

## CHAPTER 4

### ADMINISTRATION

#### Article I

#### GENERAL ADMINISTRATION

##### Sec. 4-1. Manager

- (a) Appointment. The council shall appoint a manager to serve at its pleasure. The manager shall be appointed solely on the basis of his executive and administrative qualifications. He need not be a resident of the city or state at the time of his appointment.
- (b) Power and duties. The manager shall be the chief administrator of the city. He shall be responsible to the council for administering all municipal affairs placed in his charge by them, and in addition to those powers and duties assigned to him by the city charter and by other provisions of law, he shall:
  - (1) Appoint and suspend or remove all city officers and employees not elected by the people, except those whose appointment or removal is otherwise provided for by law, in accordance with such general personnel rules, regulations, policies, or ordinances as the council may adopt;
  - (2) Direct and supervise the administration of all departments, officers, and agencies of the city, subject to the general direction and control of the council, except as otherwise provided by law;
  - (3) Attend all meetings of the council and recommend any measure that he deems expedient;
  - (4) See that all laws of the state, the city charter, and the ordinances, resolutions and regulations of the council are faithfully executed within the city;
  - (5) Prepare and submit the annual budget and capital program to the council;
  - (6) Annually submit to the council and make available to the public complete report of the finances and administrative activities of the city as of the end of the fiscal year;
  - (7) Make any other reports that the council may require concerning operations of city departments, offices, and agencies; and
  - (8) Perform any other duties that may be required or authorized by the council.

Sec. 4-2. Clerk

- (a) Appointment. There shall be a clerk appointed by the council to serve at its pleasure.
- (b) Duties. The city clerk shall:
  - (1) Give notice of meetings of the council;
  - (2) Keep a journal of the proceedings of the council;
  - (3) Record in a book kept for the purpose all ordinances and resolutions;
  - (4) Be the custodian of all city records; and
  - (5) Perform such other duties as are prescribed by law or by the city charter or by the council.

Sec. 4-3. Attorney

The council shall appoint a city attorney to serve at its pleasure and shall prescribe his duties and his rate of compensation.

Article II

FINANCE

Sec. 4-4. Finance Officer

- (a) Appointment. The city manager may appoint a finance officer.
- (b) Duties. The duties of the finance officer shall be to:
  - (1) Keep the city's accounts in accordance with generally accepted principles of governmental accounting and the rules and regulations of the Local Government Commission;
  - (2) Disburse all funds of the city in strict compliance with the Local Government Budget and Fiscal Control Act, the budget ordinance, and each project ordinance, and pre-audit obligations and disbursements as required by the Local Government Budget and Fiscal Control Act;
  - (3) Prepare and file with the council a statement of the financial conditions of the city whenever requested to do so by the council;

- (4) Receive and deposit money accruing to the city and supervise the receipt and deposit of money by other duly authorized officers or employees;
- (5) Maintain all records concerning the city's bonded debt, and determine the amount of money that will be required for debt service during each fiscal year, and maintain all sinking funds;
- (6) Perform such other duties as may be assigned to him by law, the city manager, the council, or by rules and regulations of the Local Government Commission.

Sec. 4-5.        Budget Officer

The city manager shall be the budget officer. The budget officer shall perform those duties and responsibilities assigned to him by NCGS 159.

Sec. 4-6.        Tax Collector

- (a) Appointment. The council may appoint a tax collector to serve until his successor has been appointed and qualified. The council may remove the tax collector under the circumstances and in accordance with the procedure specified in NCGS 105-349(a). The tax collector shall not begin his duties until he has furnished a bond in accordance with NCGS 105-349(c), nor shall he continue collecting taxes after such bond has expired without renewal.
- (b) Duties. In addition to other duties and responsibilities provided by law, the tax collector shall:
  - (1) Employ all lawful means to collect all taxes with which he is charged by the council;
  - (2) Perform such duties in connection with the preparation of the tax records and tax receipts as the council may direct under the provisions NCGS 105-319 and 105-320;
  - (3) Keep adequate records of at collections he makes;
  - (4) Account for money coming into his hands, in such form and detail as may be required by the finance officer;
  - (5) Make settlement at the times required by NCGS 105-73 and at any other time the council may require him to do so; and
  - (6) Send bills or notices of taxes due to taxpayers if instructed to do so by the council.
- (c) Revenue Collector. The council may appoint a revenue collector to collect the license tax.
- (d) Oath of Office. The tax collector appointed shall take and subscribe the following oath and file it with the city clerk:

"I, \_\_\_\_\_ do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States, and the Constitution and laws of the North Carolina not inconsistent therewith, and that I will faithfully discharge the duties of my office as (deputy) tax collector of the City of Archdale, and that I will not allow my actions as tax collector to be influenced by person or political friendships or obligations, so help me God."

Signature \_\_\_\_\_

Secs. 4-7--4-14. Reserved.

### Article III

#### PUBLIC SAFETY

##### Sec. 4-15. Police Department

- (a) The police department shall consist of a chief of police and as many police officers and staff as may be provided for from time to time by the city council.
- (b) As provided in NCGS 160A, police officers shall:
  - (1) Take, subscribe and file with the city clerk the oath of office prescribed by Article VI, Section 7 of the North Carolina Constitution;
  - (2) Have at the powers invested in law enforcement officers by statute or common law within the corporate limits of the city and within one mile thereof and on all property owned or leased by the city.

##### Sec. 4-16. Auxiliary Law Enforcement Personnel

- (a) Under and pursuant to NCGS 160A-13, the chief of police of the City of Archdale is authorized to establish and maintain a volunteer organization of reserve police officers to be designated as the "Archdale Police Reserve" whose members shall be volunteers and shall be clothed with the powers and charged with the duties of regular members of the Archdale police department. The city manager will report to the council on the status or changes made in the Archdale Police Reserve within thirty (30) days.
- (b) Such reserve police officers shall give the same bond and be subject to the orders and directions of their superior officers when on active duty as are regular members of the police department. They shall take and subscribe the oath required under NCGS 160A-284.
- (c) Reserve police officers shall receive no compensation from the city for services rendered as a reserve police officer except that the city shall pay the premium upon any bond, which

may be required of them. However, this subsection shall not prevent employment of members of the Archdale police reserve as temporary paid police employees when so ordered by the chief of police or city manager of the City of Archdale.

- (d) Reserve police officers shall be required to be examined and certified as provided under NCGS 17A.
- (e) Reserve police officers may be called to active duty during an emergency or on special occasions when their assistance is required in the opinion of either the chief of police or the city manager of the City of Archdale, and shall be subject to call of the chief of police for training at other times. The chief of police or the city manager are hereby authorized to determine when the services of the volunteer reserve police officers are required for official duties from time to time. Such reserve officers may report to the chief of police or his designated representative at any time and be assigned duty in the discretion of the chief of police. Reserve police officers shall be assigned from time to time by the chief of police, or his designated representative, to provide security functions and police protection at public gatherings.
- (f) The Archdale police reserves may adopt bylaws not inconsistent with the provisions of this ordinance subject to the approval of the chief of police for further government of its membership. The bylaws may provide for an executive board of not less than three nor more than seven persons to serve as its executive committee as might be provided in its bylaws. Upon passage of this ordinance or as soon thereafter as practicable, the chief of police of the City of Archdale will designate a supervisor for volunteer police officers and the designated supervisor shall hold such supervisory rank in the police reserves as may be designated by the chief of police.
- (g) In addition to duties herein prescribed for the volunteer reserve police officers of the city of Archdale, they shall perform all duties imposed upon them by the chief of police and the provisions of the North Carolina General Statutes specifically including the provisions of NCGS 166A.
- (h) While undergoing official training and performing duties on behalf of the city pursuant to orders or instructions of the chief of police or city manager of the city, reserve police officers shall be entitled and shall be clothed with all powers, privileges and immunities afforded by law to regularly employed police officers of the city, including benefits under the North Carolina Workmen's Compensation Act, not inconsistent with the provisions of this ordinance. (Ord. of 10-2-1979)

Sec. 4-17.      Posting of Signs Prohibiting the Carrying of Concealed Weapons on Certain Municipal Property

- (a) Posting of Signs Required. The city manager is hereby authorized and instructed to post conspicuous signage at appropriate locations on or within each park and each building or portion of a building owned, leased as lessee, operated, occupied, managed or controlled

by the city, as well as the appurtenant premises to such buildings, indicating that a concealed handgun is prohibited therein.

