member's service for the year would be mailed closer to Christmas. There being no other business before the Board, Vice-Chair Danny Cultra motioned to adjourn. Board Member, Tony Cole, seconded. Motion carried and the meeting adjourned at 6:17pm.

Submitted by:

  
Lauren W. Johnson,  
Planning & Development Director

**Planning Board Motion Format for Recommended Approval of Request:**

I make a motion that we recommend approval of the rezoning request presented in Docket #RZ2018-07, because the amendment is consistent with the City's Comprehensive Land Use Plan in that it;

- Encourage well-planned commercial establishments to provide necessary goods and services to area employers and residents (pg. 71),
- Minimizes conflicts between incompatible land uses (pg. 69).

Furthermore, this decision is in the public interest of the City of Roxboro as it allows for development that is compatible with the existing character of the area, and reduces the intermingling of incompatible uses near residential areas.

Motion Made by: Tony Cole

Seconded by: Margaret Kay

Approved: 5 to 0

This report reflects the recommendation of the Planning Board, this the 5<sup>th</sup> day of November, 2018.

Attest:

Robert Trotter  
Robert Trotter, Planning Board Chairman

Lauren W. Johnson  
Lauren W. Johnson, Planning Director



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date  
Tuesday, September 25, 2018 4:17 PM

size  
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dimensions  
032 x 3024

resolution  
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source  
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location  
Covington

device  
M-G935V

map





# Memo

**To:** Mayor Newell, Roxboro City Councilmen  
**From:** Lauren Johnson  
**cc:** City Clerk, Trevie Adams  
**Date:** October 30, 2018  
**Re:** Certification of Written Notice

Please be advised letters were mailed First Class to the following property owners notifying same of the pending Rezoning Request, Docket #: RZ2018-07, for the parcel identified as 96, 39 on today's date. This list includes all property owners with land adjacent to the parcels within 200 feet, as well as the listed owners of the property under consideration.

- |                                    |                               |
|------------------------------------|-------------------------------|
| 1. Edgar & Terri Talbert           | 9. Harold & Doris Brooks      |
| 2. Pareto Medical Properties, LLC. | 10. RPNA Capital, LLC.        |
| 3. Weeks Investors, Inc.           | 11. Vaughan Reel Estate, LLC. |
| 4. Bruce Wrenn                     | 12. Aaron Rents, Inc.         |
| 5. James & Peggy Fogleman          | 13. Property Unlimited, LLC.  |
| 6. Marvin Eanes Jennings           |                               |
| 7. Eunice Pritchard Trustee        |                               |
| 8. Alan & Susan Brooks             |                               |

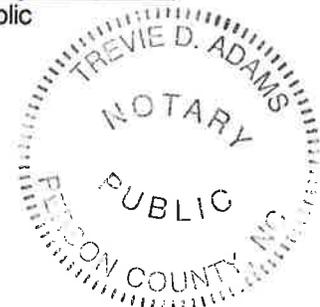
  
 Lauren W. Johnson, CZO  
 Planning & Development Director

ATTEST:

Witness my hand and notarial seal, this 30<sup>th</sup> day of October 2018.

  
 Notary Public

My Commission Expires: Feb. 11, 2022





# City of Roxboro

October 30, 2018

Edgar & Terri Talbert  
460 Alleghany Drive  
Roxboro, NC 27573



Dear sir or madam,

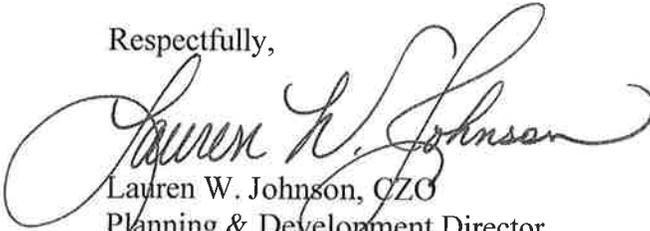
You are receiving this letter because a site adjacent to your property (see attached) is under consideration for Rezoning.

An application for the parcel located at 500 Weeks Drive is pending review by the Roxboro City Council. The applicant requests Council rezone the property, identified as Tax Map 96, Lot 39, from I-1 (Light Industrial) to B-1 (Highway Commercial).

The application will be reviewed by the Roxboro City Council at 9 a.m. on November 19<sup>th</sup>, 2018. This meeting is a Public Hearing and will be held at 105 S. Lamar Street, Roxboro, N.C. 27573 in the Council Chambers. Comments made by the public may be considered by Council when making a decision.

Please be aware this rezoning request is only for the parcel identified above. This will not change the zoning of your property. If you have any questions regarding this matter, please contact the Roxboro Planning and Development Office at 336.322.6018.

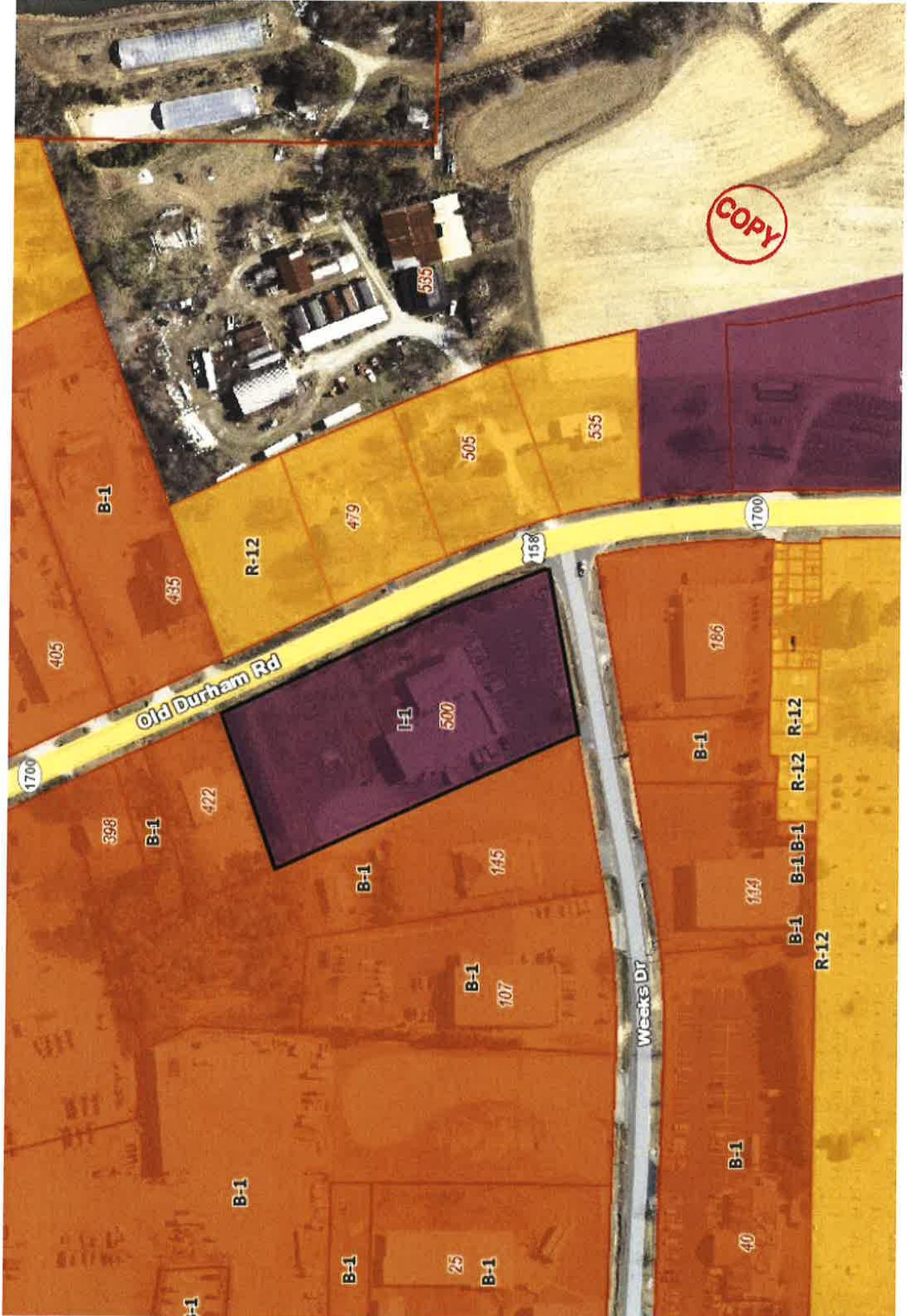
Respectfully,



Lauren W. Johnson, CZO  
Planning & Development Director  
City of Roxboro

Enclosure

COPY



B-1

405

435

R-12

479

505

535

1700

398

B-1

422

B-1

I-1

500

145

B-1

107

B-1

B-1

25

B-1

Weeks Dr

B-1

186

194

B-1

R-12

R-12

R-12

B-1

40

1700



City of Roxboro  
October 30, 2018



Property Unlimited, LLC  
140 Clayton Hollow Road  
Roxboro, NC 27574

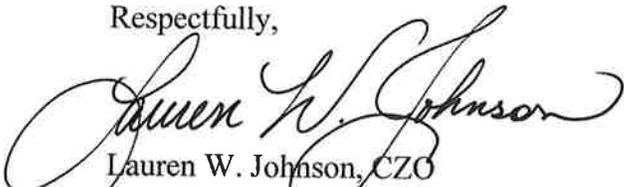
Dear Sir or Madam,

This letter is to inform you of the pending Public Hearing for the request for Rezoning for the property located at 500 Weeks Drive, and identified as Tax Map 96 Lot 39.

