



“A Dream Worth Dreaming”

MAYOR
JAMES E. BLAKE

COMMISSIONERS
JERRY SMITH, MAYOR PRO-TEM
GENE ANDERSON
JOHN BEARD
KAY CAGLE KINCH

TOWN MANAGER
BRANDON W. HOLLAND

TOWN CLERK
LAURA B. MORTON

TOWN OF BISCOE BOARD OF COMMISSIONERS
Meeting Agenda
JULY 9, 2018 at 7:00 p.m.

1. Call to Order Mayor Blake
Pledge of Allegiance & Moment of Silence
2. Conflict of Interest Statement
“In keeping with the Conflict of Interest Laws outlined in Chapter 138A of the North Carolina Board of Ethics, any conflicts of interest or appearance of conflict with matters coming before the Board of Commissioners should be declared.” “Having received our agenda for this evening’s meeting, are there any conflicts of interest to be announced? If so please, state them at this time.”
3. Approval of the Agenda Mayor Blake
4. Consent Agenda Mayor Blake
 - a) Approval of June 2018 Regular Meeting
 - b) June 2018 Monthly Financial Reports
 - c) July 2018 Monthly Financial Reports
5. Public Hearing - Annexation – 521 Mill Street – Tedder
Certificate of Sufficiency - Approval of Annexation Ordinance
6. 2018 OSFM Grant Request for 50/50 Match Manager Holland
7. No Littering Signs Request Commissioner Kinch
8. Panhandling Ordinance Request Cadeala Troublefield, Intern
Schedule Public Hearing
9. National Night Out Manager Holland
10. Mayor’s Minutes - Commissioner Reports - Staff Reports
11. Public Comment
12. Adjournment



TOWN OF BISCOE
BOARD OF COMMISSIONERS MEETING
June 11, 2018

The Biscoe Town Board of Commissioners met in a regular session on Monday, June 11, 2018 at 7:00 pm in the Municipal Building. Present were: Mayor Jimmy Blake, Mayor Pro-Tem Jerry Smith, Commissioners Gene Anderson, Kay Cagle Kinch, and John Beard. Town Manager Brandon Holland and Deputy Town Clerk Laura Jordan were present.

(James Cagle, Jr. "Jimmy" Cagle's seat is vacant due to his death on December 30, 2017).

Call to Order/Pledge of Allegiance

Mayor Blake called the meeting to order at 7:00 pm. The Pledge of Allegiance to the American Flag was recited and a moment of silence was observed.

Conflict of Interest Statement

"In keeping with the Conflict of Interest Laws outlined in Chapter 138A of the North Carolina Board of Ethics, any conflicts of interest or appearance of conflict with matters coming before the Board of Commissioners should be declared," "Having received our agenda for this evening's meeting, are there any conflicts of interest to be announced? If so, please, state them at this time."

Approval of the Agenda

A motion was made by Mayor Pro-tem Smith, seconded by Commissioner Kinch and so the motion carried unanimously to approve the agenda.

AYES: 4; NAYS: 0

Approval of the Consent Agenda

A motion was made by Mayor Pro-tem Smith, seconded by Commissioner Kinch and so the motion carried unanimously to approve consent agenda item: (a) Approval of the May 2018 minutes. (This month's Financial Statement will be provided at next month's meeting.)

AYES: 4; NAYS: 0

Public Hearing #1 - for the Fiscal Year 2018-2019 Budget

A motion was made by Commissioner Beard, seconded by Commissioner Anderson and so the motion carried unanimously to recess the regular session and call to order the Public Hearing for Fiscal Year 2018-2019 Budget.

Manager Holland presented the budget.

A motion was made by Commissioner Anderson, seconded by Mayor Pro-tem Smith and so the motion carried unanimously to close the Public Hearing and reconvene the regular session.

A motion was made by Mayor Pro-tem Smith, seconded by Commissioner Kinch and so the motion carried unanimously to approve the following Budget Ordinance for Fiscal Year 2018-2019:

TOWN OF BISCOE BUDGET ORDINANCE

Ordinance No. 181901

BE IT ORDAINED by the Board of Commissioners of the Town of Biscoe, North Carolina that the following anticipated fund revenues and departmental expenditures together with a certain Fee Schedule, and with certain authorizations, are hereby appropriated and approved for the operation of the Town Government and its activities for the Fiscal Year beginning July 1, 2018 and ending June 30, 2019, in accordance with the chart of accounts heretofore established for this Town:

Summary

General Fund	\$ 1,529,687
Water / Sewer Fund	\$ 1,067,306
Powell Bill Fund	\$ 46,792
Law Enforcement Separation Fund	\$ 22,654
Total Budget	\$ 2,666,439

Section 1. General Fund Expenditures

ACCOUNT	DEPARTMENT	APPROPRIATION
4110	Governing Board	\$ 11,594
4120	Administration	\$ 352,898
4150	Legal	\$ 40,500
4260	Buildings and Grounds	\$ 76,924
4310	Police	\$ 560,068
4340	Fire	\$ 152,010
4500	Streets	\$ 211,750
6120	Parks and Recreation	\$ 123,943
	Total Appropriations	\$ 1,529,687

Revenues

It is estimated that the following revenues will be available in the General Fund for the Fiscal Year beginning July 1, 2018 and ending June 30, 2019:

DESCRIPTION	AMOUNT
Ad Valorem Taxes	\$ 690,460
Rental Vehicle Taxes	\$ 100
Telecomm Sales Tax	\$ 11,071
Sales Tax Distribution	\$ 322,495
ABC Revenues	\$ 650
Solid Waste Disposal Tax	\$ 968
Wine & Beer Tax	\$ 8,164
Utility Franchise Tax	\$ 213,976
Video Programming	\$ 5,130
Sales Tax Refund	\$ 20,000
Gasoline Tax Refund	\$ 3,000
Zoning Permits	\$ 1,000
Court Fees	\$ 2,500
DSM Revenues	\$ 2,000
Cemetery Revenues	\$ 2,500
Fire Grant Funds	\$ 30,000

Park Fees	\$ 15,000
Softball Leagues	\$ 4,500
County Recreation Contribution	\$ 10,000
Concessions	\$ 5,000
Extra Garbage Cans	\$ 1,500
Investment Earnings	\$ 375
Interest Income	\$ 375
Donations	\$ 1,000
Transfer/Capital Reserve	\$ 50,000
Fund Balance Appropriated	\$ 86,523
Reimbursement from Enterprise Fund	\$40,000
Total Estimated Revenues	\$ 1,529,687

Section 3: Levy of Taxes

There is hereby levied a tax at the rate of fifty-six cents (\$0.56) per one hundred (\$100) valuation of property as listed for taxes as of January 1 for the purpose of raising the revenue listed as " Ad Valorem Taxes" in the General Fund in Section 1 of this ordinance. This rate is based on a total valuation of property for the purposes of taxation of \$136,698,685, and an estimated rate of collection of 96.4%.

Section 4: Water / Sewer Fund Revenues

DESCRIPTION	AMOUNT
Sales, Services, and Fees	\$ 1,052,695
Investment Earnings	\$ 1,000
Sale of Fixed Assets	\$ 500
Fund Balance Appropriated	\$ 13,111
Total Estimated Revenues	\$ 1,067,306

Expenditures

DESCRIPTION	APPROPRIATIONS
Water / Sewer Operations	\$ 870,746
Debt Service	\$ 140,560
Capital Outlay	\$ 16,000
Reimbursement to General Fund	\$40,000
Total Appropriations	\$ 1,067,306

Section 5. Powell Bill Fund

DESCRIPTION	APPROPRIATIONS
Revenues	\$ 46,792
Expenditures	\$ 46,792

Section 6. Law Enforcement Separation Fund

DESCRIPTION	APPROPRIATIONS
Revenues	\$ 22,654
Expenditures	\$ 22,654

Section 7. Fee Schedule

There is hereby established, for the fiscal year 2018-2019, various fees and charges scheduled herewith:

Administration		
COPIES PER PAGE	\$ 0.10	PER PAGE
PUBLIC RECORDS REQUEST	\$ 0.25	PER PAGE
NOTARY FEES	\$ 5.00	PER SIGNATURE
RETURN CHECK/DRAFT FEE	\$ 25.00	WATER/PARK FEES, ETC.
SEND A FAX	\$ 0.25	PER PAGE
Parks & Recreation		
PARK RESTROOM KEY	\$ 5.00	DEPOSIT
PICNIC SHELTER RESERVEATION FEE OVER 100 PEOPLE	\$ 1.00	PER PERSON
PICNIC SHELTER RESERVEATION FEE 100 PEOPLE OR LESS	\$ 25.00	CIVIC CLUBS, ORGANIZATIONS & GOVERNMENT AGENCIES ARE EXEMPT FROM FEES
SWIMMING LESSONS	\$ 30.00	FREE TO EMPLOYEES/CHILDREN
SWIMMING POOL ADMISSION	\$ 2.00	FREE TO EMPLOYEES/CHILDREN
Police		
FINGERPRINTS	\$ 10.00	
WRECK REPORT FEES	\$ 5.00	
ALL OTHER POLICE REPORTS	\$ 5.00	

Water & Sewer			
Water & Sewer (Residential Rates)			
Inside City Limits			
	First 2000 Gallons (Minimum Charge)	\$ 12.00	Per 1000 gallons
	Each additional 1000 Gallons	\$ 5.50	Per 1000 gallons
	Sewer	100%	of water used
Outside City Limits			
	First 2000 Gallons (Minimum Charge)	\$ 22.00	Per 1000 gallons
	Each additional 1000 Gallons	\$ 11.00	Per 1000 gallons
	Sewer	100%	of water used
	<i>NCGS 160A-314.(a)</i>		
Water & Sewer (Commercial Rates)			
Inside City Limits	First 3000 Gallons (Minimum Charge)	\$ 34.00	
	Each additional 1000 Gallons	\$ 5.50	Per 1000 gallons
	Over 1 Million Gallons, contact Office		
	Sewer	100%	of water used
Outside City	First 2000 Gallons (Minimum	\$ 55.00	

Limits	<i>Charge)</i>		
	<i>Each additional 1000 Gallons</i>	\$ 11.00	<i>Per 1000 gallons</i>
	<i>Over 1 Million Gallons, contact Office</i>		
	Sewer	100%	<i>of water used</i>
Water & Sewer Fees			
	Water Connect ion - Residential Owner	\$ 50.00	
	Water Connection - Resident - Renter	\$ 75.00	
	Water Connect ion - Business	\$ 75.00	
	TIER 1 Late Fee	\$ 10.00	<i>APPLIED BEFORE 8:30 ON 21ST</i>
	TIER 2 Late Fee	\$ 35.00	<i>APPLIED BEFORE 8:30 ON 1ST DAY OF MONTH</i>
	Special Meter Reading	\$ 25.00	<i>WILL BE REFUNDED IF NO FAULT OF CUSTOMER</i>
	Tampering Fee	\$ 350.00	<i>First offense, progressive thereafter</i>
	Water Tap (3/4")	\$ 500.00	
	Water Tap (1")	\$ 600.00	
	Water Tap (Bore or Push)	Actual cost + 5%	
	Sewer Tap (Inside City Limits)	\$ 500.00	
	Sewer Tap (Outside City Limits)	\$ 600.00	
	Sewer Tap (Bore or Push)	Actual cost + 5%	
Planning & Zoning Fees			
	CONDITIONAL USE PERMIT	\$ 200.00	
	MAPS	\$ 1.00	
	REZONING APPLICATION	\$ 300.00	
	ZONING BOOKS	\$ 10.00	
	ZONING PERMIT	\$ 25.00	
Cemetery Prices			
Sect ion B			
	Inside City Limits Resident	\$ 230.00	<i>Per Grave</i>
	Outside City Limits Resident	\$ 430.00	<i>Per Grave</i>
Sect ion D			
	Inside City Limit s Resident	\$ 330.00	<i>Per Grave</i>
	Outside City Limit s Resident	\$ 730.00	<i>Per Grave</i>

Section 8. Special Authorizations – Budget Officer

- A. The Budget Officer shall be authorized to reallocate appropriations within departments, and among the various line accounts not organized by departments, as deemed necessary.
- B. The Budget Officer shall be authorized to execute interdepartmental transfers, within the same fund, not to exceed ten percent (10%) of the appropriated monies for the department whose allocation is reduced. Notification of all such transfers shall be made to the Town Board at its next meeting following the date of the transfer.
- C. Inter-fund transfers, established in the Budget Ordinance, may be accomplished without additional approval from the Town Board.

D. The Town Manager shall serve as the Budget Officer

Section 9. Restrictions – Budget Officer

- A. Inter-fund transfer of monies, except as noted in Section 8, shall be accomplished by Town Board authorizations only.
- B. Utilizations of appropriations contained in contingencies may be accomplished only with specific approval of the Town Board.
- C. Per state General Statutes the Town shall maintain an eight percent (8%) fund balance at all times.

Section 10. Budget Amendments

- A. The North Carolina Local Government Budget and Fiscal Control Act allows the Town Commissioners to amend the Budget Ordinance any time during the fiscal year, so long as it complies with the North Carolina General Statutes. The Town Commissioners must approve all budget amendments.

Section 11. Utilization of Budget Ordinance

This ordinance shall be the basis of the financial plan for the Town of Biscoe municipal government during the 2017-2018 fiscal year. The budget officer shall administer the budget and shall ensure that operating officials are provided guidance and sufficient details to implement their appropriate portion of the budget. The finance and purchasing personnel shall establish and maintain all records, which are in accordance with the Budget Ordinance, and the appropriate statutes for the State of North Carolina.

Section 12. Effective Date of Salary Changes

Any salary changes for Town Employees shall begin the first full payroll in the new fiscal year.

Adopted this 11th day of June 2018 at a regular scheduled meeting of the Town of Biscoe Board of Commissioners, in Biscoe, North Carolina.

AYES: 4; NAYS: 0

Public Hearing #2 - Zoning - Conditional Use Permit – Taco Bell

A motion was made by Mayor Pro-tem Smith, seconded by Commissioner Beard and so the motion carried unanimously to recess the regular session and call to order the Zoning Public Hearing for a Conditional Use Permit for Taco Bell.

Manager Holland and Mike Thompson from Hamilton Designs presented the request for a Conditional Use Permit.

Mike Thompson from Hamilton Designs requested zoning in the Highway Business District for the “Old Sonic Building”. Mr. Thompson presented his site plans as follows: Mr. Thompson is a Civil Engineer with the Bell American Group which is located across 5 – 6 states. He is requesting to put a Taco bell in the former Sonic Building. The idea is to take out the existing building, cut the asphalt, and do extensive work with landscaping. They had looked at reusing a portion of the building but found the building would be too much to salvage and for ease of construction they would recommend removal of the building. The new building would seat 40 inside and 12 outside under a patio attached to the building.

A motion was made by Commissioner Anderson, seconded by Commissioner Beard and so the motion carried unanimously to close the Public Hearing and reconvene the regular session.

A motion was made by Commissioner Anderson, seconded by Commissioner Kinch and so the motion carried unanimously to approve the Conditional Use Permit for Taco Bell.

AYES: 4; NAYS: 0

Public Hearing #3 - Water/Sewer Collection Ordinance Amendment

A motion was made by Mayor Pro-tem Smith, seconded by Commissioner Kinch, and so the motion carried unanimously to recess the regular session and call to order the Public Hearing for Fiscal Year 2018-2019 Budget.

A motion was made by Commissioner Beard, seconded by Mayor Pro-tem Smith and so the motion carried unanimously to close the Public Hearing and reconvene the regular session.

A motion was made by Commissioner Beard, seconded by Mayor Pro-tem Smith and so the motion carried unanimously to approve the following Water/Sewer Collection Changes:

TITLE V: PUBLIC WORKS Chapter

- 50. GARBAGE AND REFUSE
- 51. WATER
- 52. SEWERS

APPENDIX A: SUMMARY FOR INDUSTRIAL USERS

APPENDIX B: INDUSTRIAL SEWER CONNECTION APPLICATION

CHAPTER 50: GARBAGE AND REFUSE

Section

- 50.01 Definitions
- 50.02 Refuse required to be deposited in approved containers
- 50.03 Burning or burying garbage and refuse; permit required
- 50.04 Accumulation of garbage and refuse prohibited
- 50.05 Containers required; specifications
- 50.06 Pre-collection practices; requirements
- 50.07 Collections schedule
- 50.08 Interference with containers prohibited
- 50.09 Special or bulk collections regulated
- 50.10 Removal of dead animals
- 50.11 Collection fees

Definitions

Refuse required to be deposited in approved containers
Burning or burying garbage and refuse; permit required
Accumulation of garbage and refuse prohibited
Containers required; specifications
Pre-collection practices; requirements
Collection schedule
Interference with containers prohibited
Special or bulk collections regulated
Removal of dead animals
Collection fees

§ 50.01 DEFINITIONS.

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

BUILDING MATERIAL SCRAPS. Scrap building material from the construction, reconstruction, remodeling or repair of a building, walkway, driveway, sign and other structure, including but not limited to, excavated earth, tree stumps, rocks, gravel, bricks, plaster, concrete, lumber or any other similar material used in construction or the containers or wrappings therefor.

GARBAGE. All putrescible wastes, including animal and vegetable matter, animal offal and carcasses, and recognizable industrial by-products but excluding sewage and human wastes.

REFUSE. All non-putrescible wastes.

SOLID WASTE. Garbage, refuse, rubbish, trash, and other discarded solid materials, including **SOLID WASTE** materials resulting from homes, businesses, industrial, commercial and agricultural operations, and from community activities, but does not include solids or dissolved materials in domestic sewage or other significant pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents, dissolved materials in irrigation return flows or other common water pollutants.

TREE TRIMMINGS. Tree limbs, leaves, shrubbery, weeds, plants or grass. ('79 Code, 4-2-1)

§ 50.02 REFUSE REQUIRED TO BE DEPOSITED IN APPROVED CONTAINERS.

It shall be unlawful for any person to throw, place or deposit any garbage or refuse of any kind on any public or private property except in approved containers or as otherwise provided in this chapter. ('79 Code, § 4-2-2) Penalty, see § 10.99

§ 50.03 BURNING OR BURYING GARBAGE AND REFUSE; PERMIT REQUIRED.

It shall be unlawful to burn or set fire to or bury any garbage for the purpose of disposal. In addition, it shall be unlawful to bury any refuse for the purpose of disposal unless a permit therefor has been granted by the Fire Chief. ('79 Code, § 4-2-3) Penalty, see § 10.99

§ 50.04 ACCUMULATION OF GARBAGE AND REFUSE PROHIBITED.

