

# Town of Waynesville Board/Commissions Manual





## **TOWN OF WAYNESVILLE BOARDS AND COMMISSIONS MANUAL**

- A. INTRODUCTION
- B. POLICIES CONCERNING BOARDS AND COMMISSIONS
- C. DUTIES OF CHAIR PERSON
- D. OPEN MEETINGS PROPER NOTIFICATION AND RECORDKEEPING
- E. PROCEDURE FOR TAKING MINUTES
- F. ORDER OF BUSINESS
- G. TERMS AND DUTIES OF BOARDS/COMMISSIONS

- TAB 1 ALCOHOLIC BEVERAGE CONTROL BOARD (ABC Board)
- TAB 2 BOARD OF ADJUSTMENT (Zoning Board of Adjustment)
- TAB 3 CEMETERY COMMITTEE
- TAB 4 FIREFIGHTERS' RELIEF FUND BOARD
- TAB 5 HISTORIC PRESERVATION COMMISSION
- TAB 6 PLANNING BOARD
- TAB 7 RECREATION & PARKS ADVISORY COMMISSION
- TAB 8 WAYNESVILLE HOUSING AUTHORITY
- TAB 9 WAYNESVILLE PUBLIC ART COMMISSION

## **A. INTRODUCTION**

The Town of Waynesville Board of Aldermen consists of a Mayor and four Aldermen who are elected at large in a non-partisan election. The Mayor and Board of Aldermen hold four (4) year concurrent terms. All positions on the Board of Aldermen are elected at the same time during the municipal elections held every four years. This body is the governing board for the Town. The governing board has the authority to adopt policies for the Town and is responsible to the citizens to ensure that the Town responds to public needs and works to meet those needs.

The Town also has appointed boards and commissions that provide opportunities for many citizens to assist the elected governing board in shaping public policy. State law requires that some of these boards and commissions (such as the Alcoholic Beverage Control Board) play a direct role in selecting agency heads and setting operating policies for the agency. Other boards and commissions are established by the Board of Aldermen to advise them directly on matters ranging from land use to recreation. In some cases, at least some of the members of an appointed board or commission must be residents of the Town or have other specific qualifications.

Advisory board and commission members are responsible directly to the Board of Aldermen. While different members of the staff of the Town of Waynesville are assigned by the Town Manager to assist various boards and commissions in their endeavors, the members of the advisory boards and commissions are appointed by and directly accountable to the Board of Aldermen. Chairs of the various advisory groups are requested to appear annually before the Board of Aldermen and report on the activities of their commission or board. The annual reporting schedule is kept by the Town Clerk. Chairs may request to report to the Mayor and Board of Aldermen in order to provide updates and information as necessary. The governing body and their advisory boards should work to facilitate an optimal working relationship and to promote a better understanding of the endeavors in which the various boards and commissions are involved.

The Town of Waynesville is fortunate to have a wealth of people with special expertise and qualifications who volunteer to serve on appointed boards and commissions. Many of these people have a particular concern or interest for the subject the board or commission deals with. This is especially important to the success of these boards and commissions in helping to represent the best interests of the Town.

## **B. POLICIES CONCERNING BOARDS AND COMMISSIONS**

### *Terms of Office*

Advisory board and commission members are appointed by and serve at the pleasure of the Board of Aldermen. Appointments for all advisory bodies are made for three (3) year terms of office unless otherwise specified via enabling legislation (e.g. the Waynesville Housing Authority is a five (5) year term). Terms on various boards and commissions are overlapping so as to avoid replacement of all members of any board at a single time. All terms shall become effective on July 1 and shall remain in effect until June 30 of the last year of the term. The exception is any appointment required to fill the balance of unexpired terms shall become effective upon the appointee having taken the oath of office.

### ***Term Limits***

The Board of Aldermen has expressed their preference to limit advisory board and commission members' terms of service to three (3) consecutive terms (effective July 2018); however, they have reserved the right to override that preference when they deem the circumstances of an individual's service to the community to be of such notable importance as to warrant a continuation of service. In those situations where the Board of Aldermen deems special circumstances to exist that warrant the continuation of community service by an individual on a board or commission, any member of the Board of Aldermen may place the name of that individual into nomination and state that they believe special circumstance to warrant a continuation of service. The Board of Aldermen may then reappoint said individual by voting in no less than a 4/5 majority of the membership to reappoint the individual to another term of office. This process may be repeated as often as the Board of Aldermen deems the special circumstances to warrant an additional appointment.

A person who has served more than two-thirds of a full term after being appointed to complete the term of a previous board member shall be considered to have served a full term for the purposes of determining eligibility under the provisions of this section.

### ***Vacancies***

When a vacancy occurs on a board or commission due to a resignation or the end of a three (3) year term\*, the Town Clerk's office should be notified by the chair of that board or commission as soon as possible. The vacancy will be advertised in the Mountaineer and posted on the Town of Waynesville website. The notice will instruct persons interested in being considered for appointment to fill out an Application for Appointment and set an application deadline. The notice shall contain any residency restrictions for the board or commission. The deadline for the applications should be submitted to the Town Hall is the Friday at least 10 days prior to a regularly scheduled monthly meeting of the Board of Aldermen. All applications will be copied and submitted to the Board of Aldermen for consideration. Vacancies shall be filled for the remainder of the unexpired term of the person being replaced.

### ***Membership Requirements***

Membership requirements are specific to the particular board or commission as set out in the Town of Waynesville Code of Ordinances and are further detailed herein under the description of the particular board or commission.

Advisory board and commission members are expected to be diligent in the performance of their duties and responsibilities. The Board of Aldermen may dismiss any member who misses three (3) consecutive meetings or one-half of the meetings held in a single six-month period without good cause (such as temporary severe illness of member or family member or overriding but temporary business concerns). Such dismissal may be considered upon report or complaint by the advisory board or commission chairperson, a member of the advisory board or commission, or on the Board of Aldermen's own motion.

\*The Waynesville Housing Authority members serve a 5 year term

### ***Meeting Quorums***

A majority of the members of any board or commission are required to be present before an official meeting may be called to order. In the event that a quorum is not present, the advisory board or commission may not act on any item brought before them. The recommended wait time to determine if a quorum is present is fifteen (15) minutes. Once a quorum has been established, the committee may proceed with its work. Members who find it necessary to withdraw from a meeting prior to adjournment shall be counted as present for purposes of a quorum unless the committee has excused said member by a majority vote. Any member choosing to withdraw from a meeting without first being excused by a vote of the committee shall be counted as present for the purposes of maintaining a quorum and shall be considered to have voted to the affirmative for any motion that is brought before the board or commission.