The application will be reviewed by the Roxboro City Council at 9 a.m. on November 19<sup>th</sup>, 2018. This meeting is a Public Hearing and will be held at 105 S. Lamar Street, Roxboro, N.C. 27573 in the Council Chambers. Comments made by the public may be considered by Council when making a decision.

If you have any questions regarding this matter please contact the Roxboro Planning and Development Office at 336.322.6018.

Respectfully,

  
Lauren W. Johnson, CZO  
Planning & Development Director  
City of Roxboro

**Motion Format Requirements:**

Per NCGS 153A-341, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment, the governing board shall adopt one of the following statements regarding plan consistency, which shall not be subject to a judicial review.

A) A statement approving the zoning amendment and describing its consistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.

B) A statement rejecting the zoning amendment and describing its inconsistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.

C) A statement approving the zoning amendment and containing at least all of the following:

1. A declaration that the approval is also deemed an amendment to the comprehensive plan. The governing board shall not require any additional request or application for amendment to the comprehensive plan.

2. An explanation of the change in conditions the governing board took into account in amending the zoning ordinance to meet the development needs of the community.

3 Why the action was reasonable and in the public interest.

The Planning Board shall advise and comment on whether the proposed amendment is consistent with a comprehensive plan and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the City Council that addresses comprehensive plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with a comprehensive plan shall not preclude consideration or approval of the proposed amendment by the City Council.

**Consistency Statement:**

I make a motion that we approve the proposed rezoning request presented in Docket #TA2018-07, because the amendment is consistent with the City's Comprehensive Land Use Plan in that it;

- Encourages well-planned commercial establishments to provide necessary goods and services to area employers and residents (pg. 71),
- Minimizes conflicts between incompatible land uses (pg. 69).

Furthermore, this decision is in the public interest of the City of Roxboro as it allows for development that is compatible with the existing character of the area, and reduces the intermingling of incompatible uses near residential areas.

Motion To Adopt Made by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved: \_\_\_\_ to \_\_\_\_

Attest:

\_\_\_\_\_  
Merilyn P. Newell, Mayor

\_\_\_\_\_  
Trevie Adams, City Clerk

## 4. Rezoning Request - Newly Formed Parcel off 501S - Public Hearing

# Memo



**To:** Mayor Newell and Roxboro City Council  
**From:** Lauren Johnson/ Planning & Development Director  
**cc:** Trevie Adams City Clerk (for City Records)  
**Date:** November 7, 2018  
**Re:** Recommendation from Planning Board Regarding Rezoning Request for  
the Newly Formed Parcel off 501 S, Identified from the Parent Tract A51, Lot 17

Madam Mayor and Council,

Please be advised that the City of Roxboro Planning Board met on November 5<sup>th</sup>, 2018 to review a request for a Rezoning for the parcel of land recently subdivided from the larger tract identified as Tax Map A51, Lot 17. This newly formed tract fronts on 501 beside Yates Homes and is approximately 30 acres in size.

Upon review of the enclosed application and staff report, the City Planning Board offers a unanimous favorable recommendation to approve the request for Rezoning. Enclosed you will find the written consistency statement signed by the Planning Board Chair and department head.

Application for

# Official Zoning Map Amendment



Roxboro Planning & Development  
105 S Lamar Street Roxboro, N.C. 27573 336-322-6018

**TO THE PLANNING BOARD AND THE CITY COUNCIL:**

I/We, the undersigned, do hereby make application and petition to the City Council of the City of Roxboro to amend the Official Zoning Map of the City of Roxboro as hereinafter requested. I hereby certify that I have full legal right to request such action. (Type or Print Clearly)

Petitioner(s): Sue Satterfield Wilkins Family Ltd. Partnership

Address: 210 FAIR OAKS DR., ROXBORO, NC 27574

Telephone Number: (336) 599-7336 Fax Number: N/A

Interest in Property: PARTOWNER & GENERAL PARTNER OF FLP  
(I.e., Owner, Part Owner, Optionholder, Governmental Agency, Etc.)

Property Information: east side of U.S. 501 South between

Address: LAND GRANT ROAD AND YATES HOMES

Watershed: FALLS LAKE Lot Size: \_\_\_\_\_

Township: CITY OF ROXBORO Tax Map/Lot #: A51-17 (for grant tract)

Current Use: VACANT LOT

Available Utilities: (check all that apply)

City Water  City Sewer  Well  Septic System  None

**Zoning Map Amendment:**

Current Zoning Classification: R-8

Requested Zoning Classification: B-1

The undersigned hereby certify that the application material is complete and accurate. Furthermore, the undersign hereby authorizes the City of Roxboro's Zoning Administrator or designated representative to enter upon the above referenced property for the purpose of evaluating this request.

[Signature]  
Applicant Signature GENERAL PARTNER

Oct. 5, 2018  
Date

**Staff Use Only:**

Date Received:  
10/5/18

Docket #:  
RX2018-08

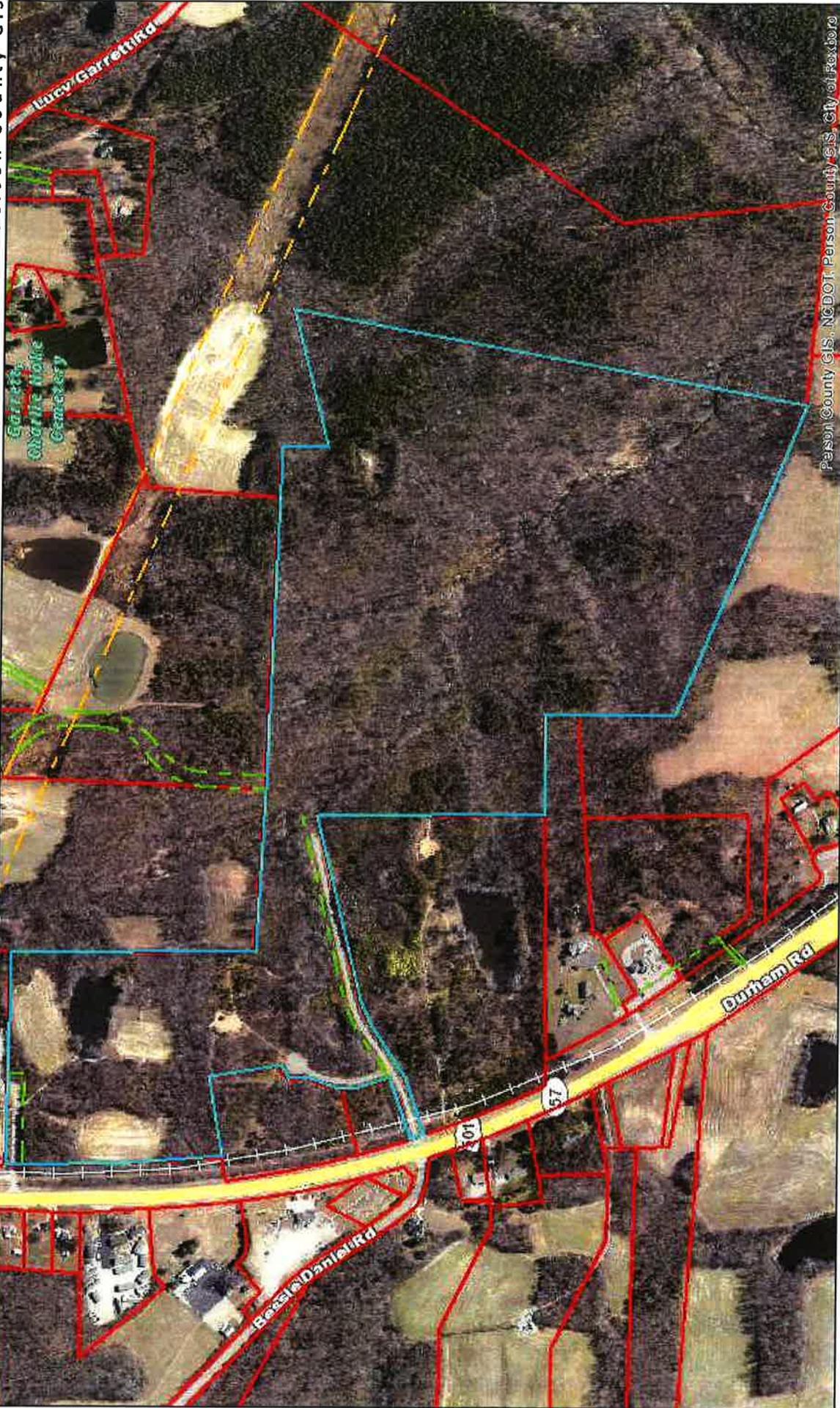
Planning Board Meeting Date:  
11/5/18

City Council Meeting Date:  
11/19/18

**Required Submittal Items:**

A complete application must contain the following additional items for consideration:

- Application Fee - \$200 (cash, check, or money order accepted)
- Copy of the applicable Person County Tax Map, or other documentation verifying the location and size of the parcel(s)
- Property Deed – Please enclose most recent deed to the property. This can be obtained from the Person County Register of Deeds Office.
- Survey Plat – Please enclose a copy of the property survey plat, if on record with the Person County Register of Deeds Office.
- If the applicant is not the owner of the property, a letter must be provided with the notarized signature of the property owner, verifying awareness of the request being made.
- List of adjacent property owners, with addresses of same.