All garbage and refuse shall be collected and placed in containers as required by this chapter, and it shall be unlawful for any person to permit garbage or refuse to accumulate or remain on any premises longer than is reasonably necessary to remove and deposit same in approved containers as required herein. ('79 Code, § 4-2-4) Penalty, see § 10.99

§ 50.05 CONTAINERS REQUIRED; SPECIFICATIONS.

The occupant of every building or premises where garbage and refuse does or may exist shall provide containers made of substantial galvanized, iron, plastic, rubber or other non-rusting material in which shall be deposited all garbage and refuse existing at such building or premises. Each container shall be provided with handles or bails and with a tight fitting cover made of the same material as the container. All containers shall be watertight and they shall be of a size that can be conveniently handled by the collectors, and no container shall be more than 30 gallons in capacity and measure not over 22 inches in diameter nor 30 inches in height. All containers shall be kept in a reasonably clean condition. ('79 Code, § 4-2-5) Penalty, see § 10.99

§ 50.06 PRE-COLLECTION PRACTICES; REQUIREMENTS.

All garbage and refuse shall have the liquid drained therefrom and shall be wrapped in paper or other like material before it is placed in the container for collection. Ashes and cinders shall be placed in a separate container provided for that purpose and no ashes shall be deposited in any container until they are cold. Containers which fail to have a cover as required in § 50.05 or which become rusted or broken and therefore are unable to contain garbage and refuse in a satisfactory manner shall not be used. ('79 Code, § 4-2-6) Penalty, see §10.99

Garbage and Refuse

§ 50.07 COLLECTION SCHEDULE.

Garbage and refuse will be collected by the town according to a collection schedule maintained in the Clerk's office. The schedule may be periodically revised and amended by action of the Board. ('79 Code, § 4-2-7)

§ 50.08 INTERFERENCE WITH CONTAINERS PROHIBITED.

It shall be unlawful for any person to damage, displace, or to otherwise interfere with garbage containers or their contents except the owner or upon permission or at the request of the owner. ('79 Code, § 4-2-8) Penalty, see § 10.99

§ 50.09 SPECIAL OR BULK COLLECTIONS REGULATED.

- a) No bulk trash, tree limbs, shrubbery cuttings, leaves and other refuse will be collected without special charge unless the refuse can be placed in regulation type garbage cans.
- b) Any property owner desiring special bulk collections of loose matter, not in closed containers or tied in bundles, may request a special collection for which a special charge will be made. If sufficient manpower and equipment are available, town personnel are authorized to make the special collections; provided the person making the request agrees to pay for the labor and equipment used at the rate specified by the Board.
- c) No collection shall be made from vacant lots nor shall any large rocks, tree trunks, tree stumps, tree limbs of more than six feet in length or other heavy objects be collected by the city. No waste building materials or lot clearings shall be collected from houses or other structures under construction or recently completed.
- d) Material to be collected by special collections shall be placed in neat piles and so located that the refuse can be easily loaded on trucks for disposal. ('79 Code, § 4-2-9)

§ 50.10 REMOVAL OF DEAD ANIMALS.

Dead animals will be removed from any premises upon notice to the Clerk of the existence of such dead animals. ('79 Code, § 4-2-10)

§ 50.11 COLLECTION FEES.

- A. Monthly garbage and refuse collection fees are hereby established in amounts set forth on the most current fee schedule located in the office of the TownClerk:
- B. For premises having town water service the charges shall be billed along with the charges for water service to each separate metered premises. For premises not having town water service, the charges shall be billed separately to each residence, and to each business firm, under a separate roof. ('79 Code, § 4-2-11).

- 51.01 Service contracts to conform with chapter
- 51.02 Supervision of Mayor and Board; duties of Superintendent
- 51.03 Installation of service pipes
- 51.04 Connection requirements
- 51.05 Application for connections
- 51.06 Connection charges
- 51.07 Service pipe extensions
- 51.08 Access to premises
- 51.09 Water meters
- 51.10 Connections outside of town
- 51.11 Unauthorized use of water
- 51.12 Leaks to be responsibility of consumer
- 51.13 Water for use of consumers only
- 51.14 Injury to property and fixtures
- 51.15 Tampering with meters prohibited
- 51.16 Town liability
- 51.17 Establishing Utility Services
- 51.18 Rates and charges; non-refundable connection fee
- 51.19 Meter reading; billing; collecting
- 51.20 Disconnection for late payment
- 51.21 Unpaid Balances
- 51.22 Suspension of service
- 51.23 Reconnection of Service
- 51.24 Adjustments due to Overbill and Underbill
- 51.25 Leak Adjustments
- 51.26 Returned Payments
- 51.27 Water supply plan

§ 51.01 SERVICE CONTRACTS TO CONFORM WITH CHAPTER.

All pertinent provisions of this chapter shall govern the terms and conditions of the contracts under which the town furnishes water service to any person, or whereby the town makes any water connections or performs any work of any kind in connection with the furnishing of water service.

('79 Code, § 5-1-1)

§ 51.02 SUPERVISION OF MAYOR AND BOARD; DUTIES OF SUPERINTENDENT.

(A) The water system shall be under the supervision of the Mayor and Board. The duty of enforcing full compliance with all rules and regulations governing all connections with the mains shall be vested in the Superintendent of the water and sewage system. ('79 Code, § 5-1-2)

(B) The Superintendent shall perform the following duties:

1. He shall have general supervision over all the operations of the water system.
2. He shall see that all rules and regulations of the town are enforced.
3. He shall see that water rates and assessments are correctly made.
4. He shall have authority to appoint and discharge, subject to supervision by the Board, all employees of the Water and Sewer Department. ('79 Code, § 5-1-3)

§ 51.03 INSTALLATION OF SERVICE PIPES.

The town, or a licensed plumber under permit of the town, shall tap the water main for connections and extend all service pipes to the curbing where a stop box will be placed over a stop cock, all of which shall be under the exclusive control of the town. No person shall be allowed to turn the water on or off at this stop cock, except the Superintendent of the water and sewer system. ('79 Code, § 5-1-4)

§ 51.04 CONNECTION REQUIREMENTS.

- (A) Within 30 days after the water main in any street is completed and ready for use, the owner of every abutting lot whereon water is needed for human use shall cause such lot to be connected with the water main. ('79 Code, § 5-1-5(a))

- (B) Every house or building abutting any water main shall be separately and independently connected, except in those cases where laterals from the main have already been laid in macadam or improved streets, without provisions having been made for such house or building, when the connection may be made to an existing lateral. If such house or building is on a macadam or improved street where laterals have not been laid, the connection may be made to any convenient lateral. When two or more houses or units are connected with the same water lateral, a separate water meter shall be provided for each house or unit. ('79 Code, §5-1-5(b))

- (C) The construction of laterals for water connections, and the necessary excavation therefor, shall be done by the town, or, if done by a licensed plumber, it shall be done under the supervision of the town. ('79 Code, § 5-1-6)

§ 51.05 APPLICATION FOR CONNECTIONS.

Every application for a water connection shall be made on a form provided by the town, shall be signed by the applicant, shall be accompanied by the proper fee for making the connections, and shall be filed with the Deputy Clerk. ('79 Code, §5-1-7)

§ 51.06 CONNECTION CHARGES.

The Board shall establish fees for extension of water service pipe and the tapping of main. A copy of current charges shall be kept on file in the office of the Clerk. ('79 Code, § 5-1-8)

§ 51.07 SERVICE PIPE EXTENSIONS.

No service pipe shall be allowed to run across lots, that is, from one lot to another, but it must be taken from the main in front of the premises or from some point adjacent thereto, unless specific permission is obtained from the Superintendent. The Superintendent shall have the power to extend service pipe to a building abutting a main. All additional expenses for such extensions shall be paid by the owner of the property. ('79 Code, § 5-1-9)

§ 51.08 ACCESS TO PREMISES.

Whenever it becomes necessary to enter any premises, stores or dwelling, for the purpose of inspecting water pipes, fixtures or meters, the Superintendent or Building Inspector may do so within reasonable hours; should the Superintendent or Inspector be refused admittance, the supply of water shall be cut off until the examination is made and the required information is obtained, or until repairs and alterations are made. ('79 Code, § 5-1-10)

§ 51.09 WATER METERS.

- A. The water meters furnished by the town shall remain the property of the town and will be serviced by the town.

- B. The Town of Biscoe will make special meter readings at the request of the consumer for a fee of \$25.00 provided, however, that if such special reading discloses that the meter was over read, or in error in any way, the fee will be refunded. ('79 Code, § 5-1-11)

§ 51.10 CONNECTIONS OUTSIDE OF TOWN.

No connection of any water line or system outside of the town shall be made to any part of the town water system without special permission from the Board on such terms as the Board shall prescribe. ('79

Code, § 5-1-12)

§ 51.11 UNAUTHORIZED USE OF WATER.

Only the Superintendent or other town employees are authorized to turn on water. If water is found to be in use without the knowledge of the Superintendent, or without being turned on by him or his agent, or if water is used for any other purpose than that paid for, the consumer of the water shall be guilty of a violation of this chapter and assessed a \$350.00 tampering fee. The fact that water is cut on to any premises by a person without the prior knowledge of either The Town of Biscoe or the consumer shall not relieve the consumer of liability for such unauthorized use of water. ('79 Code, § 5-1-13) Penalty, see § 10.99

§ 51.12 LEAKS TO BE RESPONSIBILITY OF CONSUMER.

If a break occurs, or a defect is found in any pipe or fixture, causing or permitting a leakage or waste of water, it shall be the duty of the owner of the premises or the consumer to have the break or defect repaired. ('79 Code, § 5-1-14)

§ 51.13 WATER FOR USE OF CONSUMERS ONLY.

It shall be unlawful for any consumer to permit any person, except the members of his or her family or employees living on the premises as a part of the household or visitors in the home to remove water from the premises for any purpose except in case of fire or other emergency. Any person unlawfully receiving or using water shall be guilty of a misdemeanor, and if it is shown that the unlawful use has been made with the knowledge and consent of the consumer, the consumer shall be deemed equally guilty. ('79 Code, § 5-1-15) Penalty, see § 10.99

§ 51.14 INJURY TO PROPERTY AND FIXTURES.

It shall be unlawful for any person to injure, deface or destroy the building, machinery, fences, trees or other property of the town water system, or the pipes, stand pipes, valves, boxes, fire hydrants, fountains, service boxes, service valves or service connections or any other fixtures, or in any way to contaminate the town water supply. ('79 Code, § 5-1-16) Penalty, see § 10.99

§ 51.15 TAMPERING WITH METERS PROHIBITED.

It shall be unlawful for any person, after the water has been turned off for failure to pay the water bill, to turn the water on at the meter or to bypass the meter or in any manner to obtain water at no cost. A fee of \$350.00 will be charged (to the account holder) if evidence of tampering is found. ('79 Code, § 5-1-17) Penalty, see § 10.99

§ 51.16 TOWN LIABILITY.

The town will not be liable for any damages that may result to consumers from the shutting off of water service for any cause whatever, even in cases where no motive is given, and no deduction from bills will be made in consequence thereof. ('79 Code, § 5-1-18)

§ 51.17 ESTABLISHING UTILITY SERVICES

Customers who wish to establish water and/or sewer account must complete a written application in person, submit to the Town of Biscoe and provide valid Government issued identification as well as a Lease Agreement or Rent Receipt, or Deposit Receipt containing the Address where service is to be connected and the Account Holder's full name. The Property Owner information must be on the completed application. If the Account Holder is the Property Owner then buyer documentation must be presented at the time of application as well as the Government issued photo identification. If the property becomes rental property it is the Account Holder's responsibility to disconnect service so the new tenant can establish service. If the property owner establishes another account at the same address

the non –refundable connection fee will be waived but a new application for service must be completed.

§ 51.18 RATES AND CHARGES; NON-REFUNDABLE CONNECTION FEE

The rates and charges for water service shall be as established by the Board, shall be due and payable monthly, and shall be collected in accordance with the provisions of this chapter. A copy of the current rates and charges shall be kept on file at all times in the office of the Clerk. ('79 Code, § 5-1-19) (Am. Ord. passed 7-14-99)

WATER & SEWER FEE SCHEDULE			
Water & Sewer (Residential Rates)			
INSIDE CITY LIMITS			
	First 2000 Gallons (Minimum Charge)	\$ 12.00	<i>Per 1000 gallons</i>
	Each additional 1000 Gallons	\$ 5.50	<i>Per 1000 gallons</i>
	Sewer	100%	<i>of water used</i>
OUTSIDE CITY LIMITS			
	First 2000 Gallons (Minimum Charge)	\$ 22.00	<i>Per 1000 gallons</i>
	Each additional 1000 Gallons	\$ 11.00	<i>Per 1000 gallons</i>
	Sewer	100%	<i>of water used</i>
	<i>NCGS 160A-314.(a)</i>		
Water & Sewer (Commercial Rates)			
INSIDE CITY LIMITS			
	<i>First 3000 Gallons (Minimum Charge)</i>	\$ 34.00	
	<i>Each additional 1000 Gallons</i>	\$ 5.50	<i>Per 1000 gallons</i>
	<i>Over 1 Million Gallons, contact Office</i>		
	Sewer	100%	<i>of water used</i>
OUTSIDE CITY LIMITS			
	<i>First 2000 Gallons (Minimum Charge)</i>	\$ 55.00	
	<i>Each additional 1000 Gallons</i>	\$ 11.00	<i>Per 1000 gallons</i>
	<i>Over 1 Million Gallons, contact Office</i>		
	Sewer	100%	<i>of water used</i>
Water & Sewer Fees			
	Water Connect ion - Residential Owner	\$ 50.00	
	Water Connection - Resident - Renter	\$ 75.00	
	Water Connect ion - Business	\$ 75.00	
	TIER 1 Late Fee	\$ 10.00	<i>APPLIED BEFORE 8:30 ON 21ST</i>
	TIER 2 Late Fee	\$ 35.00	<i>APPLIED BEFORE 8:30 ON 1ST DAY OF MONTH</i>
	Special Meter Reading	\$ 25.00	<i>WILL BE REFUNDED IF NO FAULT OF CUSTOMER</i>
	Tampering Fee	\$ 350.00	<i>First offense, progressive thereafter</i>
	Water Tap (3/4")	\$ 500.00	
	Water Tap (1")	\$ 600.00	
	Water Tap (Bore or Push)	Actual cost + 5%	
	Sewer Tap (Inside City Limits)	\$ 500.00	
	Sewer Tap (Outside City Limits)	\$ 600.00	
	Sewer Tap (Bore or Push)	Actual cost + 5%	

	Extra Trash Can	\$10.00	
Planning & Zoning Fees			
	CONDITIONAL USE PERMIT	\$ 200.00	
	MAPS	\$ 1.00	
	REZONING APPLICATION	\$ 300.00	
	ZONING BOOKS	\$ 10.00	
	ZONING PERMIT	\$ 25.00	
Cemetery Prices			
Sect on B			
	Inside City Limits Resident	\$ 230.00	<i>Per Grave</i>
	Outside City Limits Resident	\$ 430.00	<i>Per Grave</i>
Section D			
	Inside City Limit s Resident	\$ 330.00	<i>Per Grave</i>
	Outside City Limit s Resident	\$ 730.00	<i>Per Grave</i>

A. Each customer applying for water service shall pay a Non-Refundable connection service charge in an amount fixed by the Board. A copy of the current service connection charge shall be kept on file at all times in the office of the Clerk. ('79 Code, § 5-1-20) (Ord. passed 7-11-94)

B. The town shall give a one-time \$10 rebate to customers who install water-saving faucets and showerheads. (Ord. passed 9-24-01)

§ 51.19 METER READING; BILLING; COLLECTING.

A. Meters will be read and bills rendered monthly, but the town may vary dates or length of period covered, temporarily or permanently, if necessary or ~~desirable~~.

B. Bills for water will be figured in accordance with the rate schedule then in effect and will be based on the amount consumed for the period covered by the meter readings, but the amount payable for each month's service shall not be less than the minimum charge prescribed in the schedule of rates.

C. Charges for service commence when the meter is installed and connection is made, whether used or not.

D. Bills for water service are due when rendered and are delinquent at midnight on day 20. In the event the bill for water service is not paid in 20 days after it was rendered, a penalty will be added before 8:30 am on day 21 and will be paid by the customer. Unless day 21 falls on a Saturday, Sunday, or Holiday in which the Town Hall is closed. The penalty will then be assessed on the following business day. In the event the bill for water service is not paid on the last day of the month a second tier penalty will be added and will be paid by the customer in an amount set forth on the most current fee schedule located in the office of the Town Clerk. Unless the last day of the month falls on a Saturday, Sunday, or Holiday in which the Town Hall is closed. The Penalty will then be assessed on the following business day.

E. Reading from different meters will not be combined for billing, irrespective of the fact that such meters may be for the same or different premises, or for the same or different customers, or for the same or different services.

F. No second notice will be sent.

G. Failure to receive bills mailed or notices shall not prevent the bills from becoming delinquent nor relieve the customer from payment. ('79 Code, § 5-1-21) (Ord. passed 3-11-96)

§ 51.20 DISCONNECTION FOR LATE PAYMENT.

- (A) It is the policy of the town to discontinue utility service to customers by reason of nonpayment of bills on the first day of month for the amount of the previous month and any fees incurred only after notice and a meaningful opportunity to be heard on disputed bills. The town's form for application for utility service and all bills shall contain, in addition to the title, address, room number, and telephone number of the official in charge of billing, clearly visible and easily readable provisions to the effect:
- (1) That all bills are due and payable on or before the date set forth on the bill; and
 - (2) That if any bill is not paid by or before that date, service will be discontinued for nonpayment; and
 - (3) That any customer disputing the correctness of his bill shall have a right to a hearing at which time he may be represented in person and by counsel or any other person of his choosing and may present orally or in writing his complaint and contentions to the town official in charge of utility billing. This official shall be authorized to order that the customer's service not be discontinued and shall have the authority to make a final determination of the customer's complaint.
- (B) Requests for delays or waiver of payment will not be entertained; only questions of proper and correct billing will be considered. In the absence of payment of the bill rendered or resort to the hearing procedure provided herein, service will be discontinued at the time specified, but in no event until the charges have been due and unpaid for at least 30 days.
- (C) When it becomes necessary for the town to discontinue utility service to a customer for nonpayment of bills, service will be reinstated only after all bills for service then due have been paid.

