Town of Waynesville, NC
Town Council Regular Meeting

Town Hall, 9 South Main Street, Waynesville, NC 28786
Date: October 27th, 2026 Time: 6:00 p.m.

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(828) 452-2491 cpoolton@waynesvillenc.gov

A. CALL TO ORDER – Mayor Gary Caldwell

1. Welcome/Calendar/Announcements

B. PUBLIC COMMENT

C. ADDITIONS OR DELETIONS TO THE AGENDA

D. CONSENT AGENDA

All items below are routine by the Town Council and will be enacted by one motion. There will be no separate discussion on these items unless a Councilmember so requests. In which event, the item will be removed from the Consent Agenda and considered with other items listed in the Regular Agenda.

2. a. Approve October 13th, 2026 Regular Meeting Minutes
b. Call for a Public Hearing for November 10, 2026, to consider text amendments related to findings of fact, conditions, and consistency statement requirements for major site plans and preliminary plats for major subdivisions, LDS sections 15.8.2 and 15.9.3.
c. Call for a public hearing to consider a text amendment to the glazing and transparency requirements for commercial uses, Land Development Standards Section 5.10.3- Ground Level Detailing, for November 10th, 2026.
d. Resolution to Appoint Deputy Finance Officer.
e. Budget Amendment for LEO Bonus
f. Rotary Spring Fling Special Event Permit
g. Mountain Valley Mile Special Event Permit
h. Visit Haywood Ice Block Party Special Event Permit
i. Treats On the Street updated Special Event Permit

***Motion:* To approve the consent agenda as presented**

E. PROCLAMATION

3. National First Responders Day Proclamation
   - Mayor Gary Caldwell

F. PRESENTATION

4. Recognition of Officer Michael Whitley's promotion
   - Chief David Adams

5. A presentation regarding historic signs created by the Historic Preservation Commission.
   - Alex Mumby, Land Use Administrator

6. FOG Management Program - Approval, Implementation & FY2027 Funding
   - Laura Yonkers, Deputy Director of Public Works-Sustainability Division

Motions:
1. Motion to adopt Resolution No. _____ approving and implementing the Town of Waynesville Fats, Oils and Grease (FOG) Management Program under the authority of the Town's existing Sewer Use Ordinance and authorizing the POTW Director, or authorized designee, to administer the program.

2. Motion to adopt FY2027 Budget Ordinance Amendment No. _____ appropriating an additional $150,000 in the Sewer Fund for implementation of the Fats, Oils and Grease (FOG) Management Program.

G. PUBLIC HEARINGS

7. A public hearing to consider a text amendment to remove the screening requirement for Outdoor Storage.
   - Alex Mumby, Land Use Administrator

Motions:
1. The proposed amendment is consistent / inconsistent with the 2035 Comprehensive Plan and is (or is not) in the public interest.

2. To approve / not approve the proposed amendment to the Town Council.

8. A public hearing to consider a text amendment to remove parking minimums to be consistent with NC General Statutes.
   - Alex Mumby, Land Use Administrator

Motions:

1. The proposed amendment is consistent / inconsistent with the 2035 Comprehensive Plan and is (or is not) in the public interest.

2. To approve / not approve the proposed amendment to the Town Council.

H. NEW BUSINESS

9. Personnel Policy Updates
   - Page McCurry, Human Resources Director/Assistant Town Manager

Motion: ***Approve the revisions and additions to the Town of Waynesville Personnel Policy as presented.***

I. COMMUNICATION FROM STAFF

10. Manager's Report
    - Interim Town Manager Rick Howell

11. Town Attorney's Report
    - Town Attorney, Martha Bradley

J. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

K. ADJOURN

TOWN OF WAYNESVILLE

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2026 CALENDAR

ALL COUNCIL MEETINGS TO START AT 6:00 PM IN THE BOARD ROOM LOCATED AT
9 SOUTH MAIN STREET UNLESS OTHERWISE NOTED

2026	
Saturday October 31	Treats on the Street-5-7pm
Friday, November 6th	First Friday-5-8pm on Main Street
Tues. November 10	Town Council Meeting – Regular Session
Tues. November 24	Town Council Meeting – Regular Session
Friday, December 4th	First Friday-5-8pm on Main Street
Sat. December 5	Christmas Tree Lighting 5pm
Mon. December 7	Waynesville Christmas Parade 6-7pm
Tues. December 8	Town Council Meeting – Regular Session
Sat. December 12	A Smoky Mountain Christmas 6-9pm

Board and Commission Meetings – October 2026

ABC Board	ABC Office – 52 Dayco Drive	**October 20** 3rd Tuesday 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	**October 6** 1st Tuesday 5:30 PM
Cemetery Commission	Public Services Building	**Every Other Month- September 15** 3rd Tuesday 2:00 PM
Downtown Waynesville Commission	Town Hall – 9 South Main Street	**October 20** 3rd Tuesday 8:30 AM
Environmental Sustainability Board	Public Services-129 Legion Drive	**October 1** 1st Thursday 4:30pm
Historic Preservation Commission	Town Hall – 9 S. Main Street	**October 7** 1st Wednesday 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	**October 19** 3rd Mondays 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	**October 6** 1st Tuesdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	**October 19** 3rd Monday 5:30 PM
Tree Advisory Board	Public Services-129 Legion Drive	**2nd Thursday of the month, Quarterly @ 6:30pm** October 8th, 2026, January 14th, 2027, and April 8th, 2027
Waynesville Housing Authority	Main Office-48 Chestnut Park Drive	**October 28** 4th Wednesday 9:00 AM

MINUTES OF THE TOWN OF WAYNESVILLE TOWN COUNCIL
Regular Meeting
October 13, 2026

THE WAYNESVILLE TOWN COUNCIL held a regular meeting on Tuesday, October 13, 2026, at 6:00pm in the Town Hall Board Room located at 9 South Main Street Waynesville, NC.

A. CALL TO ORDER

Mayor Gary Caldwell called the meeting to order at 6:05 pm with the following members present:
Mayor Gary Caldwell
Mayor Pro Tempore Chuck Dickson
Councilmember Jon Feichter
Councilmember Julia Boyd
Councilmember Anthony Sutton

The following staff members were present:
Page McCurry, Assistant Town Manager & HR Director
Jesse Fowler, Deputy Town Manager
Martha Bradley, Town Attorney
Candace Poolton, Town Clerk/Assistant to the Manager
Chris Mehaffey, Fire Chief
Olga Grooman, Interim Development Services Director
Alex Mumby, Land Use Administrator
Police Chief David Adams

The following members of the media were present:
Paul Nielsen, The Mountaineer

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and announced the Apple Harvest Festival is this Saturday, and the next Council meeting will be October 27th.

B. PUBLIC COMMENT

There was no public comment.

C. ADDITIONS OR DELETIONS TO THE AGENDA

DRAFT

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to move item 8, "Unauthorized Signs on Town Property" to be presented after the consent agenda. The motion passed unanimously.

A motion was made by Councilmember Dickson, seconded by Councilmember Boyd, to add a presentation about the Energy Fair to the agenda. The motion passed unanimously.

D. CONSENT AGENDA

All items below are routine by the Town Council and will be enacted by one motion. There will be no separate discussion on these items unless a Councilmember requests. In which event, the item will be removed from the Consent Agenda and considered with other items listed in the Regular Agenda.

2. a. Motion to approve September 22nd, 2026 Regular Meeting Minutes.
b. Motion to call for a public hearing to consider a text amendment to remove the screening requirement for Outdoor Storage on October 27th, 2026.
c. Motion to call for a public hearing to consider a text amendment to remove parking minimums to be consistent with NC General Statutes on October 27th, 2026.
d. Motion to approve the budget amendment to accept the CLG funds.
e. Motion to approve the budget amendment, accept the Governor's Crime Commission Grant, and approve the establishment of the grant-funded part-time Accreditation Manager position for the Waynesville Police Department.
f. Motion to approve the Hazelween Special Event Permit.
g. Motion to approve the Toys for Tots Special Event Permit.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to adopt the consent agenda as presented. The motion passed unanimously.

3. <u>Town Attorney's Report- Unauthorized signs on Town property</u>
- Town Attorney, Martha Bradley

Town Attorney Martha Bradley reported that the revised draft of the ordinance she presented needs to be updated to be placed under the general ordinance standards under Article III of Chapter 46, so the enforcement of the ordinance could utilize the Town's police authority. She reminded Council that NCGS requires the allowance of political advertising signs outside of the buffer zone of the voting location. She updated the ordinance to reflect that, since the Town does have a polling place. She said the ordinance allows authorized government agencies, permitted events, wayfinding, parking, public safety, and civic expression of pride as allowable signage on Town property.
Councilmember Feichter asked if it would take effect immediately. Ms. Bradley said yes upon adoption. Interim Town Manager Rick Howell said while it would technically take effect immediately, there would still have to be a process created for signage requests for staff. He cautioned Council about the phrase "civic pride and expression", because it allows a great deal of discretion on the Town Manager's part in what would be considered "civic pride". He recommended refining the language of the ordinance so it's more specific.

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to adopt the ordinance as amended. The motion passed unanimously.

E. PROCLAMATION

4. Pregnancy and Infant Loss Awareness Month Proclamation
   - Mayor Gary Caldwell

Councilmember Boyd read the proclamation on behalf of Mayor Caldwell and proclaimed October Pregnancy and Infant Loss Awareness Month and October 15th Pregnancy and Infant Loss Remembrance Day.

F. PUBLIC HEARING

5. A public hearing to consider an application to designate 437 Boundary St as a Local Landmark.
   - Alex Mumby, Land Use Administrator

A motion was made by Councilmember Sutton, seconded by Councilmember Boyd, to open the public hearing at 6:21pm. The motion passed unanimously.

Land Use Administrator Alex Mumby reported that Staff received an application from Shannon and Sherry Morgan to designate their home at 437 Boundary Street (PIN 8615-48-7971) as a Local Landmark. He explained that the designation of a local landmark provides the owner with a 50 percent reduction in their property taxes in return for any alterations to the property requiring a certificate of appropriateness from the Town of Waynesville Historic Preservation Commission. Mr. Mumby stated that the subject property is currently located within the Spread Out Historic District which is listed on the National Register of Historic Places, and that the national designation protects properties in the district from being affected by projects funded with federal tax dollars as well as making Historic Tax Credits available to property owners for renovations. He added that additional designation as a local landmark will provide the Town with oversight over renovations of the property (certificate of appropriateness) and provide a 50% property tax reduction.
Mr. Mumby outlined the home's history:
"The home was built in 1897 by Captain William Johnson Hannah. After building the house Captain Johnson led the Richland Rifles cohort of the National Guard during the Spanish American War. He was later appointed as Judge Advocate General on the staff of Governor Charles B Aycock."

Mr. Mumby reported that the Historic Preservation Commission (HPC) voted unanimously to recommend designation of the Hannah-Graham-Morgan House as a local landmark citing the work that Sherry and Shannon Morgan have done repairing the house from its previous state. He said that the home now stands as one of the best maintained homes in the Spread Out district and that the house is currently listed on the Study List which designates it as having the potential to be listed on the National Register.

Councilmember Dickson asked about the other home on the property, if that would be included in the Historic Designation. Mr. Mumby said yes, the state says the designation is by property, not structure.

Shannon Morgan, applicant and home-owner spoke about the extensive work they had done to the home the last 16 years and said they would never sell it.

A motion was made by Councilmember Boyd, seconded by Councilmember Dickson, to close the public hearing at 6:29pm. The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Feichter, to designate 437 Boundary St as a Local Landmark. The motion passed unanimously.

G. NEW BUSINESS

6. Purchase of a 2027 Dodge Durango Police Vehicle
   - Police Chief David Adams

Police Chief David Adams requested that Council approve the use of ABC Law Enforcement Funds in the amount of $63,435.37 to purchase a 2027 Dodge Durango police vehicle. Councilmember Sutton said there is a balance of more than $200,000 in the ABC Fund. Chief has discussed with Ian and Rick about purchasing more vehicles using that fund.

A motion was made by Councilmember Sutton, seconded by Councilmember Feichter, to approve the budget amendment for use of ABC funds to purchase a 2027 Dodge Durango. The motion passed unanimously.

Councilmember Boyd thanked Mr. Howell and Chief Adams for working with a homeless individual to find resources to help them.

7. Recommendation of Emergency Water Interconnect Committee
   - Interim Town Manager Rick Howell & Assistant Town Manager Page McCurry

Assistant Town Manager Page McCurry reported that the Water Interconnect Committee has been regularly meeting to discuss this project, and they most recently recommended McGill Engineering Services as related to the potable water interconnect on behalf of the Towns.

Interim Town Manager Rick Howell reported that because the project will last longer than one fiscal year, adopting a project ordinance is recommended. He said the project has a preliminary budget of $19,246,178, and Waynesville has been granted a SRF Grant/Loan of $2,841,800 with a 100% forgiveness of principal.

Mayor Caldwell emphasized that this is an *emergency* water interconnect so that municipalities can provide water to each other during emergency outages. Mr. Howell added that this project will help future Councils with emergency preparedness.

A motion was made by Councilmember Dickson, seconded by Councilmember Feichter, to approve the Interconnect Committee's recommendation of McGill Associates as engineer for the "Canton, Clyde Waynesville Water Interconnect" and request that the Committee negotiate a contract for Council

consideration contingent upon approval from County and other municipalities. The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to approve the Project Ordinance establishing the capital projects fund for the Waynesville/Clyde/Canton Water Interconnect Project in the amount of $2,841,800, funded by the North Carolina Department of Environmental Quality (NCDEQ) State Revolving Funds (SRF Helene Funds), as presented. The motion passed unanimously.

H. PRESENTATION

8. Energy Fair Presentation
   - Kipp Sutton, Environmental Sustainability Board (ESB) Member, and Director of Environmental Action Committee (EAC)

ESB Member Kipp Sutton reported that the ESB and EAC are holding an Energy Fair at Vance Street Park on November 7th, 11am-3pm. He said the event is open to the public and will offer cost saving opportunities, information on solar power, electric vehicles, and home energy efficiency. He requested that Council co-sponsor the event and provides LED lightbulbs to giveaway.

A motion was made by Councilmember Dickson, seconded by Councilmember Boyd, to co-sponsor the Waynesville Energy Fair along with the EAC. The motion passed unanimously.

I. CLOSED SESSION

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to go into closed session at 6:49pm in accordance with § 143-318.11(6): "To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee". The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to come back into open session at 7:25pm. The motion passed unanimously.

J. COMMUNICATION FROM STAFF

9. Manager's Report
   - Interim Town Manager Rick Howell

Interim Town Manager Rick Howell reported that Louis Davis is still working on the Purchase Power Agreement and Council may need to hold a special meeting for a presentation from the consultant. He provided an update on the Wastewater Treatment Plant SOC regarding equipment installation and plant performance. He added

that there is new legislation related to System Development Fees that may require process and ordinance changes.

K. ADJOURN

A motion was made by Councilmember Dickson, seconded by Councilmember Boyd, to adjourn at 7:46pm. The motion passed unanimously.

ATTEST:

_____ _____

Gary Caldwell, Mayor Rick Howell, Interim Town Manager

_____

Candace Poolton, Town Clerk

DRAFT

TOWN OF WAYNESVILLE COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: November 10, 2026

SUBJECT: Call for a Public Hearing for November 10, 2026, to consider text amendments related to findings of fact, conditions, and consistency statement requirements for major site plans and preliminary plats for major subdivisions, LDS sections 15.8.2 and 15.9.3.

AGENDA INFORMATION:

Agenda Location: Consent agenda
Item Number:
Department: Development Services
Contact/Presenter: Olga Grooman

BRIEF SUMMARY:

This text amendment was initiated by staff upon the recommendation of the Planning Board Attorney- Ron Sneed. It would eliminate unnecessary procedural requirements for the projects requiring administrative review and that must be approved by right when they comply with all applicable ordinance standards.

Specifically, major site plans and preliminary plats for major subdivisions currently require administrative review by the Planning Board. Land Development Standards (LDS) Section 17.4 defines administrative decisions as follows:

> "**Administrative Decision**. A decision made in the implementation, administration, or enforcement of development regulations that involve the determination of facts and the application of objective standards set forth in Chapter 160D of the G.S. and the Town of Waynesville Code of Ordinances."

The UNC School of Government explains that "Administrative decisions are decisions based on clear, objective standards in the ordinance (standards like "a setback of 10 feet," "¼ acre minimum lot size," and "industrial uses prohibited"). Administrative decisions are routine and nondiscretionary. … Administrative decisions may be made by a staff person, an appointed board, or an elected board" (*Administrative Modifications in Subdivision and Zoning Ordinances,* Adam Lovelady).

The UNC School of Government further explains that "Administrative decisions require staff to apply objective standards set in the ordinance to facts that are supplied in applications. If the application meets the standards it is approved; if not, it is denied. The process is bureaucratic in nature, with minimal discretion or public engagement" (*Choosing the Right Development Review Process: Factors to Consider*, David W. Owens).

The current review standards for major site plans and preliminary plats for major subdivisions include a requirement for a statement of consistency with the Town's adopted plans and authorize the Planning Board to approve these projects with conditions. Both provisions create unnecessary procedural requirements and raise legal concerns regarding their application to administrative (a.k.a. ministerial) approvals.

First, if the proposed development meets the standards of the ordinance and the applicable zoning district, the application must be approved. The Town Council has already established permitted uses, zoning densities, dimensional standards, environmental provisions, as well as other requirements through the adoption of the LDS. Therefore, requiring the Planning Board to decide whether the proposed project is consistent with the Town's adopted plans and policies, such as 2035 Comprehensive Plan, is unnecessary.

As the UNC School of Government explains above, if the project is compliant with the ordinances, it must be approved.

Second, because administrative decisions are based on objective standards, the Planning Board cannot impose discretionary conditions beyond those required to comply with the ordinances. Any condition associated with an administrative approval must be intended to ensure compliance with the LDS and other applicable ordinances.

These two provisions, as well as the phrase "Findings of Fact," are remnants of an earlier version of the LDS when major site plans and preliminary plats for major subdivisions were reviewed through a quasi-judicial process. In 2021, the Town updated the LDS and established administrative review procedures for these developments, consistent with the NC GS 160D and legal guidance from the UNC School of Government, the Planning Board Attorney, and the Town Attorney.

The proposed text amendments do not diminish the Planning Board's authority. They are intended to reconcile the existing ordinance language with the administrative review process that the Town has already adopted for certain types of development. The proposed amendments do not introduce any new approval processes either.

On October 19th, 2026, the Planning Board held a public hearing and recommended the proposed text amendment to the Town Council for approval.

MOTIONS FOR CONSIDERATION:

- Motion to call for a Public Hearing for November 10, 2026, to consider text amendments related to findings of fact, conditions, and consistency statement requirements for major site plans and preliminary plats for major subdivisions, LDS sections 15.8.2 and 15.9.3.

FUNDING SOURCE/IMPACT:

N/A

ATTACHMENTS:

- Draft Ordinance

MANAGER'S COMMENTS AND RECOMMENDATIONS:

This is a call for public hearing only.

DRAFT ORDINANCE FOR BOARD CONSIDERATION

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE TEXT OF THE TOWN OF WAYNESVILLE LAND DEVELOPMENT STANDARDS

WHEREAS, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety, and welfare; and

WHEREAS, Town of Waynesville Land Development Standards (LDS) require administrative review of major site plans and preliminary plats for major subdivisions; and

WHEREAS, major site plans and major subdivisions must demonstrate compliance with all applicable requirements of the LDS and provide adequate infrastructure to support the proposed development; and

WHEREAS, Waynesville LDS define administrative decisions as "a decision made in the implementation, administration, or enforcement of development regulations that involve the determination of facts and the application of objective standards set forth in Chapter 160D of the G.S. and the Town of Waynesville Code of Ordinances;" and

WHEREAS, the Town of Waynesville Planning Board has reviewed the proposed text amendment to the Land Development Standards (LDS) and recommends that it is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest because:

- The Town of Waynesville will continue to "promote smart growth in land use planning and zoning" (Goal #1);
- The amendment would eliminate unnecessary procedural requirements for projects subject to administrative review, thereby streamlining the review process.

WHEREAS, the Planning Board has reviewed and recommends the proposed text amendment for enactment by the Town Council; and

WHEREAS, the Town Council finds this Ordinance to be consistent with the Town's 2035 Comprehensive Plan and that it is reasonable and in the public interest to "make decisions about resources and land use in accordance with North Carolina General Statutes;" and

WHEREAS, after notice duly given, a public hearing was held on **October 19, 2026,** at the regularly scheduled meeting of the Waynesville Planning Board, and on **November 10, 2026,** at the regularly scheduled meeting of the Waynesville Town Council;

NOW, THEREFORE, BE IT ORDAINED BY THE WAYNESVILLE TOWN COUNCIL, MEETING IN REGULAR SESSION ON NOVEMBER 10, 2026, AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

That the Land Development Standards be amended as follows:

1. Amend LDS Section 15.8.2- Site Plan/Design Review (Major):

I. Decisions~~/Findings of Fact~~: Following the public hearing the Planning Board may ~~approve, deny or approve with conditions~~ approve or deny the application for a Major Site Plan. No Major Site Plan shall be approved unless the Planning Board finds ~~each of~~ the following facts to be true:

~~1. The plan is consistent with the adopted plans and policies of the Town;~~
~~2.~~ 1. The plan complies with all applicable requirements of this ordinance; and
~~3.~~ 2. The plan has infrastructure as required by the ordinance to support the plan as proposed.

2. Amend LDS Section 15.9.3- Preliminary Plats for Major Subdivisions:

H. Decisions~~/Findings of Fact~~: Following the public hearing the board may ~~approve, deny or approve with conditions~~ approve or deny the application for a Major Subdivision. No Major Subdivision shall be approved unless the ~~commission~~ board finds each of the following ~~facts~~ to be true:

~~4. The plan is consistent with the adopted plans and policies of the Town;~~
~~5.~~ 1. The plan complies with all applicable requirements of this ordinance; and
~~6.~~ 2. The plan has infrastructure as required by the ordinance to support the plan as proposed.

ADOPTED this _____Day of _____, 2026.