- (b) Location of Signs. Signs on buildings shall be visibly posted on the exterior of each entrance by which the general public can access the building. The city manager shall exercise discretion in determining the number and appropriate location of signs to be placed on or within appurtenant premises and parks.
- (c) Severability; Conflict of Laws. If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to that end the provisions of this ordinance are declared to be severable. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.
- (d) Effective Date. This ordinance shall be effective on and after December 1, 1995. (Adopted 10-24-95)

#### Sec. 4-18. Adoption of Fire Prevention Code

- (a) For the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the most current adopted edition of the North Carolina State Building Code: Fire Prevention Code, including all appendices and all subsequent amendments and revisions. A copy of such is on file in the office of the Clerk of the City of Archdale.
- (b) Amendments to codes and standards adopted by reference herein which are adopted and published by the North Carolina State Building Code Council shall be effective in the City of Archdale at the time such amendments become a part of North Carolina State Building Code: Fire Prevention Code.  
**As the North Carolina Prevention Code is supplemented and amended by the state, such amendments shall be automatically incorporated by reference into this code as if copied in this article in full.**
- (c) Criminal Penalty. Any person who shall violate any of the provisions on the Fire Prevention Code adopted herein, or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted or approved thereunder, or any certificate or permit issued thereunder, shall, severally for each and every violation and noncompliance respectively, be guilty of a Class 3 misdemeanor and shall be fined not more than \$500, subject to the provisions in G.S. § 14-4. The application of the penalty shall not be held to prevent the enforced removal of prohibited conditions.
- (d) Key Boxes and Locks. Where required: All new buildings of non-residential type. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for lifesaving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type listed in accordance with UL 1037 and shall contain keys.

(a) Locks. An approved lock shall be installed on gates or similar barriers where required by the fire code official.

(b) Key box maintenance. The operator of the building shall immediately notify the fire code official and provide the new key where a lock is changed or rekeyed. The key to such lock shall be secured in the key box.

(e) Requirements for fire service water mains, fire hydrants and fire connections on private property.

(a) Fire Service Water Mains.

(1) Fire service water mains shall be installed in accordance with approved plans and the City Engineering and Public Works Department requirements and specifications for water main construction. Fire service mains shall also be installed in accordance with the National Fire Protection Association standard for the installation of private fire service mains and their appurtenances, NFPA 24. Conflicting provisions of the City Engineering and Public Works Department specifications and NFPA 24 requirements should be reported to the fire department.

(2) Fire service water mains, water meters and other appurtenances shall be designed to provide the minimum combined required sprinkler demand (if applicable) and needed fire flow at twenty (20) pounds per square inch residual pressure at the hydraulically most difficult fire hydrant. It is assumed that other fire hydrants, if provided, will provide a greater quantity of water at the same residual pressure.

(3) Required fire flow will be determined utilizing the most current version of the North Carolina Fire Code.

(4) Water flow testing will be conducted at the time of the Certificate of Occupancy to determine that the water system meets the water supply quantities determined in subsection (a)(2). Failure to meet the water flow requirements subsection (a)(2) will result in denial of certificate of occupancy.

(b) Fire hydrants. Fire hydrant coverage shall not exceed the limits established in the most current version of the North Carolina Fire Code, to the most remote point of any building covered by the state fire prevention code.

(1) All fire hydrants will be on a public main, no private fire hydrants are permitted.

(2) For proper measurement, start at the fire hydrant and measure along the same path of travel as a fire truck would use. Do not measure according to the term "as the crow flies."