§ 51.21 UNPAID BALANCES

Any balance owed to the Town of Biscoe must be paid prior to beginning service at a new address or the same address, otherwise, The Town of Biscoe reserves the right to reject service to the applicant. Customers with multiple accounts are subjected to any unpaid Town of Biscoe balance (s) being transferred to another Town of Biscoe account. The balance transfer may cause the new account to be disconnected if payment is not received.

§ 51.22 SUSPENSION OF SERVICE VOLUNTARY OR OTHERWISE.

- (A) It is the account holder's responsibility to discontinue service by coming to the Town Hall and requesting service disconnected. The account holder will complete a Disconnect of Service agreement. If an account holder fails to properly disconnect service any and all bills accumulated in the account holder's name will be the sole responsibility of the account holder for three billing cycles to end on the 1st day of the third month after payment has not been made. At this point service will be discontinued by the Town of Biscoe and a letter will be sent to the account holder at the last address available.
- (B) Upon discontinuance of service for nonpayment of bills. The town will proceed to collect the balance in any way provided by law for the collection of debts.
- (C) Service discontinued for nonpayment of bills will be restored only after all bills currently due are paid in full.
- (D) Once a tenant provides notice that he or she will be terminating service, the property owner or new tenant must come in person to begin service; otherwise, the connection will remain

off.

- (E) The town reserves the right to discontinue water service without notice for any one or more of the following additional reasons:
- (1) To prevent fraud or abuse;
 - (2) Customer's willful disregard of the town's rules and regulations;

 - (3) Emergency repairs;
 - (4) Insufficiency of supply due to circumstances beyond the town's control;
 - (5) Legal process;
 - (6) Direction of public authorities;
 - (7) Strike, riot, fire, flood, accident or any unavoidable cause.
- (F) The town may, in addition to prosecution by law, permanently refuse service to any consumer who tampers with a meter or other measuring device. ('79 Code, § 5-1-22) (Am. Ord. passed 7-11-94)

§ 51.23 RECONNECTION OF SERVICE

Once disconnected for non-payment, the customer must pay the total balance owed on the account to include the current month's bill.

If a different customer requests service at an address that has been disconnected for non-payment, at least one of the following requirements must be met in addition to those detailed in other sections of this Ordinance.

1. Customer must provide copy of valid Lease Agreement or Deed to the Property with the customer's name listed on the document provided; or
2. If no Lease Agreement exists, the customer must provide a notarized letter containing the Property Owner's signature signifying that the tenant is authorized to begin service at the specific address requested.
3. No reconnections will be made after normal business hours.

§ 51.24 Adjustments due to Over Billing or Under Billing

The Town of Biscoe will collect any deficiencies in utility payments due to under billing for a maximum period of twelve months.

The Town of Biscoe will refund or apply a credit to an account any excess money collected in utility payments due to overbilling in accordance with the current North Carolina General Statute.

§ 51.25 Leak Adjustments

The purpose of this section is to provide for a credit adjustment to sewer account ONLY of a customer who has experienced a loss of metered water as a result of conditions beyond normal and reasonable control of the customer or other parties responsible for the use, care, and maintenance of the metered water system.

All metered water lost due to negligence on the part of the user will be charged at the normal rate and no adjustment of the bill will be made.

If the customer believes his bill to be in error, he shall present his claim, in person, at The Town of Biscoe before the bill becomes delinquent. Such claim, if made after the bill has become delinquent, shall not be effective in preventing discontinuance of service as heretofore provided. The consumer may pay such bill under protest, and said payment shall not prejudice his claim.

The Town of Biscoe will make special meter readings at the request of the consumer for a fee of \$25.00 provided, however, that if such special reading discloses that the meter was over read, or in error in any way, the fee will be refunded.

Conditions

It is the customer's responsibility to promptly discover and immediately repair the cause of any unusual situation or condition that may result in loss of metered water. There must be no evidence of undue delay by the customer in stopping the water loss and in making repairs.

Customer Responsibility

1. The customer must be able to provide reasonable evidence of the type of loss and the period of time the loss occurred;
2. The customer must show that the loss was of a nature that was not foreseeable and controllable in the course of customary and prudent use and care of the metered water system;
3. The customer must show that diligent effort was made to stop the flow of water to minimize the loss in a timely manner;
4. The customer must show that permanent repairs have been made to prevent a recurrence.

Adjustment Procedure

1. Customer must submit a written request for an adjustment and a copy of the repair bill, if applicable, within two months of the occurrence. Once received, the Town of Biscoe will evaluate the information provided as to the applicability of an adjustment under this ordinance.
2. The customer shall provide a completed Leak Adjustment Application Form and documentation, in the form of receipts or a completed No Receipt Available Form, showing that the leak has been repaired. No adjustment will be granted if the customer fails to provide the required forms or documentation.
3. The customer's adjustment will be an average of the previous six (6) months of water service, which will be divided by two (2) and then become the sewer part of the water bill for the month of adjustment.
4. If the customer has had water service for less than six (6) months, the average will be taken on the months available.
5. Only one (1) leak adjustment will be allowed within a one-year period.
6. The Utility customer must have water and sewer service, adjustments to the water portion of the bill are not allowed under this policy.
7. Adjustments can be applied to two (2) consecutive billing periods if the water loss occurred over two consecutive billing periods. Insert Utility Leak Adjustment Here.

§ 51.26 RETURNED PAYMENTS

A Returned check Fee as approved by the Board of commissioners in the current fiscal year fee schedule will be applied to all returned payments, including but not limited to automatic bank drafts, electronic check payments and written checks. If the returned payment makes the accounts more than ten (10) days delinquent, the account will be disconnected without further notice. Once disconnected for returned check payment, the reconnection procedure is the same as those accounts disconnected for non-payment.

If the returned payment is the non-refundable connection fee payment for beginning service, the account will be disconnected without further notice. Once disconnected for returned check payment, the reconnection procedure is the same as those accounts disconnected for non-payment.

If an account holder has three (3) returned checks or bank drafts the account will be set to CASH ONLY and no other form of payment will be accepted. ANY Checks attempted to be paid on the account will not be posted. They will be returned to the address on file.

§ 51.27 WATER SUPPLY PLAN.

- A. The water supply plan entitled *Biscoe Water Supply Plan* dated August 11, 2000, is hereby approved and shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources.

- B. The Board of Commissioners intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.
(Ord. passed 10-9-00)

CHAPTER 52: SEWERS

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GENERAL PROVISIONS

§ 52.01 DEFINITIONS.

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

(BIOCHEMICAL OXYGEN DEMAND). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C, expressed in parts per million by weight.

BUILDING DRAIN. That part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer, beginning five feet outside the inner face of the building wall.

BU/WING SEWER. The extension from the building drain to the public sewer or other place of disposal.

GARBAGE. Solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

INDUSTRIAL WASTES. The liquid wastes from industrial processes as distinct from sanitary sewage.

NATURAL OUTLET. Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

OFFENDING PARTY. The owner, person or tenant to whom the Superintendent has duly delivered a

notice of violation of any provision of this chapter.

PERSON. Any individual, firm, company, association, society, corporation, or group.

pH. The logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution. A stabilized *pH* will be considered as a *pH* which does not change beyond the specified limits when the waste is subjected to aeration under test. A *pH* value indicates the degree of acidity or alkalinity.

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

SEWAGE. A combination of the water-carried wastes from residences, business buildings, institutions, and industrial establishments, together with such ground, surface, and storm waters as may be present.

SEWAGE TREATMENT PLANT. Any arrangement of devices and structures used for treating sewage.

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

SEWER. A pipe or conduit for carrying sewage.

- (1) **COMBINED SEWER.** A sewer receiving both surface run-off and sewage.
- (2) **PUBLIC SEWER.** A sewer in which all owners of abutting properties have equal rights, and is controlled by public authority.
- (3) **SANITARY SEWER.** A sewer which carries sewage and to which storm, surface, and ground waters are not intentionally admitted.

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

SURCHARGE WASTEWATER RATE. The additional user charge billed in addition to the normal user rate for discharge of wastewater with concentrations expressed in parts per million by weight, greater than those limits established in §§ 52.47 through 52.51.

SUPERINTENDENT. The Superintendent of Public Works, or sewage works or his authorized representative or such person or persons as may be designated by the Town Board.

SUSPENDED SOLIDS. Solids that either floats on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

TOTAL KJEWAHL NITROGEN. The total of organic and ammonia nitrogen expressed in parts per million by weight.

WATERCOURSE. A channel in which a flow of water occurs, either continuously or intermittently. (Ord. passed 10-9-89)

§ 52.02 USE OF PUBLIC SEWERS REQUIRED.

- (A) It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the town or in any area under the jurisdiction of the town, any human or animal excrement, garbage, or other objectionable waste.
- (B) It shall be unlawful to discharge to any natural outlet within the town, or in any area under the jurisdiction of the town any sanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter.
- (C) Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, septic tank cesspool, or other facility intended or used for the disposal of sewage.
- (D) The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purpose, situated within the town and abutting on any street, alley or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer of the town, is hereby required at his expense to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of this chapter, within 90 days after date of official notice to do so, provided that the public sewer is within 100 feet of the property line.
(Ord. passed 10-9-89) Penalty, see § 10.99

§ 52.03 TAMPERING WITH WASTEWATER FACILITY PROHIBITED.

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance, or equipment which is a part of the municipal sewage works. Any person violating this provision shall be subject to immediate arrest under charge of disorderly conduct. (Ord. passed 10-9-89) Penalty, see § 10.99

§ 52.04 REQUEST FOR SEWER SERVICE OUTSIDE OF CITY LIMITS.

Whenever a request is received for sewer service from someone whose residence or business is located outside city limits, the Superintendent of Public Utilities will take the request in writing to the Board of Commissioners at their next regular meeting for a decision on whether to authorize a sewer hookup to the town's sewer system. (Ord. passed 7-10-00)

PRIVATE WASTEWATER DISPOSAL

§ 52.15 PRIVATE WASTEWATER DISPOSAL FOR BUILDINGS.

Where a public sanitary or combined sewer is not available under the provisions of § 52.02(0), the building sewer shall be connected to a private sewage disposal system complying with the provisions of this subchapter. (Ord. passed 10-9-89) Penalty, see § 10.99

§ 52.16 PERMIT REQUIRED.

- (A) Before commencement of construction of a private sewage disposal system, the owner shall first obtain a written permit signed by the Superintendent. The application for such permit shall be made on a form furnished by the town, which the applicant shall supplement by any plans, specifications and other information as are deemed necessary by the Superintendent. A permit and inspection fee shall be paid to the Town Clerk at the time the application is filed. The amount of the fee shall be posted in the office of the Superintendent.
- (B) A permit for a private sewage disposal system shall not become effective until the installation is completed to the satisfaction of the Superintendent. He shall be allowed to inspect the work at any stage of construction and, in any event, the applicant for the permit shall notify the Superintendent when the work is ready for final inspection, and before any underground

portions are covered. The inspection shall be made within 48 hours of the receipt of notice by the Superintendent. (Ord. passed 10-9-89) Penalty, see § 10.99

§ 52.17 COMPLIANCE WITH DEPARTMENT OF PUBLIC HEALTH.

The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the Department of Public Health of the state. No permit shall be issued for any private sewage disposal system employing subsurface soil absorption facilities where the area of the lot is less than 15,000 square feet. No septic tank or cesspool shall be permitted to discharge to any public sewer or natural outlet. (Ord. passed 10-9-89) Penalty, see § 10.99

§ 52.18 CONNECTION TO PUBLIC SEWER.

At such time as a public sewer becomes available to a property served by a private sewage disposal system, as provided in § 52.17, a direct connection shall be made to the public sewer in compliance with this chapter, and any septic tanks, cesspools, and similar private sewage disposal facilities shall be abandoned and filled with suitable material. (Ord. passed 10-9-89) Penalty, see § 10.99

§ 52.19 OPERATION AND MAINTENANCE.

The owner shall operate and maintain the private sewage disposal facilities in a sanitary manner at all times, at no expense to the town. (Ord. passed 10-9-89)

§ 52.20 ADDITIONAL REQUIREMENTS.

No statement contained in this subchapter shall be construed to interfere with any additional requirements that may be imposed by the Health Officer.

BUILDING SEWERS AND CONNECTIONS

§ 52.30 INTERFERENCE WITH PUBLIC SEWER SYSTEM; PERMIT REQUIRED.

No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Superintendent. (Ord. passed 10-9-89) Penalty, see § 10.99

§ 52.31 BUILDING SEWER PERMITS.

There shall be two classes of building sewer permits; for residential and commercial service, and for service to establishments producing industrial wastes. In either case, the owner or his agent shall make application on a special form furnished by the town. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the Superintendent. A permit and inspection fee for a residential, commercial, or industrial building sewer permit shall be paid to the Town Clerk at the time the application is filed. The amount of the fee shall be posted in the office of the Superintendent. (Ord. passed 10-9-89)

§ 52.32 COST OF INSTALLATION.

All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the town from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. (Ord. passed 10-9-89)

§ 52.33 SEPARATE SEWERS FOR SINGLE BUILDINGS.

A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard, or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer. (Ord. passed 10-9-89)

§ 52.34 EXISTING BUILDING SEWERS.

Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Superintendent, to meet all requirements of this chapter. (Ord. passed 10-9-89)

§ 52.35 SPECIFIC REQUIREMENTS.

- (A) The building sewer shall be cast iron soil pipe ("No-Hub"); PVC plastic sewer pipe, ASTM specification D3034, SDR 35, or other suitable material approved by the Superintendent. Joints shall be tight and waterproof. Any part of the building sewer that is located within ten feet of a water service pipe shall be constructed of cast iron soil pipe. Cast iron pipe may be required by the Superintendent where the building sewer is exposed to damage by tree roots. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that non-metallic material may be accepted if laid on a suitable concrete bed or cradle as approved by the Superintendent.
- (B) The size and slope of the building sewer shall be subject to the approval of the Superintendent, but in no event shall the diameter be less than six inches. The slope of such six-inch pipe shall not be less than one-eighth inch per foot.
- (C) Whenever possible the building sewer shall be brought to the building at an elevation below the basement floor. No building sewer shall be laid parallel to or within three feet of any bearing wall, which might thereby be weakened. The depth shall be sufficient to afford protection from frost. The building sewer shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe and fittings.
- (D) In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such drain shall be lifted by approved artificial means and discharged to the building sewer.
- (E) All excavations required for the installation of a building sewer shall be open trench work unless otherwise approved by the Superintendent. Pipe laying and backfill shall be performed in accordance with ASTM specification C12-19 except that no backfill shall be placed until the work has been inspected.
- (F) All joints and connections shall be made gastight and watertight.
 - (1) "No-Hub" cast iron soil pipe joints shall consist of a neoprene gasket and stainless steel clamp and shield. PVC plastic sewer pipe joints shall be either solvent cement or elastomeric gasket joints.
 - (2) Other jointing materials and methods may be used only by approval of the Superintendent
- (G) The connection of the building sewer into the public sewer shall be made at the "Y" branch, if such branch is available at a suitable location. If the public sewer is 12 inches in

diameter or less, and no properly located "Y" branch is available, the owner shall at his expense install a "Y" branch in the public sewer at the location specified by the Superintendent. Where the public sewer is greater than 12 inches in diameter, and no properly located "Y" branch is available, a neat hole may be cut into the public sewer to receive the building sewer, with entry in the downstream direction at an angle of about 45 . A 45 elbow may be used to make such connection, with the spigot end cut so as not to extend past the inner surface of the public sewer. The invert of the building sewer at the point of connection shall be at the same or at a higher elevation than the invert of the public sewer. A smooth, neat joint shall be made, and the connection made secure and watertight by encasement in concrete. Special fittings may be used for the connection only when approved by the Superintendent (Ord. passed 10-9-89)

§ 52.36 SUPERINTENDENT TO INSPECT SEWERS.

The applicant for the building sewer permit shall notify the Superintendent when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Superintendent or his representative. (Ord. passed 10-9-89)

§ 52.37 EXCAVATIONS.

All excavations for building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the town. (Ord. passed 10-9-89)

USE OF PUBLIC SEWERS

§ 52.45 DISCHARGE OF UNPOLLUTED WATER.

No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer. (Ord. passed 10-9-89) Penalty, see § 10.99

§ 52.46 STORM SEWERS.

Storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Superintendent. Industrial cooling water or unpolluted process waters may be discharged, upon approval of the Superintendent, to a storm sewer, combined sewer or natural outlet. (Ord. passed 10-9-89)

§ 52.47 PROHIBITED DISCHARGES WASTES.

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- (A) Any liquid or vapor having a temperature higher than 135°F.
- (B) Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil or grease.
- (C) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- (D) Any garbage that has not been properly shredded.
- (E) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, paunch manure, or any other solid or viscous substance in sufficient quantity to cause

or substantially contribute to obstruction of the flow in sewers or cause other interference with the proper operation of the sewage works.

- (F) Any waters or wastes having a stabilized pH, as defined in § 52.01, lower than 6.0 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- (G) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
- (H) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
- (I) Any noxious or malodorous gas or substance capable of creating a public nuisance.
- (J) Since the intent of this section is to protect the sewerage system of the town while treating as such of the industrial waste of the town as practicable, the Superintendent shall have the authority to waive the provisions of divisions (A), (B), (C), (D), (E), (F), (G), and (I) when he determines that the quantity of the waste discharged by any person is so small in relation to the overall flow into the town system as to make the offending characteristics of the waste negligible. The waiving of the provisions at one time shall not prohibit the enforcement of these same provisions at a later date when the cumulative effect of the discharge from several industrial establishments and businesses may become detrimental to the sewerage system. Waivers contained in this section shall be subject to the approval of the Board of Commissioners.
- (K) Any change of regulations or treatment standards imposed on the town by the state will in turn be passed along to the industrial waste discharger.
(Ord. passed 10-9-89) Penalty, see § 10.99

§ 52.48 GREASE, OIL AND SAND INTERCEPTORS.

- (A) Grease, oil and sand interceptors shall be provided, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Superintendent, and shall be located as to be readily and easily accessible for cleaning and inspection.
- (B) Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which when bolted in place shall be gastight and watertight.
- (C) Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.
(Ord. passed 10-9-89) Penalty, see § 10.99

§ 52.49 CERTAIN WATERS TO BE APPROVED BY SUPERINTENDENT.