Person County GIS, NCDOT, Person County GIS, City of Rexboro

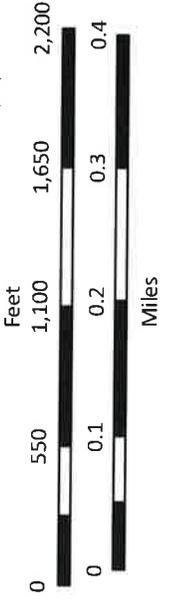
10/4/2018 NOT FOR LEGAL USE

AS 17

Legend

Easements

- Conservation
- Easement
- Utility
- All Other



019115

FILED in PERSON County, NC  
on Oct 03 2000 at 12:01:03 PM  
by: AMANDA H. GARRETT  
REGISTER OF DEEDS  
BOOK 311 PAGE 41

Transfer Information Received

This 3 Day of Oct 2000

Russell Jero  
Person County Tax Administrator

Excise Tax \$700.00

Recording: Time, Book and Page

Tax Lot No. 17, Map A-51 Parcel Identifier No. \_\_\_\_\_  
Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
by \_\_\_\_\_

Mail after recording to: Sue S. Wilkins Family Limited Partnership  
325 Old Salem Road, Roxboro, North Carolina 27573

This instrument prepared by Alan S. Hicks, Attorney At Law

Brief Description for the Index

141.50 acres, Flat River Township

Issued Oct 03 2000  
\$700.00  
PERSON  
State of North Carolina  
County  
Real Estate Excise Tax

**NORTH CAROLINA GENERAL WARRANTY DEED**

THIS DEED made this 3rd day of October, 2000, by and between:

**GRANTOR**

Peggy W. Linville (unmarried)

**GRANTEE**

Sue S. Wilkins Family  
Limited Partnership, a  
North Carolina Limited  
Partnership

Enter in appropriate block for each party: name, address, and if appropriate, character of entity, e.g. corporation or partnership

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural masculine, feminine or neuter as required by context.

**WITNESSETH**, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the Flat River Township, Person County, North Carolina, and more particularly described as follows:

**Bounded now or formerly as follows:** On the North by the lands of Homemax North Carolina, Inc., S.R. Garrett, Serena C. Hubbard heirs, R. Franklin Garrett and Bobby C. Cates; on the East by the lands of Bobby C. Cates; on the South by the lands of Robert Michael Rogers and on the West by the Eastern edge of the lands of Norfolk and Western Railroad; containing 150.01 acres and being all of what is shown on that plat of survey entitled "EARL SATTERFIELD HEIRS", surveyed by Hamlett-Jennings and Associates, Neal C. Hamlett, RLS, dated December, 1995 and of record in Plat Cabinet 11, Hanger 91-G, Person County Registry; SAVE AND EXCEPT 8.51 acres thereof as shown on plat entitled "HOMEMAX NORTH CAROLINA, INC.", surveyed by Hamlett-Jennings and Associates, Neal C. Hamlett, RLS, dated August, 1997 and of record in Plat Cabinet 10, Hanger 84-H, Person County Registry, both of which plats are hereby specifically incorporated by reference herein for greater certainty of description.

Also hereby conveyed, as appurtenant to and running with the above described property, is all right, title and interest of the Grantor in and to that certain easement from Norfolk Southern Railway Company, dated September 21, 2000 and of record in Deed Book 311, Page 30, Person County Registry.

The property hereinabove-described was acquired by Grantor by instrument recorded in File 99 E 107 (Mattie Lois Satterfield Estate) in the office of the Person County Clerk of Superior Court.

described property is recorded in Plat Cabinet 11, Hanger 91-G, Person County Registry.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

AND THE GRANTOR COVENANTS with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated.

TITLE TO THE PROPERTY hereinabove-described is subject to the following exceptions:

1. Mutual and nonexclusive access easement shown on plat in Plat Cabinet 10, Hanger 84-H, Person County Registry, as well as all other matters of record.
2. All obligations of Grantee under above referenced easement from Norfolk Southern Railway Company, which obligations are solely assumed by the Grantee herein, as part and parcel of the consideration for this conveyance.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, the day and year first above written.

Peggy W. Linville (SEAL)  
 Peggy W. Linville (unmarried)

NORTH CAROLINA  
PERSON COUNTY

I, Denise Y. Aultman, a Notary Public of the State and County aforesaid, certify that Peggy W. Linville (unmarried) personally came before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 3<sup>rd</sup> day of October, 2000.

Denise Y. Aultman  
 Notary Public

My Commission Expires: 12-18-2001



NORTH CAROLINA  
PERSON COUNTY

The foregoing certificate of Denise Y. Aultman (Person County), a Notary Public of the governmental unit designated, is acknowledged to be correct. Let this instrument and this certificate be registered. Filed for registration on the 3 day of October, 2000, at 12:01:03 o'clock p. m., and duly recorded in the Office of the Register of Deeds of Person County, North Carolina, in Book 311, Page 41.

Amanda W. Garrett  
 Register of Deeds  
 AMANDA W. GARRETT





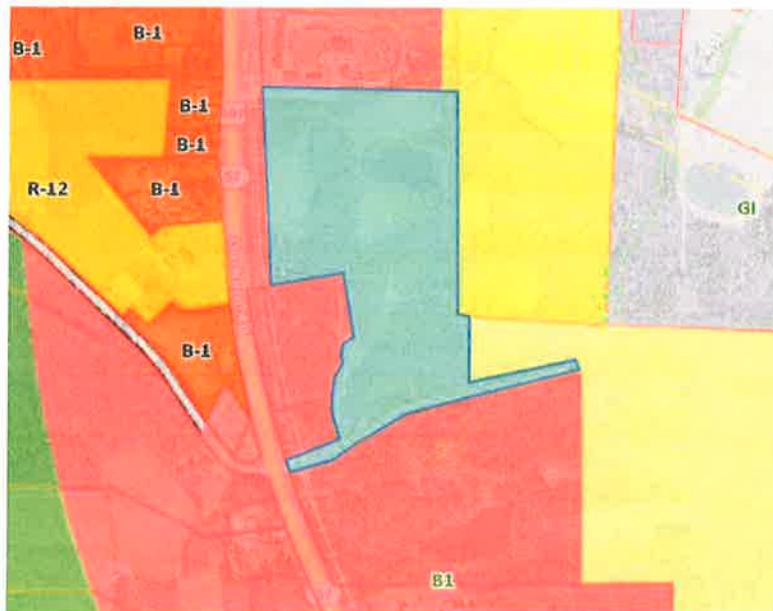
## CITY OF ROXBORO STAFF REPORT

**Prepared by: Lauren Johnson, Planning & Development Director**

<b>Meeting Dates:</b> Planning Board: November 5, 2018  City Council: November 19, 2018	<b>Request:</b> <input checked="" type="checkbox"/> Rezoning  <input type="checkbox"/> Special Use Permit
<b>Property Location:</b> Lot off 501 S	<b>Current Zoning:</b> R-8 (Residential)
<b>Tax Map#: from the parent tract A51 17</b>	<b>Proposed Zoning:</b> B-1 (Highway Commercial)
<b>Applicant Information:</b> Sue Satterfield Wilkins Family Ltd. Partnership 210 Fair Oaks Drive Roxboro, NC 27574	<b>Future Land Use Map Classification:</b> Commercial

### Summary:

The Wilkins Family Limited Partnership requests a rezoning for the recently subdivided parcel located off 501 S. The property, which is a part of the parent tract Tax Map and Lot number A51 17, constitutes a 29.75 acre tract of land off Highway 501 S, near the Clarksville Station and Clayton Homes area. The property is currently zoned R-8 for residential use. The applicant would like the property rezoned to B-1, Highway Commercial.



The surrounding properties are zoned a mixture of County and City residential and commercial.