### ***Officers***

Each board and commission shall elect a chair person and a vice-chair person. The election of a secretary is required for those boards and commissions for which the Town does not provide support assistance in the form of a clerk. The election of a secretary is optional for those boards or commissions to which the Town provides staff support. The duties of the chairman of any boards or commissions are set forth herein below. In the absence of a chair person, the vice-chair person assumes the role of the chair and is, at that point in time, vested with the responsibilities of the chair of the board or commission. The duties of the secretary are to ensure that proper records are maintained, notices made, and minutes taken for the advisory board on which the secretary may serve. All officers serve one-year terms and are eligible for re-election as to as many terms as the advisory board or commission may deem appropriate.

### ***Rules of Procedure***

Each board or commission shall adopt rules of procedure that shall not be inconsistent with any other rules governing their operations as expressed in the Town policies and ordinances or in conflict with State statutes and administrative codes.

### ***Conflicts of interest.***

(a) Governing Board. - A governing board member shall not vote on any legislative decision regarding a development regulation adopted pursuant to this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. A governing board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.

(b) Appointed Boards. - Members of appointed boards shall not vote on any advisory or legislative decision regarding a development regulation adopted pursuant to this Chapter where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial

impact on the member. An appointed board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.

(c) **Administrative Staff.** - No staff member shall make a final decision on an administrative decision required by this Chapter if the outcome of that decision would have a direct, substantial, and readily identifiable financial impact on the staff member or if the applicant or other person subject to that decision is a person with whom the staff member has a close familial, business, or other associational relationship. If a staff member has a conflict of interest under this section, the decision shall be assigned to the supervisor of the staff person or such other staff person as may be designated by the development regulation or other ordinance.

No staff member shall be financially interested or employed by a business that is financially interested in a development subject to regulation under this Chapter unless the staff member is the owner of the land or building involved. No staff member or other individual or an employee of a company contracting with a local government to provide staff support shall engage in any work that is inconsistent with his or her duties or with the interest of the local government, as determined by the local government.

(d) **Quasi-Judicial Decisions.** - A member of any board exercising quasi-judicial functions pursuant to this Chapter shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter.

(e) **Resolution of Objection.** - If an objection is raised to a board member's participation at or prior to the hearing or vote on a particular matter and that member does not recuse himself or herself, the remaining members of the board shall by majority vote rule on the objection.

(f) **Familial Relationship.** - For purposes of this section, a "close familial relationship" means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes the step, half, and in-law relationships. (2019-111, s. 2.4.)

## **C. DUTIES OF THE CHAIR PERSON**

### ***Presiding at Meetings***

The chair of the board/commission shall preside at meetings if he or she is present, unless he or she becomes actively engaged in debate on a particular matter. The chair may vote in all cases. In order to address the board/commission, a member must be recognized by the chair.

If the chair is absent, the vice-chair person shall preside. If both the chair and vice-chair are absent, another member designated by vote of the board shall preside. The vice-chair or another member who is temporarily presiding retains all his or her rights as a member, including the right to make motions and the right to vote.

If the chair sees a conflict of interest or becomes actively involved in debate on a particular matter, he or she shall designate another board member to preside over the debate. The chair shall resume presiding as soon as action on the matter is concluded.

The presiding officer shall have the following powers:

- To rule motions in or out of order, including any motion patently offered for obstructive or dilatory purposes;
- To determine whether a speaker has gone beyond reasonable standards of courtesy in his remarks and to entertain and rule on objections from other members on this ground;
- To entertain and answer questions of parliamentary law or procedure;
- To call a brief recess at any time; and
- To adjourn in an emergency.

A decision by the presiding officer may be appealed to the board or commission upon motion of any member. Such a motion is in order immediately after a decision by the presiding officer is announced and at no other time. The member making the motion need not be recognized by the presiding officer, and the motion, if timely made, may not be ruled out of order.

### ***Action by the Board***

The board shall proceed by motion made by any member, including the chair. A motion requires a second and a member may make only one motion at a time. Each motion shall be considered and dealt with one at a time, and a new motion may not be put forth until action on the previous one is concluded. With the exception of special rules applicable only to the Zoning Board of Adjustment, a motion shall be adopted by a majority of the votes cast with a quorum present.

### ***Notification of Absentee Members***

It is the duty of the chairperson of each board or commission to be responsible for notifying the Mayor and Board of Aldermen when members of that board or commission have not met the guidelines for faithful attendance. In the event that a member of an advisory board or commission fails to comply with the attendance policies contained herein, it shall be the responsibility of the chair of that advisory board or commission to notify the Town Clerk, in writing, of the policy violation and to request to the Board of Aldermen that said member be replaced.

## **D. OPEN MEETINGS, PROPER NOTIFICATION AND RECORD KEEPING**

All meetings of all advisory boards and commissions as appointed by the Board of Aldermen shall be open to the public and shall be properly publicized. If the board/commission has a designated meeting

place, day and time each month, a copy of the regular meeting schedule shall be posted at the Town Hall, the Municipal Building, on the Town of Waynesville website and sent to local media contacts including the Mountaineer and Smoky Mountain News and other standard media outlets by the office of the Town Clerk. Any change or cancellation of a meeting must also be posted and sent to the local media outlets. For those committees that do not have a designated meeting date, place and time, a minimum of 48 hours' notice must be given to the public before a meeting may take place. Said notice shall contain the date, time, location and purpose of the meeting. If an agenda is developed, the agenda shall be publicized as well. The office of the Town Clerk shall be notified of an impending meeting in sufficient time for the 48 hour notice to be given. No meeting shall be held unless the meeting notice requirements contained herein are met. The meeting schedule for all Boards and Commissions shall be approved annually by the Board of Aldermen.

The chair of each board/commission shall be responsible for insuring that the proper meeting notices are sent to each member of the respective boards or commissions and to the office of the Town Clerk. That notification may be made either through the secretary of the respective advisory board or commission or through the staff member, if any, who provides the advisory board or commission support. The office of the Town Clerk shall be responsible for public notification of all meetings in accordance with locally adopted procedures and the North Carolina General Statutes.

The chair of each board or commission shall be responsible for insuring that proper rules are adopted for transaction of business and that proper records, including minutes of all proceedings, are kept in accordance with the guidelines specified herein.

## **E. PROCEDURE FOR TAKING MINUTES**

Minutes of a board/commission are the official written record of actions taken by the board/commission. It is the responsibility of the chair, through either the secretary or the clerk, to keep a record of the proceedings of the board/commission. Minutes should be kept in a permanent minute book and are open to public inspection. The minutes provide future generations with the past history of a board/committee. They are used for many types of research and can be consulted for purposes of verification that certain actions were taken, when those actions were taken, and why. It is imperative that the minutes be a clear, concise, informative and accurate record of the proceedings of the meeting.