TOWN OF WAYNESVILLE

_____
J. Gary Caldwell, Mayor

ATTEST:

_____
Candace Poolton, Town Clerk

APPROVED AS TO FORM:

_____
Martha Bradley, Town Attorney

TOWN OF WAYNESVILLE COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: October 27th, 2026

SUBJECT: Call for a public hearing to consider a text amendment to the glazing and transparency requirements for commercial uses, Land Development Standards Section 5.10.3- Ground Level Detailing, for November 10th, 2026.

AGENDA INFORMATION:

Agenda Location: Consent Agenda
Item Number:
Department: Development Services
Contact: Alex Mumby, Land Use Administrator
Presenters: Alex Mumby, Land Use Administrator

BRIEF SUMMARY:

The North Carolina General Assembly has passed a new bill which sets a limit for the maximum amount of windows which a local government can require for commercial and mixed-use buildings. The amendment was part of a large omnibus bill which sets new standards for local governments across many areas. The State now prevents local governments from requiring over 35% of a façade be windows per their definition. After analyzing the State's requirements compared to Waynesville's, staff believes that the current standards are under the maximum mandated by the State. Staff has produced an amendment which does not change the requirements for Waynesville but instead creates a cap so that the Town will not come into violation of the State maximum in the future.

MOTIONS FOR CONSIDERATION:

1. To call for a public hearing to consider a text amendment to the glazing and transparency requirements for commercial uses, Land Development Standards Section 5.10.3- Ground Level Detailing, for November 10th, 2026.

FUNDING SOURCE/IMPACT:

There is no financial impact.

ATTACHMENTS:

1. Draft Ordinance

MANAGER'S COMMENTS AND RECOMMENDATIONS:

DRAFT ORDINANCE FOR PLANNING BOARD CONSIDERATION

ORDINANCE NO.

AN ORDINANCE AMENDING THE TEXT OF THE TOWN OF WAYNESVILLE LAND DEVELOPMENT STANDARDS

WHEREAS, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety, and welfare; and,

WHEREAS, the Town of Waynesville adopted the 2035 Comprehensive Land Use Plan, which sets goals and provides a Future Land Use map to identify where certain types of growth and density should be allowed, and where growth should be restricted; and,

WHEREAS, the Town of Waynesville Planning Board has reviewed the proposed text amendments to the Land Development Standards (LDS) and recommends that they are consistent with the 2035 Comprehensive Plan and that they are reasonable and in the public interest because they meet the following goals of the 2035 Comprehensive Plan:

Goal 1: Continue to promote smart growth principles in land use planning and zoning

WHEREAS, the Planning Board held a public hearing on October 19th, 2026, and recommends the proposed text amendments for enactment by the Town Council; and

WHEREAS, the Town Council find this Ordinance is consistent with the Town's 2035 Comprehensive Plan and that it is reasonable and in the public interest to "make decisions about resources and land use in accordance with North Carolina General Statutes;" and

WHEREAS, after notice duly given, a public hearing was held on October 19th, 2026, at a regularly scheduled meeting of the Waynesville Planning Board, and on November 10th, 2026**,** at the regularly scheduled meeting of the Town Council;

NOW, THEREFORE, BE IT ORDAINED BY THE WAYNESVILLE TOWN COUNCIL, MEETING IN REGULAR SESSION ON NOVEMBER 10TH, 2026, AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

5.10.3 Ground Level Detailing.

A. Minimize Blank Walls: Expanses of blank walls facing streets (excluding rear access drives or alleys) or public civic spaces may not exceed 20 feet in length. (A "blank wall" is a façade that does not contain transparent windows or doors.)

B. Ground-Level Glazing: Window glazing and doorways shall be the predominant features in the street-level façade. Exterior burglar bars, fixed "riot shutters," or similar security devices shall not be visible from the public right-of-way. All ground level windows shall provide direct views to the building's interior extending a minimum of 6 feet behind the window.



C. **Transparency Zone:** Glazing that is transparent under all lighting conditions shall extend from a base of contrasting material (not exceeding four (4) feet in height above the adjacent grade) to at least the height of the door head. However, spandrel or colored glass may be used above the height of the door head. Glazing shall extend from the corner of the front façade for a depth equal to:

1. Mixed-Use Buildings: At least sixty-five (65) percent of the length of building along the side street building façade.
2. Commercial Buildings: At least fifty (50) percent of the length of building along the side street building façade.
3. Commercial Buildings with Uses Greater than 100,000 sq ft: At least twenty-five (25) percent of the length of building along the side street building façade. (from 154.212.E)

The transparency zone shall not be required to exceed 35% of the ground-floor façade area (as defined in LDS 17.4) on all commercial or mixed-use buildings. The transparency zone of commercial and mixed-use buildings with the following uses shall not be required to exceed 20% of the ground-floor façade area:

- Religious assembly or sanctuary space,
- Medical or dental examination, treatment, or healthcare services,
- Educational instruction or counseling, Civic or nonprofit services,
- Funeral services,
- Lodge or meeting hall use,
- Storage or back-of-house operations,
- Other institutional, assembly, or service uses not primarily operated as walk-in retail, restaurant, bar, entertainment, or commercial storefront uses.

This maximum does not apply in the following cases:

- The North Carolina Building Code, including emergency egress, accessibility, or energy efficiency requirements.
- The North Carolina Fire Code.
- Floodplain or floodproofing requirements.
- Requirements imposed by State or federal law.
- Property located within a local historic district established under G.S. 160D-944 or an individually designated local historic landmark established under Article 9 of this Chapter.
- Property subject to review by a local historic preservation commission for a certificate of appropriateness.
- Property subject to a federal or State historic preservation review requirement, including a requirement related to the use of federal or State historic tax credits, grants, or funding.
- State or federal requirements for airport safety, military installation safety, or other public safety requirements.

D. **Canopies/Awnings:** A building canopy, awning, or similar weather protection may be provided and should project a minimum of 5 feet from the façade.

E. **Ventilation Grates and Emergency Exit Doors:** Ventilation grates or emergency exit doors located at the first floor level in the building façade, which are oriented to any public street, shall be decorative. Unless otherwise required by the building code, such grates and doors shall be located away from pedestrian spaces (sidewalks and pedestrian paths).

17.4 Definitions, General.

Ground-floor façade area. The exterior wall area of a building measured from grade to 10 feet above grade, excluding loading docks, service bays, mechanical areas, emergency exits, vehicular doors, and other functional areas that are not reasonably treated as storefront facade.

ADOPTED this _____Day of _____, 2026.

TOWN OF WAYNESVILLE

_____

J. Gary Caldwell, Mayor

ATTEST:

_____

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

_____

Martha Bradley, Town Attorney

TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date 10.27.2026

SUBJECT: Resolution to Appoint Deputy Finance Officer

AGENDA INFORMATION:

Agenda Location: Consent Agenda
Item Number:
Department: Administration
Contact: Rick Howell
Presenter: Rick Howell

BRIEF SUMMARY:

The Town of Waynesville Finance Department has a temporary need to appoint a Deputy Finance Officer to assist in approving certain actions and to sign preaudit certificates when the Finance Officer or Interim Finance Officer is unavailable.

MOTION FOR CONSIDERATION:

Approve the Resolution as presented.

FUNDING SOURCE/IMPACT: N/A

ATTACHMENT:

Resolution Appointing a Deputy Finance Officer

MANAGER'S COMMENTS:

RESOLUTION APPOINTING DEPUTY FINANCE OFFICER

R-19-26

WHEREAS, North Carolina General Statutes §159-24 specifies and directs that each local government shall appoint a Finance Officer to hold office and carry out the duties prescribed by law; and

WHEREAS, there will be occasions when the Town of Waynesville Finance Officer is unable to be present in order to approve certain actions or sign preaudit certificates; and

WHEREAS, the current Finance Officer, Ian Barrett will be resigning in October 2026 and there will be a need to appoint a Deputy Finance Officer; and

WHEREAS, this Board is of the opinion that Julia Page McCurry possesses the requisite knowledge, experience and qualifications to serve as Deputy Finance Officer for the Town of Waynesville.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Town Council of the Town of Waynesville, North Carolina that:

1. That Julia Page McCurry is hereby appointed as Deputy Finance Officer with full power and authority to act in the place and stead of the Town of Waynesville Finance Officer until such a time that a permanent Finance Officer is appointed.

2. Any past resolution appointing a Deputy Finance Officer is hereby repealed.

3. That this resolution shall be effective upon its adoption.

Adopted this the 27th day of October 2026.

TOWN OF WAYNESVILLE

_____

J. Gary Caldwell, Mayor

ATTEST:

_____

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

_____

Martha Sharpe Bradley, Town Attorney

TOWN OF WAYNESVILLE COUNCIL MEETING
REQUEST FOR COUNCIL ACTION
Meeting Date: 10.27.2026

SUBJECT: Budget Amendment for LEO Bonus

AGENDA INFORMATION:

Agenda Location: Consent
Item Number:
Department: Police
Contact: Chief David Adams, Ian Barrett
Presenter: **Chief David Adams**

BRIEF SUMMARY: On October 9th, staff was made aware of the amount that the state would be providing for a law enforcement officer bonus. This amendment recognizes the additional revenue and allocates it for the LEO bonus.

MOTION FOR CONSIDERATION: Adoption of budget amendment

FUNDING SOURCE/IMPACT: General fund/ state provided

Ian Barrett, Finance Director — Date: 10.19.2026

ATTACHMENTS:

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Ordinance No. O-50-26

Amendment No. 14 to the 2026-2027 Budget Ordinance

WHEREAS, the Town Council of the Town of Waynesville wishes to amend the 2026-2027 Budget Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Waynesville that the 2026-2027 Budget Ordinance be amended as follows:

General Fund:

Increase the following appropriations:

Police Department- SBI Bonus	$77,239.08

Decrease the following appropriations:

Police Department- Bonus	$77,239.08

Adopted this 27th day of October 2026.

Town of Waynesville

_____
Gary Caldwell
Mayor

Attest:

_____
Candace Poolton
Town Clerk

Approved As To Form:

_____
Martha Sharpe Bradley
Town Attorney

Application for Special Events Permit

I. General Information

EVENT NAME: Waynesville Rotary Spring FLING For CART.

EVENT DATE(S): May 22, 2027

Note: If event is more than three days in duration, and not in the public right-of-way, you will also need a temporary event permit. Contact the Waynesville Police Dept. at 828-456-5363 for more information.

LOCATION: Main St.

IF THIS EVENT IS A PARADE OR ROAD RACE: Please provide a full route description and map

SET-UP TIME (START/END): 9 Am

EVENT HOURS: 10 - 8pm 10 hours

DISMANTLE HOURS (START/END): 10 - 8pm

ESTIMATED ATTENDANCE: 1000 - 1500

BASIS ON WHICH THIS ESTIMATE IS MADE: Balsam Range

COMPREHENSIVE GENERAL LIABILITY INSURANCE REQUIRED: $1,000,000. Please attach proof of insurance (or applicable rider).

II. Applicant and Sponsoring Organization Information

SPONSORING ORGANIZATION NAME: Waynesville Rotary

ARE YOU A NON PROFIT CORPORATION? No / Yes ✓ If yes, are you 501c(3) / 501c(6) / Place of Worship

APPLICANT NAME: David Adams TITLE: President.

ADDRESS: CITY: STATE: ZIP

PHONE: 828-551-9387 FAX#: EMAIL: dadams@waynesvillenc.gov

ON-SITE CONTACT: William Fulghum TITLE:

ADDRESS:

PHONE #: 864-314-4095 CELL PHONE #: SAme EMAIL: William Fulghum 1970@gmail

III. Brief Description of Event

STREET FAIR
CANCEL at SPM WITH BALSAM RANGE

IV. Street Closure Request (Attach map of the Street Closure)

List any street(s) (or lanes of streets) requiring temporary street closure as a result of this event.
Include street name(s) indicating beginning and endpoints of the closing, day, date and time of closing and reopening:

1. MAIN ST: FROM ARCH DOWN TO TO DEPOT
2. & DEPOT TO PIGEON
3.

V. Event Details

YES	NO	
☐	☐	Does the event involve the sale or **use of alcoholic beverages?** If yes, has the ABC permit been obtained? Yes ☐ No ☐ Please provide a graphic of the area where alcoholic beverages will be purchased or consumed (i.e. beer garden layout)
☑	☐	Does the event involve the **sale of food?** _____ If "YES", has the health department been notified? _____ Have you applied for a temporary permit? _____
☑	☐	Will there be **musical entertainment** at your event? IF "YES" provide the following information: Number of Stages: 1 Number of Band(s): 1 Amplification? _____ Note: If amplification is used, you will be required to perform a pretest for compliance with the noise ordinance.
☐	☑	Do you plan to use an existing **occupied building?** Address _____
☐	☑	Do you plan to use an existing **vacant building?** Address _____
☑	☐	Will there be any **tents or canopies** in the proposed event site? Please provide the following information: Approx. Number of Tents: _____ Will any tent exceed 400 sq. feet in area? ☐ NO ☐ YES
☐	☐	Does the event involve the use of **pyrotechnics**? Explain _____
☐	☑	Will you provide **portable toilets** for the general public attending your event? IF SO, how many and where will they be located? _____
☑	☐	Will you require **electrical hookup** for the event? Generators? _____
☐	☑	Will you require **access to water** for the event? Explain _____
☐	☑	Will **admission fees** be charged to attend this event? If "YES", provide the amount(s) of all tickets. _____
☑	☐	Will **fees be charged to vendors** to participate in this event? If "YES", please provide the amount(s). $150
☑	☐	Will **signs and/or banners** be displayed as part of the event? If "YES" have you applied for a sign permit? NO
☐	☑	Will **inflatable parade balloons** be used for the event? Provide details if necessary.

VI. Additional Questions

How will **parking** be accommodated for this event? Public Parking

Notes:

1. Parking and buildings involved may be examined for ADA compliance.
2. You may be required to provide a shuttle if the event places undue demands on surrounding parking areas.

How will **trash** be contained and removed during and after the event?

Volunteers: Will you require Civilian Police Volunteers for your event?

Apply for this permit at least 60 days prior to your special event. (30 days for a neighborhood street closing)

Return to:
Beth Gilmore, Downtown Waynesville Director &
Jesse Fowler, Assistant Town Manager
Town of Waynesville
9 S. Main Street, P.O. Box 100, Waynesville, NC 28786
Telephone: (828) 456-3517
Fax No. : (828) 456-2000
Email Address: bethgilmore@waynesvillenc.gov
jfowler@waynesvillenc.gov

VIII. Special Information for Applicants

* Do not announce, advertise or promote your event until you have an approved and signed permit.
* You will be required to notify property owners affected by the event at the time a special events permit is issued with a copy of any correspondence provided to the Town for the permit file.
* **Only chalk may be used on streets – no permanent paint. No permanent alterations to the street will be permitted**.
* The Town has an ordinance prohibiting the use of tobacco and e-cigarettes in the business districts and all parks of the Town. The Applicant is to communicate this information to all vendors and participants. Permanent signs are in place in these districts and parks.
* The Town has an ordinance allowing animals at festivals. Any incidents should be reported to the Police Department.
* The Applicant shall be responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing on-duty law enforcement officers, to appropriately police street closures. For festivals, the Applicant shall be additionally responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing city staff, including but not limited to: on-duty law enforcement officers, to provide internal festival security and for hiring and paying necessary emergency medical technicians.
* The Assistant Town Manager, in consultation with the Waynesville Police Department, shall determine the number of officers needed to appropriately monitor street closures and for internal security, and with the Fire Department to determine the number of emergency medical technicians needed, and the time when such services shall commence and end.

FOR INTERNAL USE ONLY:

Application received:

Application approved:

Application denied:

Application for Special Events Permit

I. General Information

EVENT NAME: Mountain Valley Mile

EVENT DATE(S): August 21

Note: If event is more than three days in duration, and not in the public right-of-way, you will also need a temporary event permit. Contact the Waynesville Police Dept. at 828-456-5363 for more information.

LOCATION: Main Street Waynesville

IF THIS EVENT IS A PARADE OR ROAD RACE: Please provide a full route description and map

SET-UP TIME (START/END): 1700-1830

EVENT HOURS: 1830-2100

DISMANTLE HOURS (START/END): 2100-2200

ESTIMATED ATTENDANCE: 250

BASIS ON WHICH THIS ESTIMATE IS MADE: Previous Years Events for Main Street Mile

COMPREHENSIVE GENERAL LIABILITY INSURANCE REQUIRED: $1,000,000. Please attach proof of insurance (or applicable rider).

II. Applicant and Sponsoring Organization Information

SPONSORING ORGANIZATION NAME: Jus' Running

ARE YOU A NON PROFIT CORPORATION? No | If yes, are you 501c(3) | 501c(6) | Place of Worship

APPLICANT NAME: TJ Bell TITLE: Race Director

ADDRESS: 3 Ronsanne Pkwy CITY : Asheville STATE: NC ZIP 28804

PHONE: 276-730-5713 FAX#: EMAIL: bell.tj2@gmail.com

ON-SITE CONTACT: Savanna Moeller TITLE: Store Manager

ADDRESS: Jus' Running 523 Merrimon Ave. Asheville, NC 28804

PHONE #: 828-252-7867 CELL PHONE #: 813-758-4737 EMAIL: Jusrunningavl@gmail.com

III. Brief Description of Event

The event will feature a road race conducted primarily along Main Street through the Town of Waynesville.

Start Line: The race will begin approximately one mile south of the Haywood County

IV. Street Closure Request (Attach map of the Street Closure)

List any street(s) (or lanes of streets) requiring temporary street closure as a result of this event.

Include street name(s) indicating beginning and endpoints of the closing, day, date and time of closing and reopening:

1. Main Street (Primary Race Corridor)
2. From: Intersection of **Main St & Hazelwood Ave**
3. Haywood County Courthouse (285 N. Main St)

V. Event Details

YES	NO	
☐	☐	Does the event involve the sale or **use of alcoholic beverages?** If yes, has the ABC permit been obtained? ☐ No ☐ Please provide a graphic of the area where alcoholic beverages will be purchased or consumed (i.e. beer garden layout)
☐	☐	Does the event involve the **sale of food**? _No_____ If "YES", has the health department been notified? No____ Have you applied for a temporary permit? _____Yes___
☐	☐	Will there be **musical entertainment** at your event? IF "YES" provide the following information: Number of Stages: 1 Number of Band(s): 1 Amplification? No Note: If amplification is used, you will be required to perform a pretest for compliance with the noise ordinance.
☐	☐	
☐	☐	
☐	☐	Will there be any **tents or canopies** in the proposed event site? Please provide the following information: Approx. Number of Tents: 5 Will any tent exceed 400 sq. feet in area? ☐ NO ☐
☐	☐	Does the event involve the use of **pyrotechnics**? Explain _____
☐	☐	Will you provide **portable toilets** for the general public attending your event? IF SO, how many and where will they be located? 8
☐	☐	Will you require **electrical hookup** for the event? Generators? __Yes___
☐	☐	Will you require **access to water** for the event? Explain _____NO_____
☐	☐	Will **admission fees** be charged to attend this event? If "YES", provide the amount(s) of all tickets. $40
☐	☐	Will **fees be charged to vendors** to participate in this event? If "YES", please provide the amount(s). No
☐	☐	Will **signs and/or banners** be displayed as part of the event? If "YES" have you applied for a sign permit? __Yes_
☐	☐	Will **inflatable parade balloons** be used for the event? Provide details if necessary. No

VI. Additional Questions

How will **parking** be accommodated for this event?

Parking for the event will be accommodated through a combination of established public parking areas within downtown Waynesville. Primary parking locations will include the Haywood County Courthouse Parking Garage (143 Branner Avenue), which provides convenient access to the finish area, as well as Wall Street parking, offering ample free spaces within a short walking distance of Main Street. Additional municipal parking will be available at the Montgomery Street Lot and the Miller Street public lots.

Participants and spectators will be directed to these locations through pre-event communication, signage, and volunteer support to ensure safe and efficient parking flow while minimizing disruption to local residents and businesses.

Yes, Hazelwood Parking, Miller Street, Vance Street Park, and Town Hall

Notes:

1. Parking and buildings involved may be examined for ADA compliance.
2. You may be required to provide a shuttle if the event places undue demands on surrounding parking areas.

How will **trash** be contained and removed during and after the event?

- **race volunteer efforts** and coordinated support from the **Town of Waynesville Public Works Department.** The event relied on volunteers to maintain the cleanliness of the race site during the event. Their duties included emptying trash cans, managing accidental messes, and ensuring the post-race party area remained tidy.
- **"Leave It Cleaner" Policy:** Organizers aimed to leave the downtown corridor cleaner than they found it, with volunteer teams performing a final sweep of the one-mile course and the block party area immediately after the event.

Volunteers: Will you require Civilian Police Volunteers for your event? Yes

Apply for this permit at least 60 days prior to your special event. (30 days for a neighborhood street closing)

Return to:
Beth Gilmore, Downtown Waynesville Director &
Jesse Fowler, Assistant Town Manager
Town of Waynesville
9 S. Main Street, P.O. Box 100, Waynesville, NC 28786
Telephone: (828) 456-3517
Fax No. : (828) 456-2000
Email Address: bethgilmore@waynesvillenc.gov
jfowler@waynesvillenc.gov

VIII. Special Information for Applicants

* Do not announce, advertise or promote your event until you have an approved and signed permit.
* You will be required to notify property owners affected by the event at the time a special events permit is issued with a copy of any correspondence provided to the Town for the permit file.
* **Only chalk may be used on streets – no permanent paint. No permanent alterations to the street will be permitted**.
* The Town has an ordinance prohibiting the use of tobacco and e-cigarettes in the business districts and all parks of the Town. The Applicant is to communicate this information to all vendors and participants. Permanent signs are in place in these districts and parks.
* The Town has an ordinance allowing animals at festivals. Any incidents should be reported to the Police Department.
* The Applicant shall be responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing on-duty law enforcement officers, to appropriately police street closures. For festivals, the Applicant shall be additionally responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing city staff, including but not limited to: on-duty law enforcement officers, to provide internal festival security and for hiring and paying necessary emergency medical technicians.
* The Assistant Town Manager, in consultation with the Waynesville Police Department, shall determine the number of officers needed to appropriately monitor street closures and for internal security, and with the Fire Department to determine the number of emergency medical technicians needed, and the time when such services shall commence and end.