## **Conformity to the Land Use Plan (LUP):**

### **Goals and Implementation Strategies (LUP, p. 69-75):**

- An implementation strategy for Land Use Goals (pg. 69) directs the City to minimize conflicts between incompatible land uses. This tract of land fronts onto the largest transportation corridor within the City of Roxboro. As such, commercial development of this site may result in less safety and traffic issues, as well as provide for appropriate development of a site located on a major transportation thoroughfare.
- An implementation strategy for Housing Goals (pg. 70) directs the City to discourage the intermingling of residential land uses in the commercial or industrial areas. While this property was originally zoned as a part of a larger tract to be used for residential development, it would remove intermingling of commercial and residential uses along 501 to rezone this newly subdivided parcel back to commercial.

### **Future Land Use Map Classification: Commercial**

Commercial (LUP, p. 79):

The commercial land use classification includes existing retail, wholesale, and business and professional services. Where such development has an established pattern, other lands that represent a logical extension of commercial use are also included. New commercial development should occur with limited and/or shared access to major thoroughfares.

### **Staff Remarks:**

It is staff's opinion that this rezoning is consistent with the Future Land Use Plan, as it is properly zones a tract of land on a major thoroughfare for commercial development. The area is surrounded by other commercially zoned/used properties and is located in a vicinity that is primarily utilized for commercial businesses.

Staff encourages the board to remember that rezoning request reviews should take into consideration all uses allowed within the respective zoning. Furthermore, as a legislative decision, comments provided by the public regarding this matter may be influential in making a determination.

**City of Roxboro Unified Development Ordinance**  
**Permitted/Special Uses by District**

**R-8 Residential District (continued)**

**Special Uses:**

Adult care home (over 6 residents)  
Athletic fields  
Church, synagogue, temple or other religious building, including accessory services  
Country clubs  
Dwelling, garage apartment  
Family foster home  
Fire stations  
Government buildings/offices  
Multi-unit assisted housing with services  
Museums  
Nursing home  
Swimming clubs

**Special Uses with Supplemental Regulations (refer to UDO Article 7):**

Bed & breakfast  
Cemetery as an accessory use to a church, including columbarium  
Golf courses  
Public utility towers, substations, and storage tanks  
Satellite dish antennas, commercial  
Temporary emergency, construction, and repair residences  
Wind energy generating facility, accessory  
Wireless communication facilities, 50' tall or less

**City of Roxboro Unified Development Ordinance**  
**Permitted/Special Uses by District**

**R-8 Residential District**

**Permitted Uses:**

Accessory buildings/structures

Accessory uses

Agricultural uses

Community gardens

Dwelling, single-family

Off-street parking facilities (as permitted by Article 9, Part II)

Public utility pumping stations

Publicly-owned and operated outdoor recreational facilities

Signs (as permitted by Article 9, Part III)

**Permitted Uses with Supplemental Regulations (refer to UDO Article 7):**

Family care home

Family child care home

Forestry activities

Granny pods/temporary health care structures

Home occupations

Retaining walls and fences

Satellite dish antennas, non-commercial use

Small child care center

Solar energy generating facility, accessory

Swimming pools, private

Temporary storage facility (portable storage units)

**City of Roxboro Unified Development Ordinance**  
**Permitted/Special Uses by District**

**B-1 Highway Business District**

**Permitted Uses:**

ABC store  
Accessory buildings/uses  
Accessory uses  
Accounting agencies  
Advertising agencies  
Agricultural product warehousing  
Agriculturally-related business  
Antique stores  
Art galleries  
Attorneys  
Automobile parking garages or parking lots (independent)  
Automobile parts and accessories, with installation  
Automobile repair services or body shop  
Automobile sales and service  
Automobile service stations, including routine/minor maintenance  
Automobile window tinting, stereo or rim installation  
Bakery (retail)  
Banks/financial services  
Barber shops, beauty shops  
Book store, including the retail of stationery, books, magazines, newspapers  
Bowling alleys  
Building supplies and sales  
Bus terminal  
Campgrounds  
Car wash  
Catering  
Chiropractic  
College, universities, community colleges  
Coliseums, stadiums designed to accommodate more than 1,000 people  
Commercial greenhouse or nursery  
Community centers  
Community gardens  
Computer sales and repair  
Contractors offices (no outside storage)  
Convenience stores, less than one (1) acre  
Deli  
Dog grooming (no outdoor kennels)  
Drug store  
Dry cleaner, Laundromat  
Electrical equipment sales and repair

**City of Roxboro Unified Development Ordinance**  
**Permitted/Special Uses by District**

**B-1 Highway Business District (continued)**

**Permitted Uses (continued):**

Electrical repair or contractor (no open storage)  
Electrical repair or contractor (open storage allowed)  
Emergency management program  
Engine repair, small (including motorcycle)  
Exterminating and pest control services  
Fabric store  
Farm, craft, produce markets  
Farm equipment, and boat sales or rental or sales and service  
Fire stations  
Florists  
Funeral home  
Furniture store  
General contractors (no open storage)  
General contractors (open storage allowed)  
Gift shops  
Government buildings/offices  
Governmental postal facilities  
Grocery/food store  
Hardware store  
Health spa  
Heating and air conditioning installation and repair (no open storage)  
Heating and air conditioning installation and repair (open storage allowed)  
Home appliance dealers  
Home appliance repair  
Hotels and motels  
Ice cream stand or store  
Insurance office  
Indoor athletic and exercise facilities  
Indoor tennis and squash courts  
Interior decorating service  
Jewelry store/repair  
Leather goods store  
Medical and dental offices/clinics  
Medical support offices (testing labs)  
Military reserve, National Guard centers  
Miniature golf courses  
Movie theaters  
Music instrument sales and service  
Music studio  
Nail/tanning salon

**City of Roxboro Unified Development Ordinance**  
**Permitted/Special Uses by District**

**B-1 Highway Business District (continued)**

**Permitted Uses (continued):**

Office, clerical, research and services not primarily related to goods and merchandise  
Office supplies  
Off-street parking facilities (as permitted by Article 9, Part II)  
Opticians  
Paint store  
Pet cemetery  
Pet store  
Photo studios  
Plumbing repair contractor (no open storage)  
Plumbing repair contractor (open storage allowed)  
Police stations  
Printing, publishing, and engraving establishments  
Private postal shipping and receiving  
Publicly-owned and operated outdoor recreational facilities  
Public utility pumping stations  
Real estate office/appraisal  
Rental of goods, merchandise, and equipment (no outside storage or display of goods)  
Rental of goods, merchandise, and equipment (with outside storage or display of goods)  
Restaurants, excluding fast food & drive thru services  
Restaurants, including fast food & drive thru services  
Sales of goods, merchandise, and equipment (no outside storage or display of goods)  
Sales of goods, merchandise, and equipment (with outside storage and display of goods)  
Self-service storage facility  
Service establishments  
Shoe store or repair  
Signs (as permitted by Article 9, Part III)  
Sporting goods store  
Storage inside completely enclosed structure  
Storage of goods not related to the sale or use of those goods on the same lot where they are stored  
Tailor/dressmaker/seamstress  
Taxi stands  
Tennis courts, commercial  
Tire sales, no outside storage  
Toy store  
Travel agencies  
Truck stop  
Truck wash  
Upholstery – furniture repair  
Veterinarian, animal clinic, no outside kennel

**City of Roxboro Unified Development Ordinance**  
**Permitted/Special Uses by District**

**B-1 Highway Business District (continued)**

**Permitted Uses (continued):**

Warehouses  
Wholesale sales

**Permitted Uses with Supplemental Regulations (refer to UDO Article 7):**

Artisan's workshop (3,000 square feet or less)  
Bars  
Battery charging station  
Battery exchange station  
Bingo  
Dance halls  
Distilleries  
Dwelling, single-family (as an accessory for a principal business)  
Engineering/surveying/architectural services – general  
Gamerooms  
Gas sales operations  
Golf courses  
Manufactured home sales/modular home sales  
Microbrewery  
Retaining walls and fences  
Satellite dish antennas, non-commercial use  
Solar energy generating facility, accessory  
Tattoo/body piercing parlors  
Temporary emergency, construction, and repair residences  
Temporary storage facility (portable storage units)  
Towing, automobile and truck  
Veterinarian, animal clinic, outside kennel

**Special Uses:**

Adult care home (over 6 residents)  
Ambulance service, rescue squad  
Athletic fields  
Church, synagogue, temple, or other religious building, including accessory services  
Convenience stores, one (1) acre or more  
Farm stand  
Fraternal clubs and lodges, non-profit  
Golf driving ranges not accessory to golf courses  
Hospitals, clinics, other medical treatment facilities  
Kindergarten/nursery schools/pre-K  
Museums  
Nursing home

**City of Roxboro Unified Development Ordinance**  
**Permitted/Special Uses by District**

**B-1 Highway Business District (continued)**

**Special Uses (continued):**

Outdoor athletic and exercise facilities  
Par 3 golf courses  
Repair shops not otherwise listed  
School, elementary or secondary  
Shopping center, less than 30,000 sq ft gross enclosed floor area  
Shopping center, greater than 30,000 sq ft gross enclosed floor area  
Skateboard parks  
Skating rinks  
Swimming clubs  
Tire sales, with outside storage  
Utility company (no open-air storage)  
Water slides

**Special Uses with Supplemental Regulations (refer to UDO Article 7):**

Artisan's workshop (exceeding 3,000 square feet)  
Billiards and pool halls  
Child care center  
Child care center (as an accessory use for a principal business/industry)  
Cemetery  
Crematorium  
Daycare facility, adult  
Mixed Use  
Night clubs and social clubs  
Public utility towers, substations, and storage tanks  
Satellite dish antennas, commercial  
Storage outside completely enclosed structure  
Swimming pools, commercial/community  
Swimming pools, private  
Temporary uses/sales  
Wind energy generating facility, accessory  
Wind farm  
Wireless communication facilities, 50' tall or less

**Planning Board Motion Format for Recommended Approval of Request:**

I make a motion that we recommend approval of the rezoning request presented in Docket #RZ2018-08, because the amendment is consistent with the City's Comprehensive Land Use Plan in that it;

- Minimizes conflicts between incompatible land uses (pg. 69), and
- Discourages the intermingling of residential land uses in a commercial area.