The minutes must be "full and accurate" (G.S. § 160A-72; G.S. § 143-318.10e) for they are the legal evidence of what the advisory board or commission has said and done. "Full and accurate" does not generally mean, however, that a verbatim transcript of a meeting's proceedings must be made. Including a detailed record of comments may well be counterproductive and the board or commission may find itself spending an excessive amount of time at its next meeting discussing the details of this record, which could have been omitted altogether. Rather, the minutes must record the results of each vote taken by the board or commission, and they should also show the existence of any condition that is required before a particular action may validly be taken. The full text of each motion should be recorded, including the full text of all ordinances and resolutions passed by the advisory board or commission.

Minutes should include the following essential facts:



1. The name of the board/commission, date, time and place of the meeting.
2. The minutes should state that the meeting was legally convened.
3. Show that a quorum was present at all times during the meeting. The late arrival and the early departure of members (including whether someone leaving was excused by the remaining members) should be noted.
4. The names of the members present and absent.
5. The names of any person addressing the board/commission, a summary of subject matter presented and any action taken as a result of the person's appearance before the board/commission.
6. A record of all motions. A motion must be recorded verbatim, along with the name of the person making the motion and the person seconding the motion (if applicable). The results of each vote must be recorded and upon the request of any member of the board/commission, votes for and against a motion shall be recorded.
7. A record of all ordinances and resolutions introduced (if applicable). Ordinances and resolutions must be recorded verbatim as adopted by the board/commission. Short resolutions and ordinances should be incorporated into the body of the minutes. Lengthy resolutions and ordinances may be attached as an addendum to the minutes.
8. The exact words of each amendment to any motion, order, ordinance or resolution.
9. A record of all subjects before the board/commission and actions taken.
10. Draft copies of advisory board or commission minutes are generally sent by the secretary or the clerk to members several days before the meeting at which they are to be considered for approval. The circulated draft minutes are a public record that must also be available for public inspection. The minutes do not become the official record of the committee's action until it approves them.
11. The advisory board or commission may correct minutes that it has already approved if it later finds that they are incorrect. In such a case, the correction should be noted in the minutes of the meeting at which the correction is made, with an appropriate notation and cross-reference at the place in the minutes book where the provision being corrected appears. Non-substantive corrections, such as those pertaining to grammar or spelling, may be corrected outside of the meeting by way of individual members contacting the secretary or clerk for their particular board or commission.
12. A statement that the meeting adjourned and at what time.

13. Minutes should be signed by their respective chair and clerk, if applicable.
14. The secretary or clerk may ask for assistance from the Town Clerk in publishing the minutes.
15. Under the Open Meetings Law, “full and accurate” minutes must also be kept of the meetings of “public bodies” that are part of municipal government. Included are all city council committees, all boards and commissions of the city that perform either legislative, policy making, quasi-judicial, administrative or advisory functions, and all subcommittees of these other boards and committees. The Board of Aldermen establishes procedures to ensure that the minutes of these various boards are properly recorded and maintained.

The minutes should not include:

1. Any personal opinions or comments (unless meeting is a bona fide Public Hearing).
2. Irrelevant comments or discussion surrounding a topic under discussion or action being taken.

A copy of the minutes, after approval, should be distributed by the secretary or clerk to all members of the respective board/commission and delivered to the office of the Town Clerk either via email or hard copy.

## **F. ORDER OF BUSINESS**

- Ascertain quorum present
- Call Meeting To Order
- Discussion and revision of proposed agenda
- Approval of the minutes from the previous meeting
- Old Business
- New Business
- Discussion or Other Business
- Adjourn

Unless the board or commission deems a different “order of business” more appropriate for its work and sets it by policy, or by motion at the start of the meeting.

## **G. TERMS AND DUTIES OF BOARDS/COMMISSIONS**

Each of the Boards or Commissions is listed alphabetically in this manual and relevant enacting legislation and board or commission specific information included behind each tab.

## **H. EMPLOYEES SERVING ON ADVISORY BOARDS**

Current employees of the Town of Waynesville are not permitted to serve on boards and commissions, this includes all permanent, part-time and seasonal workers. Members who are listed as staff for Boards

and Commissions serve on an ex-officio basis with no voting rights or responsibilities. Staff will serve as liaison between the boards and commissions and town administration and the Board of Aldermen.

## **ALCOHOLIC BEVERAGE CONTROL BOARD**

### **Purpose**

The Alcoholic Beverage Control (ABC) Board is responsible for the general oversight of the Town of Waynesville operated ABC Store.

**Membership**

The ABC Board shall consist of three (3) members. Residency requirements are not limited to persons residing within the corporate limits of Waynesville. The North Carolina General Statute 18B-700(a) requires the Board of Aldermen to appoint the Chair of the ABC Board. A copy of the referenced statute is included at the end of this section.

**Term**

Members appointed to the ABC Board will serve three (3) year terms beginning on July 1 of the year of appointment through June 30 of the third year of the term.

**Powers**

The ABC Board shall have all of the powers and duties imposed by Sections 18B-701 and 18B-702 of the North Carolina General Statutes. A full copy of the referenced statutes is included at the end of this section.

1. Buy, sell, transport, and possess alcoholic beverages as necessary for the operation of its ABC stores;
2. Adopt rules for its ABC system, subject to the approval of the Commission;
3. Hire and fire employees for the ABC system;
4. Designate one employee as manager of the ABC system and determine his responsibilities;
5. Require bonds of employees as provided in the rules of the Commission;
6. Operate ABC stores as provided in Article 8;
7. Issue purchase transportation permits as provided in Article 4;
8. Employ local ABC officers or make other provision for enforcement of ABC laws as provided in Article 5;
9. Borrow money as provided in G.S. 18B 702;
10. Buy and lease real and personal property, and receive property devised or given, as necessary for the operation of the ABC system;
11. Invest surplus funds as provided in G.S. 18B 702;
12. Dispose of property in the same manner as a city council may under Article 12 of Chapter 160A of the General Statutes; and