- (3) The approach route of firefighting apparatus should be kept in mind as fire hydrant locations are determined. Fire hydrants should be located so that the fire apparatus will not have to go past the fire to catch a fire hydrant, then double back to the fire.
  - (4) Fire hydrants shall be installed and painted according to the City Engineering, Public Works, and fire department specifications.
  - (5) Each fire hydrant must be readily visible and within six (6) feet of the curb line. No obstructions are permitted between the hydrant and the curb line.
  - (6) All obstructions, such as fences, trees, shrubs, signs, etc., shall be at least three (3) feet from the fire hydrant in all directions. The City or fire department shall have the right to cut, trim or remove obstructions to the extent and for the purpose of correcting such hazards.
  - (7) The five-inch Storz connection of the fire hydrant shall always face the curb.
  - (8) The nut of the Storz connection cap shall be no less than eighteen (18) inches nor more than four (4) feet above grade.
- (c) Fire Department Connections. The fire department connections for standpipe and/or sprinkler systems are important supplements to normal water supplies. Under fire conditions, these devices permit the fire department to increase the water supply and pressure to fire protection systems which may be materially reduced by a larger number of sprinklers operating or by the use of hose streams from standpipe risers.
- (1) Minimum size pipe shall be 4" diameter.
  - (2) All fire department fire sprinkler system connections for commercial buildings shall have one 5" Storz connection and protective cap. All fire department standpipe system connections for commercial buildings shall have two (2) 2½" NST connection and protective caps.
  - (3) The fire department connections at buildings provided with more than two (2) standpipe risers shall all have two (2) 2½" NST connection and protective caps at all standpipe riser.
  - (4) Fire department fire sprinkler connections on residential structures with residential sprinkler systems shall have five-inch Storz connection and protective cap. Fire department fire standpipe connections on residential structures with residential standpipe systems shall have two (2) 2½" NST connection and protective caps.
  - (5) All fire department connections (fire sprinkler and standpipe) shall be located not less than ten (10) feet from building, nor more than five (5) feet above

finished grade. Fire department connections (fire sprinkler and standpipe) are not permitted at backflow preventer or hot boxes. The fire chief will make final decisions on locations.

- (6) In cases where both a fire sprinkler and standpipe connection is required, both connections shall be within five (5) feet of each other.
- (7) All fire department connections (fire sprinkler and standpipe) shall be provided a clear space of ten (10) feet horizontally and vertically in all directions.
- (8) All fire department connections (fire sprinkler and standpipe) shall be readily visible and not more than ten (10) feet from a street, fire lane or similar area providing access to fire department apparatus. The area between the connection and vehicular access shall be free of obstructions.
- (9) There shall be an approved pumper fire hydrant within one hundred (100) feet of the fire department connection (fire sprinkler and standpipe) measured along an approved path of travel for the fire apparatus.

(f) Installation, Inspection and Maintenance of Private Fire Hydrants and Private Water System Components.

- (a) Installation - All newly installed private fire hydrants and private water systems shall be installed in accordance with and subject to the City's ordinances, policies, and standard specifications; NCAC Title 15A, Subchapter 18C Water Supplies; and NFPA 24 Standard for the Installation of Private Fire Service Mains and Their Appurtenances.
- (b) Inspection and maintenance - The owner of a private water system shall have all fire hydrants and water system components tested and inspected by a contractor licensed by the state or a certified operator as defined in NCAC Title 15A, Subchapter 18C. Testing and inspection shall occur within the required maintenance periods specified in NFPA 25 Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection Systems.
- (c) Repairs - The owner of a private water system shall be responsible for the repairs or replacement of any damaged, broken, and/or inoperable hydrants and/or water system components; and shall have all fire hydrant and/or water system component repairs or replacements conducted by a contractor licensed by the state in accordance with NCAC Title 15A, Subchapter 18C and NFPA 25 Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection Systems.
- (d) Violations - Any person who fails to comply with the provisions of this section shall be subject to penalties in accordance with section C.

(g) Fire/Inspection Authority Limits.

- (a) The primary fire/inspection limits for the City of Archdale are contracted with the Guil-Rand Fire Protective Association, Inc. aka Guil-Rand Fire Department. The Guil-Rand Fire Department will be responsible for providing fire protection, fire and life safety inspections, plan reviews, and emergency response to the City of Archdale.
- (b) The Guil-Rand Fire Protective Association, Inc. aka Guil-Rand Fire Department has adopted and will maintain a fee schedule for Plan Reviews, Construction Inspection Fees, Permit Fees, and Reinspection Fees. The most current version of the fee schedule will be posted on the Guil-Rand Fire Department website.