FOR INTERNAL USE ONLY:

Application received:

Application approved:

Application denied:

Application for Special Events Permit

I. General Information

EVENT NAME: Visit Haywood Ice Block Party (part of the Ice Fest Weekend)

EVENT DATE(S): Saturday, January 30, 2027

Note: If event is more than three days in duration, and not in the public right-of-way, you will also need a temporary event permit. Contact the Waynesville Police Dept. at 828-456-5363 for more information.

LOCATION: N Main Street

IF THIS EVENT IS A PARADE OR ROAD RACE: Please provide a full route description and map

SET-UP TIME (START/END): Set up time 11 AM

EVENT HOURS: 3-9 PM

DISMANTLE HOURS (START/END): Dismantle 9-10:30 PM

ESTIMATED ATTENDANCE: 5,000

BASIS ON WHICH THIS ESTIMATE IS MADE: Staff attended the event and conducted intercept surveys, photos

COMPREHENSIVE GENERAL LIABILITY INSURANCE REQUIRED: $1,000,000. Please attach proof of insurance (or applicable rider).

II. Applicant and Sponsoring Organization Information

SPONSORING ORGANIZATION NAME: Haywood County Tourism Development Authority dba Visit Haywood

ARE YOU A NON PROFIT CORPORATION?	No	Yes	Gov't	If yes, are you	501c(3)	501c(6)	Place of Worship
		X					

APPLICANT NAME: Corrina Ruffieux TITLE: Executive Director

ADDRESS: 91 N Lakeshore Dr CITY : Lake Junaluska STATE: NC ZIP 28745

PHONE: 860-287-0199 FAX#: EMAIL: corrina@visithaywood.com

ON-SITE CONTACT: Hayley Printz and Corrina Ruffieux (info above) TITLE: Admin

ADDRESS: 91 N Lakeshore Dr. Lake Junaluska, NC 28745

PHONE #: 828-944-0761 CELL PHONE #: 727-439-9305 EMAIL: hayley@visithaywood.com

III. Brief Description of Event

On Saturday night of the Visit Haywood Ice Fest Weekend, Waynesville will come alive with enchanting ice sculptures and ice games lining the streets. As you wander, you will find local businesses keeping their doors open late, offering cozy treats to keep you fueled as you admire the frozen masterpieces. Firepits in the street will encourage folks to linger and socialize.

IV. Street Closure Request (Attach map of the Street Closure)

List any street(s) (or lanes of streets) requiring temporary street closure as a result of this event.

Include street name(s) indicating beginning and endpoints of the closing, day, date and time of closing and reopening:

1. N Main St., from the arch to in front of Courthouse 1/30/2027 Close at 11 AM and open at 10:30 PM
2.
3.

V. Event Details

YES	NO	
☐	☐X	Does the event involve the sale or **use of alcoholic beverages?**
		If yes, has the ABC permit been obtained? Yes ☐ N/A No ☐ Please provide a graphic of the area where alcoholic beverages will be purchased or consumed (i.e. beer garden layout)
☐X	☐	Does the event involve the **sale of food**? _____ If "YES", has the health department been notified? _X__yes, awaiting instructions___ Have you applied for a temporary permit? _____
☐X	☐	Will there be **musical entertainment** at your event? IF "YES" provide the following information:
		Number of Stages: 0 Number of Band(s): 2 Amplification? yes
		Note: If amplification is used, you will be required to perform a pretest for compliance with the noise ordinance.
☐	☐X	Do you plan to use an existing **occupied building?** Address _____
☐	☐X	Do you plan to use an existing **vacant building?** Address _____
☐X	☐	Will there be any **tents or canopies** in the proposed event site? Please provide the following information:
		Approx. Number of Tents: 10-15 Will any tent exceed 400 sq. feet in area? X☐ NO ☐ YES
☐	☐X	Does the event involve the use of **pyrotechnics**? Explain ____ _____
☐X	☐	Will you provide **portable toilets** for the general public attending your event? IF SO, how many and where will they be located? Yes, 2, Location TBD
☐	☐X	Will you require **electrical hookup** for the event? Generators? _____
☐	☐X	Will you require **access to water** for the event? Explain _____
☐	☐X	Will **admission fees** be charged to attend this event? If "YES", provide the amount(s) of all tickets. _____
☐X	☐	Will **fees be charged to vendors** to participate in this event? If "YES", please provide the amount(s). Only food vendors ($50)
☐X	☐	Will **signs and/or banners** be displayed as part of the event? If "YES" have you applied for a sign permit? no___
☐	☐X	Will **inflatable parade balloons** be used for the event? Provide details if necessary.

VI. Additional Questions

How will **parking** be accommodated for this event?

We plan to produce Ice Fest Weekend signs directing people to the parking garage and other parking areas near N Main St.

Notes:

1. Parking and buildings involved may be examined for ADA compliance.
2. You may be required to provide a shuttle if the event places undue demands on surrounding parking areas.

How will **trash** be contained and removed during and after the event?

Trash would be placed in the trash cans on Main St. We can remove trash, if required, after the event ends.

Volunteers: Will you require Civilian Police Volunteers for your event?

Maybe

Apply for this permit at least 60 days prior to your special event. (30 days for a neighborhood street closing)

Return to:
Beth Gilmore, Downtown Waynesville Director &
Jesse Fowler, Assistant Town Manager
Town of Waynesville
9 S. Main Street, P.O. Box 100, Waynesville, NC 28786
Telephone: (828) 456-3517
Fax No. : (828) 456-2000
Email Address: bethgilmore@waynesvillenc.gov
jfowler@waynesvillenc.gov

VIII. Special Information for Applicants

* Do not announce, advertise or promote your event until you have an approved and signed permit.
* You will be required to notify property owners affected by the event at the time a special events permit is issued with a copy of any correspondence provided to the Town for the permit file.
* **Only chalk may be used on streets – no permanent paint. No permanent alterations to the street will be permitted**.
* The Town has an ordinance prohibiting the use of tobacco and e-cigarettes in the business districts and all parks of the Town. The Applicant is to communicate this information to all vendors and participants. Permanent signs are in place in these districts and parks.
* The Town has an ordinance allowing animals at festivals. Any incidents should be reported to the Police Department.
* The Applicant shall be responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing on-duty law enforcement officers, to appropriately police street closures. For festivals, the Applicant shall be additionally responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing city staff, including but not limited to: on-duty law enforcement officers, to provide internal festival security and for hiring and paying necessary emergency medical technicians.
* The Assistant Town Manager, in consultation with the Waynesville Police Department, shall determine the number of officers needed to appropriately monitor street closures and for internal security, and with the Fire Department to determine the number of emergency medical technicians needed, and the time when such services shall commence and end.

FOR INTERNAL USE ONLY:

Application received:

Application approved:

Application denied:

Application for Special Events Permit

I. General Information

EVENT NAME: Treats on the Street (Halloween event)

EVENT DATE(S): Saturday- October 31, 2026

Note: If event is more than three days in duration, and not in the public right-of-way, you will also need a temporary event permit. Contact the Waynesville Police Dept. at 828-456-5363 for more information.

LOCATION: Main Street

IF THIS EVENT IS A PARADE OR ROAD RACE: Please provide a full route description and map

SET-UP TIME (START/END): 3 p.m.

EVENT HOURS: 5 to 7 p.m.

DISMANTLE HOURS (START/END): 7 to 8 p.m.

ESTIMATED ATTENDANCE: 5,000

BASIS ON WHICH THIS ESTIMATE IS MADE: Record of past events

COMPREHENSIVE GENERAL LIABILITY INSURANCE REQUIRED: $1,000,000. Please attach proof of insurance (or applicable rider).

II. Applicant and Sponsoring Organization Information

SPONSORING ORGANIZATION NAME: The Downtown Waynesville Commission

ARE YOU A NON PROFIT CORPORATION? No X Yes If yes, are you 501c(3) 501c(6) Place of Worship

APPLICANT NAME: Beth Gilmore TITLE: Downtown Waynesville Executive Director

ADDRESS: 9 S. Main Street, PO Box 100 CITY : Waynesville STATE: NC ZIP 28786

PHONE: 828-550-8122 FAX#: EMAIL: bethgilmore@waynesvillenc.gov

ON-SITE CONTACT: Beth Gilmore TITLE: Downtown Waynesville Executive Director

ADDRESS: 9 S. Main Street, PO Box 100 CITY : Waynesville STATE: NC ZIP 28786

PHONE #: 456-3517 CELL PHONE #: 550-8122 EMAIL: bethgilmore@waynesvillenc.gov

III. Brief Description of Event

Children in Halloween costumes fill Main Street on Halloween night for "Treats on the Street." From 5 to 7 p.m. participating merchants/businesses line the sidewalks of Main Street to distribute candy to trick-or-treaters. Participating churches and/or civic groups set up on each end of Main Street (in front of Town Hall and The Mountaineer/courthouse) with treats and Halloween-themed music. This event is held in conjunction with Fall Carnival at First Baptist Church and First Methodist Church's "Trunk or Treat" Treat event. This year, we would like to include 3-5 food vendors.

IV. Street Closure Request (Attach map of the Street Closure)

List any street(s) (or lanes of streets) requiring temporary street closure as a result of this event.

Include street name(s) indicating beginning and endpoints of the closing, day, date and time of closing and reopening:

1. Close Main Street from Pigeon Street to Wells Way (boom trucks on each end).
2. Closure at Depot and Montgomery Streets AND Church and Montgomery Streets.
3. Police cars and volunteers, and orange barricades are used to block side street entrances/intersections.

V. Event Details

YES	NO	
☐	☒	Does the event involve the sale or **use of alcoholic beverages?**
		If yes, has the ABC permit been obtained? Yes ☐ No ☐ Please provide a graphic of the area where alcoholic beverages will be purchased or consumed (i.e. beer garden layout)
☒	☐	Does the event involve the **sale of food**? _____
		If "YES", has the health department been notified? _____ Have you applied for a temporary permit? _____
☒	☐	Will there be **musical entertainment** at your event? IF "YES" provide the following information:
		Number of Stages: 0 Number of Band(s): 0 Amplification? yes
		Note: If amplification is used, you will be required to perform a pretest for compliance with the noise ordinance.
☐	☒	Do you plan to use an existing **occupied building?** Address _____
☐	☒	Do you plan to use an existing **vacant building?** Address _____
☐	☒	Will there be any **tents or canopies** in the proposed event site? Please provide the following information:
		Approx. Number of Tents: _____ Will any tent exceed 400 sq. feet in area? ☐ NO ☐ YES
☐	☒	Does the event involve the use of **pyrotechnics**? Explain _____
☐	☒	Will you provide **portable toilets** for the general public attending your event? IF SO, how many and where will they be located? _____
☒	☐	Will you require **electrical hookup** for the event? Generators? _____
☐	☒	Will you require **access to water** for the event? Explain _____
☐	☒	Will **admission fees** be charged to attend this event? If "YES", provide the amount(s) of all tickets. _____
☐	☒	Will **fees be charged to vendors** to participate in this event? If "YES", please provide the amount(s).
☒	☐	Will **signs and/or banners** be displayed as part of the event? If "YES" have you applied for a sign permit? Town Staff will stake up to 7 small signs with event day and time along Main Street and Wall Street during the week leading up to the event
☐	☒	Will **inflatable parade balloons** be used for the event? Provide details if necessary.

VI. Additional Questions

How will **parking** be accommodated for this event?	Public parking will be available on Wall, Miller and Montgomery Streets, in addition to the First Baptist Church parking lot and the justice center parking deck. Signs will be posted on Main Street early Monday to let residents and patrons know that the town will close the street to vehicular traffic at 3 p.m.

Notes:

1. Parking and buildings involved may be examined for ADA compliance.
2. You may be required to provide a shuttle if the event places undue demands on surrounding parking areas.

How will **trash** be contained and removed during and after the event?	Permanent receptacles along Main Street have proven sufficient. Town street/sanitation dept crews will change out liners prior to the event.

Volunteers: Will you require Civilian Police Volunteers for your event?

Apply for this permit at least 60 days prior to your special event. (30 days for a neighborhood street closing)

Return to:
Beth Gilmore, Downtown Waynesville Director
Town of Waynesville
9 S. Main Street, P.O. Box 100, Waynesville, NC 28786
Telephone: (828) 456-3517
Fax No. : (828) 456-2000
Email Address: bethgilmore@waynesvillenc.gov

VIII. Special Information for Applicants

* Do not announce, advertise or promote your event until you have an approved and signed permit.
* You will be required to notify property owners affected by the event at the time a special events permit is issued with a copy of any correspondence provided to the Town for the permit file.
* **Only chalk may be used on streets – no permanent paint. No permanent alterations to the street will be permitted**.
* The Town has an ordinance prohibiting the use of tobacco and e-cigarettes in the business districts and all parks of the Town. The Applicant is to communicate this information to all vendors and participants. Permanent signs are in place in these districts and parks.
* The Town has an ordinance allowing animals at festivals. Any incidents should be reported to the Police Department.
* The Applicant shall be responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing on-duty law enforcement officers, to appropriately police street closures. For festivals, the Applicant shall be additionally responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing city staff, including but not limited to: on-duty law enforcement officers, to provide internal festival security and for hiring and paying necessary emergency medical technicians.
* The Assistant Town Manager, in consultation with the Waynesville Police Department, shall determine the number of officers needed to appropriately monitor street closures and for internal security, and with the Fire Department to determine the number of emergency medical technicians needed, and the time when such services shall commence and end.

FOR INTERNAL USE ONLY:

Application received:

Application approved:

Application denied:

TOWN OF WAYNESVILLE COUNCIL MEMBERS
REQUEST FOR COUNCIL ACTION
Meeting Date: October 27, 2026

SUBJECT: **National First Responders Day Proclamation**

AGENDA INFORMATION:

Agenda Location:	**Proclamation**
Item Number:	
Department:	Administration
Contact:	**Candace Poolton**
Presenter:	**Mayor Gary Caldwell**

BRIEF SUMMARY: October 28th is National First Responders Day. This proclamation expresses appreciation to our police, fire, dispatch, and public works staff.

MOTION FOR CONSIDERATION:

FUNDING SOURCE/IMPACT: N/A

ATTACHMENTS:

- National First Responders Day Proclamation

MANAGER'S COMMENTS AND RECOMMENDATIONS:

National First Responders Day Proclamation

October 28, 2026

WHEREAS, first responders—including public works professionals, firefighters, police officers, emergency medical technicians, 911 operators, paramedics, and other emergency personnel—stand on the front lines of our communities, selflessly serving and protecting the citizens of the Town of Waynesville in times of crisis; and,

WHEREAS, first responders respond swiftly and courageously to emergencies, often putting their own lives at risk to ensure the safety and well-being of others, whether in natural disasters, accidents, medical emergencies, or public health and safety threats; and,

WHEREAS, it is in the public interest for the citizens, civic leaders, and children in The Town of Waynesville to gain knowledge of and maintain an ongoing interest and understanding of the importance of public works and other first responder efforts in their respective communities; and,

WHEREAS, as of 2019 the US Senate has included language recognizing public works alongside other first responders,

RESOLVED, I, Mayor Gary Caldwell, do hereby designate October 28, 2026, as National First Responders Day. I urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies paying tribute to our public works first responders alongside law enforcement, firefighters, paramedics, emergency medical technicians, 911 operators, and other emergency personnel, to recognize the substantial contributions they make to protecting our national health, safety, and advancing the quality of life for all.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Waynesville, NC, to be affixed this 27th day of October, in the year of our Lord, two thousand and twenty-six.

Town of Waynesville

_____ Attest: _____

Gary Caldwell
Mayor

Candace Poolton
Town Clerk

SEAL:

TOWN OF WAYNESVILLE COUNCIL MEETING
REQUEST FOR COUNCIL ACTION
Meeting Date: October 27, 2026

SUBJECT: Recognition of Officer Michael Whitley's promotion

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Police
Contact: Chief David Adams
Presenter: **Chief David Adams**

BRIEF SUMMARY:

Officer Michael has been promoted to Sergeant

MOTION FOR CONSIDERATION:

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FUNDING SOURCE/IMPACT: (must have approval by Finance Director prior to submission to the Board)

N/A

_____

Ian Barrett, Finance Director Date

ATTACHMENTS:

N/A

MANAGER'S COMMENTS AND RECOMMENDATIONS:

TOWN OF WAYNESVILLE COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: October 27th, 2026

SUBJECT: A presentation regarding historic signs created by the Historic Preservation Commission.

AGENDA INFORMATION:

Agenda Location: Presentation
Item Number:
Department: Development Services
Contact: Alex Mumby, Land Use Administrator
Presenters: Alex Mumby, Land Use Administrator

BRIEF SUMMARY:

The Historic Preservation Commission has created three new informational signs to be displayed across town. Each sign contains historical pictures and a write up of the building or area which it depicts. The signs are for the Haywood County Courthouse on Main Street, Sulphur Springs Hotel, and Historic Hazelwood. The signs were designed by the Commission and manufactured by A-to-Z signs. Staff would like to present the signs to Council before they are installed. The sign for Sulphur Springs was funded through a grant in partnership with Haywood Waterways for improvements at Sulphur Springs Park. The other two signs were funded through the Development Services budget.

MOTIONS FOR CONSIDERATION:

N/A

FUNDING SOURCE/IMPACT:

The signs have been paid for, and the money was allocated in previous years' budgets.

ATTACHMENTS:

1. Historic Signs' Designs

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Historic Hazelwood





First group of employees at the Unagusta Manufacturing Company Furniture Factory taken when the plant opened in 1904.



The town's first furniture manufacturing company, the Waynesville Furniture Company, opened in 1903, two years before Hazelwood became an incorporated town.



One of Hazelwood's first merchants, J.S. Cowan, in front of his store next to the railroad tracks. His store doubled as the town's first post office with the first mailbag being delivered on July 24, 1911.



Employees of the Junaluska Tannery. (circa 1900)



Services letting out at the Hazelwood Baptist Church in the 1950s.

Incorporated in 1905, the Town of Hazelwood was originally described as "Waynesville's wasteland." It was a swampy area whose biggest assets were the railroad tracks, access to timber, and flat, inexpensive land. Industries started to come in the 1890's with the Junaluska Tannery and W.H. Cole's Sawmill operations being the first. Haywood Manufacturing Company, Waynesville Furniture Company and Unaugusta Manufacturing Company soon followed. By 1910, Hazelwood was the largest shipping point in Haywood County with 20 train loads of goods leaving the Hazelwood Depot each day. By the 1950 Census, Hazelwood had grown to a tight-knit town of 1,781 residents. In 1995, Hazelwood merged with the Town of Waynesville, but still retains its unique character, downtown, and sense of community.



Luther McKay, an employee of Unagusta, walking home from work in the 1950s.



Julius Hoyle inside his store in Hazelwood. (circa 1920s)



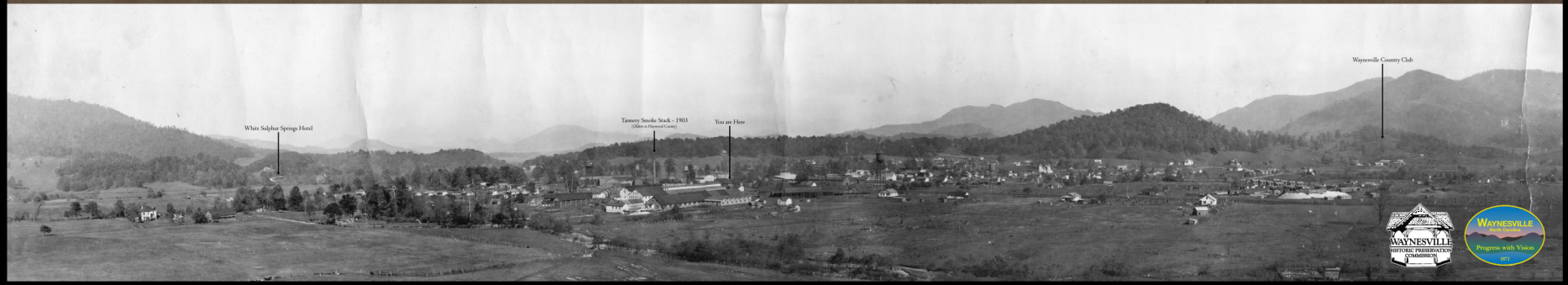
Hazelwood Townhall in the 1950s, located behind what is now Hazelwood Tire & Alignment.



Unagusta Manufacturing Company Fire - November 30, 1955.



The last passenger train pulling into the Hazelwood Depot on July 15, 1948. During the first half of the century, Hazelwood was the largest shipping point in the county, serving two furniture companies, the tapestry mill, the tannery, the mica mine and multiple lumber operations.



Haywood County Courthouse

The initial courthouse stood on what was once called the Goodyear Lawn, at the intersection of Central Street and Tate Street. Legend has it that this modest structure was made of logs. Preceding the Civil War, a second courthouse, constructed of brick, was erected at the corner of Main Street and East Street, where Waynesville's Town Hall now stands.

The third courthouse, completed in 1884 on the current property, was distinguished by its imposing clock tower. Unfortunately, that building fell into disrepair and was condemned in 1929 following a section of the courtroom ceiling collapsing under heavy snow. Following intense debates, Commissioners voted to replace the aging 45-year-old building.



1908 Street view of the "Old Brick Courthouse".



View from Depot Street. (September 1932)

The current structure was built in one year, was finished in 1932, and is crafted from North Carolina Granite. Contractors made a commitment to utilize as many North Carolina products and services procured locally as feasible.

Haywood's laborers and carpenters undertook the bulk of the construction. All hardware was sourced from Waynesville Hardware, and furnishings were provided by Massie Furniture Store. Granite blocks were transported by train and unloaded at the depot in Frog Level. Each block was numbered and sequentially brought up on the back of ice delivery trucks.



Setting of the Cornerstone 1931, the Col. S.A. Jones House in the foreground.



Exterior work is nearing completion in the first months of 1932.



Finished in one year, county officials moved into their offices in time for its dedication in September.