Furthermore, this decision is in the public interest of the City of Roxboro as it allows for commercial development along a major transportation route, and restricts residential development from fronting on a major thoroughfare that could be used for essential commercial functions.

Motion Made by: Danny Cultra

Seconded by: Margaret Kay

Approved: 5 to 0

This report reflects the recommendation of the Planning Board, this the 5<sup>th</sup> day of November, 2018.

Attest:

Robert Trotter  
Robert Trotter, Planning Board Chairman

Lauren W. Johnson  
Lauren W. Johnson, Planning Director

File name  
20181010\_113737.jpg

Date  
Wednesday, October 10, 2018 11:37 AM

Size  
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Dimensions  
4032 x 3024

Spot  
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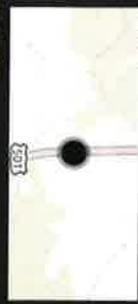
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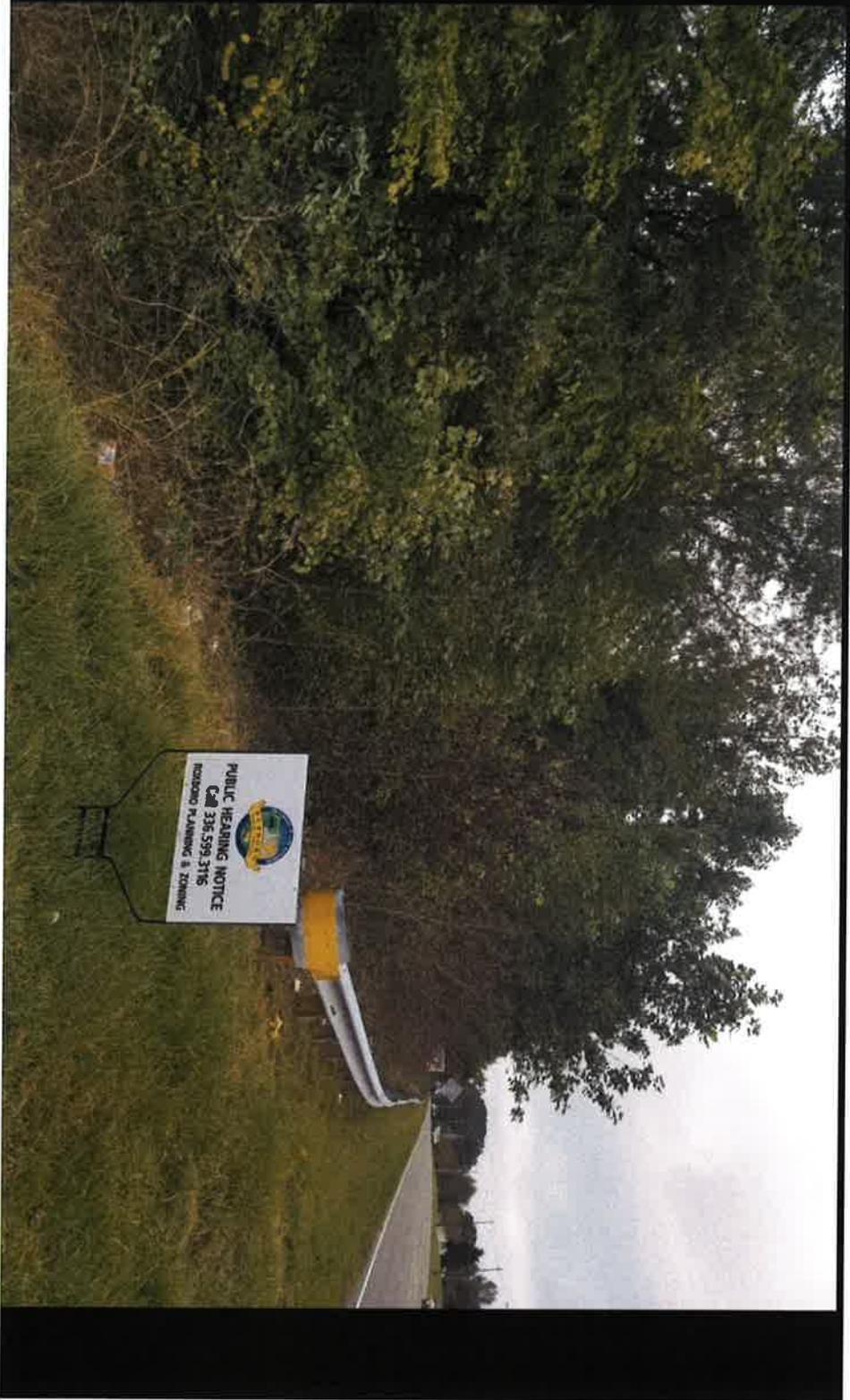
Folder Path  
C:\Users\Wrenn\Desktop

Source  
This PC

Location  
Rochboro



Open Map





# Memo

**To:** Mayor Newell, Roxboro City Councilmen  
**From:** Lauren Johnson  
**cc:** City Clerk, Trevie Adams  
**Date:** October 30, 2018  
**Re:** Certification of Written Notice

Please be advised letters were mailed First Class to the following property owners notifying same of the pending Rezoning Request, Docket #: RZ2018-08, for the parcel identified out of the parent tract A51, 17 on today's date. This list includes all property owners with land adjacent to the parcels within 200 feet, as well as the listed owners of the property under consideration.

1. Ubaldo & Maria Reyes
2. Sheila Clayton
3. JWK Land, LLC.
4. Christy Clayton & Others
5. Tanya Clayton
6. Harold T Brooks Limited Partners
7. James & Mary Stovall
8. Michael Davis, Sr.
9. Virginia Frederick & Others
10. Loflin Properties, LLC
11. Person Dominion, Inc. A Del Corp
12. Sue Wilkins Family, Ltd. Partnership

  
Lauren W. Johnson, CZO  
Planning & Development Director

ATTEST:

Witness my hand and notarial seal, this 30<sup>th</sup> day of October 2018.

  
Trevie D. Adams  
Notary Public

My Commission Expires: Feb. 11 2022





City of Roxboro  
October 30, 2018

Sue Wilkins Family, Ltd. Partnership  
210 Fair Oaks Drive  
Roxboro, NC 27574

Dear Sir or Madam,

This letter is to inform you of the pending Public Hearing for the request for Rezoning for the recently subdivided property located off 501 S, and identified from the parent tract Tax Map A51 Lot 17.