The admission into the public sewers of any waters or wastes having (1) a five-day biochemical oxygen demand greater than 300 parts per million by weight, or (2) containing more than 350 parts

per million by weight of total suspended solids, or (3) containing any quantity of substances having the characteristics described in § 52.47, or (4) a chemical oxygen demand greater than 1,000 parts per million by weight, or (5) a Total Kjeldahl Nitrogen greater than 40 parts per million by weight shall be subject to the review of the Superintendent. When the Superintendent makes a determination that it is necessary, the owner shall provide, at his expense, such preliminary treatment as may be necessary to, (1) reduce the biochemical oxygen demand to 300 parts, per million, the total suspended solids to 350 parts per million by weight, reduce the chemical oxygen demand to 1,000 parts per million, and reduce the Total Kjeldahl Nitrogen greater than 40 parts per million by weight, or (2) reduce objectionable characteristic or constituents to within the maximum limits provided for in § 52.47, or (3) control the quantities and rates of discharge of such waters or wastes. Plans, specifications and any other pertinent information relative to proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and of the State Department of Water and Air Resources, and no construction of such facilities shall be commenced until the approvals are obtained in writing. (Ord. passed 10-9-89)

§ 52.50 PRELIMINARY TREATMENT FACILITIES.

Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in safe and effective operation. In the event such treatment facilities malfunction or cease to operate for any reason, the owner shall give immediate notice of such condition to the Superintendent. (Ord. passed 10-9-89)

§ 52.51 STORAGE TANKS; CONTROL MANHOLE.

A) *Storage tanks.* In order to promote equalization of flows, it shall be the responsibility of each person discharging a waste into the town's sanitary sewers having the following average daily volumes over a period of his normal work week shall construct and maintain at his own expense a suitable storage tank, reservoir or pond of the corresponding minimum volumes:

Volume of Waste Discharged Average Gallons Per Day	Minimum Volume of Storage Tank In Percentage of Daily Volume of Waste Discharged
0 to 2,000	0%
2,001 to 50,000.....	50%
50,001 to 200,000	100%
200,001 to 750,000	150%
750,001 and above.....	200%

- (1) Such storage tank shall have its outlet to the sewer controlled by an approved device, the setting of flow rates being as directed by the Superintendent.
- (2) Storage tank requirements may be waived by the Superintendent in cases where a constant rate of flow is discharged provided:
 - (a) That the normal operating day extends over a 24 hour period and the rate of waste flow and character of load discharged is such that in the determination of the Superintendent the installation of a storage tank would not improve sewer treatment plant loading conditions.
 - (b) That all other requirements of this chapter are fulfilled or where the character of waste when held for the period of time indicated would not be detrimental to operation of the

town's sewerage system.

- (B) Control manhole. Any person discharging industrial wastes into the town's sanitary sewers shall construct a suitable control manhole, downstream from any treatment, storage tank or other approved works, to facilitate observations, and provide means for measurements and sampling of all such wastes from the industry.
 - (1) The control manhole shall be constructed at a suitable and satisfactory location and built in a manner approved by the Superintendent. The manhole shall be installed by the person discharging the wastes at his expense and shall be maintained by him so as to be safe accessible and in proper operating condition at all times.
 - (2) A control valve shall be located downstream from any treatment, storage tank or other approved works, to facilitate control of discharge to the town's sewer system. The control valve shall be locked and controlled by the town.
 - (3) Plans for the construction of such preliminary treatment facilities, storage tanks, control manholes, interceptors, and controlling device's shall be approved by the Superintendent prior to the commencement of construction.
 - (4) Control manhole requirements may be waived by the Superintendent. A person discharging may be relieved of this requirement providing:
 - (a) That such waste meets all other requirements of this chapter, as determined by the Superintendent.
 - (b) That all such wastes are discharged through a single standard sewer manhole before entrance into the sanitary sewers.
- (C) Plans for construction. Plans for the construction of the storage tank, control manhole, interceptors and controlling devices shall be approved by the Superintendent prior to the beginning of construction. (Ord. passed 10-9-89)

§ 52.52 INTERRUPTION OF DISCHARGE.

Notices shall be given the approving authority when normal operations of the industry will be interrupted for 24 hours or longer and wastes will not be available for discharge or when a change of process is contemplated. (Ord. passed 10-9-89)

§ 52.53 METHOD FOR EXAMINATION OF WATER AND WASTEWATER.

- (A) All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in §§ 52.47 through 52.51 shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage," and shall be determined at the control provided for in §§ 52.48 through 52.51, or upon suitable samples taken at the control manhole, in the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected.
- (B) Testing shall be at a rate of five tests and analyses per month unless a violation has occurred, then the Superintendent may require testing as frequently as needed until compliance has been accomplished. The town may require daily testing to assure compliance. All testing and analyses costs shall be borne by the owner.
(Ord. passed 10-9-89)

§ 52.54 SPECIAL CONDITIONS; WAIVERS.

In the event that any sewer user is unable to comply with any provision contained in this subchapter, whether because of the physical location of the premises, the nature of his operations, conditions beyond his control, or circumstances which would render compliance unreasonable, burdensome, or impractical, or would result in an arbitrary and unreasonable taking of property, or in the closing and elimination of lawful business occupation or activity without sufficient corresponding benefit or advantage to the public, he may apply to the Superintendent for a certificate of waiver, specifying the requirement sought to be waived and setting forth in detail the reasons underlying the request. Upon receipt of such request, the Superintendent shall examine the premises and operations in question to determine whether adequate justification exists. If good cause is shown, the Superintendent may thereafter issue a certificate of waiver which sets forth the findings of fact as determined by the Superintendent with respect to the request, the grounds upon which the certificate is based, and the specific conditions and restrictions to which the continued validity of the certificate are subject including without limitations, the payment by the requesting party of such additional charges as are necessary, in the determination of the Superintendent, to compensate for the excess burden on the sewer system occasioned by the waiver. The certificate of waiver may be conditioned upon periodic review of the grounds upon which it is based, and any such certificate shall be revocable by the Superintendent for good cause at any time upon reasonable notice to party who has been granted the waiver. Nothing in this section shall be construed to modify or affect the application of § 52.66 as to the requesting party. The Superintendent shall maintain publicly at his office a file containing copies of all current certificates of waiver issued. (Ord. passed 10-9-89)

INDUSTRIAL WASTE

§ 52.65 INDUSTRIAL PERMIT APPLICATION; FEE.

Any industry desiring to discharge waste into the town's collection system shall submit an industrial sewer connection application to the Superintendent for approval. A permit and inspection fee shall be paid to the Town Clerk at the time the application is filed. The amount of the fee shall be posted in the office of the Superintendent. (Ord. passed 10-9-89) Penalty, see § 10.99

§ 52.66 INDUSTRIAL WASTE SURCHARGE.

In the event the wastewater being discharged by an industry into the town's collection system exceeds those requirements in §§ 52.47 through 52.51, the town has the option of imposing an industrial waste surcharge against the industry until the problem is corrected in lieu of not accepting the waste. If after 30 days the problem is not corrected, the town has the right to refuse further treatment of the industry's waste. (Ord. passed 10-9-89)

§ 52.67 ASSESSMENT POLICY FOR INDUSTRIAL SEWER EXTENSIONS.

The following assessment policy for future users of this industrial sewer extension will be in effect upon completion of construction:

- (A) All future connections shall be charged an assessment of \$200 for residential users and \$500 for commercial users. These charges are in addition to tap fees in effect at the time of the connection and shall be paid in full prior to connection to the sewer line.
- (B) That all revenues received from this assessment policy be used to finance future capital

improvements to the town water and sewer systems in predominantly low- and moderate-income neighborhoods. (Ord. passed 9-10-90)

ADMINISTRATION AND ENFORCEMENT

§ 52.80 POWER AND AUTHORITY OF INSPECTORS.

The Superintendent and other duly authorized employees of the town bearing proper credentials and identification shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling, and testing, in accordance with the provisions of this chapter. In case any inspector or inspectors are refused admittance to any premises for any such purpose or are hindered or prevented from making such examination, the water or sewer privilege shall be terminated and shall not be reinstated until free access is given and the current charge for the activation of water or sewer services is paid. (Ord. passed 10-9-89)

§ 52.81 NOTICE OF VIOLATION.

In the event that the Superintendent determines that any person is violating or has violated any provision of this chapter except § 52.65, the Superintendent shall serve such person with a written notice of violation setting forth the facts found by the Superintendent with respect to the violation, citing the applicable provision or provisions of this chapter, and providing a time limit of 30 days, which may be further extended by the Superintendent for good cause, for the satisfactory correction of the noted violation. (Ord. passed 10-9-89)

§ 52.82 APPEALS; HEARING.

Any person so notified or any person aggrieved by any action of the Superintendent under these regulations may, within ten days from such notification or at any time after such grievance may arise, appeal in writing from the notice or action to the Sewer Committee appointed by the Board of Commissioners or such professional agency as may be agreed upon by the Sewer Committee and the alleged violator. Upon receipt of such appeal, the Sewer Committee or its designated agency shall grant a hearing within 14 days. Within a reasonable time after such hearing, the Sewer Committee, or its designated agency shall issue a memorandum outlining its findings and may modify, continue or revoke the notice of violation or action of the Superintendent, provided, however, that the Sewer Committee or its designated agency shall not take any inconsistent action with this chapter or any standards established by the State Board of Water and Air Resources. (Ord. passed 10-9-89)

§ 52.83 DISCONTINUANCE OF SERVICE.

Failure of any person to comply with the notice provided for in § 52.80 in accordance with the provisions of this chapter shall be cause for the discontinuance of sewer or water services to the offending person and the offending person shall be guilty of misdemeanor and upon conviction thereof shall be fined an amount equal to damages incurred by the town. (Ord. passed 10-9-89)

APPENDIX A: SUMMARY FOR INDUSTRIAL USERS

The following is a summary of the town's sewer use chapter identifying items applicable to industrial users. This does not relieve an industry from complying with the town's sewer chapter in entirety.

- (1) No person shall discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, subsurface drainage, cooling water or unpolluted industrial process waters to any sanitary sewer without approval of the Superintendent.
- (2) Except as hereinafter provided, no person shall discharge or cause to be discharged any

of the following described waters or wastes to any public sewer:

- (3) Any liquid or vapor having a temperature higher than 135°F.
- (4) Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil or grease.
- (5) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas.
- (6) Any garbage that has not been properly shredded.
- (7) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastic, wood, paunch manure, or any other solid or viscous substance in sufficient quantity to cause or substantially contribute to obstruction of the flow in sewers or cause other interference with the proper operation of the sewage works.
- (8) Any waters or wastes having a stabilized pH lower than 6.0 or higher than 9.0, or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- (9) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
- (10) Any noxious or malodorous gas or substance capable of creating a public nuisance.
- (11) Any waters or waste having a five-day biochemical oxygen demand greater than 300 parts per million by weight.
- (12) Any waters or waste having a total suspended solid greater than 350 parts per million by weight.
- (13) Any waters or waste having a chemical oxygen demand greater than 1,000 parts per million by weight.
- (14) Any waters or waste having a Total Kjeldahl Nitrogen greater than 40 parts per million by weight.
- (15) No person shall discharge wastewater containing in excess of:
 - 0.01 mg/l arsenic
 - 0.01 mg/l cadmium
 - <1.00 mg/l copper
 - 0.05 mg/l cyanide
 - < 1.00 mg/l lead
 - <1.00 mg/l mercury
 - <1.00 mg/l nickel
 - 0.05 mg/l silver
 - 0.05 mg/l total chromium
 - < 5.00 mg/l zinc
 - < 1.00 mg/l total identifiable chlorinated hydrocarbons
 - 0.001 mg/l phenolic compounds which cannot be removed by the city's wastewater treatment process.
 - 2,000 mg/l sodium
 - 10,000 mg/l sodium chloride 1,000 mg/l sulfate
 - 800 mg/l chloride
 - 250 mg/l formaldehyde
- (16) Since the intent of this section is to protect the sewerage system of the town while treating as much of the industrial waste of the town as practicable, the Superintendent shall have the authority to waive the provisions above or allow pretreatment to meet the same.

(B) Structures required:

- (1) Grease, oil and sand interceptors shall be provided and maintained by the owner at his expense.
- (2) Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in safe and effective operation. In the event such treatment facilities malfunction or cease to operate for any reason, the owner shall give immediate notice of such condition to the Superintendent.
- (3) Equalization Basins:

<i>Volume of Waste Discharged</i> <i>Percentage of Daily Volume of</i>	<i>Minimum Volume of Storage Tank</i> <i>In Average Gallons Per</i> <i>Day Waste Discharged</i>
0 to 2,000	0%
2,001 to 50, 000	50%
50,001 to	200,000 100%
200,001 to 750,000	150%
750,001 and above.....	200%

- (4) Any person discharging industrial wastes into the town's sanitary sewers shall construct a suitable control manhole, downstream from any treatment, storage tank or other approved works, to facilitate observations, and provide means for measurements and sampling of all such wastes from the industry.
- (5) A control valve shall be located downstream from any treatment, storage tank or other approved works to facilitate control of discharge to the town's sewer system. The control valve shall be locked and controlled by the town.

(D) Testing by the town shall be at a rate of five tests and analyses per month unless a violation has occurred, then the Superintendent may require testing as frequently as needed until compliance has been accomplished. The town may require daily testing to assure compliance. All testing and analyses costs shall be borne by the owner.

(E) In the event the wastewater being discharged by an industry into the town's collection system exceeds those requirements herein, the town has the option of imposing an industrial waste surcharge against the industry until the problem is corrected in lieu of not accepting the waste. If after 30 days the problem is not corrected, the town has the right to refuse further treatment of the industry's waste.

(F) Any industry desiring to discharge waste into the town's collection system shall submit an industrial sewer connection application to the Superintendent for approval. A permit and inspection fee shall be paid to the Town Clerk at the time the application is filed. The amount of the fee shall be posted in the office of the Superintendent.

(G) Notes:

- (1) Biochemical oxygen demand (BOD₅) : \$0.01 per 1,000 gallons water usage for every part per million by weight (p.p.m.) greater than 500 p.p.m.
- (2) Total suspended solids (TSS): \$0.01 per 1,000 gallons water usage for every p.p.m. greater than 550 p.p.m.
- (3) Chemical oxygen demand (COD): \$0.005 per 1,000 gallons water usage for every p.p.m.

greater than 1,400 p.p.m.

- (4) Total Kjeldahl Nitrogen (TKN): \$0.05 per 1,000 gallons water usage for every p.p.m. greater than 40 p.p.m.
- (5) Surcharges for other materials such as heavy metals, oil and grease, sulfates, cyanide, phenols, and the like should be developed as the situation merits and should be based on actual costs incurred by the town to treat substances present in excessive concentrations.
- (6) The town may adopt additional charges and fees which may include:
 - (a) Fees for reimbursement of costs of setting up and operating the town's pretreatment program;
 - (b) Fees for monitoring, inspections and surveillance procedures;
 - (c) Fees for reviewing accidental discharge procedures and construction;
 - (d) Fees for permit applications;
 - (e) Fees for filing appeals;
 - (f) Fees for consistent removal (by the town) of pollutants otherwise subject to federal pretreatment standards;
 - (g) Other fees as the town may deem necessary to carry out the requirements contained herein.
 - (h) Any change of regulations or treatment standards imposed on the town by the state will in turn be passed along to the industrial waste discharger.

(B) Surcharge wastewater rates.

BOD ₅		TSS	
Concentration in PPM	Surcharge per 1,000 gallon	Concentration in PPM	Surcharge per 1,000 gallon
300 and less	\$0	350 and less	\$0
301 - 325	0.25	351 - 375	0.25
326 - 350	0.50	376 - 400	0.50
351 - 375	0.75	401 - 425	0.75
376 - 400	1.00	426 - 450	1.00
401 - 425	1.25	451 - 475	1.25

BOD ₅		TSS	
Concentration in PPM	Surcharge per 1,000 gallon	Concentration in PPM	Surcharge per 1,000 gallon
426 - 450	\$1.50	476 - 500	\$1.50
451 - 475	1.75	501 - 525	1.75

476 - 500	2.00	526 - 550	2.00
501 and greater	See (1) below	551 and greater	See (2) below

COD		TKN	
Concentration in PPM	Surcharge per 1,000 gallons	Concentration in PPM	Surcharge per 1,000 gallons
1,000 and less	\$0	40 and less	\$0
1,001 - 1,050	0.25	41 - 50	0.50
1,051 - 1,100	0.50	51 - 60	1.00
1,101 - 1,150	0.75	61 - 70	1.50
1,151 - 1,200	1.00	71 - 80	2.00
1,201 - 1,250	1.25	81 - 90	2.50
1,251 - 1,300	1.50	91 - 100	3.00
1,301 - 1,350	1.75	101 - 110	3.50
1,351 - 1,400	2.00	111 - 120	4.00
1,401 and greater	See (3) below	121 and greater	See (4) below

Penalty, see § 10.99

APPENDIX B: INDUSTRIAL SEWER CONNECTION APPLICATION
Industrial Sewer Connection Application

To the town

The undersigned being the _____ of the property located at _____ does hereby request a permit to _____ an industrial sewer connection serving, which company is engaged in at the location.

1. A plan to the property showing accurately all sewers and drains now existing is attached hereunto as Exhibit "A."
2. Plans and specifications covering any work proposed to be performed under this permit is attached hereunto as Exhibit "B."
3. A complete schedule of all process waters and industrial wastes produced or expected to be produced at the property, including a description of the character of each waste, the daily volume and maximum rates of discharge, representative analyses, and compliance with any applicable pretreatment standard or requirements, is attached hereunto as Exhibit "C."
4. The name and address of the person or firm who will perform the work covered by this permit

5. In consideration of the granting of this permit, the undersigned agrees:

To furnish any additional information relating to the installation or use of the industrial sewer for which this permit is sought as may be requested by the local government.

1. To accept and abide by all provisions of the Sewer Use Ordinance of the local government and of all other pertinent Ordinances or regulations that may be adopted in the future.
2. To operate and maintain any pretreatment facilities as may be required as a condition of the acceptance into the wastewater disposal system of the industrial wastes involved, in an efficient manner at all times, and at no expense to the local government.
3. To cooperate at all times with the local government in their inspecting, sampling, and study of the industrial wastes, and any facilities provided for pretreatment.
4. To notify the local government immediately in the event of any accident, or other occurrence that causes discharge to the wastewater disposal system of any wastewater or substances prohibited by this permit.