Sec. 4-19. Reserved.

Article IV

PLANNING AND REGULATION OF DEVELOPMENT

Sec. 4-20. Appointment and Organization of the Planning and Zoning Board and Board of Adjustments

- (a) A city Planning and Zoning Board for the City of Archdale is hereby created under the authority of NCGS 160A-361.
- (b) A city Planning and Zoning Board and Board of Adjustments shall consist of nine (9) members who reside within the city and/or the extraterritorial zoning jurisdiction. At least two (2) and no more than three (3) board members may reside outside the city limits. City residents shall be appointed by the city council. Extraterritorial members shall be recommended for appointment by the city council and appointed by the Board of County Commissioners of Randolph/Guilford County. All members shall serve overlapping terms of three (3) years. All members shall have equal rights, privileges and duties. Members shall not hold any other official municipal government position or office.
- (c) As per NCGS 160A-388, the membership of the Planning and Zoning Board shall also serve as the Board of Adjustments.
- (d) A concurring vote of four-fifths (4/5) of the members of the BOA shall be necessary to reverse any order, requirement, decision or determination of the applicant on any matter which it is required to pass under the zoning ordinance or to affect any variation in such ordinance. Four fifths (4/5) of the members of the BOA shall constitute a quorum for a meeting.
- (e) Members of the boards may receive compensation for service in keeping with city council policy. Members may be removed from the boards if they fail to attend at least 70% of all required meetings, miss three (3) or more consecutive meetings or by other cause.

Vacancies occurring other than through expiration of term shall be filled as soon as is reasonably possible after such vacancy occurs by the proper public body making the appointment and such appointment shall only be for the period of the unexpired term. A member may continue to serve the duration of his/her term until such time the council either reappoints said member or appoints a new board member.

- (f) Organization and Rules. Each board shall have a Chairman and Vice-Chairman. In February, boards shall elect a Chairman and Vice-Chairman from among the appointed members of each board and create and fill such other offices as they may determine. The Chairman of the Planning and Zoning Board may vote only in the event of a tie. The Chairman of the Board of Adjustment shall have voting privileges. The term of office for the Chairman and Vice Chairman shall be one (1) year. The Planning and Zoning Board shall meet at least once per month unless there is no business for the board, then it may be cancelled. All meetings shall be open to the public. Each Board shall adopt Rules of Procedure and keep a permanent record of all resolutions, findings and determinations (Ord. of 7-26-1994).

Sec. 4-21. Powers and Duties of the Planning and Zoning Board

- (a) It shall be the function and duty of the board to make and adopt a suggested master plan for the physical development of Archdale or modify parts of such plan as the board and city council may deem best. Such plan, with the accompanying maps, plans, charts and descriptive matter may show the board's recommendations for the development of said territory, including among other things, the general location, character, and extent of streets, bridges, parkways, playgrounds, parks, aviation fields and other public ways, grounds and open spaces, the general location of public buildings and other public property, and the general location and extent of public utilities and terminals, whether publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power and other purposes; also the removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of any of the foregoing ways, grounds, open spaces, buildings, property, utilities, or terminals, as well as a zoning plan for the control of the height, area, bulk, location and use of buildings and premises. The board may from time to time recommend amendments, extensions or additions to the plan.
- (b) In the preparation of such plan or modified plan or parts thereof, the board shall make careful and comprehensive surveys and studies of present conditions and future growth of Archdale and with due regard as its relation to neighboring territory. The plan shall be made with general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the city and its environs which will, in accordance with present and future needs, best promote health, safety, order, convenience, prosperity and general welfare, as well as efficiency and economy in the process of development, including among other things, adequate provision for traffic, the promotion of safety from fire and other dangers, adequate provision for light and air, the promotion of healthful and convenient distribution of population, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities and other public requirements.