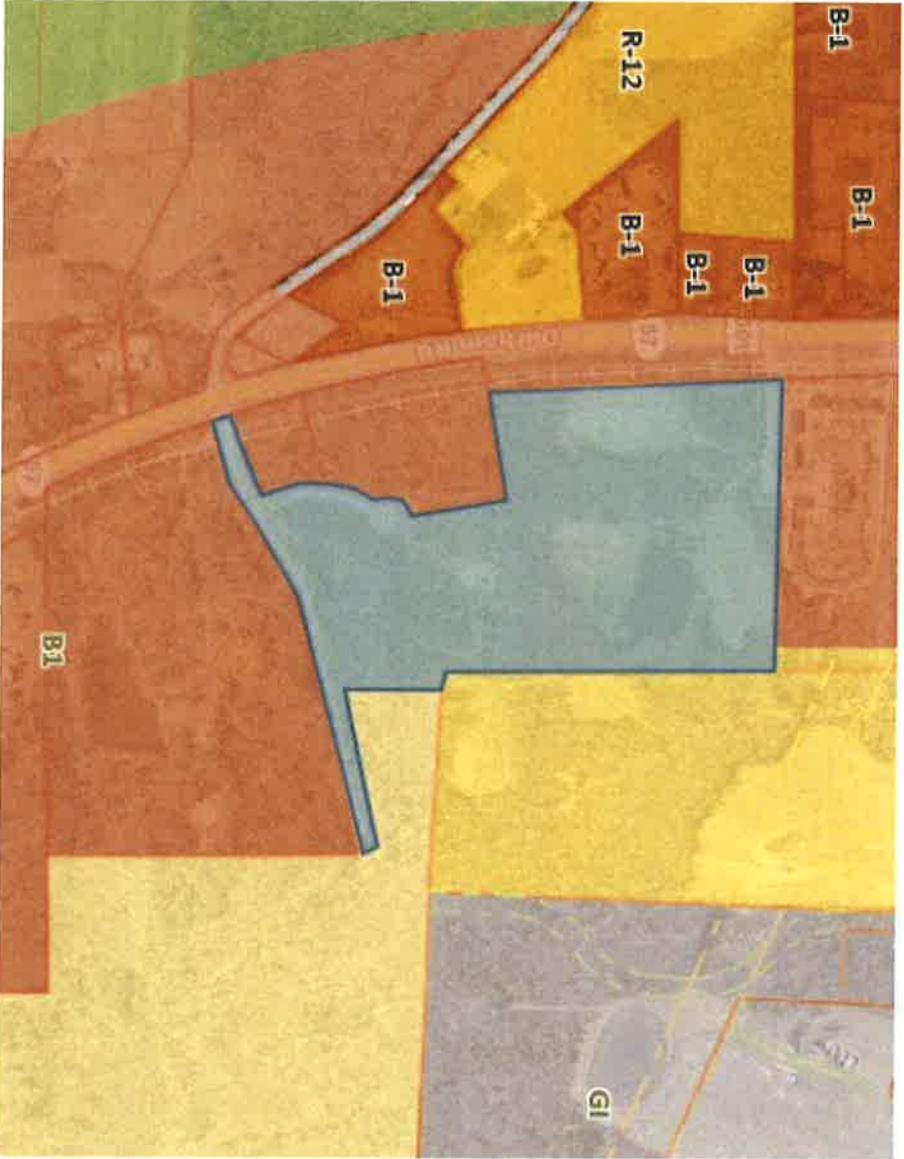
The application will be reviewed by the Roxboro City Council at 9 a.m. on November 19<sup>th</sup>, 2018. This meeting is a Public Hearing and will be held at 105 S. Lamar Street, Roxboro, N.C. 27573 in the Council Chambers. Comments made by the public may be considered by Council when making a decision.

If you have any questions regarding this matter please contact the Roxboro Planning and Development Office at 336.322.6018.

Respectfully,

Lauren W. Johnson, CZO  
Planning & Development Director  
City of Roxboro







## City of Roxboro

October 30, 2018

Loflin Properties, LLC.  
175 NC Highway 49 S  
Asheboro, NC 27205

Dear sir or madam,

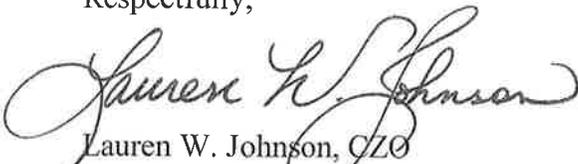
You are receiving this letter because a site adjacent to your property (see attached) is under consideration for Rezoning.

An application for a parcel located off 501 S is pending review by the Roxboro City Council. The applicant requests Council rezone the property, which has been recently subdivided from the parent tract Tax Map A51, Lot 17, from R-8 (Residential) to B-1 (Highway Commercial).

The application will be reviewed by the Roxboro City Council at 9 a.m. on November 19<sup>th</sup>, 2018. This meeting is a Public Hearing and will be held at 105 S. Lamar Street, Roxboro, N.C. 27573 in the Council Chambers. Comments made by the public may be considered by Council when making a decision.

Please be aware this rezoning request is only for the parcel identified above. This will not change the zoning of your property. If you have any questions regarding this matter, please contact the Roxboro Planning and Development Office at 336.322.6018.

Respectfully,

  
Lauren W. Johnson, CZO  
Planning & Development Director  
City of Roxboro



Enclosure

**Motion Format Requirements:**

Per NCGS 153A-341, zoning regulations shall be made in accordance with a comprehensive plan. Prior to adopting or rejecting any zoning amendment, the governing board shall adopt one of the following statements regarding plan consistency, which shall not be subject to a judicial review.

A) A statement approving the zoning amendment and describing its consistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.

B) A statement rejecting the zoning amendment and describing its inconsistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.

C) A statement approving the zoning amendment and containing at least all of the following:

1. A declaration that the approval is also deemed an amendment to the comprehensive plan. The governing board shall not require any additional request or application for amendment to the comprehensive plan.

2. An explanation of the change in conditions the governing board took into account in amending the zoning ordinance to meet the development needs of the community.

3 Why the action was reasonable and in the public interest.

The Planning Board shall advise and comment on whether the proposed amendment is consistent with a comprehensive plan and any other officially adopted plan that is applicable. The Planning Board shall provide a written recommendation to the City Council that addresses comprehensive plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with a comprehensive plan shall not preclude consideration or approval of the proposed amendment by the City Council.

**Consistency Statement:**

I make a motion that we approve the proposed rezoning request presented in Docket #TA2018-08, because the amendment is consistent with the City's Comprehensive Land Use Plan in that it;

- Minimizes conflicts between incompatible land uses (pg. 69), and
- Discourages the intermingling of residential land uses in a commercial area (pg. 70).

Furthermore, this decision is in the public interest of the City of Roxboro as it allows for commercial development along a major transportation route, and restricts residential development from fronting on a major thoroughfare that could be used for essential commercial functions.

Motion To Adopt Made by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

Approved: \_\_\_\_ to \_\_\_\_

Attest:

\_\_\_\_\_  
Merilyn P. Newell, Mayor

\_\_\_\_\_  
Trevie Adams, City Clerk

5. All Way Stop at Crestwood Drive and Gordon Street

### **All-Way Stop at Crestwood Drive and Gordon Street**

This item was suggested during our work session in late October.

Staff studied the feasibility of the All-Way Stop. City regulations require a 400 foot block and the distance between the Stop Light (Chub Lake) and Gordon Intersection measured approximately 425 feet.

Staff took the initiative to visit with residents living on Crestwood Drive. As of the writing of this report, 13 of 24 homes were visited. It is the intention of Staff to attempt to complete visits with all the homes by the evening of Sunday the 18<sup>th</sup>.

Manager Lockhart worked with Chief Hess and Ron Phillips (216 Crestwood) to canvas Crestwood Drive households about the all way stop at Gordon/Crestwood. Staff also updated residents on the Long/Morgan Roundabout and staff encouraged residents to consider starting a Community Watch through our Police Department.

As of 11/13 all, but one of the homes approached, supported the idea of attempting to address the traffic concerns with an All-Way stop as a first step. Staff anticipates the NCDOT project slated for the intersection of Long Avenue and Morgan Street will also reduce the appeal of this corridor to cut-through traffic.

If further measures are to be considered beyond these enhancements, it would be ideal to focus those efforts at the section of Crestwood Drive between Long Avenue and Gordon Street.

**Staff would like to recommend that City Council make a motion to place an All-Way Stop at the intersection of Crestwood Drive and Gordon Street.**

## 6. Crosswalk South Main Street - Person County Library

## Crosswalk South Main Street

### Person County Library

A crosswalk across South Main Street at the intersection with Barden Street would provide additional safety to the patrons of the library and citizens walking along South Main Street. According to the City's Traffic Calming Policy, crosswalks are a tool to be used to decrease the speed of vehicles.

What is proposed, is a painted crosswalk with a sign posted in the middle of the street along with signs posted on both side of the crosswalk, approximately 100' before the crosswalk, on South Main Street. In addition, yellow stripes will be installed approximately 100' before the crosswalk in both directions on South Main Street.

Currently there is no parking allowed along either side of South Main Street in this location. This allows room for the crosswalk and will help prevent accidents from pedestrians stepping out from behind parked cars. The drivers in vehicles will be better able to see the people ready to cross the street and the pedestrians to see the oncoming traffic.

The cost for making the improvements is approximately \$1,000.00. This includes thermoplastic marking tape, 2 street crossing signs and post, and a spring loaded crosswalk sign plus painting the yellow strips on South Main Street.