13. Perform any other activity authorized or required by the ABC law.

## **Duties**

1. **Duties.** – A local board shall have the duty to comply with all rules adopted by the Commission pursuant to this Chapter and meet all standards for performance and training established by the Commission pursuant to G.S. 18B 203(a)(20) and (21). Failure to comply with Commission rules shall be cause for removal.
2. **Generally.** – A local board may transact business as a corporate body, except as limited by this section. A local board shall not be considered a public authority under G.S. 159-7(b)(10).
3. **Borrowing Money.** – A local board may borrow money only for the purchase of land, buildings, equipment and stock needed for the operation of its ABC system. A local board may pledge a security interest in any real or personal property it owns other than alcoholic beverages. A city or county whose governing body appoints a local board shall not in any way be held responsible for the debts of this board.
4. **Audits.** – A local board shall submit to the Commission an annual independent audit of its operations, performed in accordance with generally accepted accounting standards and in compliance with a chart of accounts prescribed by the Commission. The audit report shall contain a summary of the requirements of this Chapter, or of any local act applicable to that local board and a description of how those distributions have been made, including the names of recipients of the profits and the activities for which funds were distributed. A local board shall also submit to any other audits and submit any reports demanded by the Commission.
5. **Deposits and Investments.** – A local board may deposit monies at interest in any bank or trust company in this State in the form of savings accounts or certificates of deposit. Investment deposits shall be secured as provided in G.S. 159-31(b) and the reports required by G.S. 159-33 shall be submitted. A local board may invest all or part of the cash balance of any fund as provided in G.S. 159-30(c) and (d), and may deposit any portion of those funds for investment with the State Treasurer in the same manner as State boards and commissions under G.S. 147-69.3.
6. **Compliance with Commission Rules.** - The Commission shall adopt, and each local board shall comply with, fiscal control rules concerning the borrowing of money, maintenance of working capital, investments, appointment of financial officer, daily deposit of funds, bonding of employees, auditing of operations, and the schedule, manner and other procedures for distribution of profits. The Commission may also adopt any other rules concerning the financial operations of local boards which are needed to assure the proper accountability of public funds.

7. Applicability of Criminal Statutes. – The provisions of G.S. 14-90 and G.S. 14-254 shall apply to any person appointed to or employed by a local board, and any person convicted of a violation of G.S. 14-90 or G.S. 14-254 shall be punished as a Class H felon.

### **Meetings**

The ABC Board meets on the Third Tuesday of each month at 10:00 a.m. at the ABC Board Office located at 52 Dayco Drive in Waynesville. All meetings of the ABC Board are open to the public.

### **Compensation**

Members of the ABC Board shall serve at the rate of compensation established by the Board of Aldermen. At the time of this publication, compensation is as follows: Board Chairman \$350.00 per month or \$4,200 annually; Board Member \$250.00 per month or \$3,000 annually.

### **Reporting**

The ABC Board shall provide a comprehensive report to the Board of Aldermen in October each year.

### **Town Specific Information and Enabling Legislation Related to the ABC Board**

(Copies included at the end of this section)

#### **May 9, 1967**

Resolution requesting introduction of legislation to allow for a municipal election for the purpose of determining whether or not an Alcoholic Beverage Control board and Alcoholic Beverage Control stores shall be established in the corporate limits of the Town of Waynesville; as well as the establishment of the schedule of proceeds from sales.

#### **May 29, 1967**

Resolution calling for a special election on July 25, 1967 for the purpose of determining whether or not a Town Liquor Control Store may be operated in the Town of Waynesville.

#### **May 29, 1967**

Resolution noting the special election on July 25, 1967 and the opening of the election books from July 7, 1967 through July 14, 1967 and that the challenge day shall be July 15, 1967.

#### **August 9, 1967**

Special meeting to canvass election returns was held. A copy of the election results was reviewed and approved by the Board of Aldermen. \*\*Note the election was held on August 8, 1967 rather than July 25, 1967.

#### **August 14, 1967**

Special meeting held to appoint the initial ABC Board for the Town of Waynesville.

#### **May 13, 2014**

An amendment to the Ordinance is made to indicate that the number of members for the various Boards, Commissions and Committees appointed by the Board of Aldermen may from time to

time be updated. The number of members for each Board, Commission or Committee will be indicated in the most current version of the Town of Waynesville Boards and Commissions Manual which is maintained by the Town Clerk. Revisions to the number of members on the various Boards, Commissions and Committees will be based on actions by individual Board, Commissions and Committees and approved by the Board of Aldermen and shall not require the update of the Code of Ordinances unless required by Federal, State or Local legislation. This does not apply to the membership requirements related to residency, professional status or other requisite qualification, only to the number of members on the Board, Commission or Committee.

**July 12, 2018**

The Board of Aldermen approved the extension of the terms of the Boards and Commissions to three (3) three year terms, retroactive to 2013.

## **BOARD OF ADJUSTMENT (Zoning Board of Adjustment)**

### **Purpose**

The Board of Adjustment (Waynesville Board of Adjustment) is established as a “quasi-judicial” administrative board that operates on a level between the enforcement officials of the Town of Waynesville and the Courts. The purpose of the Zoning Board of Adjustment is to hear and decide appeals from and review any order, requirement, decision or determination made by an administrative official charged with enforcement of an ordinance adopted pursuant to the Land Development Standards Section 14.4 through 14.4.2 adopted by the Town of Waynesville and in accordance with North Carolina General Statute 160A-388. A copy of the referenced statute and ordinance are included at the end of this section.

### **Membership**

The membership of the Waynesville Board of Adjustment shall consist of five (5) members with a minimum of three (3) alternates. The majority of the membership shall reside within the corporate limits of the Town of Waynesville. In accordance with North Carolina General Statute 160A-32, the Haywood County Commissioners will appoint one (1) or more members to provide for proportional representation of residents within the extraterritorial jurisdiction (ETJ) of the Town of Waynesville.

### **Term**

Members appointed to the Waynesville Board of Adjustment shall serve three (3) year terms beginning on July 1 of the year of appointment through June 30 of the third year of the term.

### **Powers, Duties and Functions**

The Waynesville Board of Adjustment shall have the following powers and duties to be carried out in accordance with North Carolina General Statute 160A-388 and with the terms of the Land Development Standards set forth by the Town of Waynesville.

1. Hear and decide appeals from any order, requirement, permit, decision or determination issued by an administrative officer of the Town of Waynesville in enforcing any provision of the Town of Waynesville Minimum Housing Codes.
2. Land Development Standards – the Waynesville Board of Adjustment shall render final decisions regarding the following types of permit types:
  - a. Appeal of any administrative decisions
  - b. Appeals of Planning Board decisions regarding Subdivision (major) – Preliminary Plats
  - c. Appeals of Historic Preservation Commission decision regarding Certificates of Appropriateness (major)
  - d. Variances

### **Decisions of the Waynesville Board of Adjustment**

The concurring vote of four (4) members of the Waynesville Board of Adjustment shall be necessary to reverse any order, requirement, decision or determination of the Zoning Administrator or to decide in favor of the applicant on any matter upon which it is required to or to effect any variation of the Zoning



Ordinance. On all appeals, applications and matters brought before the Waynesville Board of Adjustment, the Board shall inform, in writing the applicant of its decision.

**Meetings**

Meetings of the Waynesville Board of Adjustment are held on the First Tuesday of each month at 5:30 p.m. at the Town Hall at 9 South Main Street.

**Reporting**

The Waynesville Board of Adjustment shall provide a comprehensive report to the Board of Aldermen in April each year.

**Compensation**

Members of the Waynesville Board of Adjustment shall serve without compensation except that they will be reimbursed for actual expenses incident to the performance of their duties within the limits of any funds available to the Waynesville Board of Adjustment.