- (c) Before the adoption by the board of the plan or any such part, amendment, extension or addition of the board shall hold at least one public hearing thereon. The board shall have power to promote public interest in and understanding of the plan and to that end may hold public hearings, publish and distribute copies of the plan or of any report and may employ such other means of publicity and education as it may determine. Individual members of the board, when duly authorized by the board, may attend city planning conferences or meetings. The city may pay any reasonable traveling expenses incident to said attendance upon approval by the city council. All officers or employees of the city shall render such reasonable assistance and any such information to the board as may be requested by the board for its work.
- (d) Additional powers and duties of the Planning and Zoning Board shall be governed as per the board's adopted Rules of Procedure.

Sec. 4-22. Proceedings of the Board of Adjustments

- (a) An appeal to the board may be taken by any person, firm, or corporation aggrieved, or by any town officer, department board or agency affected by any decision of the zoning enforcement officer based in whole or in part upon the provisions of the zoning ordinance. Such appeal shall be taken within such time as shall be prescribed by the board by general rule of appeal and specifying the grounds thereof. The zoning enforcement officer shall transmit to the board all the papers constituting the record upon which the action appealed from was taken. An appeal stays all proceedings in furtherance of the action appealed from unless the zoning enforcement officer certifies to the board, after the notice of appeal shall have been filed with him, that by reason of the facts stated in the certificate a stay would, in his opinion, cause imminent peril of life and property, in which case proceedings shall not be stayed.
- (b) Additional proceedings of the Board of Adjustment shall be governed as per Article XIV of the Zoning Ordinance.

Sec. 4-23. Power and Duties of the Board of Adjustments

- (a) The board shall make a finding that the reasons set forth in the application justify the granting of the variance and that the variance is the minimum one that will make possible the reasonable use of the land, building, or structure;
- (b) The board shall make a finding that the granting of the variance will be in harmony with the general purpose and intent of the zoning ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare;
- (c) In granting any variance, the board may prescribe appropriate conditions and safeguards in conformity with the zoning ordinance. Violation of such conditions and safeguards, when made part of the terms under which the variances granted, shall be deemed a violation of the zoning ordinance and punishable by the zoning ordinance; and

- (d) Under no circumstances shall the board grant a variance to allow a use not permissible under the terms of the zoning ordinance in the district involved, or any use expressly or by implication prohibited by the terms of the zoning ordinance in said district.
- (e) Decision of the Board of Adjustment. In exercising the above mentioned powers, the Board of Adjustments may reverse or affirm, wholly or in part, or may modify and order, requirements, decisions or determinations as ought to be made, and shall have the powers of the administrative official from whom the appeal is taken.
- (f) Additional powers and duties of the Board of Adjustments shall be governed as per Article XIV of the Zoning Ordinance.

Article V  
(reserved)

Article VI

## BUILDING PERMITS, FEES AND INSPECTIONS

### Sec. 4-26. Building Inspections Department

The Randolph County Building Inspections Department shall have the authority and responsibility to enforce the North Carolina State Building Code within the City of Archdale, as permitted by NCGS 160A-411 and 160A-413 and authorized by agreement between the city council of the City of Archdale and the Board of Commissioners of Randolph County.

### Sec. 4-27. Building Permits

- (a) It shall be unlawful for any person to begin or proceed with the construction, alteration, removal or demolition, in whole or in part, of any building or other structure within the city without first obtaining from the county building inspections department a permit to do so.
- (b) It shall be unlawful within the city for any person to install a gas conversion burner, floor furnace, central heating plant, vented wall furnace, water heater, boiler or consumer's gas piping, or to convert existing piping to utilize natural gas without first obtaining a permit from the building inspector to do such work, but permits shall not be required for setting or connecting other base appliances, or for the repair of leaks in housing piping. A gas company shall not be required to obtain permits for work having to do with its own system.
- (c) It shall be unlawful within the city for any person to install, alter or remove, in whole or in part, any system installation or appliance which is operated by or provides for the use of oil, electricity or water without first obtaining from the building inspector a permit to do so unless in any instance it is specifically provided by state law or this Code or other ordinance that such permit shall not be required.