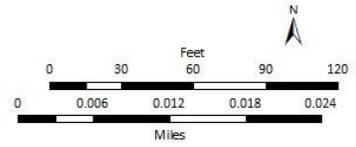
NOT FOR LEGAL USE

Person County GIS



Person County © S. NCDO, Person County GIS, City of Raleigh

11/14/2018 NOT FOR LEGAL USE



## 7. Financial & Tax Report

**City of Roxboro, North Carolina**  
**Financial Statement - Unadjusted**  
**Modified Accrual Basis**  
**For the Three Months Ended September 30, 2018**

	Original Budget	Amended Budget	Actual	Annual Variance Favorable (Unfavorable)	Annual 25.00% Percent of Budget
<b>General Fund (10)</b>					
Ad Valorem Taxes	\$ 4,768,851	\$ 4,768,851	\$ 857,126.77	\$ (3,911,724.23)	17.97%
Local Option Sales Tax	1,721,816	1,721,816	462,328.44	(1,259,487.56)	26.85%
Other Taxes and Licenses	12,000	12,000	4,209.45	(7,790.55)	35.08%
Unrestricted Intergovernmental	973,408	973,408	192,026.80	(781,381.20)	19.73%
Restricted Intergovernmental	637,276	637,276	208,828.41	(428,447.59)	32.77%
Permits and Fees	7,000	7,000	2,820.00	(4,180.00)	40.29%
Sales and Services	667,120	667,120	165,557.18	(501,562.82)	24.82%
Miscellaneous	20,247	20,247	14,339.40	(5,907.60)	70.82%
Investment Earnings	2,500	2,500	2,470.98	(29.02)	98.84%
Interfund Transfers	1,206,817	1,206,817	247,954.26	(958,862.74)	20.55%
Sale of Fixed Assets	15,000	15,000	187.88	(14,812.12)	1.25%
<b>Total Revenues</b>	<b>10,032,035</b>	<b>10,032,035</b>	<b>2,157,849.57</b>	<b>(7,874,185.43)</b>	<b>21.51%</b>
<b>Expenditures:</b>					
Governing Body - City Council	177,805	177,805	131,487.98	46,317.02	73.95%
City Hall Administration	544,510	544,510	146,990.11	397,519.89	26.99%
Finance	278,083	278,083	105,494.04	172,588.96	37.94%
Sales Tax	88,100	88,100	28,164.13	59,935.87	31.97%
Tax Collections	64,843	64,843	12,084.35	52,758.65	18.64%
Buildings & Grounds	220,644	220,644	36,452.28	184,191.72	16.52%
Safety / Purchasing	34,275	34,275	1,249.20	33,025.80	3.64%
Police	3,209,292	3,209,292	831,514.94	2,377,777.06	25.91%
Fire	2,218,717	2,218,717	512,258.23	1,706,458.77	23.09%
Emergency Communications 911	95,800	95,800	150.37	95,649.63	0.16%
Transportation - Streets	1,836,440	1,836,440	364,257.57	1,472,182.43	19.83%
Environmental Protection	1,142,526	1,142,526	206,715.37	935,810.63	18.09%
Economic Development	399,580	399,580	64,977.98	334,602.02	16.26%
Cultural & Recreational	750	750	-	750.00	0.00%
Debt Service	531,420	531,420	97,304.69	434,115.31	18.31%
Interfund Transfers	75,000	325,000	250,000.00	75,000.00	76.92%
<b>Total Expenditures</b>	<b>10,917,785</b>	<b>11,167,785</b>	<b>2,789,101.24</b>	<b>8,378,683.76</b>	<b>24.97%</b>
<b>Excess of Revenues Over (Under) Expenditures</b>	<b>(885,750)</b>	<b>(1,135,750)</b>	<b>(631,251.67)</b>	<b>504,498.33</b>	
<b>Other Financing Sources</b>					
Proceeds of Capital Lease	488,750	488,750	-	(488,750.00)	0.00%
Fund Balance Appropriated	397,000	647,000	-	(647,000.00)	0.00%
<b>Total Other Financing Sources</b>	<b>885,750</b>	<b>1,135,750</b>	<b>-</b>	<b>(1,135,750.00)</b>	<b>0.00%</b>
<b>Excess of Revenues Over (Under) Expenditures</b>	<b>\$ -</b>	<b>\$ -</b>	<b>(631,251.67)</b>	<b>\$ (631,251.67)</b>	
<b>Fund Balance Beginning of Year</b>			<b>4,702,534.97</b>		
<b>Fund Balance Current Period</b>			<b>\$ 4,071,283.30</b>		

**City of Roxboro, North Carolina  
Financial Statement - Unadjusted  
Modified Accrual Basis  
For the Three Months Ended September 30, 2018**

	Original Budget	Amended Budget	Actual	Annual Variance Favorable (Unfavorable)	25.00% Percent of Budget
<b>Enterprise Funds</b>					
<b>Revenues:</b>					
Water & Sewer Fund 60					
Charges for Services Assessments	\$ 5,383,752	\$ 5,383,752	\$ 1,110,040.91	\$ (4,273,711.09)	20.62%
Tapping Fees	20,000	20,000	8,000.00	(12,000.00)	40.00%
Other Operating Revenues	35,519	35,519	1,571.70	(33,947.30)	4.42%
Nonoperating Revenues	500	500	-	(500.00)	0.00%
Interfund Transfers-MERP	-	24,050	-	-	-
Interfund Transfers	1,082,589	1,082,589	-	(1,082,589.00)	0.00%
Sale of Fixed Assets	15,000	15,000	85.00	(14,915.00)	0.57%
<b>Total Water &amp; Sewer Fund 60</b>	<b>6,537,360</b>	<b>6,561,410</b>	<b>1,119,697.61</b>	<b>(5,417,662.39)</b>	<b>17.06%</b>
Triple Tier Fund 61					
Operating Revenues	6,965	6,965	1,972.41	(4,992.59)	28.32%
Nonoperating Revenues	100	100	16.22	(83.78)	16.22%
Rural Center Engineering Grant	-	-	-	-	#DIV/0!
Capital Reserve Fund 69					
Operating Revenues	742,040	742,040	204,418.95	(537,621.05)	27.55%
Nonoperating Revenues	1,500	1,500	763.09	(736.91)	50.87%
Interfund Transfers	-	-	-	-	#DIV/0!
<b>Total Revenues</b>	<b>7,287,965</b>	<b>7,312,015</b>	<b>1,326,868.28</b>	<b>(5,961,096.72)</b>	<b>18.15%</b>
<b>Expenditures:</b>					
Public Utilities: Administration	-	-	-	-	#VALUE!
Sales Tax	-	-	-	-	#DIV/0!
Billing & Collection	131,911	136,111	29,978.15	106,132.85	22.02%
Meter Section	258,720	258,720	119,864.28	138,855.72	46.33%
Raw Water Supply	62,813	62,813	21,011.85	41,801.15	33.45%
Water Plant	1,568,915	1,574,405	370,483.71	1,203,921.29	23.53%
Water Maint and Construction	838,830	842,630	155,493.38	687,136.62	18.45%
Wastewater Plant II	149,664	149,664	27,202.05	122,461.95	18.18%
Wastewater Plant	1,163,705	1,166,040	260,282.81	905,757.19	22.32%
Pump Stations	337,268	337,268	64,957.96	272,310.04	19.26%
Wastewater Maint & Construction	593,506	601,731	102,243.37	499,487.63	16.99%
Debt Service	479,487	479,487	-	479,487.00	0.00%
Interfund Transfers-MERP	-	-	-	-	-
Interfund Transfers	1,271,817	1,271,817	247,954.26	1,023,862.74	19.50%
<b>Total Water &amp; Sewer Fund 60</b>	<b>6,856,636</b>	<b>6,880,686</b>	<b>1,399,471.82</b>	<b>5,481,214.18</b>	<b>20.34%</b>
Triple Tier Fund 61	7,065	7,065	-	7,065.00	0.00%
Capital Reserve Fund 69	743,540	743,540	-	743,540.00	0.00%
<b>Total Expenditures</b>	<b>7,607,241</b>	<b>7,631,291</b>	<b>1,399,471.82</b>	<b>6,231,819.18</b>	<b>18.34%</b>
<b>Excess of Revenues Over (Under) Expenditures</b>	<b>(319,276)</b>	<b>(319,276)</b>	<b>(72,603.54)</b>	<b>270,722.46</b>	
<b>Other Financing Sources</b>					
Proceeds of Capital Lease	319,276	319,276	-	(319,276.00)	0.00%
Interfund Transfers 61 TT	-	-	-	-	#DIV/0!
Fund Balance Appropriated 60 WS	-	-	-	-	#DIV/0!
Fund Balance Appropriated 61 TT	-	-	-	-	#DIV/0!
Fund Balance Appropriated 69 CR	-	-	-	-	#DIV/0!
<b>Total Other Financing Sources</b>	<b>319,276</b>	<b>319,276</b>	<b>-</b>	<b>(319,276.00)</b>	<b>0.00%</b>
<b>Excess of Revenues Over (Under) Expenditures</b>	<b>\$ -</b>	<b>\$ -</b>	<b>(72,603.54)</b>	<b>\$ (48,553.54)</b>	
<b>Fund Balance Beginning of Year</b>			<b>2,262,190.12</b>		
<b>Fund Balance Current Period</b>			<b>\$ 2,189,586.58</b>		