White Sulphur Springs

A Gateway to Waynesville's History

The White Sulphur Springs Hotel and springhouse sit at the heart of a valley steeped in history. This valley was once the campsite of men from the Rutherford Trace Expedition in 1776, marking the arrival of white settlers in what would become Haywood County. Approximately 30 years later, James Robert Love, the son of Robert Love, a Colonel in the American Revolution and Waynesville's founder, built his home nearby. In 1845, the sulphur spring was discovered by "Uncle Jerry," an enslaved man working for the family, while digging a drainage ditch along the hillside.

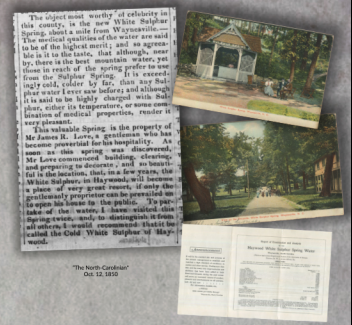
In 1865, this area was the site of the last shot fired of the Civil War on land east of the Mississippi. Union soldiers camped on the site of Green Hill Cemetery and attempted to steal horses from the Love estate. Confederate soldiers confronted them, and a skirmish ensued, resulting in the death of a Union soldier. When word arrived that Lee had already surrendered on April 9, Confederate General James Green Martin surrendered in Waynesville on May 7.

Mariah Love, who had previously inherited the property after her father's death, married Confederate Major W.W. Stringfield and, in 1878, the two transformed it into a hotel. Together, they transformed the estate into Waynesville's first resort, the White Sulphur Springs Hotel. When the original structure burned down in 1885, contractor E.J. Armstrong designed the massive, 170 foot long, 3-story building which reopened the hotel in 1886. The main level consisted of 3 large rooms, an entrance hall with a walnut double staircase, a spacious lobby with writing desks, and a dining room that could accommodate 250 guests. Guests from across the world came to drink and bathe in the mineral waters, including President Woodrow Wilson as part of his honeymoon.

The hotel remained in operation until 1918, when the U.S. Army leased the property for use as a tuberculosis hospital. During this time, the spring's mineral water was bottled and sold to support the war effort. After World War I, the U.S. Veterans Bureau repurposed the site as a vocational school dedicated to rehabilitating disabled veterans and preparing them for civilian careers. The school operated from 1922 to 1924. In 1971, the remaining springhouse and surrounding parkland were donated to the Town of Waynesville by the Sloan family, preserving the site for the enjoyment of future generations.



The original hotel featured the James R. Love House. Built in the early 1800s, enlarged with an additional 30 guest rooms. This structure burned down August 11, 1885 and was replaced the following year by a larger brick hotel. 200 guests were at the hotel at the time of the fire and no one was harmed.



The object most worthy of celebrity in this county, is the new White Sulphur Spring, about a mile from Waynesville.— The medical qualities of the water are said to be of the highest merit; and so agreeable is it to the taste, that although, near by, there is the best mountain water, yet those in reach of the spring prefer to use from the Sulphur Spring. It is exceedingly cold, colder by far, than any Sulphur water I ever saw before; and although it is said to be highly charged with Sulphur, either its temperature, or some combination of medical properties, render it very pleasant.

This valuable Spring is the property of Mr James R. Love,a gentleman who has become proverbial for his hospitality. As soon as this spring was discovered, Mr Love commenced building, clearing, and preparing to decorate; and so beautiful is the location, that, in a few years, the White Sulphur, in Haywood, will become a place of very great resort, if only the gentlemanly proprietor can be prevailed on to open his house to the public. To partake of the waters, I have visited this Spring twice, and, to distinguish it from all others, I would recommend that it be called the Cold White Sulphur of Haywood.

"The North-Carolinian"
Oct. 12, 1850



View of the White Sulphur Springhouse and adjoining Pavilion. This building served multiple purposes for the hotel, hosting dances, bowling and parties on the lower level, while upstairs, guests enjoyed bathing in sulphur and spring waters. The hotel's Livery Stable is in the background.



Circa 1905 view of the hotel grounds. The main brick hotel stood along what is now Pine Drive on the right, with the annex situated to the left along present Sloan Drive.



View of the hotel entrance, looking Southwest down Timothy Lane, with the springhouse to the right.



By the late 1890s, the Haywood White Sulphur Springs Hotel had became one of the most popular health resorts in the South. The hotel's annex, distinct with its tower overlooking the Richland Valley, was completed in July 1900 to accommodate the growing amount of guests.





The 1922 Dedication of the Last Shot of the Civil War Monument on the hotel grounds. The monument now stands across Sulphur Springs Road from its original location.



Photos from the hotel property's use as U.S. General Hospital #18 (1918-1919). Hotel owner B.J. Sloan leased the hotel property to the U.S. Government for use as a Tubercular hospital for soldiers returning from WWI, as the cool mountain air was thought of as a good treatment. The hospital provided a major boost to the local economy, employing many residents, and on multiple occasions, patients ended up marrying local women.

WAYNESVILLE HISTORIC PRESERVATION COMMISSION

WAYNESVILLE Progress with Vision 1871

TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: 10/27/2026

SUBJECT: FOG Management Program - Approval, Implementation & FY2027 Funding

AGENDA INFORMATION:

Agenda Location:	**New Business**
Department:	Public Works
Contact:	Laura Yonkers, Deputy Public Works Director
Presenter:	**Laura Yonkers**

SUMMARY:
Public Works requests Council approval and implementation of the Town's Fats, Oils and Grease (FOG) Management Program under the authority of the Town's existing Sewer Use Ordinance, together with the additional FY2027 Sewer Fund appropriation necessary for implementation. The existing Sewer Use Ordinance already establishes applicable FOG discharge prohibitions, grease-control authority, and compliance and enforcement mechanisms. No amendment to the Sewer Use Ordinance is proposed as part of this action. The program supports compliance with NCDEQ collection-system and wastewater treatment permit requirements by establishing education, inspection, recordkeeping, and enforceable FOG controls for non-residential users. Detailed program, financial summary, and rate-impact information is provided in the attachments.

Sewer-rate impact - *Percentage increase of 3.57% needed on Sewer Charges to fund FOG.*

MOTION(S) FOR CONSIDERATION:

1. **Action No. 1 - FOG Management Program**
   Motion to adopt **Resolution No.** 20-26 approving and implementing the Town of Waynesville Fats, Oils and Grease (FOG) Management Program under the authority of the Town's existing Sewer Use Ordinance and authorizing the POTW Director, or authorized designee, to administer the program.

2. **Action No. 2 - FY2027 Funding**
   Motion to adopt **FY2027 Budget Ordinance Amendment No.** O-53-26 appropriating an additional **$150,000 in the Sewer Fund** for implementation of the Fats, Oils and Grease (FOG) Management Program.

FUNDING SOURCE/IMPACT:

Proposed gross first-year FOG Program budget of $160,000. The FY2027 Sewer Treatment budget already includes a $10,000 FOG appropriation, leaving up to $150,000 in additional Sewer Fund appropriation if the full program is approved.

Sewer-rate impact - *Percentage increase of 3.57% needed on Sewer Charges to fund FOG.*

Ian Barrett, Finance Director

10/21/2026
Date

ATTACHMENTS:

1. **Resolution Establishing the Fats, Oils and Grease (FOG) Management Program**
2. **FY2027 Sewer Fund Budget Ordinance Amendment**
3. Waynesville FOG Program Summary
4. FOG Program Financial Summary
5. Sewer Rate Impact (Ian)
6. Waynesville Sewer Use Ordinance (§§58-139 and 58-145)
7. FOG Program Information (separate packet)
    - FOG Manual
    - Education & Outreach
    - Regulations

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Recommend approval. The Town's current collection-system permit expressly requires an educational FOG program and an enforceable non-residential FOG program. Waynesville's Sewer Use Ordinance already provides substantive FOG discharge and grease-interceptor authority. Accordingly, no amendment to the Sewer Use Ordinance is proposed at this time. The proposed action formalizes implementation of the Town's existing regulatory requirements and provides the administrative and financial resources necessary to conduct education, inspection, recordkeeping, compliance monitoring and enforcement under existing authority. The recommended budget mechanism is an FY2027 Sewer Fund budget amendment, with recurring program costs incorporated into future annual Sewer Fund operating budgets.

Fats, Oils & Grease Management Program

Council approval and FY2027 implementation funding

A focused program to prevent fats, oils and grease from entering the wastewater collection system, reducing grease-related blockages and sanitary sewer overflow risk. This will satisfy existing permit requirements.

COUNCIL ACTION

1 Approve program

2 Approve FY2027 funding

Why a FOG Program?

The Town already has the legal authority. The collection-system permit requires a formal program.

Regulatory requirement

NCDEQ Collection System Permit WQCS00039 requires an educational FOG program and an enforceable non-residential FOG program, including at least semiannual outreach.

System protection

FOG can contribute to sewer blockages, backups, sanitary sewer overflows, emergency cleaning, infrastructure impacts, and treatment-process problems.

Existing Town authority

Sewer Use Ordinance §§58-139 and 58-145 already regulate FOG discharges and authorize grease-control devices, inspection, cleaning, repair, compliance, and enforcement.

What the Program Does

Creates a consistent administrative framework for existing wastewater requirements.

EDUCATE

Residential and non-residential outreach; BMP guidance; employee education

INVENTORY

Identify applicable food service establishments and grease-control devices

INSPECT

Baseline and risk-based inspections; complaint and SSO follow-up

CORRECT

Written findings, corrective action, reinspection, and escalation when needed

DOCUMENT

Pumping, cleaning, maintenance, inspection, disposal, and compliance records

REPORT

Annual performance tracking for inspections, deficiencies, blockages, costs, and trends

Implementation Approach

Education first, followed by documented inspections and risk-based compliance.

0–6 months	**Inventory & Education**	Build facility inventory, distribute outreach, establish records, train staff, begin baseline inspections.
3–12 months	**Baseline Inspections**	Document existing devices and deficiencies; prioritize grease-prone and recurring blockage/SSO areas.
Years 1–3	**Corrective Action**	Track repairs, maintenance changes, and required device installations; verify completion and reinspect.
Ongoing	**Program Management**	Semiannual education, risk-based inspections, complaint/SSO response, enforcement, annual reporting.

Existing establishments may receive up to 3 years for required grease-control installation, unless earlier action is necessary to address a blockage, SSO, interference, nuisance, excessive maintenance condition, equipment impact, or violation.

FY2027 Financial Impact

Initial implementation is proposed through the Sewer Fund. No new FOG-specific fee is proposed.

$160,000

Gross first-year program cost

Less existing FY2027 FOG appropriation	($10,000)
Additional FY2027 appropriation requested	**$150,000**

Major cost elements

- $70k personnel
- $40k vehicle
- $20k contractual
- $12k materials
- $10k gas
- $8k training

No fee proposed

Staff would collect actual cost, inventory, inspection, and workload data before bringing any future fee recommendation to Council.

Future budgets

Recurring program costs would be incorporated into future Sewer Fund operating budgets and reviewed through the normal budget process.

Requested Council Action

Two separate actions implement the program and provide FY2027 spending authority.

1 APPROVE THE FOG PROGRAM

Adopt the resolution approving and implementing the Town of Waynesville FOG Management Program under the existing Sewer Use Ordinance and authorizing the POTW Director, or designee, to administer the program.

2 APPROVE FY2027 FUNDING

Adopt the FY2027 Budget Ordinance Amendment appropriating an additional $150,000 in the Sewer Fund for FOG Program implementation.

Staff recommendation: Approve both actions.

TOWN OF WAYNESVILLE

FATS, OILS AND GREASE (FOG) PROGRAM - FY2027 COUNCIL FINANCIAL SUMMARY

Program cost by operating budget line; future FSE cost-recovery scenarios are illustrative only

PROGRAM COST BY OPERATING BUDGET LINE

ACCOUNT ID	DESCRIPTION	FY27 ADOPTED BUDGET	FOG PROGRAM COST	COST TYPE
SEWER MAINTENANCE / WASTEWATER COLLECTIONS				
62-7121-00-532510	Gas	$20,000	$10,000	Recurring
62-7121-00-532920	Materials and Supplies	$140,000	$12,000	Startup / Recurring
62-7121-00-534490	Other Contractual Service	$40,000	$20,000	Startup / Recurring
62-7121-00-545400	Vehicles	-	$40,000	One-time
SEWER TREATMENT / WASTEWATER TREATMENT				
62-7122-00-511210	Regular Pay	$712,191		Recurring
62-7122-00-533180	Travel and Training	$11,000	$8,000	Recurring
	GROSS FIRST-YEAR FOG PROGRAM COST		**$90,000**	
	LESS: EXISTING FY27 FOG APPROPRIATION		**($10,000)**	
	ADDITIONAL FY27 APPROPRIATION		**$80,000**	

FUTURE FSE FEE SCENARIOS - PLANNING ASSUMPTION: 400 FSEs

ANNUAL FEE / FSE	ANNUAL REVENUE	ANNUAL GAP / (SURPLUS)
$100	$40,000	$40,000
$200	$80,000	-
$300	$120,000	($40,000)
$400	$160,000	($80,000)
$500	$200,000	($120,000)

FUNDING CONTEXT

FY27 Sewer Charges	$4,459,950
Additional FY27 Request	**$80,000**
Request as % of Sewer Charges	1.79%

POTENTIAL COST RECOVERY - ILLUSTRATIVE ONLY: No FOG-specific fee is proposed with initial program implementation. Scenarios are informational; staff will collect actual program cost, inspection, FSE inventory and workload data before any future fee recommendation to Council.

FINANCE CONFIRMATION: Confirm available Sewer Fund capacity/fund balance and whether any sewer-rate adjustment is necessary before final funding action.

Regulatory and Legal Basis

Authority	What It Requires / Establishes	Basis
Town Wastewater Collections Permit NCDEQ Permit # WQCS00039	Current Town system-wide wastewater collection permit, effective Dec. 5, 2025 through Nov. 30, 2033. Condition I(4) requires an educational FOG program with at least semiannual residential and non-residential outreach and an enforceable non-residential FOG program.	NCDEQ Mandate
NCDEQ Collection-System Framework 15A NCAC 02T	NCDEQ system-wide permitting requires proactive operation, maintenance, grease control, documentation and enforcement. The State template repeats the education and enforceable non-residential FOG requirements.	State Regulatory Basis
EPA Pretreatment- 40 CFR 403.5	Federal pretreatment regulations prohibit pollutants causing pass-through/interference and solid or viscous pollutants that cause POTW obstruction. EPA specifically identifies FOG from food-service establishments as a pretreatment concern.	Federal Authority
Waynesville Code §58-139	Prohibits interference/pass-through, obstructive solid or viscous substances, and animal/vegetable FOG concentrations greater than 100 mg/L. Authorizes protective action when prohibited discharges affect the POTW.	Town Sewer Use Ordinance
Waynesville Code §58-145	Requires user-funded pretreatment as necessary; authorizes grease/oil/sand interceptors; requires Town-approved type/capacity, inspection accessibility, and regular user-funded inspection, cleaning and repair.	Town Sewer Use Ordinance
Sewer Use Ordinance / Local Pretreatment Authority 15A NCAC 02H .0903(b)(29) & .0906(b)(1)	Explains that the SUO provides local legal authority to implement pretreatment and protect the POTW, workers, public and receiving waters.	Legal framework
WWTP NPDES Permit NC0025321	Establishes treatment/discharge and proper operation/maintenance obligations. It supports system protection, but the direct FOG-program mandate is the collection-system permit.	Supporting Permit

Legal and Administrative Structure

The **FOG Management Program** is an administrative implementation program operating under the Town's existing Sewer Use Ordinance and applicable wastewater permits. It does not independently establish discharge prohibitions, civil penalties, enforcement powers, or user fees.

- Existing Sewer Use Ordinance provisions provide the underlying legal authority for prohibited FOG discharges, grease-control devices, inspections, compliance, and enforcement.
- The FOG Management Program establishes the administrative framework through which the Town will consistently exercise that authority, including education, facility inventory, inspections, documentation, compliance monitoring, corrective action, and performance reporting. Any future fee, penalty, or substantive requirement not authorized by existing ordinance will be presented separately to Town Council as required by law.

Potential Cost Recovery: Staff evaluated potential FOG-related revenues as part of the program financial-feasibility analysis. **No new FOG-specific fees are proposed with initial program implementation**. Staff will collect actual program cost, inspection, FSE inventory and workload data during implementation and may return to Council with a fee recommendation based on demonstrated costs.

Waynesville Sewer Use Ordinance (§§58-139 and 58-145) *applicable code sections:*

Sec. 58-139. Prohibited discharge standards.

(b) *Specific prohibitions*. No user shall contribute or cause to be contributed into the POTW the following pollutants, substances, or wastewater:

(14) Fats, oils, or greases of animal or vegetable origin in concentrations greater than 100 mg/l.

Sec. 58-145. Pretreatment of wastewater.

(b) *Additional pretreatment measures*.

(3) Grease, oil, and sand interceptors shall be provided when, in the opinion of the POTW director, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of type and capacity approved by the POTW director and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the user at their expense.

Proposed Program Scope

Program Component	Proposed Operating Requirement
Administration	Program manual; FSE/contributor inventory; risk classification; annual work plan; records; dashboard; permit/regulatory file.
Education & Outreach	At least semiannual residential and non-residential education; FSE startup packet; BMP guidance; employee-training materials; potential Haywood Waterways partnership.
Inspection	Baseline and risk-based inspections; complaint/SSO follow-up; interceptor condition/access review; photographs; written findings; reinspection.
Grease-Control Devices	Town determination when required; review type/capacity/access; track installation/repair; user responsible for installation, cleaning, repair and maintenance costs.
Recordkeeping	Pumping/cleaning/service records; inspection reports; corrective actions; disposal records; documentation retained consistent with permit requirements.
Enforcement	Progressive compliance using existing ordinance and legally approved procedures: education, notice of deficiency, corrective action, reinspection, and formal enforcement when necessary.
Collection-System Integration	Use blockage, cleaning, CCTV, SSO, pump-station and grease-prone location data to target upstream sources.
WWTP Integration	Track grease impacts at influent pumps/headworks/primary disc filters and coordinate source investigations with WWTP staff.
Haulers / Hauled Waste	Coordinate with existing hauled-waste authority. Proposed registration or disposal fee concepts require separate legal/financial review before implementation.
Performance Reporting	Annual report to management/Council: inventory coverage, inspections, deficiencies, corrective actions, grease-related blockages/SSOs, costs and trends.

Implementation Plan

Phase	Timing	Primary Deliverables
Phase 1: Pre-Approval	Now to Oct. 6	Finalize budget; compile existing Sewer Use Ordinance authority and permit appendix; obtain Town Attorney confirmation of existing authority and proposed administrative procedures; finalize FSE inventory estimate; confirm staffing/vehicle assumptions; complete rate-impact analysis and agenda documents.
Phase 2: Inventory & Education	0-6 months after approval	Create regulated-facility inventory; distribute permit-required education; baseline outreach; establish records system; train staff; begin baseline inspections.
Phase 3: Baseline Inspection & Risk Classification	3-12 months	Inspect facilities; document existing devices; identify deficiencies; prioritize recurring blockage/SSO/sensitive areas; issue written determinations.
Phase 4: Corrective Action / Installation	Year 1-3	Track repairs, maintenance changes and required device installations; verify completion; conduct reinspection; escalate unresolved noncompliance.
Ongoing	Continuous	Semiannual education; risk-based inspections; complaint/SSO response; records; enforcement; annual program dashboard and budget review.

Roles and Accountability

Responsible Party	Primary Responsibility
Director of Public Works	Executive oversight; management; budget; policy; interdepartmental coordination.
Deputy Director / Program Lead	Program implementation; reporting; forms/manual; staff supervision; performance tracking; ordinance/permit coordination.
WWTP/Collections Superintendents	Treatment-process coordination; technical determinations within delegated authority; WWTP grease observations; pretreatment coordination.
FOG Inspector / Program Technician	Inventory, education, inspections, documentation, follow-up, complaint response and approved enforcement processes.
Collections Staff	Blockage/cleaning/SSO/CCTV data; source identification; field coordination.
Finance	Budget amendment; account structure; rate impact; revenue/fee analysis; financial controls.
Town Attorney	Confirm existing Sewer Use Ordinance authority; review Resolution, administrative compliance schedules, due process, enforcement procedures, technical standards, and any future fee proposals. Identify any specific ordinance amendment only if an existing authority gap is determined.
Deputy Director/Development Services/Haywood Waterways, if partnership confirmed	Community education/outreach support only; does not replace Town inspection/enforcement obligations.

Financial Summary

PROGRAM COST BY OPERATING BUDGET LINE					FUTURE FSE FEE SCENARIOS - PLANNING ASSUMPTION: 400 FOOD SERVICE ESTABLISHMENTS		
ACCOUNT ID	**DESCRIPTION**	**FY27 ADOPTED BUDGET**	**FOG PROGRAM COST**	**COST TYPE**	**ANNUAL FEE PER FSE**	**ANNUAL REVENUE**	**ANNUAL GAP/SURPLUS**
WASTEWATER (SEWER) COLLECTIONS FUNDS					$100	$40,000	$110,000
62-7121-00-532510	Gas	$20,000	$10,000	Recurring	$200	$80,000	$70,000
62-7121-00-532920	Materials and Supplies	$140,000	$12,000	Startup / Recurring	$300	$120,000	$30,000
62-7121-00-534490	Other Contractual Service	$40,000	$20,000	Startup / Recurring	$400	$160,000	($10,000)
62-7121-00-545400	Vehicles	-	$40,000	One-time	$500	$200,000	($50,000)
WASTEWATER (SEWER) TREATMENT FUNDS							
62-7122-00-511210	Regular Pay	$712,191	$70,000	Recurring	**FUNDING CONTEXT**		
62-7122-00-533180	Travel and Training	$11,000	$8,000	Recurring	FY27 Sewer Charges	$4,459,950	
GROSS FIRST-YEAR FOG PROGRAM COST			**$160,000**		**Additional FY27 Request**	**$150,000**	
LESS: EXISTING FY27 FOG APPROPRIATION			**($10,000)**		% of Sewer Charges	3.36%	
ADDITIONAL FY27 APPROPRIATION			**$150,000**				

POTENTIAL COST RECOVERY - ILLUSTRATIVE ONLY: No FOG-specific fee is proposed with initial program implementation. Scenarios are informational; staff will collect actual program cost, inspection, FSE inventory and workload data before any future fee recommendation to Council.