Application approved and permit granted:

Date: _____ Signed _____

Application not approved and permit not granted:

Date: _____ Signed _____

AYES: 4; NAYS: 0

Annexation – 521 Mill Street – Michael B. Tedder

A motion was made by Commissioner Kinch, seconded by Commissioner Anderson and so the motion carried unanimously to set a Public Hearing for the July 9, 2018 meeting.

AYES: 4; NAYS: 0

Approval of Year End Budget Amendments including Fire Truck

A motion was made by Commissioner Anderson, seconded by Mayor Pro-tem Smith and so the motion carried unanimously to approve the following Year End Budget Amendments including the Fire Truck:

Amendment to the Budget Ordinance

Ordinance 06112018

BE IT ORDAINED by the Governing Board of the Town of Biscoe, North Carolina that the following amendments are made to the annual budget ordinance for the fiscal year ending June 30, 2018

TO PURCHASE A 2003 E-ONE CYCLONE 75' QUINT LADDER TRUCK

Section 1: To amend the General Fund, the appropriations are to be changed as follows:

<u>Acct No.</u>	<u>Account</u>	<u>Decrease</u>	<u>Increase</u>
10-4340-550	Capital Outlay		<u>\$175,000.00</u>
		Total	<u>\$175,000.00</u>

This will result in an increase of \$175,000.00 in the appropriations of the General Fund.

Section 2: To amend the General Fund, the estimated revenues are to be change as follows:

Acct No.	Account	Decrease	Increase
10-3996-000	Fire Truck Loan Proceeds		\$175,000.00
			\$175,000.00

We are therefore recommending that the current year's budget revenue of the General Fund be amended as indicated, increasing the budget revenues by \$175,000.00.

OVERALL BUDGET AMENDMENT – GENERAL FUND 10

Section 3: To amend the General Fund, Estimated appropriations. General Fund of Ordinance 06112018; is hereby amended by increasing estimated revenue and appropriations in the amounts indicated.

GENERAL FUND EXPENDITURES

<u>BUDGET ACCOUNT NUMBER</u>		<u>DEBIT</u>	<u>CREDIT</u>
10-4110-121 SALARIES	Increase	\$195.00	
10-4110-180 SS TAX	Increase	\$11.00	
10-4110-181 MEDICARE TAX	Increase	\$3.00	
10-4120-121 SALARIES	Increase	\$22,087.00	
10-4120-180 SS TAX	Increase	\$1,690.00	
10-4120-182 RETIREMENT	Increase	\$1,330.00	
10-4120-352 Maintenance & Repair	Increase	\$600.00	
10-4120-391 Legal Advertising	Increase	\$1,500.00	
10-4260-290 Department Supplies	Increase	\$2,000.00	
10-4260-354 Beautification	Increase	\$1,000.00	
10-4260-550 Capital Outlay	Increase	\$10,500.00	
10-4340-000 2017 OSFM GRANT EXPENDITURES	Increase	\$18,399.00	
10-4340-550 CAPITAL OUTLAY	Increase	\$7,500.00	
10-4500-399 Garbage Collection	Increase	\$9,500.00	
10-4500-401 County Landfill Charges	Increase	\$8,116.00	
10-4500-499 Misc.	Increase	\$2,500.00	
10-6120-270 Supplies for Resale	Increase	\$2,000.00	
10-6120-358 Maintenance Repair Facility	Increase	\$4,500.00	
10-6120-499 Miscellaneous	Increase	\$180.00	
			\$93,611.00

This will result in an increase of \$93,611.00 in the appropriations of the General Fund.

Section 4:

GENERAL FUND REVENUES

<u>BUDGET ACCOUNT NUMBER</u>		<u>DEBIT</u>	<u>CREDIT</u>
10-3100-016 2016 TAXES (FALL OF 2016)	Increase		\$910.00
10-3100-017 2017 TAXES (FALL OF 2017)	Increase		\$54,549.00
10-3100-111 PRIOR YEAR TAXES	Increase		\$13,595.00
10-3100-120 Motor Vehicle Tax	Increase		\$5,585.00
10-3230-000 SALES TAX DISTRIBUTION	Increase		\$51,736.00
10-3250-000 ABC REVENUES	Increase		\$6,479.00

10-3325-351 SALES TAX REFUND	Increase		\$14,873.00
10-3431-910 NCCMT - CEMETERY INTEREST EARNED	Increase		\$680.00
10-3431-920 NCCMT - GENERAL FUND INTEREST EARNED	Decrease	\$41,090.00	
10-3431-930 NCCMT - PAYROLL INTEREST EARNED	Increase		\$900.00
10-3431-940 NCCMT - HALLOWEEN IN THE PARK INTEREST EARNED	Increase		\$284.00
10-3474-000 CEMETERY REVENUES	Increase		\$1,860.00
10-3613-410 PARK FEES	Increase		\$800.00
10-3613-823 ANNEXATION FEES	Increase		\$60.00
10-3830-000 MISCELLANEOUS REVENUES	Increase		\$7,990.00
10-3830-399 EXTRA GARBAGE CANS	Increase		\$2,020.00
10-3831-493 FIRE DEPT INVESTMENT EARNINGS	Increase		\$185.00
10-3831-497 INTEREST INCOME	Increase		\$920.00
10-3833-860 HALLOWEEN IN THE PARK DONATIONS	Increase		\$245.00
10-3833-870 POLICE DEPARTMENT FEES	Increase		\$343.00
10-3835-810 SALE SURPLUS SUPPLIES	Increase		\$628.00
10-3988-980 TRANSFER/CAPITAL RESERVE (21-8100-980)	Decrease	\$50,000.00	
10-3991-000 FUND BALANCE APPROPRIATED	Increase		\$20,059.00
		\$91,090.00	\$184,701.00
		(184,701 - 91,090 = 93,611)	

We are therefore recommending that the current year's budget revenue of the General Fund be amended as indicated, increasing the budget revenues by \$93,611.

Section 5: To amend the General Fund, Estimated appropriations. General Fund of Ordinance 06112018; is hereby amended by increasing estimated revenue and appropriations in the amounts indicated:

GENERAL FUND CONTINUED

GENERAL FUND 10 – Expenditures & Revenues

10-3992-000 FIDELITY BANK - STATE FIRE RELIEF INTEREST AND DEP	Increase		<u>\$50,000.00</u>
10-4340-997 SUPPLEMENTAL RETIREMENT ANNUAL PAYMENTS	Increase	<u>\$50,000.00</u>	
<i>Recognize Fire Relief Retirement</i>			
10-3832-300 County Reimbursement/Fire Vehicle Maintenance	Increase		<u>\$6,000.00</u>
10-4340-354 COUNTY MAINT/REPAIR VEH	Increase	<u>\$6,000.00</u>	
<i>Recognize Maintenance/Repair on County Vehicles</i>			

This will result in an increase of \$56,000 in the appropriations of the General Fund. We are therefore recommending that the current year's budget revenue of the General Fund be amended as indicated, increasing the budget revenues by \$56,000.

Section 6: To amend the Fund 11, estimated appropriations. Fund 11 of Ordinance 06112018; is hereby amended by increasing estimated revenue and appropriations in the amounts indicated.

BUDGET AMENDMENT – FUND 11

FUND 11

11-3325-351 Sales Tax Refund	Increase		\$85.00
11-4510-290 Departmental Supplies	Increase	<u>\$85.00</u>	

Section 7: *This will result in an increase of \$85 in the appropriations of the General Fund. We are therefore recommending that the current year’s budget revenue of the General Fund be amended as indicated, increasing the budget revenues by \$85.*

Section 8: To amend the Fund 60, estimated appropriations. Fund 60 of Ordinance 06112018; is hereby amended by increasing estimated revenue and appropriations in the amounts indicated.

BUDGET AMENDMENT – GENERAL FUND 60

FUND 60

60-7100-299 Chemicals	Increase	\$14,972.00	
60-7100-321 Telephone	Increase	\$3,722.00	
60-7100-331 Utilities	Increase	\$36,191.00	
60-7100-334 Water Purchases	Increase	\$141,902.00	
60-7100-352 Maintenance Repair	Increase	\$6,030.00	
60-7100-353 Maintenance Repair Vehicle	Increase	\$3,200.00	
60-7100-359 Right of Way Maintenance	Increase	\$1,000.00	
60-7100-360 Inmate Expense	Increase	\$300.00	
60-7100-391 Legal Advertising	Increase	\$2,000.00	
60-7100-440 Water/Sewer Analysis	Increase	\$13,500.00	
60-7100-499 Misc.	Increase	\$575.00	
60-7100-550 Capital Outlay Equipment	Increase	\$25,000.00	
60-7100-587 Credit Card Processing Fees	Increase	<u>\$250.00</u>	
			<u>\$248,642.00</u>

60-3325-351 Sales Tax Refund	Increase		\$31,100.00
60-3431-000 NCCMT-NC Debt Set Off	Increase		\$958.00
60-3431-010 NCCMT-Water/Sewer Interest	Increase		\$1,420.00
60-3712-510 Water Charges	Increase		\$100,000.00
60-3712-511 Sewer Charges	Increase		\$126,162.00
60-3712-520 Water Taps	Increase		\$3,800.00
60-3712-530 Late Charges	Increase		\$2,260.00
60-3712-580 Reconnection Fee	Increase		\$2,800.00
60-3712-582 Recovery Return Checks	Increase		\$4,400.00
60-3712-810 Sale of Surplus	Increase		\$2,000.00
60-3830-000 Misc. Revenue	Increase		\$1,700.00
60-3991-000 Fund Balance Appropriated	Decrease	<u>\$27,958.00</u>	
		27,958.00	186,600.00
			<i>(186,600.00 – 27,958.00 = 158,642.00)</i>

This will result in an increase of \$248,642 in the appropriations of the General Fund. We are therefore recommending that the current year's budget revenue of the General Fund be amended as indicated, increasing the budget revenues by \$248,642.

Section 9: Copies of this budget amendment shall be furnished to the Clerk of the Governing Board, and to the Budget Officer and the Finance Officer for their direction. Adopted this 11th day of June, 2018.

AYES: 4; NAYS: 0

Mayor's Minutes

- Mayor's meeting in Troy
- Represented the County Mayors and presented the Mayors' Proposal to County Commissioners regarding Recreation Spending (not approved yet) (Met with Chairman Jackie Morris, Commissioner Matheny, County Manager Matthew Woodard, and Tammy Dunn)
- Inspected the Pool on its opening
- Attended the NC Department of Transportation accident mock train with Police Department and Fire Department
- Met with Michael Fox, Chairman of Transportation Board for NC
- Went to East Middle and talked with three separate groups regarding Summer Tennis Program
- Pulled weeds and daylilies with the inmates
- Attended a COG meeting in Kernersville
- Weekly meal with the prisoners

Commissioner Report

The Board thanked staff for all of their hard work.

Public Comment

No one spoke during the public forum.

Adjournment

There being no further business to bring before the Board, Commissioner Beard made the motion to adjourn, and Mayor Pro Tem Smith made the second. All voted in favor. Meeting adjourned at 7:26 p.m.

MONTHLY FINANCIAL REPORT

FIRST BANK ACCOUNTS 2018 MONTHLY FINANCIAL REPORT			
ACCOUNT	INTEREST RATE	BALANCE	STATUS
MONEY MARKET <i>Bank 3</i>	.15%	\$1,435,357.46	RECONCILED THRU MAY 2018
GENERAL FUND 10 – CD 54 <i>Bank 102</i>	.15%	\$236,877.68	RECONCILED THRU JUNE 2018
FUND 21 – CAP. RES. CD 49 <i>Bank 104</i>	.15%	\$34,629.52	RECONCILED THRU JUNE 2018
FUND 72 LEO – CD 30 <i>Bank 105</i>	.15%	\$96219.52	RECONCILED THRU JUNE 2018
TOTAL FIRST BANK ACCOUNTS		<u>\$1,803,084.18</u>	

FIDELITY BANK ACCOUNTS 2017 MONTHLY FINANCIAL REPORT			
ACCOUNT	INTEREST RATE	BALANCE	STATUS
CENTRAL DEPOSITORY <i>Bank 1</i>	.10%	\$1,307,298.13	RECONCILED THRU MAY 2018
PAYROLL ACCOUNT <i>Bank 4</i>	0%	\$23,225.52	RECONCILED THRU MAY 2018
TOTAL FIDELITY BANK ACCOUNTS		<u>\$1,330,523.65</u>	

NC CAPITAL MANAGEMENT TRUST INVESTMENT ACCOUNTS			
ACCOUNT	INTEREST RATE	BALANCE	STATUS
NC DEBT SET-OFF GOVT <i>Bank 108</i> <i>Bank Statement Not Received</i>	1.30	\$7,529.47	RECONCILED THRU MAY 2018
PAYROLL (GF) GOVT. <i>Bank 112</i> <i>Bank Statement Not Received</i>	1.30	\$101,061.32	RECONCILED THRU MAY 2018
POWELL BILL ACCOUNT – GOVT. <i>Bank 116</i> <i>Bank Statement Not Received</i>	1.30	\$83,921.79	RECONCILED THRU MAY 2018
CEMETERY (GF) TERM <i>Bank 113</i> <i>Bank Statement Not Received</i>	1.59	\$50,685.06	RECONCILED THRU MAY 2018
HALLOWEEN IN THE PARK (GF) TERM <i>Bank 114</i> <i>Bank Statement Not Received</i>	1.59	\$25,341.25	RECONCILED THRU MAY 2018
GENERAL NEEDS (GF) TERM <i>Bank 115</i> <i>Bank Statement Not Received</i>	1.59	\$108,934.94	RECONCILED THRU MAY 2018
WATER IMPROVEMENTS (WS) TERM <i>Bank 111</i> <i>Bank Statement Not Received</i>	1.59	\$126,706.28	RECONCILED THRU MAY 2018
TOTAL NCCMT INVESTMENT ACCOUNTS		<u>\$504,180.11</u>	

Please note in addition to the above bank accounts, the Town Clerk/Finance Officer Reconciles 5 (five) bank accounts each month for the Biscoe Fire Department.

NCCMT RATES CONTINUE TO INCREASE
RATES AS OF 05-02-18
Rates for Government Portfolio increased from **1.37 to 1.59**
Rates for Term Portfolio increased from **1.61 to 1.97**

**Tax Payments from Montgomery County Tax Department
have been received through May 2018.**

SEWER ACROSS THE BYPASS

- 1) Golden Leaf Funds – (Grant no pay back) - \$800,000.00
- 2) Town Funds - \$1,458,960.00
- Total Project - \$2,258,960.00

WASTEWATER TREATMENT PLANT

- 1) Clean Water Management Trust Fund Grant \$ 584,000.00
- 2) State Revolving Loan – Interest Rate 0.00% \$1,323,106.00

As of June 30, 2018, the Town owes approximately \$1,124,640.10.
(To Be Paid Off May 1, 2036) The annual payment is \$66,155.30.

The next payment annual payment will be made in May of 2019.
This will leave a balance of \$1,124,640.10.

Total Project - \$1,190,795.40

INDUSTRIAL PUMP STATION

- 1) First Bank Commercial Loan – Interest Rate 1.65% \$350,000.00

As of May 7, 2018, the Town owes approximately \$169,920.50.
The monthly payment is \$6,198.91.

BRUTON STREET PUMP STATION

The Town of Biscoe has received a grant award of \$1,865,000 for their CDBG Infrastructure Application for the “Sanitary Sewer System Rehabilitation” project. The RFP for Administrative Services was awarded to LKC Engineering.

MONTHLY FINANCIAL REPORT

FIRST BANK ACCOUNTS 2018 MONTHLY FINANCIAL REPORT			
ACCOUNT	INTEREST RATE	BALANCE	STATUS
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FUND 21 – CAP. RES. CD 49 <i>Bank 104</i>	.15%	\$34,603.93	RECONCILED THRU MAY 2018
FUND 72 LEO – CD 30 <i>Bank 105</i>	.15%	\$96,148.40	RECONCILED THRU MAY 2018
TOTAL FIRST BANK ACCOUNTS		<u>\$1,802,812.38</u>	

FIDELITY BANK ACCOUNTS 2017 MONTHLY FINANCIAL REPORT			
ACCOUNT	INTEREST RATE	BALANCE	STATUS
CENTRAL DEPOSITORY <i>Bank 1</i>	.10%	\$1,307,298.13	RECONCILED THRU MAY 2018
PAYROLL ACCOUNT <i>Bank 4</i>	0%	\$23,225.52	RECONCILED THRU MAY 2018
TOTAL FIDELITY BANK ACCOUNTS		<u>\$1,330,523.65</u>	

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TOTAL NCCMT INVESTMENT ACCOUNTS		<u>\$504,180.11</u>	

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NCCMT RATES CONTINUE TO INCREASE

RATES AS OF 05-02-18

Rates for Government Portfolio increased from **1.37 to 1.59**

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***Tax Payments from Montgomery County Tax Department
have been received through April 2018.***

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- 2) Town Funds - \$1,458,960.00

Total Project - \$2,258,960.00

WASTEWATER TREATMENT PLANT

- 1) Clean Water Management Trust Fund Grant \$ 584,000.00
- 2) State Revolving Loan – Interest Rate 0.00% \$1,323,106.00

As of February 20, 2018, the Town owes approximately \$1,190,795.40.
(To Be Paid Off May 1, 2036) The annual payment is \$66,155.30.

The next payment annual payment will be made in May of 2019.
This will leave a balance of \$1,124,640.10.