**Town Specific Information and Enabling Legislation Related to the Waynesville Board of Adjustment**

(Copies included at the end of this section)

**November 13, 1958** – Initial appointment of Zoning and Planning Board which became Waynesville Board of Adjustment

**May 13, 2014**

An amendment to the Ordinance is made to indicate that the number of members for the various Boards, Commissions and Committees appointed by the Board of Aldermen may from time to time be updated. The number of members for each Board, Commission or Committee will be indicated in the most current version of the Town of Waynesville Boards and Commissions Manual which is maintained by the Town Clerk. Revisions to the number of members on the various Boards, Commissions and Committees will be based on actions by individual Board, Commissions and Committees and approved by the Board of Aldermen and shall not require the update of the Code of Ordinances unless required by Federal, State or Local legislation. This does not apply to the membership requirements related to residency, professional status or other requisite qualification, only to the number of members on the Board, Commission or Committee.

**July 12, 2018**

The Board of Aldermen approved the extension of the terms of the Boards and Commissions to three (3) three year terms, retroactive to 2013.

## **CEMETERY COMMITTEE**

### **Purpose**

The Cemetery Committee shall serve as an advisory committee to the Board of Aldermen making recommendations regarding guidelines and procedures for the maintenance and upkeep of the Town's Cemeteries.

### **Mission Statement**

It is the desire of the Town of Waynesville and the Cemetery Committee to operate and maintain cemeteries that are beautiful, dignified and an appropriate resting place for departed loved ones.

It is the Cemetery committee's desire to offer as much freedom of choice as possible while preserving those regulations necessary to maintain a high standard of beauty and efficiency of maintenance.

### **Membership**

The Cemetery Committee shall consist of seven (7) members serving staggered terms for a maximum of three (3) year terms. In order to properly stagger terms, the initial appointments of the committee will be assigned as follows:

- Two members will serve a one-year term
- Two members will serve a two-year term
- Three members will serve a three-year term

There is no residency requirement for the Cemetery Committee.

### **Power, Duties and Functions**

#### 1. Authority

The Committee shall serve as an advisory committee to the Town's Cemetery Staff making recommendations for the care of maintenance of Town Cemeteries

#### 2. Meetings

The Committee will meet publicly a minimum four (4) times a year in January, March, July and October. Meetings will be the third Tuesday at 2:00 p.m. A change of the date and time of any posted meeting may be revised or canceled due to holidays, inclement weather, sickness or other factors.

Members shall elect their own Chairman and Vice-Chairman at the first meeting in July or at the first meeting of each new term.

#### 3. Attendance

Any member who for reasons other than sickness or emergency misses one meeting without being excused or informing staff ahead of meetings, within a calendar year shall no longer qualify for serving

on the Committee. The staff liaison shall maintain a record of attendance for the committee. The staff liaison shall notify the Town Clerk of any members who violate the attendance requirements.

4. Modifications

The Committee shall provide recommendations for modifications of the rules and regulations governing the Town's cemeteries.

5. Capital Improvements

The Committee shall provide recommendations for which capital improvements should be made to the cemeteries and their priority.

6. Future Demands and Long-Range Planning

The Committee shall determine how to respond to future demands for cemetery services and develop a long-range plan for the future of the cemetery.

7. Preservation and Conservation

The Committee shall focus on the preservation and conservation of the Historic section of the Cemetery including grave markers, monuments, memorials and other artifacts.

8. Report to the Board of Aldermen

The Committee shall submit an annual report of the general activities, operation and condition of the cemeteries.

**Day to Day Administration**

The day to day administration and operation of the cemeteries shall be under the direction and control of the Town, through the Town Manager or their designee. The Town Manager or their designee shall have the authority to implement the recommendations of the Committee as funding is approved and available.

**Town Specific Information Related to the Cemetery Committee**

(Copies included at the end of this section)

**March 10, 2020-Ordinance number O-03-20 CEMETERIES OF THE TOWN OF WAYNESVILLE CODE OF ORDINANCES** as approved by the Board of Aldermen.

## **FIREFIGHTERS' RELIEF FUND BOARD**

### **Purpose**

The purpose of the Firefighters' Relief Fund Board is to control the local firefighters' relief funds in accordance with North Carolina General Statute 58-84. A copy of the statute is included at the end of this section.

### **Membership**

The Firefighters' Relief Fund Board shall consist of five (5) members. Two (2) of the members will be appointed by the Town of Waynesville and must be a resident of the fire district; two (2) members will be appointed by the Waynesville Firemen's Association and must be a resident of the fire district or an active or retired member of the Waynesville Fire Department; and one (1) member will be appointed by the North Carolina Insurance Commissioner and must be a resident of the fire district or an active or retired member of the Waynesville Fire Department.

### **Term**

Members of the Firefighters' Relief Fund Board shall serve shall serve two (2) year terms beginning on January 1 of the year of appointment through December 31 of the second year of the term.

### **Powers, Duties and Functions**

The Firefighters' Relief Fund Board is responsible for the distribution of funds to recipients. Annual requirements related to eligibility for receipt of funding must be met including:

1. A rated fire department must be a member of the State Firemen's Association;
2. A financial report of the local Firefighters' Relief Fund receipts, disbursements, and remaining balance must be submitted to the State Firemen's Association; (the State Firemen's Association mails the Financial Statement directly to the fire department each June)
3. A Report of Fire Conditions Form, which provides the names of the local Firefighters' Relief Fund board, must be submitted to the Insurance Commissioner; (the Department of Insurance mails the Report of Fire Conditions to the Clerks each August 15) and
4. All General Statute requirements must be met by October 31 of each year.
5. Funds may be used to provide for benefits of supplemental retirement, workers compensation, and other insurance and pension protection for firemen; to provide for educational benefits to firemen and their dependents who otherwise qualify for benefits from the Firefighters' Relief Fund; or to provide assistance to a destitute member fireman who has served honorably for at least five years. The Firefighters' Relief Fund Board is responsible for verification of information and eligibility of those requesting funding.

### **Meetings**

The Firefighters' Relief Fund Board meets on an as needed basis, but at least annually.

**Reporting**

The Firefighters' Relief Fund Board shall provide a comprehensive report to the Board of Aldermen in January each year.

**Compensation**

Members of the Firefighters' Relief Fund Board shall serve without compensation except that they may be reimbursed for actual expenses incident to the performance of their duties within the limits of any funds available to the Firefighters' Relief Fund Board.

**Enabling Legislation Related to the Firefighters' Relief Fund Board**

(Copies included at the end of this section)

**May 13, 2014**

An amendment to the Ordinance is made to indicate that the number of members for the various Boards, Commissions and Committees appointed by the Board of Aldermen may from time to time be updated. The number of members for each Board, Commission or Committee will be indicated in the most current version of the Town of Waynesville Boards and Commissions Manual which is maintained by the Town Clerk. Revisions to the number of members on the various Boards, Commissions and Committees will be based on actions by individual Board, Commissions and Committees and approved by the Board of Aldermen and shall not require the update of the Code of Ordinances unless required by Federal, State or Local legislation. This does not apply to the membership requirements related to residency, professional status or other requisite qualification, only to the number of members on the Board, Commission or Committee.