Sec. 58-139. Prohibited discharge standards.

(a) *General prohibitions*. No user shall contribute or cause to be contributed into the POTW, directly or indirectly, any pollutant or wastewater which causes interference or pass through. These general prohibitions apply to all users of a POTW whether or not the user is a significant industrial user or subject to any national, state, or local pretreatment standards or requirements.

(b) *Specific prohibitions*. No user shall contribute or cause to be contributed into the POTW the following pollutants, substances, or wastewater:

(1) Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Celsius) using the test methods specified in 40 CFR 261.21.

(2) Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference but in no case solids greater than one-half inch in any dimension.

(3) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through.

(4) Any wastewater having a pH less than 5.0 or more than 10.0 or wastewater having any other corrosive property capable of causing damage to the POTW or equipment.

(5) Any wastewater containing pollutants, including oxygen-demanding pollutants, (BOD, etc) in sufficient quantity, (flow or concentration) either singly or by interaction with other pollutants, to cause interference with the POTW.

(6) Any wastewater having a temperature greater than 150 degrees Fahrenheit (66 degrees Celsius), or which will inhibit biological activity in the POTW treatment plant resulting in interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees Fahrenheit (40 degrees Celsius).

(7) Any pollutants which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems.

(8) Any trucked or hauled pollutants, except at discharge points designated by the POTW director in accordance with section 58-147.

(9) Any noxious or malodorous liquids, gases, or solids or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.

(10) Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal regulations or permits issued under section 405 of the act; the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or state criteria applicable to the sludge management method being

(11) Any wastewater which imparts color which cannot be removed by the treatment process, including, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts sufficient color to the treatment plant's effluent to render the waters injurious to public health or secondary recreation or to aquatic life and wildlife or to adversely affect the palatability of fish or aesthetic quality or impair the receiving waters for any designated uses.

(12) Any wastewater containing any radioactive wastes or isotopes except as specifically approved by the POTW director in compliance with applicable state or federal regulations.

(13) Stormwater, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water and unpolluted industrial wastewater, unless specifically authorized by the POTW director.

(14) Fats, oils, or greases of animal or vegetable origin in concentrations greater than 100 mg/l.

(15) Any sludges, screenings or other residues from the pretreatment of industrial wastes.

(16) Any medical wastes, except as specifically authorized by the POTW director in a wastewater discharge permit.

(17) Any material containing ammonia, ammonia salts, or other chelating agents which will produce metallic complexes that interfere with the municipal wastewater system.

(18) Any material that would be identified as hazardous waste according to 40 CFR 261 if not disposed of in a sewer except as may be specifically authorized by the POTW director.

(19) Any wastewater causing the treatment plant effluent to violate state water quality standards for toxic substances as described in 15A NCAC 2B .0200.

(20) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test.

(21) Recognizable portions of the human or animal anatomy.

(22) Any wastes containing detergents, surface active agents, or other substances which may cause excessive foaming in the municipal wastewater system.

(23) At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent nor any single reading over ten percent of the lower explosive limit (LEL) of the meter.

(c) Pollutants, substances, wastewater, or other wastes prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the municipal wastewater system. All floor drains located in process or materials storage areas must discharge to the industrial user's pretreatment facility before connecting with the system.

(d) When the POTW director determines that a user(s) is contributing to the POTW, any of the above-enumerated substances in such amounts which may cause or contribute to interference of POTW operation or pass through, the POTW director shall:

(1) Advise the user(s) of the potential impact of the contribution on the POTW in accordance with section 58-237; and

(2) Take appropriate actions in accordance with division 4 for such user to protect the POTW from interference or pass through.

(Ord. No. 13-07, § 2.1, 5-10-2007)

Sec. 58-140. National Categorical Pretreatment Standards.

Users subject to categorical pretreatment standards are required to comply with applicable standards as set out in 40 CFR chapter 1, subchapter N, parts 405—471 and incorporated herein.

(1) Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the POTW director may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c).

(2) When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the POTW director shall impose an alternate limit using the combined wastestream formula in 40 CFR 403.6(e).

(3) A user may obtain a variance from a categorical pretreatment standard if the user can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the categorical pretreatment standard.

(4) A user may obtain a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15.

(Ord. No. 13-07, § 2.2, 5-10-2007)

Sec. 58-141. Local limits.

An industrial waste survey is required prior to a user discharging wastewater containing in excess of the following average discharge limits:

BOD	250	mg/l
TSS	250	mg/l
NH_3	25	mg/l
Arsenic	0.003	mg/l
Cadmium	0.003	mg/l
Chromium	0.05	mg/l (total chromium)
Copper	0.061	mg/l
Cyanide	0.015	mg/l
Lead	0.049	mg/l
Mercury	0.0003	mg/l
Nickel	0.021	mg/l
Silver	0.005	mg/l
Zinc	0.175	mg/l

Industrial waste survey information will be used to develop user-specific local limits when necessary to ensure that the POTW's maximum allowable headworks loading are not exceeded for particular pollutants of concern. User-specific local limits for appropriate pollutants of concern shall be included in wastewater permits. The POTW director may impose mass based limits in addition to, or in place of concentration based limits.

(Ord. No. 13-07, § 2.3, 5-10-2007)

Sec. 58-142. State requirements.

State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those in this article.

(Ord. No. 13-07, § 2.4, 5-10-2007)

Sec. 58-145. Pretreatment of wastewater.

Relevant excerpts for FOG Program authority. See the official Code of Ordinances for the complete section.

(a) *Pretreatment facilities.* Users shall provide wastewater treatment as necessary to comply with this article and wastewater permits issued under section 58-175 and shall achieve compliance with all national categorical pretreatment standards, local limits, and the prohibitions set out in section 58-139 within the time limitations as specified by EPA, the state, or the POTW director, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense.

(b) *Additional pretreatment measures.*

(3) Grease, oil, and sand interceptors shall be provided when, in the opinion of the POTW director, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of type and capacity approved by the POTW director and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired regularly, as needed, by the user at their expense.

(Ord. No. 13-07, § 2.7, 5-10-2007)

RESOLUTION NO. R-20-26

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WAYNESVILLE, NORTH CAROLINA, ESTABLISHING AND IMPLEMENTING A FATS, OILS, AND GREASE (FOG) MANAGEMENT PROGRAM FOR FOOD SERVICE ESTABLISHMENTS AND OTHER APPLICABLE USERS OF THE TOWN'S WASTEWATER SYSTEM

WHEREAS, the Town of Waynesville owns and operates a municipal wastewater collection system and wastewater treatment facility for the protection of public health, environmental quality, and the welfare of the community; and

WHEREAS, excessive discharges of fats, oils, and grease (FOG) into the sanitary sewer system can contribute to sewer blockages, sanitary sewer overflows, increased maintenance and emergency-response costs, damage to wastewater infrastructure, and operational impacts at the Town's wastewater treatment facility; and

WHEREAS, the Town is subject to North Carolina Department of Environmental Quality (NCDEQ) System-Wide Collection System Permit WQCS00039, which requires the Town to develop and implement an educational FOG program and an enforceable FOG program for non-residential users; and

WHEREAS, the Town's existing Sewer Use Ordinance, including Sections 58-139 and 58-145, establishes applicable wastewater discharge requirements, prohibits animal- or vegetable-origin fats, oils and grease in concentrations greater than 100 mg/L, authorizes grease-control devices when necessary, and provides applicable compliance and enforcement authority; and

WHEREAS, food service establishments, commercial kitchens, and other applicable non-residential users have the potential to discharge FOG into the Town's wastewater collection system; and

WHEREAS, the Town Council recognizes that a formal FOG Management Program is necessary to support regulatory compliance, reduce sewer blockages and sanitary sewer overflow risks, protect wastewater infrastructure and treatment processes, and promote reliable and efficient operation of the Town's wastewater system; and

WHEREAS, the proposed FOG Management Program establishes a consistent framework for education, prevention, inspection, grease-control-device management, recordkeeping, compliance, and enforcement for applicable non-residential users; and

WHEREAS, the Town Council finds that implementation of a formal FOG Management Program is a reasonable and responsible means of protecting public wastewater infrastructure, reducing avoidable operational costs and risks, and promoting compliance with applicable Town and regulatory requirements; and

WHEREAS, applicable users of the Town's wastewater system remain responsible for complying with the Town's Sewer Use Ordinance and FOG Management Program requirements, including proper handling, storage, and disposal of FOG; implementation of applicable best management practices; and proper installation, operation, cleaning, and maintenance of required grease-control devices.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF WAYNESVILLE, NORTH CAROLINA, AS FOLLOWS:

SECTION 1. ESTABLISHMENT AND APPROVAL OF FOG MANAGEMENT PROGRAM.

The Town Council hereby establishes, approves, and authorizes implementation of the Town of Waynesville Fats, Oils, and Grease (FOG) Management Program for food service establishments and other applicable non-residential users of the Town's wastewater system.

The FOG Management Program shall be administered in accordance with the Town's Sewer Use Ordinance, applicable wastewater permits, applicable State and federal requirements, and other lawful policies and procedures of the Town.

SECTION 2. PURPOSE.

The purpose of the FOG Management Program is to:

A. Reduce the discharge of fats, oils, grease, and associated food waste into the Town's wastewater system;

B. Reduce the occurrence and risk of sewer blockages and sanitary sewer overflows;

C. Protect wastewater collection, pumping, treatment, and related infrastructure;

D. Reduce avoidable maintenance, emergency response, repair, and operational costs;

E. Support compliance with applicable wastewater collection-system and treatment-facility permit requirements;

F. Establish consistent education, inspection, recordkeeping, compliance, and enforcement procedures; and

G. Promote responsible wastewater-management practices among affected users.

SECTION 3. PROGRAM ADMINISTRATION.

The POTW Director, or authorized designee, is authorized and directed to administer and implement the FOG Management Program consistent with the Town's Sewer Use Ordinance and applicable law.

Program administration may include education and outreach; identification and inventory of applicable establishments; inspections; review of grease-control-device installation, operation, maintenance, and cleaning records; compliance monitoring; recordkeeping; notices; corrective-action requirements; and enforcement using authority provided by the Sewer Use Ordinance.

SECTION 4. RESPONSIBILITIES OF APPLICABLE USERS.

Food service establishments and other applicable users shall comply with the Town's Sewer Use Ordinance and FOG Management Program requirements, including, as applicable:

A. Proper collection, storage, handling, and disposal of waste cooking oils, grease, and food waste;

B. Prevention of improper discharge of FOG and food solids into sinks, floor drains, sanitary sewer connections, or other wastewater-system connections;

C. Implementation of appropriate FOG-prevention best management practices and employee education;

D. Proper installation, operation, cleaning, maintenance, and repair of grease traps, grease interceptors, and other approved grease-control devices when required; and

E. Maintenance and availability of records documenting pumping, cleaning, inspection, disposal, maintenance, and repair activities.

SECTION 5. EXISTING AND NEW FOOD SERVICE ESTABLISHMENTS.

Existing food service establishments that are determined to require a grease trap, grease interceptor, or other approved grease-control device may be provided a compliance period of up to three years for installation, consistent with the approved FOG Management Program.

The compliance period does not authorize a prohibited discharge or delay corrective action when an establishment is causing or contributing to a sewer blockage, sanitary sewer overflow, interference, nuisance, excessive maintenance condition, equipment impact, or violation of an applicable discharge requirement. The POTW Director or authorized designee may require earlier installation, increased cleaning, repair, or other corrective action when warranted.

New food service establishments, and existing establishments undergoing a qualifying change of use, substantial remodeling, or other applicable modification, shall install approved grease-control devices before operation or connection when required by the Town.

SECTION 6. ENFORCEMENT.

Compliance with the FOG Management Program shall be administered through the authority and procedures provided by the Town's Sewer Use Ordinance and other applicable law.

Nothing in this Resolution creates a separate discharge prohibition, penalty, or enforcement authority independent of the Town's duly adopted ordinances. The program is intended to implement and administer applicable Sewer Use Ordinance requirements in a consistent and enforceable manner.

Commented [PW1]: TOWN ATTORNEY REVIEW BEFORE ADOPTION: Can the POTW Director establish an up-to-three-year compliance schedule for existing FSE grease-control-device installations under existing §§58-139, 58-145 and the Sewer Use Ordinance enforcement provisions, or does that specific compliance schedule require ordinance authority? If existing authority is insufficient, identify only the specific authority gap.

SECTION 7. FEES AND CHARGES.

This Resolution does not establish or impose a new FOG program fee, inspection fee, permit fee, penalty, or other user charge.

Any future FOG-related fee or charge shall be supported by appropriate analysis and presented to the Town Council separately for consideration and approval through the applicable sewer-use charge and fee process.

SECTION 8. FUNDING.

Implementation of the FOG Management Program shall be subject to funds lawfully appropriated by the Town Council and administered in accordance with the Town's adopted budget ordinance, financial policies, purchasing requirements, and applicable law.

Any additional FY2027 appropriation necessary for implementation shall be authorized through a separate FY2027 Budget Ordinance Amendment considered by the Town Council.

SECTION 9. CONSISTENCY WITH SEWER USE ORDINANCE.

This Resolution shall be interpreted and administered consistently with the Town of Waynesville Sewer Use Ordinance.

If any provision of the FOG Management Program conflicts with the Sewer Use Ordinance or other controlling law, the applicable ordinance or controlling law shall govern.

SECTION 10. ADMINISTRATIVE IMPLEMENTATION.

The POTW Director, or authorized designee, is authorized to develop and maintain administrative forms, educational materials, inspection procedures, records, notices, guidance documents, and other administrative tools reasonably necessary to implement the FOG Management Program, provided such materials are consistent with the Sewer Use Ordinance, this Resolution, and applicable law.

SECTION 11. EFFECTIVE DATE.

This Resolution shall become effective upon adoption.

ADOPTED this 6th day of October, 2026.

TOWN OF WAYNESVILLE, NORTH CAROLINA

_____
Mayor

ATTEST:
_____
Town Clerk

APPROVED AS TO FORM:

_____
Town Attorney

ORDINANCE NO. O-53-26

Budget Amendment No.15

AN ORDINANCE AMENDING THE TOWN OF WAYNESVILLE FY2027 BUDGET ORDINANCE TO PROVIDE ADDITIONAL SEWER FUND APPROPRIATION FOR IMPLEMENTATION OF THE FATS, OILS, AND GREASE (FOG) MANAGEMENT PROGRAM

WHEREAS, the Town Council adopted the FY2027 annual budget ordinance for the Town of Waynesville; and

WHEREAS, the FY2027 Sewer Treatment budget includes an existing $10,000 appropriation for FOG-related activities; and

WHEREAS, the proposed first-year FOG Management Program budget totals $160,000, requiring an additional FY2027 Sewer Fund appropriation of $150,000; and

WHEREAS, the Town Council desires to provide the additional spending authority necessary to implement the FOG Management Program.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WAYNESVILLE, NORTH CAROLINA, AS FOLLOWS:

SECTION 1. FY2027 SEWER FUND BUDGET AMENDMENT.

The FY2027 Budget Ordinance is amended to increase appropriated Sewer Fund balance and Sewer Fund expenditures by $150,000 as follows:

Budget Category	Description	Increase
Revenue / Financing Source	Sewer Fund Balance Appropriated Account:	$150,000
Appropriation / Expenditure	Sewer Fund - FOG Account: 62-7121 & 62-7122	$150,000

Finance account / line-item distribution: Sewer Collections (62-7121), $82,000; Sewer Treatment (62-7122), $68,000 additional, plus the existing $10,000 FOG appropriation. Finance to confirm final object-account allocations.

SECTION 2. ADMINISTRATION.

The Budget Officer and Finance Officer are authorized to make the accounting entries and line-item allocations necessary to implement this amendment within the purpose and total appropriation authorized herein, consistent with the FY2027 Budget Ordinance and applicable law.

SECTION 3. PURPOSE LIMITATION.

The additional appropriation authorized by this Ordinance shall be used for implementation and operation of the Town of Waynesville FOG Management Program and related lawful Sewer Fund purposes approved as part of the program budget.

SECTION 4. EFFECTIVE DATE.

This Budget Ordinance Amendment shall become effective upon adoption.

ADOPTED this 27th day of October 2026.

ATTEST:

_____ _____

Mayor Town Clerk

APPROVED AS TO FORM:

_____ _____

Town Attorney Finance Director

TOWN OF WAYNESVILLE COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: October 27th, 2026

SUBJECT: A public hearing to consider a text amendment to remove the screening requirement for Outdoor Storage.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Development Services
Contact: Alex Mumby, Land Use Administrator
Presenters: Alex Mumby, Land Use Administrator

BRIEF SUMMARY:

Staff received an application for a text amendment to remove the screening requirement for outdoor storage yards in Commercial Industrial districts. Currently, Outdoor Storage yards are only allowed within Commercial Industrial districts. These districts are already required to be screened from adjacent zoning districts, so this requirement to screen Outdoor Storage only adds screening within the district itself. Staff has tailored the amendment to reflect that if the use were to be expanded to other districts in the future, that the screening requirement from adjacent properties would still be in effect. The Planning Board voted 7:1 to recommend the proposed amendment.

MOTIONS FOR CONSIDERATION:

1. The proposed amendment is consistent / inconsistent with the 2035 Comprehensive Plan and is (or is not) in the public interest.
2. To approve / not approve the proposed amendment to the Town Council.

FUNDING SOURCE/IMPACT:

There is no financial impact.

ATTACHMENTS:

1. Staff Report
2. Draft Ordinance
3. Planning Board Report
4. Newspaper Notice

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Town Council Staff Report

Subject:	Storage - Outdoor Storage Yard Screening
Ordinance Section:	Land Development Standards (LDS) 2.5.3
Applicant:	Ron Leatherwood
Presenter:	Alex Mumby, Land Use Administrator
Date:	October 27th, 2026

Recommended Motions:

1. The proposed amendment is consistent / inconsistent with the 2035 Comprehensive Plan and is (or is not) in the public interest.
2. To approve / not approve the proposed amendment as presented (or as amended).

This is a legislative text amendment hearing to amend the supplemental standards of the Storage - Outdoor Storage Yard use in the LDS section 2.5.3 to remove the need for screening of Outdoor Storage Yards in Commercial Industrial Districts. As a legislative proceeding, the Town Council will decide whether the proposed amendment is consistent or inconsistent with the 2035 Comprehensive Plan and whether to approve or not approve the proposed amendments. The Planning Board voted 7:1 to recommend the proposed amendment.

Background:

Staff received an application for a Storage - Outdoor Storage Yard located at 151 Industrial Park Drive. LDS section 3.5.8, Storage - Outdoor Storage Yard requires a Type A buffer yard as well as an opaque fence or wall along the street right-of-way. A type A buffer is defined in LDS section 8.4.2.C and can be one of the following options in the chart below:

A. Type A Buffer Yard	*A Type A buffer yard is intended to provide a very dense all season sight barrier to significantly separate uses and zoning districts. It is intended to reduce intrusive lighting and noise from adjacent properties.*			
	Minimum Depth	**Minimum Plantings per 100 linear feet**	**Wall, Fence, or Berm**	**Required Opacity**
1. Option A	40 feet	4 Evergreen Trees 4 Canopy Trees 4 Understory Trees 48 Shrubs	Not Required	Completely opaque (i.e., having no horizontal openings from the ground to a height of 8 feet within two 2 years of planting)
2. Option B	25 feet	2 Evergreen Trees 1 Canopy Tree 1 Understory Tree 12 Shrubs	Wall or Berm	
3. Option C	10 feet	1 Evergreen Tree 1 Canopy Tree 3 Understory Trees 12 Shrubs	Wall	

The required screening would contain 1-4 evergreen trees, 1-4 canopy trees, 1-4 understory trees, and 12-48 shrubs per 100 feet of linear frontage. The property is fronted by Industrial Park Drive and backs up the railroad and Asheville Road. The length of the frontage along Industrial Park Drive is approximately 500 feet.

The property is located within the Commercial Industrial (CI) zoning district, which has multiple locations across Waynesville. Many of the Commercial Industrial districts are small, only containing one or two

parcels. They are located in Hazelwood and Frog Level. The industrial park where this property is located is part of the largest Commercial Industrial District in Waynesville with the entire park being zoned as such.

The Commercial Industrial zoning district is defined as the following in the LDS 2.3.8:

"The **Commercial Industrial District** (CI) is an area designed to accommodate research and development, industrial and manufacturing uses, administrative facilities and limited supporting commercial services. While a broad mixture of uses is permitted, the principal focus in this area shall be on industrial development. High design and performance standards will be important for future development as this district is highly visible not only from a usage standpoint but also because of its location at one of the major entrances into Waynesville. Connectivity within the district is required to create an industrial campus feel within this area."

It is located across from the new expansion of Haywood Community College, which was approved by the Planning Board at the July meeting. Storage - Outdoor Storage Yard is only allowed in the Commercial Industrial district and is defined as the following (LDS 17.3):

"Storage - Outdoor Storage Yard: The storage of various materials outside of a structure, as a principal use."