Total Project - \$1,190,795.40

INDUSTRIAL PUMP STATION

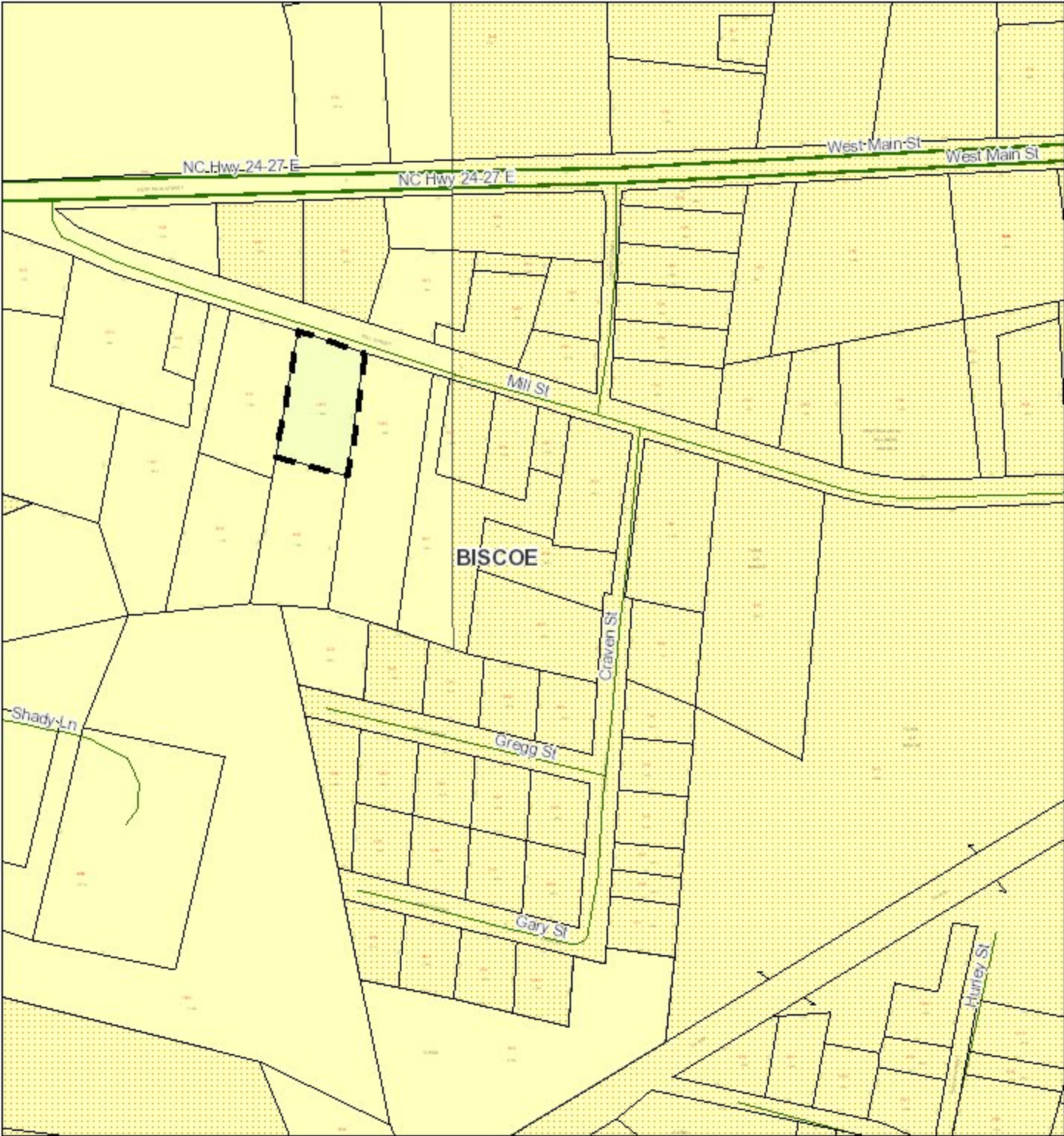
- 1) First Bank Commercial Loan – Interest Rate 1.65% \$350,000.00

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BRUTON STREET PUMP STATION



The Town of Biscoe has received a grant award of \$1,865,000 for their CDBG Infrastructure Application for the “Sanitary Sewer System Rehabilitation” project. The RFP for Administrative Services was awarded to LKC Engineering.

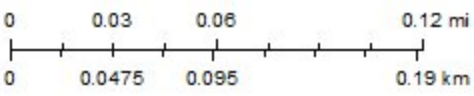
Montgomery County, NC WebGIS Parcels - Name_1: TEDDER MICHAEL B



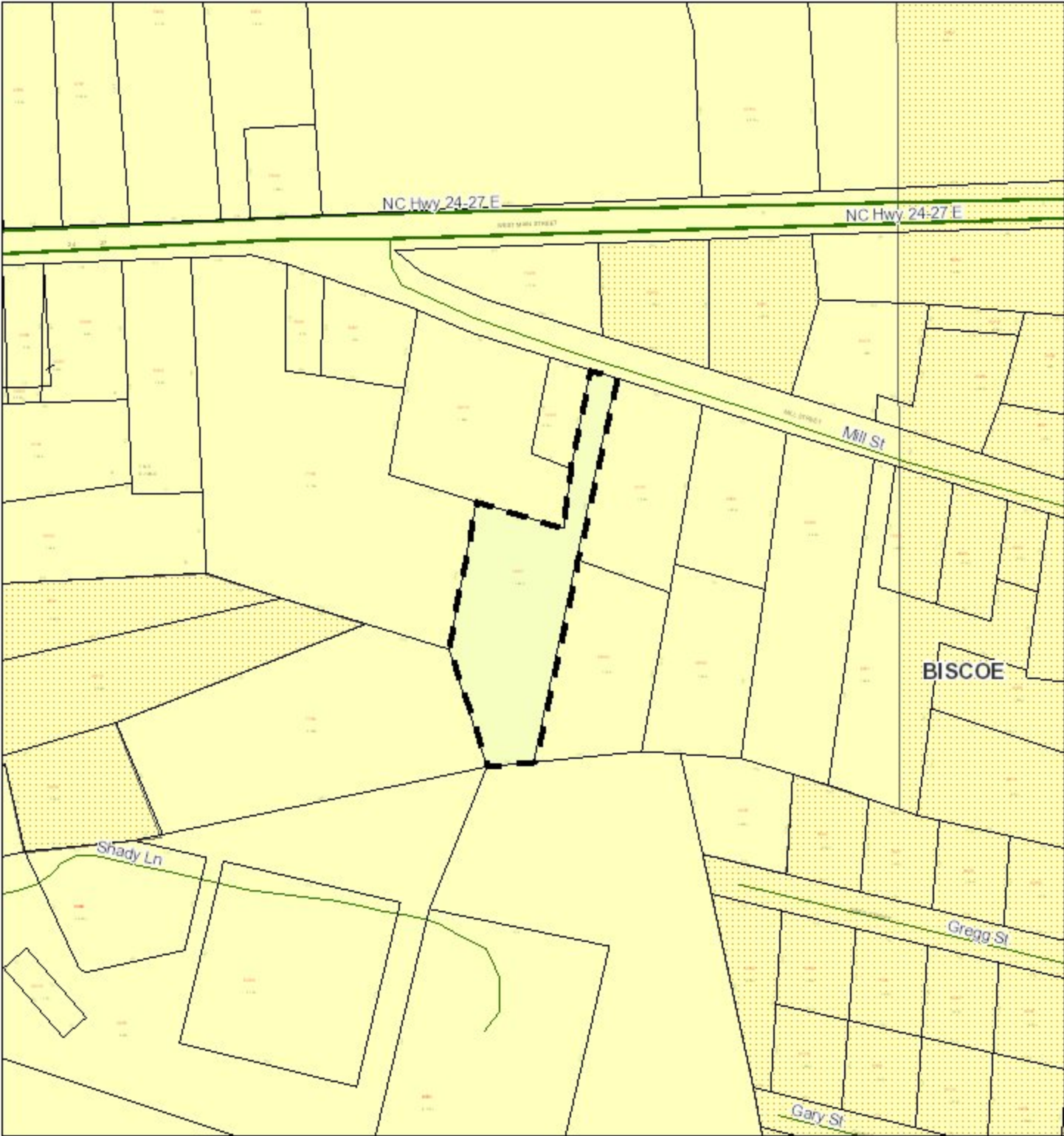
April 6, 2018

1:3,547

-  Parcels
-  Parcel Annotation Lines
- Roads**
-  Secondary
-  Primary
-  Interstate
-  Towns
-  Adjacent Counties
-  County Boundary
- Roads_All_labels
- Towns_labels
- Adjacent Counties_labels





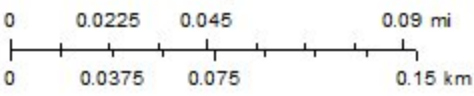
Montgomery County, NC WebGIS Parcels - Name_1: TEDDER MICHAEL B



April 6, 2018

1:2,791

-  Parcels
-  Parcel Annotation Lines
- Roads**
 -  Secondary
 -  Primary
 -  Interstate
-  Towns
-  Adjacent Counties
-  County Boundary
- Roads_All_labels
- Towns_labels
- Adjacent Counties_labels



DNW

This document presented and filed:
09/12/2008 03:21:55 PM

BOOK 624 PAGE 839(3) 314074



Kaye G. Norris, Montgomery County, NC
REAL ESTATE EXCISE TAX: \$46.00

Yes

46.00 Rev.
20.00

66.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$ 46.00

Parcel Identifier No. 7568 10 46 4059 & 45 Verified by _____ County on the ____ day of _____, 20____
By: _____

Mail/Box to: Grantee

This instrument was prepared by: Garner & Williamson, P. A., 111 Courthouse Square, Troy, NC 27371

Brief description for the Index: _____

THIS DEED made this 12th day of September, 2008, by and between

GRANTOR	GRANTEE
Molly R. Abbott and husband Noel Wayne Abbott P.O. Box 268 Biscoe, NC 27209-0268	Michael Brent Tedder and wife, Kellie A. Tedder 3015 Pekin Road Candor, NC 27229

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 City of Biscoe, Biscoe Township, Montgomery County, North Carolina and more particularly described as follows:

See Attached Exhibit "A"

The property hereinabove described was acquired by Grantor by instrument recorded in Book 389 page 292.

A map showing the above described property is recorded in Plat Book _____ page _____.

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, other than the following exceptions:

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

(Entity Name)

Molly R. Abbott (SEAL)
Molly R. Abbott

By: _____
Title: _____

Noel Wayne Abbott (SEAL)
Noel Wayne Abbott

By: _____
Title: _____

(SEAL)

By: _____
Title: _____

(SEAL)

State of North Carolina - County of Montgomery

I, the undersigned Notary Public of the County and State aforesaid, certify that Molly R. Abbott and Noel Wayne Abbott personally appeared before me this 12th day of September, 2008 and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 12th day of September, 2008

My Commission Expires: September 13, 2008

Phyllis M. Brown
Notary Public Phyllis M. Brown

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that he is the _____ of _____, 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 _____ day of _____, 20__.

My Commission Expires: _____

Notary Public

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____

Witness my hand and Notarial stamp or seal, this _____ day of _____, 20__.

My Commission Expires: _____

Notary Public

The foregoing Certificate(s) of _____ is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

Register of Deeds for _____ County
By: _____ Deputy/Assistant - Register of Deeds

Exhibit "A"

ATTACHMENT

TRACT ONE:

BEGINNING ON A STAKE IN THE LINE OF A TWENTY FOOT, THE SOUTHWEST CORNER OF EUNA J. DUNLAP'S LOT, AND RUNS AS THE LINE OF SAID STREET SOUTH 8 WEST 280 FEET TO A STAKE IN THE LINE OF THE J.E. KANOY LAND; THENCE AS HIS LINE SOUTH 73 EAST 150 FEET TO A STAKE; THENCE NORTH 3 EAST, AS THE LINE OF JOHN STUART, 280 FEET TO HIS AND EUNA J. DUNLAP'S CORNER STAKE; THENCE AS EUNA J. DUNLAP'S LINE OF LOT NO. 11 NORTH 73 WEST TO THE BEGINNING, BEING LOT NO. 12.

SEE DEED FROM J.M. WRIGHT TO J.A. DUNLAP AND WIFE, EUNA J. DUNLAP, DATED MARCH 31, 1913, AND RECORDED IN MONTGOMERY COUNTY REGISTRY IN BOOK 61 AT PAGE 128 SEE DEED FROM J.A. DUNLAP, WIDOWER, TO C. EVERETTE FREEMAN AND WIFE, MERLINE D. FREEMAN, DATED FEBRUARY 20, 1961, RECORDED IN BOOK 122, PAGE 556, MONTGOMERY COUNTY REGISTRY.

FOR FURTHER REFERENCE SEE DEED BOOK 134, PAGE 534 IN THE MONTGOMERY COUNTY REGISTRY.

TRACT TWO:

BEGINNING AT A STAKE, CLAUDE ASBILL'S CORNER OF LOT NO. 10, ON SOUTH SIDE OF A FORTY FOOT STREET ON SOUTH SIDE OF RAILROAD AND RUNS NORTH 73 WEST 150 FEET TO A STAKE; THENCE SOUTH 8 WEST 260 FEET TO A STAKE; THENCE SOUTH 73 EAST 150 FEET TO A STAKE; THENCE NORTH 8 EAST 250 FEET TO THE BEGINNING AND KNOWN AS LOT NO. 11 WEST BISCOE.

FOR TITLE REFERENCE SEE DEED FROM J.M. WRIGHT AND WIFE, C.A. WRIGHT, TO EUNA J. DUNLAP DATED NOVEMBER 8, 1906, RECORDED IN BOOK 61, PAGE 127, MONTGOMERY COUNTY REGISTRY.

FOR FURTHER REFERENCE SEE DEED BOOK 134, PAGE 523 IN THE MONTGOMERY COUNTY REGISTRY.

630

3

This document presented and filed:
06/29/2011 10:30:50 AM

BOOK 677 PAGE 441(3) 325844



Kaye G. Norris, Montgomery County, NC
REAL ESTATE EXCISE TAX: \$0.00

25.00 pd *mp*

Excise Tax: \$
Prepared by: Garner & Williamson, P.A., Attorneys, 111 Courthouse Square, Troy, NC 27371 (GB)
Brief Description for Index: Parcel # 7568 10 46 9261; 402 Mill Rd. Biscoe

STATE OF NORTH CAROLINA
COUNTY OF MONTGOMERY

NO TITLE EXAM

GENERAL WARRANTY DEED

THIS DEED made this the 31st day of May, 2011 by and between

GRANTOR
E. Warren Shiver and wife,
Rebecca G. Shiver
PO Box 775
Biscoe, NC 27209

GRANTEE
Michael Brent Tedder and wife,
Kellie A. Tedder
3015 Pekin Rd
Candor, NC 27229

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, in fee simple absolute, that property situated in Biscoe Township, MONTGOMERY County, North Carolina, being more particularly described as follows:

SEE ATTACHED EXHIBIT "A"

Does the above describe property include the primary residence of the Grantor? Yes No

This property was acquired by grantor by instrument recorded in Book 244 & 212, Page 70 & 147, Montgomery County Registry.

The Law Firm of Garner and Williamson, P.A. has neither examined nor certifies as to the title to the above-described property.

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, if any.

IN WITNESS WHEREOF, the GRANTOR have hereunto set their hands and seals this the day and year first above written.

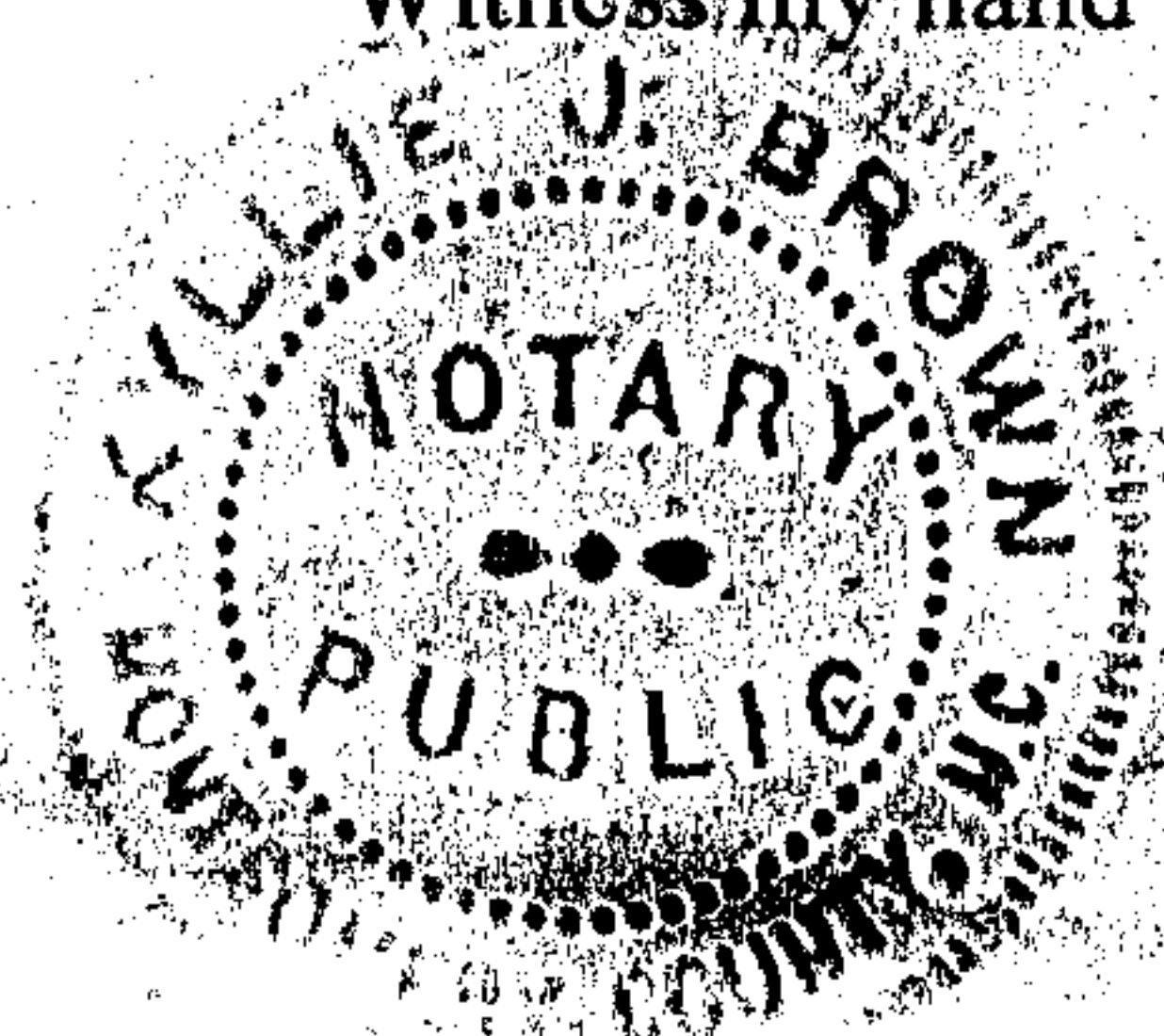
E. Warren Shiver SEAL
E. WARREN SHIVER

Rebecca G. Shiver SEAL
REBECCA G SHIVER

STATE OF NORTH CAROLINA
COUNTY OF MONTGOMERY

I, Kyllie J. Brown, a Notary Public in and for said County and State, do hereby certify that E. WARREN SHIVER, 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 seal, this the 28 day of June, 2011.