**July 12, 2018**

The Board of Aldermen approved the extension of the terms of the Boards and Commissions to three (3) three year terms, retroactive to 2013.

## **HISTORIC PRESERVATION COMMISSION**

### **Purpose**

The Waynesville Historic Preservation Commission was created for the purpose of designating historic districts and landmarks within the Town of Waynesville. In addition, the Historic Preservation Commission (HPC) shall develop and recommend to the Board of Aldermen rules and regulations governing the designation and maintenance of historic properties in the Town.

### **Membership**

The Historic Preservation Commission shall consist of nine (9) members all of whom shall reside within the planning and zoning jurisdiction of Waynesville. A majority of members of the Commission shall have demonstrated special interest, experience or education in history, architecture, archeology or related fields.

### **Term**

Members appointed to the Historic Preservation Commission will serve three (3) year terms beginning on July 1 of the year of appointment through June 30 of the third year of the term.

### **Powers, Duties and Functions**

The Historic Preservation Commission is authorized and empowered to undertake such actions reasonably necessary to the discharge and conduct of its duties and responsibilities as outlined in The Town of Waynesville Ordinance Number 4-95 (Code of Ordinances Section 154) and Part 3C, Article 19 of Chapter 160A of the General Statutes of the State of North Carolina. A full copy of the Ordinance and General Statutes are included at the end of this section.

1. Undertake an inventory of properties of historical, prehistorical, architectural, and/or cultural significance;
2. Recommend to the Board of Aldermen areas to be designated by ordinance as "Historic Districts"; and individual structures, buildings, sites, areas, or objects to be designated by ordinance as "Landmarks";
3. Recommend to the Board of Aldermen that designation of any area as a historic district, or part thereof, or designation of any building, structure, site, area or object as a landmark be revoked or removed for cause;
4. Review and act upon proposals for alterations, demolition or new construction within historic districts, or the alteration or demolition of designated landmarks;
5. Conduct an educational program with respect to historic properties and districts within its jurisdiction;
6. Cooperate with the State, federal, and local governments in pursuance of the purposes of this Part. The governing board or the commission when authorized by the governing board may

contract with the State, or the United States of America, or any agency of either, or with any other organization provided the terms are not inconsistent with State or federal law;

7. Enter, solely in performance of its official duties and only at reasonable times, upon private lands for examination or survey thereof. However, no member, employee or agent of the commission may enter any private building or structure without the express consent of the owner or occupant thereof;
8. Prepare and recommend the official adoption of a preservation element as part of the Town of Waynesville's comprehensive plan;
9. The Commission may recommend to the Board of Aldermen the acquisition by any lawful means the fee or any lesser included interest, including options to purchase, of properties within established districts or of any such properties designated as landmarks. The Commission may recommend to the Board of Aldermen to hold, manage, preserve, restore and improve the same, and to exchange or dispose of the property by public or private sale, lease or otherwise, subject to covenants or other legally binding restrictions which will secure appropriate rights of the public access and promote the preservation of the property;
10. Recommend the restoration, preservation and operation of historic properties; and
11. Negotiate at any time with the owner of a building, structure, site, area, or object for its acquisition or its preservation, when such action is reasonably necessary and authorized by the Board of Aldermen.
12. Adopt and publish rules of procedure governing its meeting and the conduct of official business and bylaws governing the appointment of members, terms of office, the election of officers and related matters.
13. Prepare and adopt principles and guidelines for altering, restoring, moving or demolishing properties designated as landmarks or within historic districts.

**Meetings:**

The Historic Preservation Commission shall meet on the First Wednesday of each month at 2:00 p.m. at the Town Hall in Waynesville.

**Compensation:**

Members of the Historic Preservation Commission shall serve without compensation except that they may be reimbursed for actual expenses incident to the performance of their duties within the limits of funding available to the Commission.

**Reporting**

The Historic Preservation Commission shall provide a comprehensive report to the Board of Aldermen in March each year.

**Town Specific Information and Enabling Legislation Related to the Historic Preservation Commission**  
(Copies included at the end of this section)

**January 24, 1995**

The Ordinance Creating the Historic Preservation Commission of Waynesville is adopted.

**March 12, 1996**

An amendment to the Ordinance is made increasing the membership to seven (7) members with one member residing in the area formerly known as the Town of Hazelwood.

**May 13, 2014**

An amendment to the Ordinance is made to indicate that the number of members for the various Boards, Commissions and Committees appointed by the Board of Aldermen may from time to time be updated. The number of members for each Board, Commission or Committee will be indicated in the most current version of the Town of Waynesville Boards and Commissions Manual which is maintained by the Town Clerk. Revisions to the number of members on the various Boards, Commissions and Committees will be based on actions by individual Board, Commissions and Committees and approved by the Board of Aldermen and shall not require the update of the Code of Ordinances unless required by Federal, State or Local legislation. This does not apply to the membership requirements related to residency, professional status or other requisite qualification, only to the number of members on the Board, Commission or Committee.

**July 12, 2018**

The Board of Aldermen approved the extension of the terms of the Boards and Commissions to three (3) three year terms, retroactive to 2013.



## **PLANNING BOARD**

### **Purpose**

The Planning Board is established to advise the Board of Aldermen on matters related to land use and community development. The Planning Board shall be governed by the terms of North Carolina General Statute 160A-360 through 160A-387 and by the terms of the Town of Waynesville's Land Development Standards and Code of Ordinances Section 14.3 through 14.3.2. A full copy of the General Statutes and Ordinance referenced is included at the end of this section.

### **Membership**

The Planning Board shall consist of nine (9) members. Seven (7) of the members must reside within the corporate limits of the Town of Waynesville, the remaining two (2) members must reside in the one-mile extraterritorial jurisdiction (ETJ) of the Town of Waynesville. Members in the ETJ will be appointed by the County Commissioners.

### **Term**

Members appointed to the Planning Board shall serve three (3) year terms beginning on July 1 of the year of appointment through June 30 of the third year of the term.

### **Powers, Duties and Function**

The Planning Board shall be governed by the terms of North Carolina General Statute 160A-360 through 160A-387 and by the terms of the Town of Waynesville's Land Development Standards and Code of Ordinances Section 14.3 through 14.3.2.