Per LDS section 8.4.1.A, where a property zoned Commercial Industrial abuts any other district, it is already required to be screened by a Type A buffer yard, except Regional Center districts which require a Type B buffer yard. This is determined by the chart below:

		Adjacent Zoning District					
		RL/RM	NR/UR	NC	BD	RC	CI
District of Proposed Development	RL/RM	X	X	X	X	A[1]	A[1]
	NR/UR[2]	C	X	X	X	X	X
	NC[2]	B	C	X	X	X	X
	BD	C	C	X	X	X	X
	RC	A	A	B	C	X	X
	CI	A	A	A	A	B	X
	[1] Only required where adjacent, more intense use is pre-existing and no equivalent buffer is provided on the adjacent property						X = No Buffer Required
	[2] Only multifamily and non-residential uses shall provide buffers between adjacent single family uses in detached homes						

The Type B buffer yard chart is shown below:

B. Type B Buffer Yard	*A Type B buffer yard is medium density screen which is intended to create a visual separation between uses and zoning districts.*			
	Minimum Depth	**Minimum Plantings per 100 linear feet**	**Wall, Fence, or Berm**	**Required Opacity**
1. Option A	20 feet	2 Evergreen Trees 1 Canopy Tree 2 Understory Trees 12 Shrubs	Not Required	Semi opaque (i.e., having only seasonal horizontal openings not exceeding 10% of the total width from the ground to a height of 8 feet within two 2 years of planting)
2. Option B	10 feet	1 Evergreen Tree 1 Canopy Tree 3 Understory Trees 24 Shrubs	Not Required	

The applicant feels that Commercial Industrial districts are the ones in which the internal architectural and landscaping requirements are not prioritized and so screening the property from adjacent Commercial Industrial properties is not necessary. The screening requirements for Commercial Industrial districts abutting other districts would not be changed. This text amendment only proposes to eliminate the screening requirement between the properties within the same Commercial Industrial District.

The proposed change would only remove the internal screening requirement for Commercial Industrial districts. While the Outdoor Storage Yard use is currently only allowed within Commercial Industrial Districts, the proposed changes take into account the potential that the use may be expanded in the future. The additional screening standard for Outdoor Storage Yards will remain in Chapter 3 of the LDS, should this use be expanded in other zoning districts in the future. This amendment would only apply to properties within the CI district.

Consistency with the 2035 Comprehensive Plan:

The proposed amendment may be determined to meet the goals of the 2035 Comprehensive Plan under:

Goal 1: Continue to promote smart growth principles in land use planning and zoning

- Encourage infill, mixed-use, and context sensitive development

Notices

Staff duly advertised this hearing by posting a notice in the Mountaineer newspaper on October 14th and October 21st.

Attachments:

- Cover Sheet
- Draft Ordinance
- Planning Board Report
- Newspaper Notice

ORDINANCE NO. O-51-26

AN ORDINANCE AMENDING THE TEXT OF THE TOWN OF WAYNESVILLE LAND DEVELOPMENT STANDARDS

WHEREAS, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety, and welfare; and,

WHEREAS, the Town of Waynesville has an adopted 2035 Comprehensive Plan, which sets goals and provides a Future Land Use map to identify where certain types of growth and density should be allowed, and where growth should be restricted; and,

WHEREAS, the Town of Waynesville Planning Board has reviewed the proposed text amendments to the Land Development Standards (LDS) and recommends that they are consistent with the 2035 Comprehensive Plan and that they are reasonable and in the public interest because they meet the following goals of the 2035 Comprehensive Plan:

Goal 1: Continue to promote smart growth principles in land use planning and zoning

- Encourage infill, mixed-use and context-sensitive development

WHEREAS, the Planning Board reviewed and held a public hearing on September 21st, 2026, and recommends the proposed text amendments for enactment by the Town Council; and

WHEREAS, the Town Council find this Ordinance is consistent with the Town's 2035 Comprehensive Plan and that it is reasonable and in the public interest to "make decisions about resources and land use in accordance with North Carolina General Statutes;" and

WHEREAS, after notice duly given, a public hearing was held on September 21st, 2026 at a regularly scheduled meeting of the Waynesville Planning Board, and on October 27th, 2026**,** at the regularly scheduled meeting of the Town Council;

NOW, THEREFORE, BE IT ORDAINED BY THE WAYNESVILLE TOWN COUNCIL, MEETING IN REGULAR SESSION ON OCTOBER 27TH, 2026, AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

1. Amend Chapter 2.5.3 Tables of Uses to update the symbology as follows:

Change the use permission for **Manufacturing/Wholesale/Storage – Outdoor Storage Yard** in **Commercial Industrial** districts from Permitted with additional standards (PS) to Permitted (P).

ADOPTED this 27th Day of October, 2026.

TOWN OF WAYNESVILLE

_____

J. Gary Caldwell, Mayor

ATTEST:

_____

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

_____

Martha Bradley, Town Attorney

To:	Waynesville Town Council
Meeting Date:	October 27, 2026
From:	Olga Grooman, Development Services Director
Subject:	Planning Board Report and Statement of Consistency
Description:	Text amendment related to outdoor storage yard screening within Commercial Industrial Districts
Ordinance Sections:	Land Development Standards (LDS) Section 2.5.3

The Planning Board hereby adopts and recommends to the Town Council the following statement(s):

A motion was made by board member Tommy Thomas and seconded by board member John Baus to **recommend this text amendment** to the Town Council and that the proposed text amendment is **reasonable and in the public interest** and it is **consistent** with the following goal of the 2035 Comprehensive Land Use Plan:

Goal 1: Continue to promote smart growth principles in land use planning and zoning

- Encourage infill, mixed-use and context-sensitive development

The motion passed unanimously, 7:1.

Board member Kathy Lalonde voted against the amendment, expressing concerns about fairness and consistency in applying landscaping and screening requirements. She noted that the Board had previously required Haywood Community College to provide a landscaping buffer and expressed concern that relaxing the screening requirements for outdoor storage yards in response to a single applicant, Mr. Leatherwood, could create inconsistencies in the application of the standards and potentially affect other properties.

Travis Collins, Planning Board Vice Chair — Date: 10.17.26

Olga Grooman, Development Services Director — Date: 10-16-2026

TOWN OF WAYNESVILLE

Development Services Department

PO Box 100
9 South Main Street
Waynesville, NC 28786
Phone (828) 456-8647 • Fax (828) 452-1492
www.waynesvillenc.gov

FOR PUBLICATION IN THE MOUNTAINEER: October 14th and October 21st Wednesday Editions

Date: October 12, 2026
Contact: Alex Mumby, Land Use Administrator

Notice of Two (2) Public Hearings
Town of Waynesville Town Council

The Town of Waynesville Town Council will hold **two (2) public hearings on Tuesday, October 27, 2026, at 6:00 pm**, in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider:

1. Text amendments to remove the minimum parking requirements, as required by recently passed House Bill 162, the Parking Lot Reform and Stormwater Control Act (LDS Chapter 9).
2. Text amendments to remove the screening requirement for Outdoor Storage in Commercial Industrial districts (LDS 3.5.8).

For more information contact the Development Services Department at: (828) 452-0401, email: amumby@waynesvillenc.gov, mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.

Paid 36.

TOWN OF WAYNESVILLE
Development Services Department
PO Box 100
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Application for Land Development Standards Text Amendment

Application is hereby made on August 11, 2026 to the Town of Waynesville for the following amendment:

Designate the specific section(s) of the Land Development Standards being requested for change:

See Attached

Description of the requested amendment, (attach additional sheets if necessary):

The reasons for the requested amendments and how the request is consistent with the Town of Waynesville's adopted 2035 Comprehensive Plan (attach additional sheets if necessary):

Applicant Contact Information

Name (Printed): RONALD C LEATHERWOOD

Mailing Address: P.O. BOX 826, WAYNESVILLE NC 28786

Phone(s): 828.421.4516

Email: rleatherwood@charter.net

Note: Text Amendment Requests require a fee of $500.00. The request will be scheduled for the next agenda opening for the Waynesville Planning Board. Please submit application to: Town of Waynesville Development Services Department, 9 South Main Street, Waynesville, NC 28786.

This institution is an equal opportunity provider

Change LDS Chapter 3: Supplemental Standards:

3.5.8 Outside Storage.

A. All outdoor storage shall be screened by a Type C buffer in accordance with Section 8.4.2.C.

B. No storage areas will be permitted to encroach in any required stream buffer.

To:

3.5.8 Outside Storage.

A. All outdoor storage shall be screened by a Type C buffer in accordance with Section 8.4.2.C., except where fencing is adjacent to the railroad corridor, or where fencing abuts property within the Commercial -Industrial District.

B. No storage areas will be permitted to encroach in any required stream buffer.

Reasons:

Outside storage is only allowed within the Commercial-Industrial zoning district (CI). There is limited acreage of industrially zoned property within the Town of Waynesville. Most of the C-I district is adjacent to the railroad right-of-way. It is not practical to require buffer adjacent to the railroad track where property improvements may encroach into the railroad right of way and be subject to removal by the railroad company. Further, all of the properties within the existing CI Districts have limited access, or are on dead-ends.

Further, properties within the CI districts which abut other commercial or industrial uses do not need screening. Screening requirements between zoning districts, per LDS Section 8.4.1 would still apply.

This text amendment would allow for reasonable use of empty lots and land within CI districts and meet a need for outside storage in the Town. I have communicated with several friends who have asked for area to store their RV, boat, camper, or trucks, on my property because there is not available outdoor storage within the Town. However, my property within the Waynesville Industrial Park, is only adjacent to the railroad and other industrial properties. It seems un-necessary expense to require screening.

PAYMENT SUMMARY RECEIPT

TOWN OF WAYNESVILLE
16 S MAIN ST

DATE: 08/12/26 CUSTOMER#:
TIME: 13:43:28
CLERK: 2044ecou

RECPT#:	3363901	PREV BAL:	500.00
TP/YR:	P/2027	AMT PAID:	500.00
BILL:	3363901	ADJSTMNT:	.00
EFF DT:	08/12/26	BAL DUE:	.00

Misc Cash Receipts

----------TOTALS----------

PRINCIPAL PAID:	500.00
INTEREST PAID:	.00
ADJUSTMENTS:	.00
DISC TAKEN:	.00
AMT TENDERED:	500.00
AMT APPLIED:	500.00
CHANGE:	.00

PAID BY: R & L Text Amend
PAYMENT METH: CHECK
PAYMENT REF: 145

TOT PREV BAL DUE:	500.00
TOT BAL DUE NOW :	.00

TOWN OF WAYNESVILLE COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: October 27th, 2026

SUBJECT: A public hearing to consider a text amendment to remove parking minimums to be consistent with NC General Statutes.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Development Services
Contact: Alex Mumby, Land Use Administrator
Presenters: Alex Mumby, Land Use Administrator

BRIEF SUMMARY:

With House Bill 162 the North Carolina State Legislature removed the ability for local governments from enforcing parking minimums. Waynesville already had fairly low parking minimums for commercial and residential uses as well as waiving parking minimums downtown. The attached draft ordinance reflects changes to the parking chapter of the Land Development Standards to bring the Town of Waynesville's zoning into compliance with state law.

The new law does not prohibit standards associated with parking lots which are also contained in the Land Development Standards, such as landscaping, screening the glare, and bicycle parking. These standards are not being removed and will continue to be enforced as part of the zoning standards.

MOTIONS FOR CONSIDERATION:

1. The proposed amendment is consistent / inconsistent with the 2035 Comprehensive Plan and is (or is not) in the public interest.
2. To approve / not approve the proposed amendment to the Town Council.

FUNDING SOURCE/IMPACT:

There is no financial impact.

ATTACHMENTS:

1. Staff Report
2. Draft Ordinance
3. HB 162
4. Planning Board Report
5. Newspaper Notice

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Town Council Staff Report

Subject:	Text Amendment Related to Parking Minimums
Ordinance Section:	Land Development Standards (LDS), Chapter 9.
Hearing Type:	Legislative
Applicant:	Staff-Initiated, Mandatory Change per NC House Bill 162
Presenter:	Alex Mumby, Land Use Administrator
Date:	October 27th, 2026

Recommended Motions:

1. The proposed amendment is consistent / inconsistent with the 2035 Comprehensive Plan and is (or is not) in the public interest.
2. To approve / not approve the proposed amendment as presented (or as amended).

This is a Legislative Hearing to remove parking minimum standards from the Land Development Standards to stay in compliance with State Statutes. As this is a legislative proceeding, the Town Council will decide if the proposed amendments are consistent or inconsistent with the 2035 Comprehensive Plan and whether to approve or not approve the proposed amendments. The Planning Board voted unanimously to recommend the proposed changes during the public hearing on September 21st, 2026.

Background:

With House Bill 162, the North Carolina General Assembly removed the ability for local municipalities to require minimum parking amounts based on uses. Waynesville's current parking requirements are already fairly low, with one (1) parking space required per 600 sq ft of commercial space, one (1) parking space required per residential home, and 1.5 parking spaces required for multi-family developments. Additionally, parking requirements are already waived for all developments in the Central Business District, which includes Main Street and Frog Level. In these areas, ample parking is already provided on street and in Town-maintained parking lots.

Developers have rarely negotiated for lower parking requirements, often far exceeding what was required by the Town. The new development at 1897 South Main Street, for example, was required to only provide 13 spaces based on its square footage but chose to provide 48 spaces. This new law now allows the market to dictate the amount of parking spaces needed, rather than government regulation.

While the proposed changes to the ordinance would remove parking minimums, it would not remove other standards that the Town has related to parking. Landscaping and tree coverage requirements will still be in effect, such as requiring one tree per 12 parking spaces and requiring no parking space be farther than 40 feet from a tree. Parking lots will still be required to be screened using landscaping or a fence and paved in most cases. Interconnectivity of parking lots will still be required, as well as for one (1) bike parking space to be required for every 20 parking spaces provided.

Staff Recommendation:

Staff do not expect that the proposed changes will have a great effect on new development. Parking minimums are often a greater burden on urban development where land is at a premium with small lots and stronger walkability. Waynesville's parking requirements are very lenient, and the developments in

Waynesville tend to provide far more parking spaces that we require by the ordinance to meet their market demand.

Lack of parking requirements allows for property owners to utilize more of their property for additional uses and potentially leave more areas of the site as pervious (green). Western North Carolina and Waynesville are still heavily car-dependent, and it is likely that developers will continue to provide ample parking where it is necessary. In the more central areas of Waynesville, which are more walkable, the proposed changes will remove a burden and additional cost of development.

Compliance with the Comprehensive Plan

The proposed changes are consistent with the following goals of the 2035 Comprehensive Plan:

Goal 1: Continue to promote smart growth principles in land use planning and zoning

- Create Walkable and attractive neighborhoods and commercial centers
- Encourage infill, mixed-use and context-sensitive development

Goal 5: Create opportunities for a sustainable economy

- Encourage creatively designed, mixed-use, walkable centers and commercial districts that appeal to residents and visitors

Newspaper Notice

Staff duly advertised this hearing in the Mountaineer Newspaper on October 14th and October 21st. The notice was also submitted to the local media and posted on the Town's bulletin boards.

Attachments:

- Cover Sheet
- Draft Ordinance
- House Bill 162
- Planning Board Report
- Newspaper Notice

ORDINANCE NO. O-52-26

AN ORDINANCE AMENDING THE TEXT OF THE TOWN OF WAYNESVILLE LAND DEVELOPMENT STANDARDS

WHEREAS, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety, and welfare; and,

WHEREAS, the Town of Waynesville adopted the 2035 Comprehensive Land Use Plan, which sets goals and provides a Future Land Use map to identify where certain types of growth and density should be allowed, and where growth should be restricted; and,

WHEREAS, the Town of Waynesville Planning Board has reviewed the proposed text amendments to the Land Development Standards (LDS) and recommends that they are consistent with the 2035 Comprehensive Plan and that they are reasonable and in the public interest because they meet the following goals of the 2035 Comprehensive Plan:

Goal 1: Continue to promote smart growth principles in land use planning and zoning

- Create Walkable and attractive neighborhoods and commercial centers
- Encourage infill, mixed-use and context-sensitive development
-

Goal 5: Create opportunities for a sustainable economy

- Encourage creatively designed, mixed-use, walkable centers and commercial districts that appeal to residents and visitors

WHEREAS, the Planning Board held a public hearing on September 21st, 2026, and recommends the proposed text amendments for enactment by the Town Council; and

WHEREAS, the Town Council find this Ordinance is consistent with the Town's 2035 Comprehensive Plan and that it is reasonable and in the public interest to "make decisions about resources and land use in accordance with North Carolina General Statutes;" and

WHEREAS, after notice duly given, a public hearing was held on September 21st, 2026, at a regularly scheduled meeting of the Waynesville Planning Board, and on October 27th, 2026**,** at the regularly scheduled meeting of the Town Council;

NOW, THEREFORE, BE IT ORDAINED BY THE WAYNESVILLE TOWN COUNCIL, MEETING IN REGULAR SESSION ON OCTOBER 27TH, AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

CHAPTER 9: Parking and Driveways

9.1 Purpose and Intent.

Parking lots and similar facilities are necessary elements in the urban environment. However, these facilities have been known to cause the following negative impacts:

- Increased storm water volume and velocity;
- Increased surface pollutants;
- Increased surface level heat and glare;
- Reduction in the efficiency of the connecting street system; and
- Reduction in the operations of the surrounding pedestrian and bicycle network.

9.2 Required Parking Standards.

~~Permanent off-street parking (including on-street parking in accordance with the requirements below) is required subject to the table below. If required, parking shall be provided at the time of erection, alteration, enlargement, establishment or change of use of any building or open use of land which require additional off-street parking.~~

~~9.2.1 Parking Requirements by Use Table.~~ Reserved

~~The following table details the required minimum and maximum (where applicable) parking ratios by major land use. All area calculations use gross leasable area (GLA). For uses not covered in this table, the parking requirements shall be those of the most similar use as determined by the Administrator. For bicycle parking, the use of a single "inverted U" bicycle parking rack will count as two bicycle parking spaces. The minimum required shall be two spaces or one rack and the maximum required shall be 20 spaces.~~

~~Use Category~~	~~Minimum Required Auto Spaces~~	~~Bicycle Parking Spaces Required~~
~~**Residential**~~		
~~Dwelling—Single-Family and Two-Family~~	~~One per unit~~	~~No requirement~~
~~Dwelling—Townhome and Multifamily~~	~~1.5 per unit~~	~~1 per 20 auto spaces~~
~~Dwelling—Accessory~~	~~One space per unit~~	~~No requirement~~
~~Live—Work Units~~	~~One per 600 s.f.~~	~~1 per 20 auto spaces~~
~~Residential Care Facilities~~	~~One per 2 units~~	~~1 per 20 auto spaces~~
~~All Other Residential Uses~~	~~No requirement~~	~~No requirement~~
~~**Lodging**~~		
~~All Lodging Uses~~	~~One per room~~	~~1 per 50 auto spaces~~
~~**Office/Service**~~		
~~Child/Adult Day Care Centers (More than 8 persons)~~	~~One space per employee~~	~~1 per 20 auto spaces~~
~~Medical Services~~	~~One per Examination Room~~	~~1 per 20 auto spaces~~
~~All Other Office/Service Uses~~	~~One per 600 s.f.~~	~~1 per 20 auto spaces~~
~~**Commercial**~~		
~~Restaurant~~	~~One per eight (8) seats~~	~~1 per 20 auto spaces~~
~~All Other Commercial Uses~~	~~One per 600 s.f.~~	~~1 per 20 auto spaces~~
~~**Entertainment/Recreation**~~		
~~Amusements (Indoor)~~	~~No requirement~~	~~1 per 20 auto spaces~~

- Amusements (Outdoor)	No requirement	1 per 20 auto spaces
- Recreational Facility (Indoor)	No requirement	1 per 20 auto spaces
- Theater (Indoor & Outdoor)	One (1) per eight (8) seats	1 per 20 auto spaces
- All Other Entertainment/Recreation Indoor Uses	No requirement	1 per 20 auto spaces
- All Other Entertainment/Recreation Outdoor Uses	No requirement	1 per 20 auto spaces
Civic/Institutional		
- Religious Institution (Town Centers & Regional Mixed-use Districts)	No requirement	1 per 20 auto spaces
- Religious Institution (All Other Districts)	One per 8 seats in the main assembly hall	1 per 20 auto spaces
- All Other Civic/Institutional Uses	No requirement	1 per 20 auto spaces
Manufacturing/Wholesale/Storage		
- Mini-Warehouses	No requirement	No requirement
- All Other Manufacturing/Wholesale/Storage Uses	No requirement	1 per 50 auto spaces
Agricultural		
- All Agricultural Uses	No requirement	No requirement
- Infrastructure		
- All Infrastructure Uses	No requirement	No requirement

9.2.2 Exemptions and Adjustments. **Reserved**

A. Exemptions: Uses in the Central Business District are exempt from the minimum parking requirements of this subsection.

B. Commercial Uses in N Districts: All commercial uses in RL, RM, NR, and UR Districts shall provide all required parking on-site at a rate of 1 space per 400 square feet. The use of on-street spaces shall not be permitted in this calculation.

C. Residential Care Facilities: The Administrator may authorize a reduction in off-street parking requirements for multifamily dwellings that provide Residential Care Facilities (including duplexes and multifamily buildings of four or more units) to no less than three (3) off-street parking spaces for each four dwelling units or fraction thereof. Should a change of use occur such that the building is no longer providing Residential Care Facilities as the primary use, parking requirements shall meet the minimum ratio for residential uses as required in the table above.

D. Tree Preservation: The minimum number of parking spaces required may be adjusted by the Administrator when it has been determined that the reductions are necessary to preserve a healthy tree or trees (with a 12-inch or greater diameter at breast height) from being damaged or removed, and where the site plan provides for the retention of said tree or trees.

9.2.3 Remote Parking. **Reserved**

A. If the off-street parking spaces required by this section cannot be reasonably provided on the same lot on which the principal use is located, such space may be provided on any land within six hundred (600) feet. Such measurement shall be taken from the edge of the parking area on the lot to the entryway of the remote parking area.

B. Parking for Permitted Uses Only: If remote parking is utilized to fulfill parking requirements, the owner or authorized agent for the land upon which such remote parking is located shall restrict the use of such parking area for parking only in connection with the use or structure for which such remote parking is provided. Such restriction shall be recorded by a declaration of restrictions properly filed with the Register of Deeds of Haywood County, which may be released

~~only by written consent of the town. Remote parking for a particular use shall not be established in any district that does not allow that use.~~

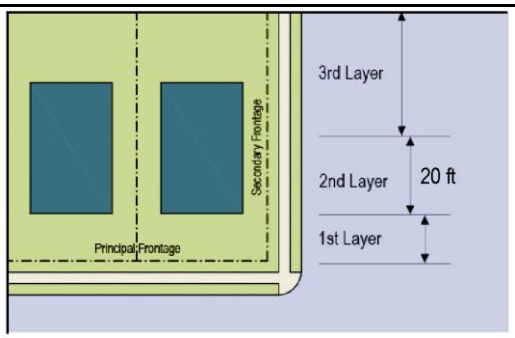
9.2.4 Accessible Parking.