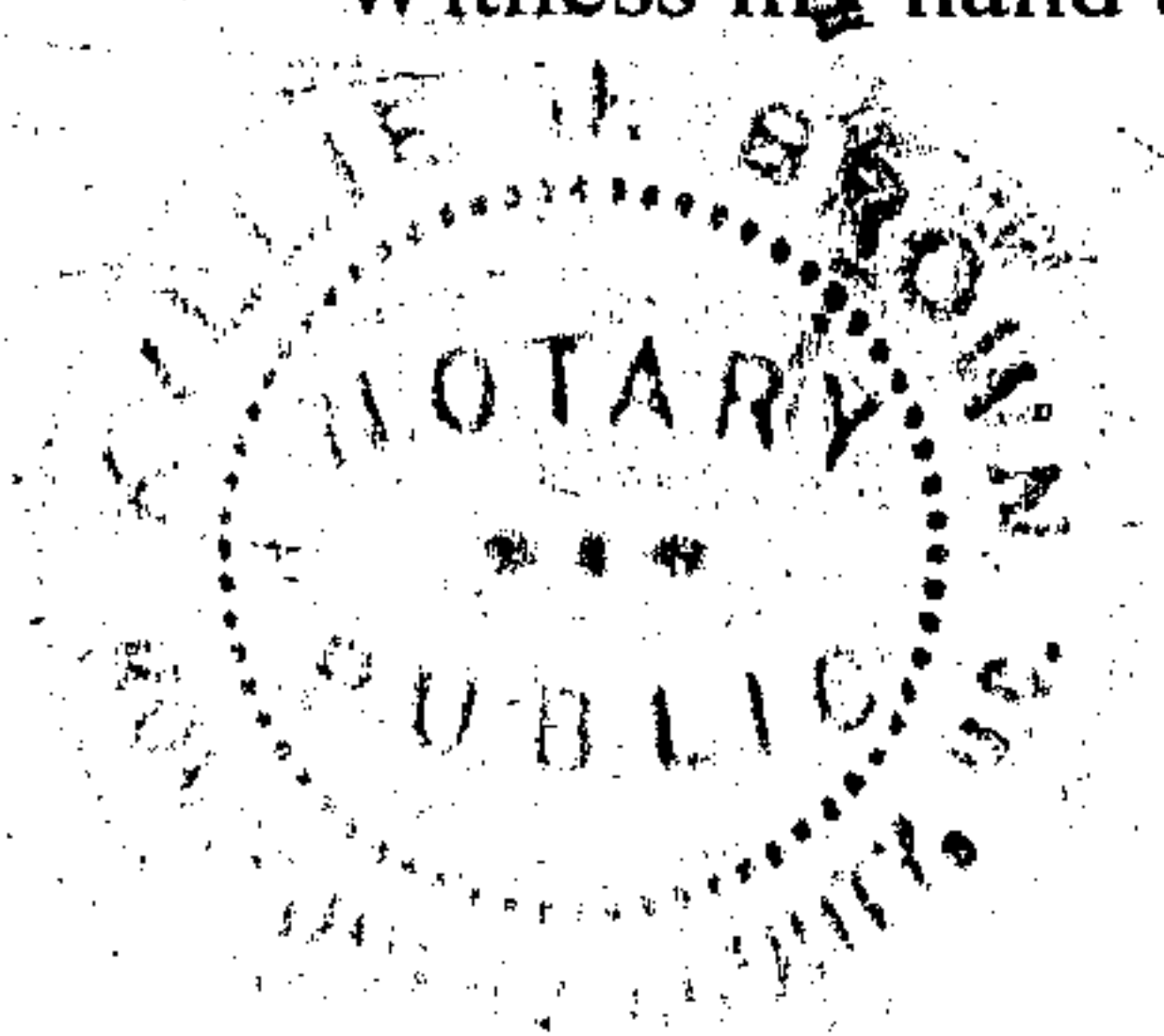


Kyllie J. Brown
NOTARY PUBLIC
My commission expires 5/7/2012

STATE OF NORTH CAROLINA
COUNTY OF MONTGOMERY

I, Kyllie J. Brown, a Notary Public in and for said County and State, do hereby certify that REBECCA G SHIVER, 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 seal, this the 28 day of June, 2011.



Kyllie J. Brown
NOTARY PUBLIC
My commission expires 5/7/2012

EXHIBIT "A"**PARCEL #1**

A tract or parcel of land lying and being in the Town of Biscoe, Biscoe Township, Montgomery County, North Carolina, being a portion of the Harry E. McIver property along Mill Street and shown as Parcel "A" on a plat for Harry E. McIver and E. Warren Shiver, more particularly described as follows:

BEGINNING at a point on the north side of the curb of Mill Street and in the original line of the property of E. Warren Shiver and wife, Rebecca G. Shiver (Deed Book 212, Page 147), and being approximately 115 feet from the west edge of Craven Street, thence a line along the north side of said curb N 65°33'53" W 49.19 feet to a 3/4 inch iron pipe set at edge of said curb, thence two (2) new lines through the McIver property N 24°57'00" E 91.28 feet to a 3/4 inch iron pipe set on the east side of a large oak tree, thence S 71°46'39" E 20.90 feet to a point in the original line between McIver and Shiver, being S 18°14'13" W 30.54 feet from a point in the original south line of the McIver property, thence three (3) lines along the original boundary of the Shiver property S 18°14'13" W 28.46 feet to a point, thence S 65°15'47" E 15.00 feet to a point, thence S 16°07'13" W 65.86 feet to the **BEGINNING**, containing 0.08 acre, more or less, as shown as Parcel "A" on a plat for Harry E. McIver and E. Warren Shiver, dated June 11, 1990 by Thomas J. Fields, RLS.

This being a portion of the same land in the deed from Jimmy E. Medlin and wife, Mary H. Medlin to Harry E. McIver and wife, Georgia B. McIver, dated July 26, 1989 and recorded in Deed Book 239, Page 68.

PARCEL #2

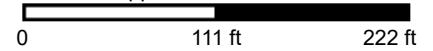
BEGINNING at an iron stake by power pole on the west side of Craven Street, and being the northeast corner of Lot No. 1 of the Craven Subdivision, and runs North 82-30 West 123 feet to a stake; thence South 15 West 59 feet to a stake; thence South 68-30 East 15 feet to a stake; thence South 12-53 West 77.7 feet to a stake on the north side of Mill Street; thence as the north side of said Mill Street South 69-18 East 125.2 feet to intersection of Craven Street with Mill Street; thence as the west side of Craven Street North 8 East 165.6 feet to the point of beginning, according to survey and Plat prepared by Joe R. Callicutt, Registered Land Surveyor, dated July 26, 1962. For title reference see deed recorded in Book 124 at Page 233 and Book 125, Page 259 of the Montgomery County Registry. See also deed from Douglas R. Carter, et ux to Donald G. Coggins, et ux, dated September 26, 1967, and duly recorded in the Montgomery County Registry in Book 143 at Page 170.

THERE IS EXCEPTED from this conveyance and from the lands described above a right of way for Mill Street in the Town of Biscoe, Montgomery County, State of North Carolina. Being the same lands described in a deed from Donald G. Coggins and wife, Rachel F. Coggins to Cecil D. Reynolds, Jr. and wife, Marsha P. Reynolds, dated December 15, 1975, and duly recorded in the Montgomery County Registry in Book 180 at Page 854.



Disclaimer: The information contained on this page is NOT to be construed or used as a survey or legal description. Map information is believed to be accurate but accuracy is not guaranteed.

Approx. Scale 1:1332



Layer: Parcels

ACRES: 1.86A
PIN: 7568 10 45 1907
PinNoDash: 756810451907
OwnerID1: 36656
Name_1: TEDDER MICHAEL B
Name_2: TEDDER KELLIE A
Addr_1: 3015 PEKIN RD
City: CANDOR
State: NC
Zip: 27229
HouseNum: 541
StrName: MILL
StrType: ST
PhyAddress: 541 MILL ST
Deed_Acre: 1.86
TaxDistDes: COUNTY ONLY
TownshipDs: BISCOE
VolFireDes: FIRE DS EAGLE-BISCOE RUR
NeighDesc: BISCOE
Legal_1: BUIE AND BRUTON
Legal_3: BUIE AND BRUTON
DeedBook: 677

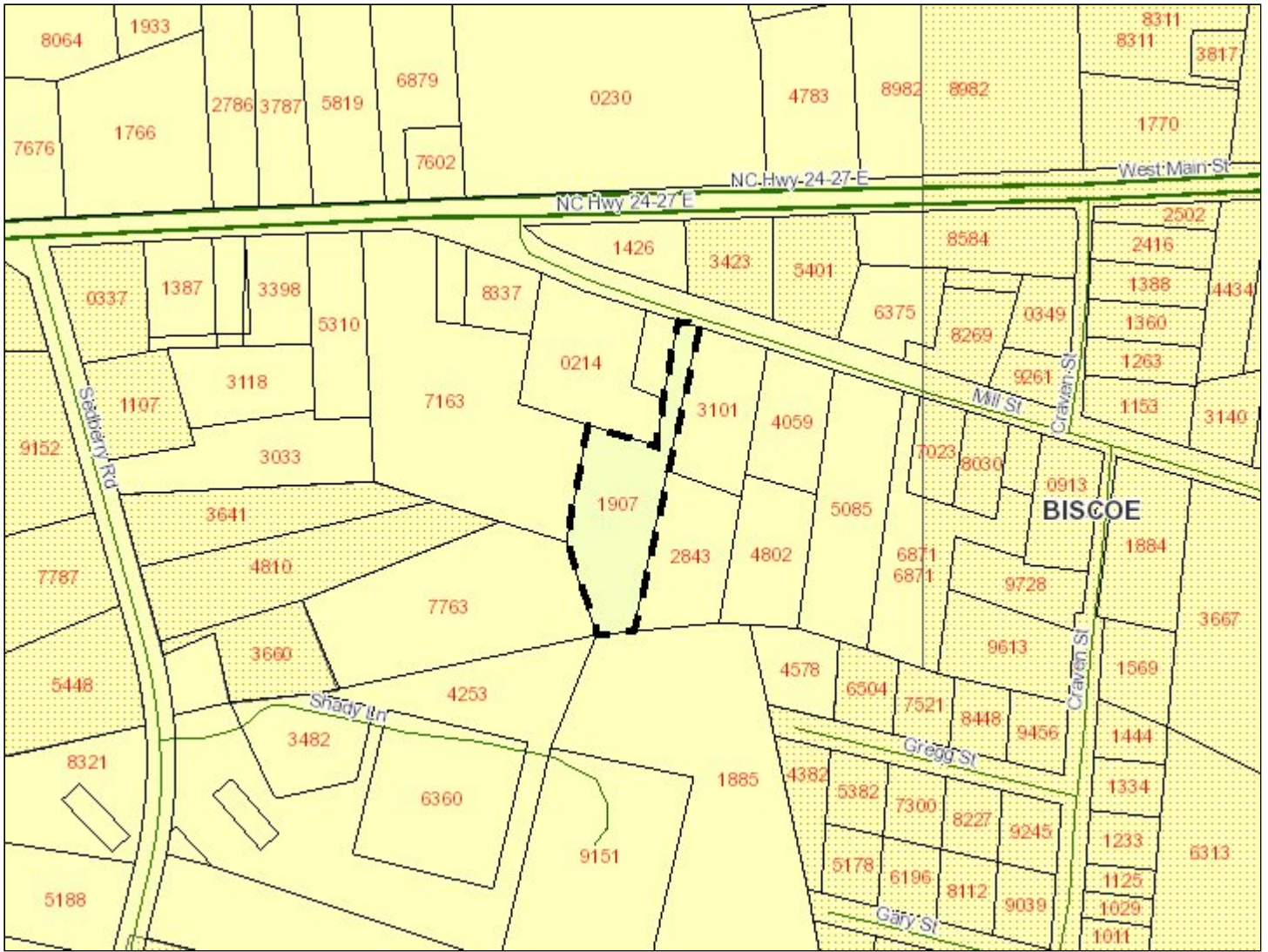
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DeedYear: 2011
TransDate: 20110501
SalesInstr: WD
QufiCode: N
LandASVCur: 12580
ImpMajASVC: 14720
TotASVCur: 27300
LandUse_YN: N
ApprCode: 01
ApprCdDesc: RESIDENTIAL
ClassCode: 1
ClassCdDes: RESIDENTIAL
YearBuilt: 1935
Grade: D-010
FinishedAr: 864
Num_Baths: 1
Num_Bedrms: 2
MutipleImp: 001
FCODE: PARCEL
TownshipCd: 6
:

Attributes at point: 1764178, 585998

Layer: Fire Districts
Name: Biscoe

Layer: Townships
Name: BISCOE

Layer: Proposed Voting Commissioner's Districts District: 2	Layer: Zoning Zoning: City City: BISCOE
Layer: Voting District Precincts Name: BIS	



Disclaimer: The information contained on this page is NOT to be construed or used as a survey or legal description. Map information is believed to be accurate but accuracy is not guaranteed.

Approx. Scale 1:4158



Layer: Parcels

ACRES: 1.86A
PIN: 7568 10 45 1907
PinNoDash: 756810451907
OwnerID1: 36656
Name_1: TEDDER MICHAEL B
Name_2: TEDDER KELLIE A
Addr_1: 3015 PEKIN RD
City: CANDOR
State: NC
Zip: 27229
HouseNum: 541
StrName: MILL
StrType: ST
PhyAddress: 541 MILL ST
Deed_Acre: 1.86
TaxDistDes: COUNTY ONLY
TownshipDs: BISCOE
VolFireDes: FIRE DS EAGLE-BISCOE RUR
NeighDesc: BISCOE
Legal_1: BUIE AND BRUTON
Legal_3: BUIE AND BRUTON
DeedBook: 677

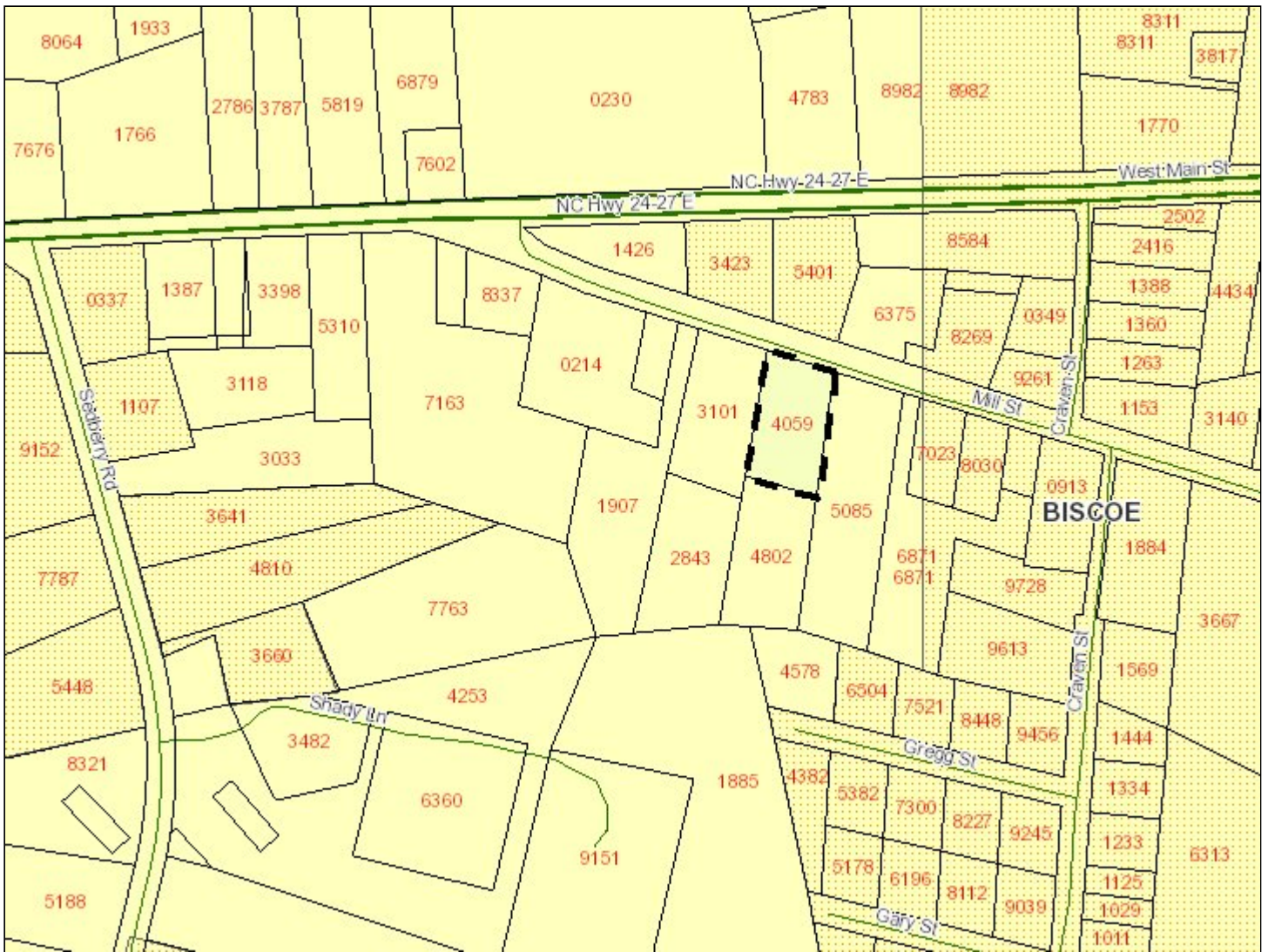
DeedPage: 441
DeedYear: 2011
TransDate: 20110501
SalesInstr: WD
QufiCode: N
LandASVCur: 12580
ImpMajASVC: 14720
TotASVCur: 27300
LandUse_YN: N
ApprCode: 01
ApprCdDesc: RESIDENTIAL
ClassCode: 1
ClassCdDes: RESIDENTIAL
YearBuilt: 1935
Grade: D-010
FinishedAr: 864
Num_Baths: 1
Num_Bedrms: 2
MutipleImp: 001
FCODE: PARCEL
TownshipCd: 6
:

Attributes at point: 1764178, 585998

Layer: Fire Districts
Name: Biscoe

Layer: Townships
Name: BISCOE

Layer: Proposed Voting Commissioner's Districts District: 2	Layer: Zoning Zoning: City City: BISCOE
Layer: Voting District Precincts Name: BIS	



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Approx. Scale 1:4158



Layer: Parcels

PIN: 7568 10 46 4059
PinNoDash: 756810464059
OwnerID1: 36656
Name_1: TEDDER MICHAEL B
Name_2: TEDDER KELLIE A
Addr_1: 3015 PEKIN RD
City: CANDOR
State: NC
Zip: 27229
HouseNum: 521
StrName: MILL
StrType: ST
PhyAddress: 521 MILL ST
TaxDistDes: COUNTY ONLY
TownshipDs: BISCOE
VolFireDes: FIRE DS EAGLE-BISCOE RUR
NeighDesc: BISCOE
Legal_1: ABBOTT
Legal_3: HOME
DeedBook: 624
DeedPage: 839
DeedYear: 2008

TransDate: 20080901
SalesAmt: 23000
SalesInstr: WD
QufiCode: M
LandASVCur: 10350
ImpMajASVC: 37750
ImpMisASVC: 700
TotASVCur: 48800
LandUse_YN: N
ApprCode: 01
ApprCdDesc: RESIDENTIAL
ClassCode: 1
ClassCdDes: RESIDENTIAL
YearBuilt: 1907
Grade: D
FinishedAr: 2165
Num_Baths: 1
Num_Bedrms: 4
MutipleImp: 001
FCODE: PARCEL
TownshipCd: 6
:

Attributes at point: 1764523, 586167

Layer: Fire Districts
Name: Biscoe

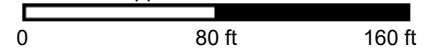
Layer: Townships
Name: BISCOE

Layer: Proposed Voting Commissioner's Districts District: 2	Layer: Zoning Zoning: City City: BISCOE
Layer: Voting District Precincts Name: BIS	



Disclaimer: The information contained on this page is NOT to be construed or used as a survey or legal description. Map information is believed to be accurate but accuracy is not guaranteed.