1. Perform studies and surveys of the present conditions and probable future development of the town and its environs, including but not limited to, studies and surveys of land uses, population, traffic, parking, expansions of extraterritorial jurisdiction, etc.
2. Formulate and recommend to the Board of Aldermen the adoption and amendment of a Land Development Plan and other plans as necessary.
3. Conduct annexation feasibility studies and recommend suitable areas of annexation to the Board of Aldermen
4. Review Land Development Standards (LDS) – the Planning Board shall review and make recommendations regarding the following permit types:
  - a. Text Amendments
  - b. Map Amendments/Rezoning
  - c. Conditional District
  - d. Vested Right
5. Land Development Standards Decisions – the Planning Board shall render final decisions regarding the following permit types
  - a. Site Plans/Design Review
  - b. Subdivision (Major) – Preliminary Plat
  - c. Special Use Permits

6. The Planning Board shall also have any additional powers and duties as may be set forth for in other laws and regulations or at the direction of the Board of Aldermen.
7. Promote public interest in and an understanding of its recommendations, and to that end may publish and distribute copies of its recommendations and may employ other means of publicity and education where appropriate.

### **Meetings**

The Planning Board meets on the Third Monday of each month at 5:30 p.m. at the Town Hall located at 9 South Main Street.

### **Reporting**

The Planning Board shall provide a comprehensive report to the Board of Aldermen in August each year.

### **Compensation**

Members of the Planning Board shall serve without compensation except that they may be reimbursed for actual expenses incident to the performance of their duties within the limits of any funds available to the Planning Board.

### **Town Specific Information and Enabling Legislation Related to the Planning Board** (Copies included at the end of this section)

#### **May 13, 2014**

An amendment to the Ordinance is made to indicate that the number of members for the various Boards, Commissions and Committees appointed by the Board of Aldermen may from time to time be updated. The number of members for each Board, Commission or Committee will be indicated in the most current version of the Town of Waynesville Boards and Commissions Manual which is maintained by the Town Clerk. Revisions to the number of members on the various Boards, Commissions and Committees will be based on actions by individual Board, Commissions and Committees and approved by the Board of Aldermen, and shall not require the update of the Code of Ordinances unless required by Federal, State or Local legislation. This does not apply to the membership requirements related to residency, professional status or other requisite qualification, only to the number of members on the Board, Commission or Committee.

#### **July 12, 2018**

The Board of Aldermen approved the extension of the terms of the Boards and Commissions to three (3) three year terms, retroactive to 2013.

## **RECREATION AND PARKS ADVISORY COMMISSION**

### **Purpose**

The Recreation and Parks Advisory Commission provides guidance and advises the Board of Aldermen on proposed and existing recreation programs and public recreational opportunities.

### **Membership**

The Recreation and Parks Advisory Commission shall consist of ten (10) members. A minimum of two-thirds of the membership shall be made up of full-time residents within the corporate limits of the Town of Waynesville. The remaining one-third of the membership may be made up of those residents who do not reside within the corporate limits of the Town of Waynesville.

### **Term**

Members appointed to the Recreation and Parks Advisory Commission shall serve three (3) year terms beginning on July 1 of the year of appointment through June 30 of the third year of the term.

### **Powers, Duties and Functions**

The Recreation and Parks Advisory Commission is authorized and empowered to undertake such actions reasonably necessary to the discharge and conduct of its duties and responsibilities as outlined by the Resolution Creating the Recreation and Parks Advisory Commission.

1. Serve as the Recreation and Parks advisory body to the Board of Aldermen for the Town of Waynesville.
2. Assist the staff of the Recreation and Parks department to develop rules, regulations and procedures governing the operation and conduct of the recreation facilities for presentation to the Board of Aldermen.
3. Recommend policies to the Recreation Director and Board of Aldermen within the scope of responsibilities as outlined in the Resolution to Amend Recreation and Parks Advisory Commission and in conjunction with all Town Ordinances.
4. Develop and maintain an overall Recreation and Parks Master Plan for the Town of Waynesville, to include the following: proposed location greenway and park sites and types of recreation activities and/or facilities.
5. Participate in the preparation of any special plans or studies authorized by the Board of Aldermen having a bearing on Recreation and Parks issues pertinent to or affecting the Town of Waynesville.
6. Assist with the furthering of recreational programs, including understanding and education of the general citizenry and participants.
7. Stimulating public involvement in decision-making related to recreational programming and offerings

8. Work in conjunction with the Haywood County Recreation and Parks Advisory Board and department to ensure that recreational programming is offered county-wide and that the general population is being served.

### **Meetings**

Meetings of the Recreation and Parks Advisory Commission are held on the Third Tuesday of each month at 5:30 p.m. at the Recreation Center Office at 550 Vance Street.

### **Reporting**

The Recreation and Parks Advisory Commission shall provide a comprehensive report to the Board of Aldermen in November each year.

### **Compensation**

Members of the Recreation Commission shall serve without compensation except that they may be reimbursed for actual expenses incident to the performance of their duties within the limits of any funds available to the Recreation and Parks Advisory Commission.

### **Town Specific Information and Enabling Legislation Related to the Recreation and Parks Advisory Commission**

(Copies included at the end of this section)

**March 11, 1969** – the initial Recreation and Parks Advisory Commission members appointed

**August 11, 1992** – Resolution Amending the Recreation and Parks Advisory Commission Composition

**October 8, 1996** – Resolution Amending the Recreation and Parks Advisory Commission membership to five (5) members

**March 24, 1997** – Resolution Amending the Recreation and Parks Advisory Commission membership to seven (7) members

**October 10, 2006** – Resolution Amending the Recreation and Parks Advisory Commission membership to nine (9) members

**May 13, 2014** - An amendment to the Ordinance is made to indicate that the number of members for the various Boards, Commissions and Committees appointed by the Board of Aldermen may from time to time be updated. The number of members for each Board, Commission or Committee will be indicated in the most current version of the Town of Waynesville Boards and Commissions Manual which is maintained by the Town Clerk. Revisions to the number of members on the various Boards, Commissions and Committees will be based on actions by individual Board, Commissions and Committees and approved by the Board of Aldermen, and shall not require the update of the Code of Ordinances unless required by Federal, State or Local legislation. This does not apply to the

membership requirements related to residency, professional status or other requisite qualification, only to the number of members on the Board, Commission or Committee.

**July 12, 2018**

The Board of Aldermen approved the extension of the terms of the Boards and Commissions to three (3) three year terms, retroactive to 2013.

## **WAYNESVILLE HOUSING AUTHORITY**

### **Purpose**

The Waynesville Housing Authority is formed to promote and preserve a variety of housing choices for the citizens of Waynesville and to increase public awareness of housing opportunities, needs and concerns.

### **Membership**

The Waynesville Housing Authority shall consist of nine (9) members. One member must be directly assisted by the Waynesville Housing Authority. Residency requirements are not limited to persons residing within the corporate limits of Waynesville.