Accessible parking shall be provided in accordance with Chapter 4 of the North Carolina Accessibility Code, as amended.

9.3 Permitted Parking Locations.

The following table details the permitted parking locations (by Building Type/District Category):

	Civic/Monument	House—Street	House—Alley	Townhouse	Apartment	Mixed-Use	Commercial	All Other Bldgs
RL	IV	V	II	III	—	—	—	—
RM	IV	V	II	III	III	III	—	—
NR	IV	V	II	II	II	II	—	—
UR	IV	V	II	II	II	II	—	—
NC	IV	V	II	II	II	II	II	—
BD	IV	—	II	II	II	II	II	—
RC	IV	—	II	III	III	IV	IV	—
CI	V	—	—	—	—	V	V	V



II 2nd and 3rd Layer Only

III 2nd and 3rd Layer permitted and parking in 1st Layer restricted to one drive aisle with one bay

IV 2nd and 3rd Layer permitted and parking in 1st Layer restricted to one drive aisle with one bay, except that more parking in the 1st Layer may be achieved with a Special Use Permit (3.10.7)

V Unrestricted

9.4 Off-Street Parking Design Specifications.

All off-street parking areas shall conform to the following standards.

9.4.1 Surfacing.

Off-street parking ~~areas developed to meet the minimum requirements of this section and all off-street parking facilities in the Central Business District,~~ shall be properly graded, marked and located on improved lots or within parking structures. The material for surface parking spaces and corresponding access drives ~~required by this section~~, except for single-family detached and duplex residences, shall consist of suitable material as set forth below.

A. Suitable paving material for ~~required~~ parking areas includes, but is not limited to asphalt, porous asphalt, concrete, compacted stone (road bond), and gravel.

B. Accessible Spaces: All accessible spaces and corresponding access paths shall consist of concrete or asphalt.

C. Gravel Containment: When gravel is used it must be maintained on site with a concrete apron at the traveled way.

D. Pervious Surfaces: Porous paving blocks and pervious paving materials are permitted and encouraged as material for parking lots. The use of grass as a parking lot surface is permitted for overflow parking.

E. Parking Space Marking: The individual parking spaces in a lot shall be delineated in all parking lots

except those utilizing road bond, gravel, grass or other vegetative surfacing.

F. Residential Parking Areas: Parking for single family and duplex residences shall be on prepared surfaces only. Prepared surfaces include concrete, asphalt, brick, gravel, or other similar materials, but shall not include landscaped areas or dirt. No more than 25 percent of the front yard or the width or two parking spaces (20 feet), whichever is less, may be used for motor vehicle parking.

G. Exceptions: The following situations are exempted from the paving requirements of this Section:

1. A parking lot used only for occasional use (Use that occurs on two or fewer days per week) or is temporary in nature (not exceeding 24 months).

2. Whenever a proposed development involves only one of the following: an accessory structure, or, a change in use which will not increase the number of ~~required~~ parking spaces by more than 25 percent and the existing parking lot is not paved.

3. Up to 75 percent of the ~~required~~ employee parking spaces in ~~an~~ the Commercial Industrial zone provide that the employee parking area is not visible, either by effective buffer screening or because of the grade of the site, from any public right-of-way or a residentially or commercially zoned property.

H. Non-paved Areas: Whenever a permanent parking area is exempt from the paved parking requirements or otherwise not required to be paved, the Administrator shall:

1. Require that landscape aisles or spatial separations be provided where it finds it is desirable to ensure that the parking spaces will be readily identifiable to the users; and,
2. Require the perimeter of the parking area encompassing the parking stalls and the side of any unpaved drive or aisle leading to said stalls, to be edged with brick, pressure treated timbers, or cast in place concrete, and anchored into place. Alternate borders may be considered on a case by case basis.



Pervious pavers and other pervious paving techniques allow stormwater to infiltrate into the ground below.

9.4.2 Layout and Circulation.

A. Size of Spaces: The minimum size of one parking space shall be nine (9) feet in width and eighteen (18) feet in depth. Refer to Architectural Graphic Standards, latest edition, or a similarly recognized reference manual for additional guidance regarding parking space design.

B. Maneuvering and Circulation: All parking areas shall be designed so that there is sufficient area for access to all parking spaces and safe maneuvering within the parking area.

1. The minimum aisle width for ninety (90) degree parking shall be twenty (20) feet. Widths for other parking arrangements shall conform to industry-standard specification and approved by the

Administrator.

2. Off-street parking areas shall be designed to facilitate adequate movement and access by sanitation, emergency, utility, and other public service vehicles without posing a danger to pedestrians or impeding the function of the parking area.

3. Except for single-family and duplex dwellings with separated parking areas and driveways, parking and maneuvering areas shall be arranged to allow vehicles to enter and leave the premises or parking areas in a forward motion. When more than two ~~required~~ spaces are provided in a single parking area, then entering and leaving in a forward motion is required.

C. Maneuvering into Public Right-of-Way from off-Street Parking Space Prohibited: All off-street parking areas, with the exception of parking areas for single-family and two-family residences, shall be designed so that vehicles will not be required to back onto or maneuver in the public right-of- way.

D. Encroachment: Off-street parking areas shall be designed so that parked vehicles do not encroach upon or extend onto public rights-of-way or sidewalks; or strike against or damage any wall, vegetation, utility, or other structures.

9.4.3 Connectivity.

A. Adjoining parking lots serving (or potentially serving) non-residential buildings shall be interconnected as follows:

1. The parking lot under development has a minimum of 24 parking spaces or equivalent parking area.

2. At least 1 connection is provided at all lot lines that are coincident for at least 60 feet with another lot zoned for non-residential use.

3. The connection is at least 22 feet in width and at least 23 feet from a street line.

4. If applicable, the connection aligns with a connection that has been previously constructed on an adjacent property.

5. The connection has a slope of no greater than 15 percent.

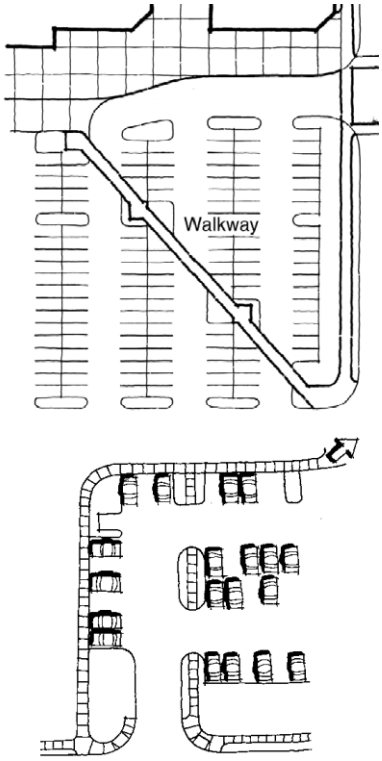
6. The connection is not placed where a building on an adjacent property is within 50 feet of the lot line which would hamper traffic movements within the parking lot.

7. The connection is placed in an area which will not require the removal of significant natural features such as wetlands or trees with a caliper of six inches or more.

8. In the event these conditions cannot be met without undue hardship, or if such connections would create undesirable traffic flow, the Administrator may waive the connection requirement.

B. Where a parking lot connection is required an easement for ingress and egress to adjacent lots shall be recorded by the property owner with the Haywood County Register of Deeds.

9.4.4 Pedestrian Corridors in Parking Lots.



Suggested options for pedestrian access in parking lots. Diagrams courtesy of the City of Fort Collins, CO.

Parking lots shall be designed to separate pedestrian travel from vehicles and include protecting pedestrian walkways within parking areas that lead to business/office/store entrances. For lots of 36 spaces or greater, sidewalk corridors shall be provided within the parking area and/or along the perimeter to provide safe building access for pedestrians.

A. Perimeter sidewalks and interior parking lot pedestrian corridors may be utilized to provide the required pedestrian access.

B. Pedestrian pathways (if provided) must be a minimum five (5) feet in width.

C. Where parking is located between a public entrance and the fronting sidewalk, a pedestrian pathway must be provided following the shortest practical route across the parking lot between at least one such entrance on each side of the building facing a public street.

D. Pedestrian pathways must be clearly delineated. This may be accomplished with the use of paving materials that differ from that of vehicular areas, striping or other similar methods.

9.4.5 Landscaping.

Landscaping shall be provided in accordance with Section 8.6, Parking Lot Landscaping.

9.4.6 Lighting.

Lighting of parking lots shall be in accordance with Section 10.3, Lighting, Design Standards.

9.5 Bicycle Parking Standards.

Bicycle parking is required to encourage the use of bicycles for personal transportation and to provide for bicycle access to employment, retail, and other destinations in Waynesville.

9.5.1 Required Racks.



Inverted "U" bicycle rack

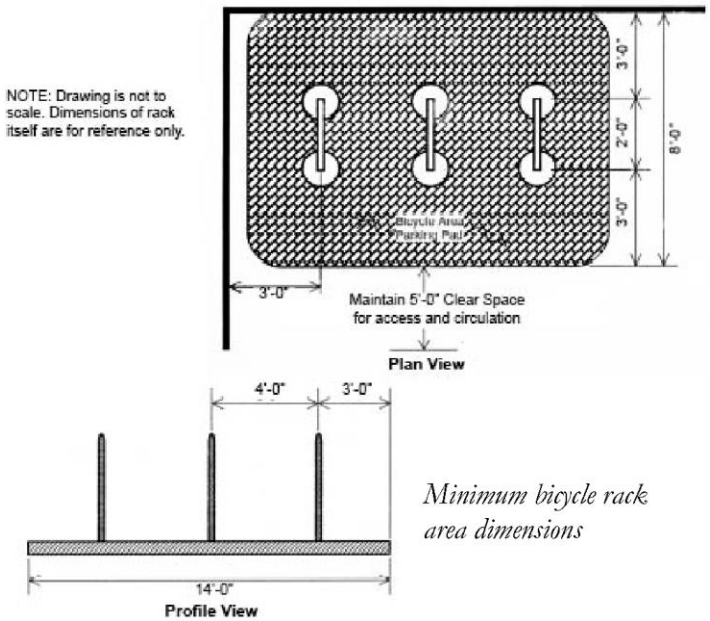
A. The following uses are required to provide 1 bike rack for every 20 auto parking spaces provided: Dwelling – Townhome and Multifamily, Live-Work Units, Residential Care Facilities, all Office/Service uses, all Commercial uses, all Entertainment/Recreation uses, all Civic/Institutional uses.

B. The following uses are required to provide 1 bike rack for every 50 auto parking spaces: all Lodging uses and Manufacturing/Wholesale/Storage uses, except mini-warehouses.

C. Where bicycle racks are used, "Inverted U" type racks or other racks that support the bicycle at two points on the bicycle frame are required.

D. For bicycle parking, the use of a single "inverted U" bicycle parking rack will count as two bicycle parking spaces.

9.5.2 Rack Location and Dimensions.



Minimum bicycle rack area dimensions

E. Bicycle racks installed on sidewalks should provide for a clear, unobstructed width of at least 5 feet for pedestrians and should be installed parallel to and at least 3 feet from the face of curb.

F. Bicycle racks shall be placed a minimum of 4 feet from existing street furniture (i.e. mailboxes, lightpoles, benches) and be no closer than 12 feet from the edge of fire hydrants.

G. Racks should be placed along a major building approach line and clearly visible from the approach and no more than 100 feet from building entrances. Rack placement shall allow for visual monitoring by people within the building and/or people entering the building.

H. If required bicycle parking is not visible from the street or main building entrance, a sign shall be posted at the main entrance indicating the location of the parking.

9.5.3 Shared Bicycle Parking.

Any property owner required to have bicycle parking may elect to establish shared bicycle parking with any other property owner within the same block to meet the combined requirements.

9.6 ~~Structured Parking~~ Parking Structures.

9.6.1 Screening Required.

Where an above-ground parking structure (such as a parking garage) fronts a public street, the ground level shall be screened in such a way that cars are not visible from the street (e.g., structure should be wrapped by retail, office or some other active use along the primary façade).

9.6.2 High Quality Materials Required Along Frontage.

Along pedestrian oriented streets, parking structure façades shall be treated with high quality materials and given vertical articulation and emphasis compatible with the principle structure. The façade shall be designed to visually screen cars.

9.6.3 Clear Pedestrian Entries.

Pedestrian entries shall be clearly visible.

9.6.4 Bicycle Parking is Required.

Parking structures shall provide bicycle parking within the structure. It shall be located on the level closest to the street and/or a primary building entrance.

9.7 Parking of Large Vehicles in Residential Areas.

Parking for recreational vehicles, utility trailers, oversized commercial vehicles (including freight hauling trucks), construction equipment and boats shall be restricted to the rear yards in all Residential districts except on lots greater than 2 acres in size.

9.8 Driveway Access.

9.8.1 Purpose and Applicability.

A. The standards contained in this section are designed to ensure that access to development in the Town of Waynesville does not impair the function of the adjacent roadways or public safety.

B. All proposed vehicular access points connecting to a public or private street shall conform to the provisions of this section as well as to the driveway construction standards of the Town, or as determined by the Public Services Director.

C. Driveways should be designed for their intended use and traffic, located for safety, and consistent with their context with respect to sidewalks, drainage, landscape, and other characteristics of the roadway to which they connect.

9.8.2 Driveway Permit.

A. **Permit Requirement:**

1. Before any proposed vehicular access point connecting to a public or private street may be constructed, a driveway permit must be obtained from the Administrator, unless deemed exempt by the Public Services Director.

2. The North Carolina Department of Transportation (NCDOT) is required to review all connections to state system streets. Driveway permits on state system streets should be submitted to NCDOT for the initial review. Upon NCDOT approval, the driveway permit will be forwarded to the Town of Waynesville for its approval. Where a conflict arises with respect to these standards, the more restrictive access standards shall apply.

B. **Existing Driveway Approaches:**

1. Existing driveway approaches shall not be relocated, altered, or reconstructed without a permit approving the relocation, alteration or reconstruction and such driveway approaches shall be subject to the provisions of this section.

2. When the use or layout of any property is changed, making any portion or all of the driveway approach unnecessary, the owner of the property, shall, at his expense, replace all necessary curbs, gutters, and sidewalks, or correct all nonconforming features.

9.8.3 Driveway Standards.

A. **General Guidelines:**

1. The width, in feet, of a driveway approach shall be within the minimum and maximum limits as specified below. Required driveway width pertains to the measurement at the sidewalk. At other points in the driveway the width may vary.

2. Any driveway access to a state-maintained roadway shall comply with NCDOT's "Policy on Street and Driveway Access to North Carolina Highways."

3. Driveway approaches must cross the sidewalk area at the sidewalk grade established by the Administrator and to accommodate ADA compliance in accordance with the driveway permit.

4. All driveway approaches shall be a concrete apron section ("ramp" type), except that street type driveway entrances may be required by the Administrator for large parking lots and along high volume roadways.

5. All aprons shall be installed to the right-of-way line or at least ten (10) feet from the edge of the traveled way and built to the specifications of the Administrator. Apron section materials other than concrete must be determined appropriate and approved by the Administrator.

6. Driveway access to state highways shall not be permitted for parking or loading areas that require backing maneuvers onto the public street right-of-way. Driveway access to town-maintained streets for non-residential and multi-family developments shall not be permitted for parking or loading areas that require backing maneuvers onto a public street right-of-way.

7. Where feasible, road access for corner lots shall be provided to the street or road with the lowest traffic volume.

8. Driveways shall not interfere with municipal facilities such as street lights, traffic signal poles, signs, fire hydrants, crosswalks, drainage structures or other necessary street structures.

B. **Residential Driveways:**

1. Driveways serving single family and duplex residences should have a minimum width of 10 feet and shall not exceed a maximum width of 18 feet.

2. The minimum distance between the front wall or garage door of a residential dwelling to the back of sidewalk along the driveway length shall be at least 25 feet to permit vehicular parking without blocking the sidewalk.

3. Joint Use or Shared Driveways are encouraged. Driveways serving adjacent residential properties shall have easement agreements among owners, and shall not serve more than three single-family or duplex structures. Rights-of-Way serving more than 3 structures should comply with LDS Chapter 6 Infrastructure Standards.

4. A shared driveway that serves 3 or fewer dwelling unit structures shall be managed to provide emergency access and fire protection and shall conform to the following:

- Right-of-way width: Minimum 18 feet.
- Surface Widths: Minimum 10 feet for driveways less than 150 feet in length; and a minimum of 14 feet in width if a driveway length exceeds 150 feet, or as approved by the Fire Code Official.
- May be paved, gravel, or natural compacted surface.
- Parking for units served by the shared driveway must be provided outside of the shared driveway right-of-way so that access to structures is not blocked.
- Shared driveways do not require curbs, pedestrian connections, or landscaping, but must be designed for stormwater management and safety as approved through the driveway permit.
- Length: Maximum 150 feet, subject to other requirements as determined and approved by the Fire Code Official.
- Only 3 dwelling unit structures (single family or duplex) may be served off of a single shared driveway accessing a public street. Shared driveways may be converted to alleys, lanes, or other roadway types and uses with approval of the Administrator and Fire Code Official.

C. **Non-residential and multi-family driveways:**

1. **Driveway Widths:**

a. One-way drives shall have a minimum width of 12 feet and shall not exceed a maximum width of 18 feet.

b. Two-way drives shall have a minimum width of 18 feet and shall not exceed a maximum width of 24 feet.

c. Commercial driveways shall have a radius of 20 to 50 feet, or per engineering judgment based on the adjacent roadway.

d. All driveways shall have an internal stem length of 25 feet or greater unless otherwise approved by the Administrator.

e. Two-way drives serving a major site plan containing a multi-family development shall have a minimum paved width of 20' and shall include a sidewalk or other pedestrian connection.

f. Driveways entering industrial property may be up to 36 feet in width with the approval of the Administrator.

2. **Joint Use Driveway:** Wherever feasible, the Administrator shall require the establishment of a joint use driveway serving two (2) abutting non-residential properties. When a property is developed before an abutting property is developed, the site shall be designed to ensure that its driveway and circulation may be modified to create a joint use driveway and interconnected parking with abutting properties or to connect to a shared driveway for the purpose of access management.

D. **Driveway Spacing:**

1. Access separation between driveways shall be measured from inside edge to inside edge of driveways. Access separation between a driveway and intersecting street shall be measured from the nearest edge of the driveway to the intersection right-of-way lines.

2. Residential Driveways shall be spaced from other drives and from intersecting streets as set forth for the land development district in which the property is located.

3. Non-Residential and multi-family driveways shall be spaced from other driveways and from intersecting streets in accordance with the chart below, or per AASHTO's "A Policy on Geometric Design of Highways and Streets," at the determination of the Administrator. All driveways shall be located as far from signalized intersections as feasible.

4. The use of alleys to access the rear of properties is strongly encouraged., A minimum separation of ten (10) feet between adjacent property lines and the alley intersection is required. A forty (40) feet separation is required between alleys and the intersection of streets.

5. As determined by the Administrator, engineering judgment shall override the required dimensions set forth in district standards if warranted by:

- Pre-existing environmental conditions (such as a rock outcrop, steep slope, stream or protected area),
- Recommendations of a Traffic Impact Analysis,
- Low traffic volumes on adjacent streets,
- Cumulative impact of adjacent land uses, and
- Safety of vehicles and pedestrian users.

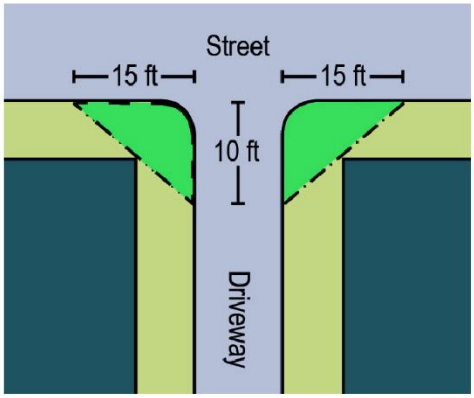
6. Driveway Minimum Spacing Chart:

District Category	Applicable Districts	Driveway Spacing (Min)
Residential—Low Density (RL)	CC-RL, EN-RL, FC-RL, HT-RL	40 ft. (75 ft. between driveways and streets)
Residential—Medium Density (RM)	CP-RM, D-RM, HM-RM, SW-RM	No minimum
Neighborhood Residential (NR)	AC-NR, LL-NR, MS-NR, N-NR, PS-NR, PC-NR, RC-NR, SS-NR, WS-NR	No minimum.
Urban Residential (UR)	EW-UR, H-UR, HM-UR	No minimum
Neighborhood Center (NC)	PS-NC, RC-NC, NM-BD	100 ft. (100 ft. between driveways and streets) or as determined by AASHTO Standards or NCDOT permit
Business District (BD)	CBD, SM-BD, H-BD	50 ft. (100 ft. between driveways and streets) or as determined by AASHTO Standards or NCDOT permit
Regional Center (RC)	RA-RC, DJ-RC, NC-RC	150 ft. (250 ft. between driveways and streets) or as determined by AASHTO Standards or NCDOT permit
Commercial Industrial (CI)	CI	50 ft. (150 ft. between driveways and streets) or as determined by AASHTO Standards or NCDOT permit

E. **Sight Visibility Triangle:**

1. At all driveway approaches, a sight area shall be maintained. Within the sight area no fence, wall, sign or other structure, no slope or embankment, no parked vehicle, no hedge, no foliage or other planting and no other object or structure shall be placed, erected or maintained which will obstruct visibility within the sight area.

2. Sight areas are triangular areas formed by a ten-foot side measured along the edge of the driveway approach and a fifteen-foot side measured along the edge of the traveled way.



(Ord. No. O-01-15, §§ 6, 7, 1-27-2015; Ord. No. O-28-22, §§ 1, 2, 8-9-2022; Ord. No. O-39-22, § 1, 12-13-2022; Ord. No. O-22-24, § 4, 6-11-2024)

ADOPTED this 27th Day of October, 2026.