Approx. Scale 1:961



Layer: Parcels

PIN:	7568 10 46 4059	TransDate:	20080901
PinNoDash:	756810464059	SalesAmt:	23000
OwnerID1:	36656	SalesInstr:	WD
Name_1:	TEDDER MICHAEL B	QufiCode:	M
Name_2:	TEDDER KELLIE A	LandASVCur:	10350
Addr_1:	3015 PEKIN RD	ImpMajASVC:	37750
City:	CANDOR	ImpMisASVC:	700
State:	NC	TotASVCur:	48800
Zip:	27229	LandUse_YN:	N
HouseNum:	521	ApprCode:	01
StrName:	MILL	ApprCdDesc:	RESIDENTIAL
StrType:	ST	ClassCode:	1
PhyAddress:	521 MILL ST	ClassCdDes:	RESIDENTIAL
TaxDistDes:	COUNTY ONLY	YearBuilt:	1907
TownshipDs:	BISCOE	Grade:	D
VolFireDes:	FIRE DS EAGLE-BISCOE RUR	FinishedAr:	2165
NeighDesc:	BISCOE	Num_Baths:	1
Legal_1:	ABBOTT	Num_Bedrms:	4
Legal_3:	HOME	MutipleImp:	001
DeedBook:	624	FCODE:	PARCEL
DeedPage:	839	TownshipCd:	6
DeedYear:	2008		:

Attributes at point: 1764523, 586167

Layer: Fire Districts
Name: Biscoe

Layer: Townships
Name: BISCOE

Layer: Proposed Voting Commissioner's Districts District: 2	Layer: Zoning Zoning: City City: BISCOE
Layer: Voting District Precincts Name: BIS	

NOTICE OF PUBLIC HEARING ON REQUEST FOR ANNEXATION
521 MILL STREET AND 541 MILL STREET - TOWN OF BISCOE

The public will take notice that the Board of Commissioners of the Town of Biscoe has called a public hearing at 7:00 p.m. on July 9, 2018 at Biscoe Town Hall on the question of annexing the following described territory, requested by petition filed pursuant to G.S. 160A-31:

Michael & Kellie Tedder - Tax Parcel Number #7568-10-46-4059 521 Mill Street, Biscoe, N.C.

More particularly described as follows: Tract One: Beginning on a stake in the line of a twenty foot, the southwest corner of Euna J. Dunlap's Lot, and runs as the line of said street south 8 West 280 Feet to a stake in the line of the JE Kanoy Land thence as his line South 73 East 150 Feet to a stake; thence north 8 east, as a line of John Stuart, 280 feet to his and Euna J. Dunlap's corner stake; thence as Eunice J. Dunlap's line of Lot No. 11 North 73 West to the beginning, being Lot No. 12. See deed from J.M. Wright to J.A. Dunlap and wife, Euna J. Dunlap, dated March 31, 1913, and recorded in Montgomery County Registry in Book 61 at Page 128 see deed from JA Dunlap, Widower, to C. Everette Freeman and Wife, Merline D. Freeman, dated February 20, 1961, recorded in Book 122, Page 556, Montgomery County Registry. For further reference see Deed Book 134, Page 534 in the Montgomery County Registry. (Bk. 624 Pg. 839)

Tract Two: Beginning at a stake, Claude Asbill's Corner of Lot No. 10, on south side of a forty foot street on south side of railroad and runs north 73 west 150 feet to a stake; thence south 8 west 260 feet to a stake; thence south 73 east 150 feet to a stake; thence north 8 east 260 feet to the beginning an known as lot no. 11 west Biscoe. For Title Reference see Deed from J.M. Wright and wife, C.A. Wright, to Euna J. Dunlap dated November 8, 1906, recorded in Book 61, Page 127, Montgomery County Registry. For further reference see Deed Book 134, Page 523 in the Montgomery County Registry.

Michael & Kellie Tedder- Tax Parcel Number #7568-10-45-1907 541 Mill Street, Biscoe, N.C.

More particularly described as follows: Atract or parcel of land lying and being in the Town of Biscoe, Biscoe Township, Montgomery County, North Carolina, being a portion of the Harry E. Mclver property along Mill Street and shown as Parcel "A" on a plat for Harry E. Mclver and E. Warren Shiver, more particularly described as follows:

BEGINNING at a point on the north side of the curb of Mill Street and in the original line of the property of E. Warren Shiver and wife, Rebecca G. Shiver (Deed Book 212, Page 147), and being approximately 115 feet from the west edge of Craven Street, thence a line along the north side of said curb N 65°33'53" W 49.19. feet to a 3/4 inch iron pipe set at edge of said curb, thence two (2) new lines through the Mclver property N 24°57'00" E 91.28 feet to a 3/4 inch iron pipe set on the east side of a large oak tree, thence S 71°46'39" E 20.90 feet to a point in the original line between Mclver and Shiver, being S 18°14'13" W 30.54 feet from a point in the original south line of the Mclver property, thence three (3) lines along the original boundary of the Shiver property S 18°14'13" W 28.46 feet to a point, thence S 65°15'47" E 15.00 feet to a point, thence S 16°07'13" W 65.86 feet to the BEGINNING, containing 0.08 acre, more or less, as shown as Parcel "A" on a plat for Harry E. Mclver and E. Warren Shiver, dated June 11, 1990 by Thomas J. Fields, RLS. This being a portion of the same land in the deed from Jimmy E. Medlin and wife, Mary H. Medlin to Harry E. Mclver and wife, Georgia B. Mclver, dated July 26, 1989 and recorded in Deed Book 239, Page 68. (Bk. 677 Pg. 441)

The area described in the petition is contiguous to the Town of Biscoe primary corporate limits, as defined by G.S. 160A-31.

Laura B. Morton
Town Clerk

PLEASE RUN IN THE JUNE 20TH and JULY 4TH ISSUE

CERTIFICATE OF SUFFICIENCY

Michael & Kellie Tedder
521 & 541 Mill Street, Biscoe, N.C.

To the Board of Commissioners of the Town of Biscoe, North Carolina:

I, Laura B. Morton, Town Clerk, do hereby certify that I have investigated the request by the Town of Biscoe and have found as a fact that said petition is signed by all owners of real property lying in the area described therein, in accordance with General Statute 160A-31, as amended, and that the same is in all other respects sufficient, adequate, and correct.

A tract or parcel of land lying and being in Biscoe Township, Montgomery County, North Carolina, being the Town of Biscoe property located at

Michael & Kellie Tedder - Tax Parcel Number #7568-10-46-4059
521 Mill Street, Biscoe, N.C. (Bk. 624 Pg. 839)

More particularly described as follows: Tract One: Beginning on a stake in the line of a twenty foot, the southwest corner of Euna J. Dunlap's Lot, and runs as the line of said street south 8 West 280 Feet to a stake in the line of the JE Kanoy Land thence as his line South 73 East 150 Feet to a stake; thence north 8 east, as a line of John Stuart, 280 feet to his and Euna J. Dunlap's corner stake; thence as Eunice J. Dunlap's line of Lot No. 11 North 73 West to the beginning, being Lot No. 12. See deed from J.M. Wright to J.A. Dunlap and wife, Euna J. Dunlap, dated March 31, 1913, and recorded in Montgomery County Registry in Book 61 at Page 128 see deed from JA Dunlap, Widower, to C. Everette Freeman and Wife, Merline D. Freeman, dated February 20, 1961, recorded in Book 122, Page 556, Montgomery County Registry. For further reference see Deed Book 134, Page 534 in the Montgomery County Registry.

Tract Two: Beginning at a stake, Claude Asbill's Corner of Lot No. 10, on south side of a forty foot street on south side of railroad and runs north 73 west 150 feet to a stake; thence south 8 west 260 feet to a stake; thence south 73 east 150 feet to a stake; thence north 8 east 260 feet to the beginning an known as lot no. 11 west Biscoe. For Title Reference see Deed from J.M. Wright and wife, C.A. Wright, to Euna J. Dunlap dated November 8, 1906, recorded in Book 61, Page 127, Montgomery County Registry. For further reference see Deed Book 134, Page 523 in the Montgomery County Registry.

Michael & Kellie Tedder- Tax Parcel Number #7568-10-45-1907
541 Mill Street, Biscoe, N.C. (Bk. 677 Pg. 441)

More particularly described as follows: A tract or parcel of land lying and being in the Town of Biscoe, Biscoe Township, Montgomery County, North Carolina, being a portion of the Harry E. McIver property along Mill Street and shown as Parcel "A" on a plat for Harry E. McIver and E. Warren Shiver, more particularly described as follows:

BEGINNING at a point on the north side of the curb of Mill Street and in the original line of the property of E. Warren Shiver and wife, Rebecca G. Shiver (Deed Book 212, Page 147), and being approximately 115 feet from the west edge of Craven Street, thence a line along the north side of said curb N 65°33'53" W 49.19. feet to a 3/4 inch iron pipe set at edge of said curb, thence two (2) new lines through the Mclver property N 24°57'00" E 91.28 feet to a 3/4 inch iron pipe set on the east side of a large oak tree, thence S 71°46'39" E 20.90 feet to a point in the original line between Mclver and Shiver, being S 18°14'13" W 30.54 feet from a point in the original south line of the Mclver property, thence three (3) lines along the original boundary of the Shiver property S 18°14'13" W 28.46 feet to a point, thence S 65°15'47" E 15.00 feet to a point, thence S 16°07'13" W 65.86 feet to the BEGINNING, containing 0.08 acre, more or less, as shown as Parcel "A" on a plat for Harry E. Mclver and E. Warren Shiver, dated June 11, 1990 by Thomas J. Fields, RLS. This being a portion of the same land in the deed from Jimmy E. Medlin and wife, Mary H. Medlin to Harry E. Mclver and wife, Georgia B. Mclver, dated July 26, 1989 and recorded in Deed Book 239, Page 68.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Town of Biscoe, this the 11th day of June 2018.



Laura B. Morton, Town Clerk

**RESOLUTION DIRECTING THE CLERK
TO INVESTIGATE AN ANNEXATION PETITION
RECEIVED UNDER G.S. 160A-31
521 Mill Street – Michael B. Tedder Property
Tax Parcel Number: 7568 10 45 1907**

Whereas, a petition requesting annexation of an area described in said petition was received on April 9, 2018 by the Biscoe Town Board of Commissioners; and

Whereas, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

Whereas, the Town Board of Commissioners of the Town of Biscoe deems it advisable to proceed in response to this request for annexation;

Now, therefore, be it resolved by the Board of Commissioners of the Town of Biscoe that:

The Town Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible the Board of Commissioners the result of her investigation.



James E. Blake, Mayor

ATTEST:

Laura B. Morton, Town Clerk

First Bank – 104 National Drive, Biscoe, N.C. 27209



FIRE AND RESCUE GRANTS AND RELIEF FUNDS

Tel 919.647.0000 Fax 919.715.0063

MIKE CAUSEY, INSURANCE COMMISSIONER & STATE FIRE MARSHAL
BRIAN TAYLOR, CHIEF STATE FIRE MARSHAL

PLEASE READ ENTIRE DOCUMENT FOR COMPLIANCE

May 15, 2018

Chief Tripp Myrick
Biscoe Fire Department
Post Office Box 1228
Biscoe, NC 27209

Dear Chief:

Congratulations! Your department has been selected to receive a 2018 Volunteer Fire Department Fund grant. Your organization has been awarded \$27,942.07.

\$27,942.07 In state grant funds
\$27,942.07 Funds your department must provide
\$55,884.14 Total funds available

It is my pleasure to announce that many positive and exciting changes will come into effect with this grant cycle. Please review the attached "Attention Grant Recipient" notice carefully as it outlines these important changes and provides more detailed information regarding your next steps in the grant process.

To view your application, enter serial numbers, upload invoices and proofs of payment, or to get copies of forms, you can log into our site at:
<https://apps.ncdoi.com/f?p=301>

Use your NCID and password to log in: NCID USER NAME: [REDACTED]

Again, congratulations on receiving a Volunteer Fire Department grant. If you have questions, please call the grants department at 919-647-0000 or email FireRescueGrants@ncdoi.gov.

Yours truly,

Mike Causey
Insurance Commissioner, State Fire Marshal

MC/ac

Cc: Kyle Morris, Administrative Assistant (Fire)

APPROVED EQUIPMENT LIST

Department: Biscoe Fire Department

Excess funds may only be used for purchase of additional quantities of equipment already on the Approved Equipment List (AEL). No new items will be approved. Prior written approval from OSFM is required for the expenditure of any excess funds. We will provide you with an updated equipment list if these items have been approved for the additional purchase of items already on your AEL. A copy of the new AEL will need to be submitted along with your invoices.

Any equipment purchased that is not on the AEL will not be funded. If you fail to receive prior written authorization for additional quantities purchased, the additional items will not be reimbursed. Please email us at: FireRescueGrants@ncdoi.gov for any equipment related questions.

Equipment serial numbers should be entered using your NCID login and password at <https://apps.ncdoi.com/f?p=301> Click on the link to add serial numbers. Your grant package will not be processed without this information.

APPROVED EQUIPMENT:

Count	Approved Equipment
6	(*) Portable Radio
✓6	Fire Hose (State number, size and length)
✓5	Flashlight
✓20	Hose (State number, size and length)
✓6	Hose (State number, size and length)
✓1	Nozzle, Combination
✓3	(*) SCBA Complete
✓2	(*) Turnout Gear, Coats
✓2	(*) Turnout Gear, Pants

Note:

(*) Approved Equipment entries showing an asterisk require a serial number or Vehicle Identification Number (VIN)

Panhandling Ordinance:

I. Panhandling and Soliciting

II. Definitions

1) *Panhandling*

- a. to beg or solicit contributions using acts of speech, signs, or physical gestures for the advancement of personal gains in money or other contributions.

2) *Solicitor*

- a. a person who travels from place to place, or street to street to take orders for the sale of goods, wares, merchandise or any personal property of any nature. This definition shall not apply to the following:
 - Those who solicit orders solely to industrial, commercial or professional establishments within the town;
 - Those soliciting for schools or approved educational, religious, non-profit or charitable organizations, when the proceeds go to fund an organization.

3) *Aggressive panhandling, and solicitation includes and is defined as:*

- a. Accosting a person by approaching or speaking to the individual(s) in such a manner that would cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon his or her person, or upon property in his or her immediate possession;
- b. Touching someone without his or her consent;
- c. Using obscene or abusive language toward someone while attempting to panhandle or solicit him or her;
- d. Forcing oneself upon the company of another by continuing to solicit in close proximity to an individual who has made a negative response by verbal or physical signs or by attempting to leave the presence of the person soliciting, or by other negative indication;
- e. Blocking the path of the individual being solicited; otherwise engaging in conduct that could reasonably be construed as intending to force a person to accede to a solicitation;
- f. Other conduct that a reasonable person being solicited would regard as intended to compel or force the person to accede to the solicitation.

III. Prohibited Conduct while Soliciting or Panhandling

- a. Engaging in any acts of aggressive soliciting or panhandling as defined above;
- b. On the property of any financial institution, or within 50 feet of any automatic teller machine or any automatic teller facility;
- c. At any permitted outdoor dining area or outdoor merchandise area, provided such areas are in active use at the time;

- d. While the person being solicited is standing in line waiting to be admitted to a commercial establishment;
- e. On private property, unless the person can provide proof of permission from the owner of the property or from the Chief of Police to beg or solicit contributions on the property;
- f. While under the influence of alcohol or after having illegally used any controlled substance, as defined in the North Carolina Controlled Substance Act;
- g. In or on town streets to include the right of way, median or shoulder thereof, or within any crosswalk;
- h. In a school zone during the time of arrival of students at the beginning of the school day and/or during the time of the departure of students at the end of the school day;
- i. Within any entrance or exit of any parking deck, garage, or surface parking lot;
- j. Within any town owned or operated building or facility.

IV. Permit for Panhandling and Soliciting

Any person, business, or organization shall be authorized to panhandle or solicit IF they have a permit obtained from the Biscoe Police Department. Permit approval may take up to 7 days pending a background check.

**If panhandling or soliciting is not done on the property of the person, business or organization, the representative must be able to prove they have permission from the property owner.*

- 1) **A person, business or organization may be issued a permit at the discretion of the police department to panhandle or solicit for:**
 - a. Contributions or sales for an organization, business or charitable cause
 - b. Selling of items for fundraising purposes
 - c. To receive donations
- 2) **Operating Without a Permit**
 - a. First Offense: \$50
 - b. Second Offense: \$100