### **Term**

Members appointed to the Waynesville Housing Authority will serve five (5) year terms beginning on July 1 of the year of appointment through June 30 of the fifth year of the term.

### **Powers, Duties and Functions**

The Waynesville Housing Authority is authorized and empowered to undertake such actions reasonably necessary to the discharge and conduct of its duties and responsibilities as outlined in North Carolina General Statute 157-9. A full copy of the General Statute is included at the end of this section.

Duties and Responsibilities include but are not limited to:

1. Survey and study the housing situation in the Town of Waynesville.
2. Help develop and preserve housing stock by rehabilitation of older houses and development of new housing for middle and lower income citizens.
3. Search and apply for available funding sources and enlist partner agencies to increase housing opportunities.
4. Involve citizens in support of improved housing.
5. Educate the public about housing problems and opportunities.
6. Identify and analyze obstacles to affirmatively further fair housing in the Town of Waynesville.
7. Search, apply for and recommend acceptance by the Board of Aldermen any appropriate grant, gift, bequest or donation of property.
8. Promote public interest in and an understanding of its recommendations both externally and in Town of Waynesville processes and employ other means of publicity and education, when possible.

**Meetings**

The Waynesville Housing Authority meets on the First Wednesday of each month at 5:30 p.m. at the Waynesville Towers located at 65 Church Street.

**Reporting**

The Waynesville Housing Authority shall provide a comprehensive report to the Board of Aldermen in May each year.

**Compensation**

Members of the Waynesville Housing Authority shall serve without compensation except that they may be reimbursed for actual expenses incident to the performance of their duties within the limits of any funds available to the Waynesville Housing Authority.

**Enabling Legislation Related to the Waynesville Housing Authority**

(Copies included at the end of this section)

**May 13, 2014**

An amendment to the Ordinance is made to indicate that the number of members for the various Boards, Commissions and Committees appointed by the Board of Aldermen may from time to time be updated. The number of members for each Board, Commission or Committee will be indicated in the most current version of the Town of Waynesville Boards and Commissions Manual which is maintained by the Town Clerk. Revisions to the number of members on the various Boards, Commissions and Committees will be based on actions by individual Board, Commissions and Committees and approved by the Board of Aldermen and shall not require the update of the Code of Ordinances unless required by Federal, State or Local legislation. This does not apply to the membership requirements related to residency, professional status or other requisite qualification, only to the number of members on the Board, Commission or Committee.

**July 12, 2018**

The Board of Aldermen approved the extension of the terms of the Boards and Commissions to three (3) three year terms, retroactive to 2013.

## **WAYNESVILLE PUBLIC ART COMMISSION**

### **Purpose**

The Public Art Commission shall serve as an advisory commission to the Board of Aldermen making recommendations regarding guidelines and procedures for planning, development, acquisition, display and maintenance of public art.

### **Membership**

The Public Art Commission shall consist of nine (9) members. A minimum of two-thirds of the membership shall be made up of full-time residents within the corporate limits of the Town of Waynesville. The remaining one-third of the membership may be made up of those residents who do not reside within the corporate limits of the Town of Waynesville.

### **Term**

Members appointed to the Public Art Commission shall serve three (3) year terms beginning on July 1 of the year of appointment through June 30 of the fourth year of the term.

### **Powers, Duties and Functions**

1. Recommend guidelines and procedures for the planning, development, acquisition, display and maintenance of Public Art, which interprets the cultural, historical, natural and human resources of the Waynesville community and surrounding region.
2. Recommend guidelines and procedures for the establishment of a Public Art Fund administered by the Town of Waynesville. This includes funds from Town appropriations and all funds donated to the Town by private or other sources, such as through public and private grant programs. The fund shall be used for the selection, commissioning, acquisition, installation, maintenance, administration and insurance of works of art as well as for publicity and education pertaining to public art.
3. Recommend procedures and guidelines for the acceptance of gifts of money and art to the Town Board of Aldermen and acknowledge the gift to the donor and make recommendations to the Board for appropriate recognition.
4. Recommend expenditures from the Public Art Fund for approval by the Board of Aldermen, for the following:
  - a. Acquisition of artwork through commission or purchase
  - b. Direct costs incurred in the relocation or conservation of an artwork owned by the Town
  - c. Site preparation
  - d. Collection management
  - e. Program and project planning
  - f. Artist and artwork selection-related expenses, including proposal honoraria
5. Recommend guidelines and procedures for the acquisition of artwork, selection of artists and management of projects.



6. Coordinate with the Town Attorney and Town Purchasing Agent to expedite the artist's contract or donated artwork for approval by the Board of Aldermen.
7. Provide background information about the inspiration and display of public artworks through appropriate signage, brochures and digital media.
8. Provide opportunities for the community to participate in the public art process.
9. Inventory Public Art annually to ensure that the conditions and standards of Public Art are being met and report their condition to the Director of Public Services, including recommendations for maintenance, repair or reacquisition, when appropriate.
10. Encourage pedestrian activity through human-scale public art placements where appropriate.
11. Provide for the incorporation of public art in public buildings, parks, building facades, entry corridors, transportation projects and other forms where appropriate.
12. Provide coordination with the Downtown Waynesville Association, Haywood County Arts Council, Waynesville Historical Commission, Waynesville Appearance Commission and other organizations interested in public art.
13. Provide an educational program explaining the role and function of public art and its relationship to the unique cultural and environmental heritage of the Town of Waynesville and surrounding region.

### **Meetings**

The Public Art Commission meets on the Second Thursday of each month at 4:00 p.m. at the Town Hall at 9 South Main Street.

### **Reporting**

The Public Art Commission shall provide a comprehensive report to the Board of Aldermen in September each year.

### **Compensation**

Members of the Public Art Commission shall serve without compensation except that they may be reimbursed for actual expenses incident to the performance of their duties within the limits of any funds available to the Public Art Commission.

**Town Specific Information and Enabling Legislation Related to the Public Art Commission**  
(Copies included at the end of this section)

**January 24, 2006** – Ordinance number 4– 06 – Creation of Waynesville Public Art Commission is approved

**May 13, 2014**

An amendment to the Ordinance is made to indicate that the number of members for the various Boards, Commissions and Committees appointed by the Board of Aldermen may from time to time be updated. The number of members for each Board, Commission or Committee will be indicated in the most current version of the Town of Waynesville Boards and Commissions Manual which is maintained by the Town Clerk. Revisions to the number of members on the various Boards, Commissions and Committees will be based on actions by individual Board, Commissions and Committees and approved by the Board of Aldermen and shall not require the update of the Code of Ordinances unless required by Federal, State or Local legislation. This does not apply to the membership requirements related to residency, professional status or other requisite qualification, only to the number of members on the Board, Commission or Committee.

**July 12, 2018**

The Board of Aldermen approved the extension of the terms of the Boards and Commissions to three (3) three year terms, retroactive to 2013.