TOWN OF WAYNESVILLE

J. Gary Caldwell, Mayor

ATTEST:

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

Martha Bradley, Town Attorney

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

SESSION LAW 2026-39
HOUSE BILL 162

AN ACT TO RESTRICT LOCAL GOVERNMENTS FROM REGULATING CERTAIN ASPECTS OF OFF-STREET PARKING SPACES AND TO MODIFY THE AUTHORITY OF CERTAIN LOCAL GOVERNMENTS TO REQUIRE STORMWATER CONTROL FOR REDEVELOPED PROPERTY.

The General Assembly of North Carolina enacts:

PART I. PROHIBITING CERTAIN ZONING AND DEVELOPMENT LIMITATIONS RELATED TO OFF-STREET PARKING

SECTION 1.(a) G.S. 160D-702 reads as rewritten:

"**§ 160D-702. Grant of power.**

…

(c) A zoning or other development regulation shall not do any of the following:

(1) Set a minimum square footage of any structures subject to regulation under the North Carolina Residential Code.

(2) Require ~~a~~ an off-street parking space to be larger than 9 feet wide by 20 feet long unless the parking space is designated for handicap, parallel, or diagonal parking.

(2a) Require an off-street parking lot to meet a minimum number of parking spaces per development or structure, regardless of occupancy or use. The limitations of this subdivision shall not, however, apply to local governments located in the coastal area, as those terms are defined under G.S. 113A-103, except with respect to the following properties located in the coastal area:

a. Within the boundaries of a National Register Historic District or a local historic district.

b. That are either (i) individually listed in the National Register of Historic Places or (ii) individually designated as a local historic landmark.

c. Individual properties on the Study List for the National Register of Historic Places as maintained by the North Carolina State Historic Preservation Office or a national or State historic landmark, or properties located within a district on the Study List for the National Register of Historic Places as maintained by the North Carolina State Historic Preservation Office or a national or State historic landmark.

(3) Require additional fire apparatus access roads into developments of one- or two-family dwellings that are not in compliance with the required number of fire apparatus access roads into developments of one- or two-family dwellings set forth in the Fire Code of the North Carolina Residential Code for One- and Two-Family Dwellings.

(4) Establish or require pavement design standards for public roads or private roads that are more stringent than the minimum pavement design standards adopted by the Department of Transportation.

…."

SECTION 1.(b) This section becomes effective January 1, 2027.

PART II. MODIFY THE AUTHORITY OF CERTAIN LOCAL GOVERNMENTS TO REQUIRE STORMWATER CONTROL FOR REDEVELOPED PROPERTY

SECTION 2.(a) G.S. 143-214.7 reads as rewritten:

"**§ 143-214.7. Stormwater runoff rules and programs.**

…

(a1) Definitions. – The following definitions apply in this section:

(1) Built-upon area. – As defined in G.S. 143-214.7D.

(2) Development. – Any land-disturbing activity that increases the amount of built-upon area or that otherwise decreases the infiltration of precipitation into the subsoil. ~~When additional development occurs at a site that has existing development, the built-upon area of the existing development shall not be included in the density calculations for additional stormwater control requirements, and stormwater control requirements cannot be applied retroactively to existing development, unless otherwise required by federal law.~~

~~(2)~~(3) Redevelopment. – Any land-disturbing activity that does not result in a net increase in built-upon area and that provides greater or equal stormwater control to that of the previous development.

…

(b3) Stormwater runoff rules and programs shall not require private property owners to install new or increased stormwater controls for (i) ~~preexisting development~~ existing built-upon area or (ii) redevelopment activities that do not remove or decrease existing stormwater controls. ~~When a preexisting development is redeveloped, either in whole or in part, increased stormwater controls shall only be required for the amount of impervious surface being created that exceeds the amount of impervious surface that existed before the redevelopment, irrespective of whether the impervious surface that existed before the redevelopment is to be demolished or relocated during the development activity.~~ When development or redevelopment occurs at a site that has existing built-upon area, (i) the existing built-upon area shall not be included in the density calculations for additional stormwater control requirements, irrespective of whether the existing built-upon area is to be demolished, relocated, replaced, or remains in place during development activity, (ii) the existing built-upon area at the site is not subject to additional stormwater control requirements under this section, regardless of whether the existing built-upon area is demolished, relocated, replaced, or remains in place during the development activity, (iii) for purposes of determining the size of the area for which stormwater control measures are required for a development or redevelopment, built-upon area that existed before the development or redevelopment shall be applied on a square-foot-for-square-foot basis to reduce the built-upon area for which stormwater control measures are required, and (iv) stormwater control requirements cannot be applied retroactively to existing built-upon area, unless otherwise required by federal law. A property owner may elect to treat the stormwater resulting from the net increase in built-upon area above the ~~preexisting~~ existing built-upon area at the development or redevelopment for the purpose of exceeding allowable density under the applicable water supply watershed rules as provided in G.S. 143-214.5(d3). This subsection applies to all local governments regardless of the source of their regulatory authority. Local governments shall include the requirements of this subsection in their stormwater ordinances.

…

(b8) A local government may offer nonmandatory incentives that waive building, zoning, connection, or other regulations or fees; provide additional tax and financial benefits; or institute

other incentives for development or redevelopment that implements additional stormwater control measures beyond those required by this section and rules adopted thereunder.

…."

SECTION 2.(b) Each local government that implements a stormwater management program shall amend its stormwater ordinance to conform to G.S. 143-214.7(b3), as amended by subsection (a) of this section, within 12 months of the effective date of this section. Any local stormwater ordinance that is inconsistent with G.S. 143-214.7(b3), as amended by subsection (a) of this section, is void and unenforceable on and after that date. A local government may adopt, amend, or repeal ordinance provisions implementing G.S. 143-214.7(b8) at any time after the effective date of this section.

SECTION 2.(c) This section is effective when it becomes law and applies to stormwater rules and stormwater program amendments adopted on or after that date.

PART III. EFFECTIVE DATE

SECTION 3. Except as otherwise provided, this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 1st day of July, 2026.

s/ Rachel Hunt
President of the Senate

s/ Destin Hall
Speaker of the House of Representatives

s/ Josh Stein
Governor

Approved 3:04 p.m. this 6th day of July, 2026

To:	Waynesville Town Council
Meeting Date:	October 27, 2026
From:	Olga Grooman, Development Services Director
Subject:	Planning Board Report and Statement of Consistency
Description:	Text amendment related to parking minimums
Ordinance Sections:	Land Development Standards (LDS) Chapter 9, various sections

The Planning Board hereby adopts and recommends to the Town Council the following statement(s):

A motion was made by board member Tommy Rose and seconded by board member Tommy Thomas **to recommend the proposed text amendment** to the Town Council because it is **in the public interest** and it is **consistent** with the following goals of the 2035 Comprehensive Land Use Plan:

Goal 1: Continue to promote smart growth principles in land use planning and zoning
- Create Walkable and attractive neighborhoods and commercial centers
- Encourage infill, mixed-use and context-sensitive development

Goal 5: Create opportunities for a sustainable economy
- Encourage creatively designed, mixed-use, walkable centers and commercial districts that appeal to residents and visitors

The text amendment was recommended for approval by the Town Council with the following modification, as recommended by the Board's attorney, Ron Sneed, to clarify the provisions related to parking structures:

9.6 ~~Structured Parking~~ Parking Structures.

9.6.1 Screening Required.

Where an above-ground parking structure (such as a parking garage) fronts a public street, the ground level shall be screened in such a way that cars are not visible from the street (e.g., structure should be wrapped by retail, office or some other active use along the primary façade).

The motion carried unanimously, 8:0.

Travis Collins, Planning Board Vice Chair — Date 10.19.26

Olga Grooman, Development Services Director — Date 10-16-2026

TOWN OF WAYNESVILLE

Development Services Department

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Waynesville, NC 28786
Phone (828) 456-8647 • Fax (828) 452-1492
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FOR PUBLICATION IN THE MOUNTAINEER: October 14th and October 21st Wednesday Editions

Date: October 12, 2026
Contact: Alex Mumby, Land Use Administrator

Notice of Two (2) Public Hearings
Town of Waynesville Town Council

The Town of Waynesville Town Council will hold **two (2) public hearings on Tuesday, October 27, 2026, at 6:00 pm**, in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider:

1. Text amendments to remove the minimum parking requirements, as required by recently passed House Bill 162, the Parking Lot Reform and Stormwater Control Act (LDS Chapter 9).
2. Text amendments to remove the screening requirement for Outdoor Storage in Commercial Industrial districts (LDS 3.5.8).

For more information contact the Development Services Department at: (828) 452-0401, email: amumby@waynesvillenc.gov, mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.

TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date 10.27.2026

SUBJECT: Personnel Policy Updates

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Human Resources/Administration
Contact: Page McCurry
Presenter: Page McCurry

BRIEF SUMMARY:

The following personnel policies are being presented for consideration:

- Conditional Rehire Policy
- Cellular Phone Stipend Policy
- Employee Referral Bonus Policy
- Law Enforcement Separation Allowance
- Definitions: Volunteers; Safety Sensitive Position
- Holiday Pay
- Use of Personal Vehicle for Business
- Minimum vacation time increments

MOTION FOR CONSIDERATION:

Approve the revisions and additions to the Town of Waynesville Personnel Policy as presented.

FUNDING SOURCE/IMPACT: N/A

Ian Barrett, Finance Director Date

ATTACHMENT:

Personnel Policy Updates

MANAGER'S COMMENTS:

Personnel Policy Updates

Article VII, Section 7A. Conditional Rehire Policy

(Created October 27, 2026)

Policy Statement
Former Town of Waynesville employees who were separated from employment due to dismissal for cause or who resigned without providing required advance notice are generally designated as ineligible for rehire. However, the Town recognizes that former employees may gain valuable experience, professional development, or remediate prior performance issues after leaving municipal service. This policy provides a discretionary framework to evaluate select former employees for conditional re-employment when doing so serves the best interest of the Town.

Eligibility Criteria
To be considered for conditional rehire eligibility, a former employee must satisfy all of the following requirements:

- Mandatory Waiting Period: A minimum of two (2) years must have elapsed from the effective date of separation before an application for conditional rehire will be considered. The Town Manager may consider an exception to the two (2) year waiting period if it is in the best interests of the Town.
- Exclusionary Conduct: Former employees dismissed for severe misconduct—including workplace violence, unlawful harassment or discrimination, fraud, theft, or misuse of Town property, or felony convictions—are permanently barred from re-employment.
- Proof of Rehabilitation: Applicants must provide evidence of satisfactory work history elsewhere, completion of relevant training or advanced certifications, or positive professional references covering the period since separation.
- Former employees who were dismissed for cause from a safety sensitive position are permanently barred from re-employment in a safety sensitive position.

Review and Approval Process

- Petition Submission: The candidate must submit a formal written request for rehire authorization to the Human Resources Director alongside a standard employment application.
- Administrative Review: The Human Resources Director and hiring Department Head will review the former personnel record, separation circumstances, and post-separation qualifications.
- Town Manager Authorization: Conditional rehire status requires written approval from the Town Manager before any interview or conditional offer of employment may be issued.

Terms of Conditional Re-employment

- Extended Probation: Conditionally rehired employees must complete a mandatory twelve-month (12-month) probationary period, during which performance and conduct are monitored closely. Conditionally rehired employees will be allowed to use accrued vacation leave after six (6) months of reemployment.

- Seniority and Benefits: Re-hired employees return under new-hire status; prior service time will not count toward continuous service for longevity pay or vacation accrual rates unless otherwise directed by the Town Manager.
- Performance Agreement: The employee must execute a written Conditional Rehire Agreement establishing specific performance and conduct expectations for the duration of the probationary period.

ARTICLE III. THE PAY PLAN

Section 22. Cellular Phone Stipend Policy

(Created October 27, 2026)

I. Purpose & Administrative Guidelines

A cell phone stipend is provided to an eligible Town of Waynesville employee to compensate for maintaining personal cellular phone service and using the device for official business purposes. The primary goals are to comply with IRS regulations, enhance business efficiency, maintain employee/public safety, and ensure responsive customer service.

- **Taxability & Benefits:** The stipend is paid through regular payroll, included in gross taxable wages, and subject to standard state and federal tax withholdings. It is **not** subject to retirement withholding/contributions (LGERS) or NC401(k) contributions and does not increase base pay.
- **Service Period:** Stipends cover the current month's service (e.g., a stipend paid on a July paycheck covers July service).
- **Annual Review:** The stipend amount is determined annually by the Town Manager, subject to budget approval by the Town Council.

II. Employee Responsibilities & Conditions

By accepting a cellular phone stipend, the employee agrees to the following terms:

1. **Service Carrier & Costs:** The employee must contract directly with a carrier in their own name. The employee is solely responsible for all plan terms, monthly billing, fees, and early termination costs, including post-separation liabilities.
2. **Equipment & Accessories:** The employee bears full financial responsibility for purchasing, maintaining, and replacing all hardware, chargers, cases, and accessories.
3. **Plan Upgrades:** Any optional features or add-on data plans selected by the employee are their sole financial responsibility.
4. **Availability & Device Maintenance:** Employees receiving a stipend must keep their device operational, charged, and available during work hours, on-call periods, or as directed by their supervisor. Loss or interruption of service may lead to immediate discontinuation of the stipend.

5. **Public Records & Record Inspection:**
    - The employee agrees to make all cell phone records related to Town business available to the Town within **48 hours** of a request.

    - *Public Records Compliance:* Work-related text messages, call logs, and emails conducted on personal devices are public records under NC G.S. § 132. Employees are required to retain or forward business records in accordance with municipal record retention schedules.

6. **Safety & Vehicle Operation:** Employees are strictly prohibited from holding or manually operating a cellular device while driving a Town vehicle or driving a personal vehicle on Town business. Hands-free operation or pulling off the roadway is required.
7. **Acceptable Use & Conduct:** Use of the device during working hours must be primarily for business purposes. While occasional personal calls or texts are recognized, excessive personal use during work hours will result in immediate stipend termination and formal disciplinary action.
8. **Directory & Notification:** The employee's phone number will be listed in the internal Town directory. The employee must notify their supervisor **immediately** if their phone number changes or if service is interrupted.
9. **Separation from Employment:** If an employee separates from Town employment for any reason, the stipend will terminate immediately, and the employee will remain responsible for all personal plan obligations. An employee who provides the required notice and works through the completed notice period will receive the stipend for the applicable pay period. An employee who voluntarily separates from employment without providing or completing the required notice period will not receive the stipend for that pay period.

ARTICLE III. THE PAY PLAN

Section 21. Employee Referral Program

(Created October 27, 2026)

A. Purpose and Administration
The Employee Referral Program serves as a supplemental recruitment tool designed to incentivize current Town employees to refer qualified candidates for hard-to-fill positions. The program is subject to modification or termination at any time, for any reason, by the Town Manager or the Town Council.

B. Eligibility
1. Eligible Personnel: Regular full-time employees are eligible to participate and receive referral bonus awards.
2. Exclusions: The following individuals are ineligible to receive referral bonuses:

- Employees whose job responsibilities include regular or recurring recruitment duties (e.g., Human Resources staff, Department Heads, Supervisors, and Managerial staff).
- The Town Manager, Assistant Town Manager, and Elected Officials.
- Employees who refer individuals related to them by blood, marriage, or affinity whose close association is the equivalent of a family relationship.

C. Program Rules and Guidelines

1. Qualifying Positions: The program applies solely to vacant, permanent full-time positions advertised for external recruitment. Part-time positions and internal movements (promotions, transfers, or demotions of existing Town employees) are ineligible.
2. Application Window: To be considered, the referring employee must submit a completed Candidate Referral Form directly to the Human Resources Department while the position is actively posted. Forms submitted after the advertised closing date will not be accepted.
3. Candidate Applicability: The referred applicant receives no sign-on bonus through this program; the financial award is paid exclusively to the referring employee.

D. Award Structure and Processing

1. Bonus Amount: The referral bonus is $500 per successful hire, subject to fund availability and administrative approval.
2. Taxability: In accordance with Internal Revenue Service (IRS) regulations, all referral bonus payments are subject to standard federal, state, and payroll tax withholdings.
3. Payout Timing: Referral bonuses are disbursed in a single lump-sum payment through regular payroll after the referred candidate has completed six (6) months of continuous service and successfully cleared their initial probationary period.
4. Budgeting & Departmental Allocation: Referral bonuses are charged to the operating budget of the department in which the referring employee is employed. The Finance Department will coordinate any required budget adjustments or fund transfers necessary to cover award distributions.
5. HR Processing: The Human Resources Department is responsible for tracking submission dates, verifying candidate eligibility/probationary completion, and initiating bonus payouts with Payroll. Department Heads are responsible for communicating the availability of this incentive to staff.

ARTICLE XI. EMPLOYEE BENEFITS

Section 14. Law Enforcement Separation Allowance (LEOSA): Supplemental Retirement Income Plan

(Updated October 27, 2026)

Every sworn law enforcement officer employed by the Town who meets the legal criteria shall receive an annual Law Enforcement Special Separation Allowance (SSA). Payments are made in equal installments on the regular payroll schedule.

A. Original Separation Allowance Option

1. **Eligibility Criteria:**

- Has completed 30 or more years of creditable service in the Local Governmental Employees' Retirement System (LGERS), **OR** is at least 55 years of age and has completed 5 or more years of creditable service;
- Is under 62 years of age;
- Has at least 50% of total creditable service performed as a law enforcement officer; and
- Has completed at least 5 years of continuous service as a law enforcement officer immediately preceding retirement.

2. **Benefit Amount:** An annual allowance equal to **0.85%** of the officer's annual base rate of compensation most recently applicable immediately prior to retirement, multiplied by each year of total creditable service.
3. **Duration:** Payments begin upon service retirement and cease on the last day of the month in which the officer reaches **62 years of age**, dies, or returns to covered LGERS employment.

B. Deferred Separation Allowance Option (HB 50 – Effective for Retirements on or after July 1, 2025)

1. **Eligibility Criteria:**
   - Completed 30 years of creditable service in LGERS before reaching age 62, with at least 50% of total creditable service as a law enforcement officer; and
   - Completed at least 5 years of continuous service as a law enforcement officer immediately preceding retirement.
2. **Benefit Calculation:** An annual allowance equal to **0.85%** of the officer's base rate of compensation at the time the officer attained 30 years of creditable service, multiplied by 30. The benefit amount is locked based on compensation at the 30-year mark and does not increase for service worked beyond 30 years.
3. **Payment Duration & Deferral Beyond Age 62:**
   - The total duration of eligibility equals **62 minus the officer's age when 30 years of creditable service was attained**.
   - The officer receives this entitlement for that total duration upon actual retirement, even if payments extend past age 62. (Example: An officer attaining 30 years of service at age 55 earns 7 years of SSA eligibility. If the officer continues working and retires at age 60, the SSA will be paid for 7 years, ending at age 67.)
4. **Election Procedure:** The election is a **one-time, irrevocable election** that must be made in writing before receiving the first SSA payment. If no explicit election is filed by an eligible officer who worked past 30 years of service, this deferred option applies automatically by default.

C. Continuous Service & Reemployment Provisions (HB 481)

1. **Disability Breaks:** Any break in required continuous service resulting from disability retirement or disability salary continuation benefits does not adversely affect eligibility, provided the officer returns to work within 45 days of the cessation of disability benefits.
2. **Reemployment and Second Retirement Protections:**
    - If a retired officer receiving or eligible for the SSA returns to LGERS-covered employment, SSA benefits cease during the period of reemployment.
    - If the officer returns to LGERS-covered service within **45 days** after the cessation of service retirement benefits, the officer **retains their initial SSA qualification** upon a subsequent second retirement.
    - Upon second retirement, the officer is **not** required to complete a new 5-year period of continuous service immediately preceding the second retirement.
    - The officer will receive the remaining SSA eligibility duration (total initial entitlement years minus the months received during the first retirement period).

D. General Restrictions & Forfeiture

1. **LGERS Requirement:** All required creditable service must be under LGERS; out-of-state or non-LGERS service cannot be used for SSA eligibility calculations.
2. **Cessation Upon Reemployment:** SSA payments cease on the first day of reemployment with any local government employer in a position that requires participation in LGERS. Retired officers may perform part-time/temporary employment as long as hours remain below the threshold that requires active retirement system membership.
3. **Termination Upon Death:** SSA payments terminate upon the death of the officer.

ARTICLE I. GENERAL PROVISIONS

Section 10. Definitions

(Updated October 27, 2026)

For the purposes of this Policy, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Volunteers. Excluded from the definition of "employee" and thus from coverage of the FLSA, individuals who volunteer services to the Town., ~~such as volunteer fire fighters and who volunteer services without compensation, but are paid expenses, reasonable benefits, or a nominal fee.~~

ARTICLE III. THE PAY PLAN

Section 14. Holiday Pay

(Updated October 27, 2026)

Holidays are equivalent to 8 hours straight-time pay for all regular, nonexempt, full-time employees regardless of their typical workweek schedule and are excluded from hours worked in calculating overtime. Part-time and temporary employees, including summer employees, are not eligible for holiday pay.

Holiday pay shall be at the employee's regular straight-time rate, inclusive of shift premiums, times his regularly scheduled hours (not to exceed 8 hours).

A holiday shall be considered as 8 hours worked with the exception of Police, Fire, Telecommunications, Wastewater Treatment Plant, and Water Treatment Plant employees whose holiday pay is based on their shift hours.

ARTICLE III. THE PAY PLAN

Section 20. Work (general terms)

(Updated October 27, 2026)

Use of Personal Vehicle for Business. When it is necessary to use a personal car for Town business, with prior approval of the Town Manager, the Town will pay the prevailing Internal Revenue Service rate for business mileage for use of the private vehicle. A travel expense form must be completed by the individual and submitted to the department head for approval. It should be understood that no coverage for physical damage to an employee's personal vehicle is covered by the Town. The use of a personal vehicle to transport minor children for Town purposes is strictly prohibited under this policy.

ARTICLE X. TIME OFF AND LEAVES OF ABSENCE

Section 4. Vacation

(Updated October 27, 2026)

Minimum vacation time increments
Employees must take vacation time in increments of at least ~~four~~ **two** hours. It is each

supervisor’s responsibility to monitor such absences and to ensure that they do not become excessive in relation to the hours worked by the employee.