**City of Roxboro, North Carolina  
 Financial Statement - Unadjusted  
 Modified Accrual Basis  
 For the Three Months Ended September 30, 2018**

	Original Budget	Amended Budget	Actual	Annual Variance Favorable (Unfavorable)	25.00% Percent of Budget
<b><u>Central Depository</u></b>					
Cash		11100000	1,812,028.78		
BB&T MMA		11100001	128,292.27		
NCCMT		11100002	1,137,574.71		
Flexible Spending Account AFLAC		11100003	41,161.91		
Roxboro Savings Bank		11100004	519,981.02		
Gateway Bank MMA Finistar CD's		11100005 11130000	- -		
<b>Total Cash and Investments</b>			\$ 3,639,038.69		\$3,639,038.69
<b><u>Breakdown by Fund:</u></b>					
General		10	\$ 3,165,618.06		
CDBG-Revolving Loan Fund		13	92,660.07		
Old Durham Road Project Fund		20	359.95		
Vehicle Special Revenue		26	4,421.97		
Ridge Road Capital Project		30	-		
Stormwater Capital Fund		50	161,402.47		
Enterprise		60	(70,462.87)		
Triple Tier Water		61	18,910.49		
Capital Reserve		69	163,360.68		
Wastewater Plant Capital Project		71	(13,216.78)		
Annexation Area Capital Project		73	-		
Christmas Club / Flex Fund		75	41,161.91		
LEO Pension Trust Fund		79	74,822.74		
Reserve for Interest Earned			-		
<b>Total of Fund's Cash and Investments</b>			\$ 3,639,038.69		\$3,639,038.69

**City of Roxboro, North Carolina**  
**Fund Balance**  
**General Fund**  
**As of September 30, 2018**

	<b>General Fund</b>			
	<b>30-Sep-18 Fund Balances</b>	<b>Percentage of Total Fund Balance</b>	<b>Percentage of Fiscal Year 2019 Budget</b>	<b>Percentage of Prior Year Actual Expenditures</b>
<b>Fund Balances</b>				
<b>Reserved</b>				
Reserved for inventories	\$ 45,118	1.11%	0.40%	0.44%
Reserved by state statute	653,781	16.06%	5.85%	6.33%
Reserved for streets - Powell Bill	287,458	7.06%	2.57%	2.78%
Reserved for cemetery	30,269	0.74%	0.27%	0.29%
Reserved for drug enforcement	-	0.00%	0.00%	0.00%
Reserved for public safety	134,988	3.32%	1.21%	1.31%
Total fund balance reserved	<u>1,151,614</u>	<u>28.29%</u>	<u>10.31%</u>	<u>11.14%</u>
<b>Unreserved</b>				
Designated by Council	-	0.00%	0.00%	0.00%
Designated for subsequent year's expenditures	-	0.00%	0.00%	0.00%
Undesignated	2,919,669	71.71%	26.14%	28.26%
Total fund balance unreserved	<u>2,919,669</u>	<u>71.71%</u>	<u>26.14%</u>	<u>28.26%</u>
Total equity and other credits	<u>\$ 4,071,283</u>	<u>100.00%</u>	<u>36.46%</u>	<u>39.40%</u>
Budget Ordinance for June 30, 2018, as Amended			\$ 11,167,785	
Prior Year Expenditures				\$ 10,333,189

**City of Roxboro, North Carolina**  
**Fund Balance**  
**Enterprise Fund**  
**As of September 30, 2018**

	<b>Enterprise Fund</b>			
	<b>30-Sep-18 Fund Balances</b>	<b>Percentage of Total Fund Balance</b>	<b>Percentage of Fiscal Year 2019 Budget</b>	<b>Percentage of Prior Year Actual Expenditures</b>
<b>Fund Balances</b>				
<b>Reserved</b>				
Reserved for encumbrances	\$ 14,267	0.65%	0.25%	0.28%
Reserved by state statute	422,861	19.31%	7.54%	8.26%
Reserved for capital outlay (C89 + C91)	<u>1,784,478</u>	<u>81.50%</u>	<u>31.82%</u>	<u>34.85%</u>
Total fund balance reserved	2,221,606	101.46%	39.61%	43.39%
<b>Unreserved</b>				
Designated for subsequent year's expenditures	-	0.00%	0.00%	0.00%
Undesignated	<u>(32,019)</u>	<u>-1.46%</u>	<u>-0.57%</u>	<u>-0.63%</u>
Total fund balance unreserved	<u>(32,019)</u>	<u>-1.46%</u>	<u>-0.57%</u>	<u>-0.63%</u>
Total equity and other credits	<u>\$ 2,189,587</u>	<u>100.00%</u>	<u>39.04%</u>	<u>42.76%</u>
Budget Ordinance for June 30, 2018, as Amended			\$ 5,608,869	
Prior Year Expenditures			\$ 5,120,360	

**City of Roxboro  
Tax Collection Report  
For the Month Ended  
31-Oct-18**

	2018 Tax Levy	2017 Tax Levy	2016 Tax Levy
<b>Original Levy</b>	\$ 4,229,715.40	\$ 4,350,663.68	\$ 4,342,813.89
<b>Motor Vehicles Added to Levy</b>	0.00	0.00	0.00
<b>Motor Vehicles Added to Levy-DMV</b>	127,043.24	499,691.97	493,114.72
<b>Public Utilities</b>	-	-	-
<b>Adjusted Original Levy</b>	4,356,758.64	4,850,355.65	4,835,928.61
<b>+Discoveries</b>	180,849.69	106,561.33	123,960.93
<b>Levy</b>	4,537,608.33	4,956,916.98	4,959,889.54
<b>-Releases</b>	2,103.05	10,996.38	5,990.49
<b>Current Levy</b>	4,535,505.28	4,945,920.60	4,953,899.05
<b>Collection year-to-date</b>	\$ 1,108,209.14	\$ 4,890,508.02	\$ 4,927,442.56
<b>Uncollected</b>	\$ 3,427,296.14	\$ 55,412.58	\$ 26,456.49
<b>Collection % of Current Levy</b>	24.43%	98.88%	99.47%
<b>Property Tax Rate Per \$100</b>	\$ 0.670	\$ 0.670	\$ 0.670

## 8. Assistant City Manager's Report

## **Assistant City Manager's Report**

Wastewater Treatment Plant Upgrade: While last month the contractor was ahead of schedule; the rain this month has put him behind. They have inly worked on the grading two days in the past two week. They been able to continue work on the digester. The second half of the floor was poured on Wednesday, Nov 14. Next week they will begin forming the walls and have schedules a wall pour on December 4<sup>th</sup>.

Fall Leaf Collection: Public works has started the fall leaf collection. It is behind schedule due to the wet weather. Leaves are collected according to route. The crews will complete all the routes before starting over. It takes more than a day to cover one route so it may be two weeks before they can restart at the beginning.

Thanksgiving Garbage Collection Schedule. The City is closed for two days during Thanksgiving. Thursday's garbage, Thanksgiving Day, will be collected on Wednesday November 21 and Friday's garbage will be collected on Monday November 26. Commercial garbage, dumpsters, will not be collected on Thursday but the trucks will run on Friday.

## 9. Manager's Report



## City of Roxboro

### MEMORANDUM

TO: Mayor Newell and City Council  
FROM: Brooks Lockhart  
SUBJECT: Manager's Report  
DATE: November 19th, 2018

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- Please take note of several upcoming dates.
  - City Offices will be closed in observance of Thanksgiving on Thursday November 22nd through Friday November 23rd
  - Small Business Saturday, November 24th, see the local event page on Facebook for more information
  - Soft Skills for High Schoolers – November 29<sup>th</sup> at RCS
  - Jingle on Main, December 6<sup>th</sup> in Uptown Roxboro
  - City Council Meeting, 7pm December 11th at City Hall
  - Chamber of Commerce Annual Banquet, Thursday January 24<sup>th</sup> from 5:30pm until 9pm Registrations are due by January 11<sup>th</sup>; Please let the City Clerk know if you plan to attend
- Staff is facilitating training for our purchasing software end-users. Staff is working on the second month of Utility Billing through the new software. We have received numerous positive comments about our new online billing portal. Staff is continuing to address configuration and implementation issues. As we progress in our comfort levels, staff will continue to roll out additional quality of life enhancements in our new software. Opportunities to enhance our work order process will come before Council for consideration in the upcoming fiscal year.
- Staff has begun to receive feedback from the City Council's traffic calming work session in late October. As we implement some enhancements discussed with Council, I would anticipate receiving additional feedback. The current approach of working to make incremental enhancements for traffic safety, has led to primarily positive feedback.
- A meeting has been held recently with the partners in the Interlocal Agreement for the Dan River Intake. Positive information was shared about potential funding sources for the intake, with more details to follow soon. There was a discussion about the possibility that no local funds will be needed to advance the construction. As details become clearer, it is very likely that this Council will be asked to formally support these efforts. This formal support may necessitate a special meeting or may be able to be addressed at our regularly scheduled December meeting.