Sec. 4-28. Building Permits--Application For

Any person desiring to obtain a permit required by this article shall make application thereof to the Archdale office of the county building inspections department, which application sets out, in addition to all information required by law, such additional information, plans and sketches as may be required by the county.

Sec. 4-29. Reserved.

Sec. 4-30. Fees for Permits

- (a) Except as may be provided otherwise by state law, the applicant for any permit required by this Article shall pay to the county building inspections department, prior to the issuance of the permit, such fees as provided for by the Randolph County Board of Commissioners, copies which are on file in the office of the clerk and the county building inspections office. (Ord. of 6-15-1971; revised 11-25-1986)

Article VII

PUBLIC WORKS DEPARTMENT, UTILITIES DEPARTMENT

Sec. 4-31. Public Works Department

- (a) The department of public works shall consist of a director of public works and as many other employees as the council may authorize from time to time.
- (b) The public works department shall have such duties and responsibilities related to streets and other public works as may be assigned by the council or the manager.

Sec. 4-32. Utilities Department

- (a) The utilities department shall consist of a director of utilities and as many other employees as the council may authorize from time to time.
- (b) The utilities department shall have such duties related to water and sewer utilities as may be assigned by the manager.

Article VIII

RECREATION

Sec. 4-33. Recreation Department

- (a) The recreation department shall consist of the recreation director and as many other employees as may be authorized from time to time by the council.

- (b) The recreation department shall have such duties and responsibilities relating to recreation as may be assigned by the manager.

Sec. 4-34. Creekside Park

- (a) Creekside Park is a municipal park open for public use between the hours of 8:00 a.m. and 11:00 p.m. Entrance into the park between the hours of 11:00 p.m. and 8:00 a.m. is forbidden and shall be considered trespassing unless special permission is granted by the Parks and Recreation Department.
- (b) The Parks and Recreation Department shall maintain policies, approved by the city council, for the operation of Creekside Park. Written copies of such policies shall be available at the park and at city hall. Individuals and groups may be asked to leave the park for violation of such policies and may be denied future use of the park.
- (c) The following regulations are adopted as ordinances and may be enforced by the Archdale Police Department, with a fine as prescribed in NCGS 14-4.
  - (1) It shall be unlawful for any person to remove, destroy, mutilate or deface any structures, equipment or plant life located in the park. Anyone doing so shall replace or pay for the same;
  - (2) It shall be unlawful for any person to bring upon, possess, or display any alcoholic beverage or narcotic substance in the park at any time, with the exception that service of alcohol may be approved by City Council for City-sponsored events where appropriate ABC permits have been obtained as described in Section 5-27(b). Such requests must come from staff and include Archdale Police Department approval regarding the provision of public safety and well-being;
  - (3) Smoking and use of tobacco products within 50 feet of any area or facility designed or designated for youth activities such as playgrounds, ball fields and the recreation center is prohibited;
  - (4) No loud or unreasonably disturbing noises are allowed;
  - (5) The park shall not be used for commercial or private gain functions;
  - (6) No group shall be allowed to charge admission to any park area unless approved by the Archdale Parks Recreation Department;
  - (7) Littering is strictly forbidden;
  - (8) No one may sell any item on park property without permission from the Archdale Parks and Recreation Department;

- (9) No uncontained fires are allowed. Grills may be brought from home to use;
- (10) Feeding and releasing of animals, both wild and domesticated, in Creekside Park is prohibited;
- (11) All pets must be on an approved leash; electric collars and e-leashes are not allowed;
- (12) Parking is permitted in designated parking areas only;
- (13) The park speed limit is 15 miles per hour.

All other applicable city ordinances shall be enforced within Creekside Park.

Sec. 4-35. Reserved.

#### Article IX

#### LIBRARY

Sec. 4-36. Library Established

Pursuant to the authority granted by NCGS 153A-14, there is hereby established a free public library in the City of Archdale, North Carolina, to be known as the Archdale Public Library.

Sec. 4-37. Use of Library

The use of the public library herein before created and established shall be forever free to the inhabitants of the City of Archdale, subject to such reasonable rules and regulations as may be adopted by and approved by the Archdale City council. (Ord. of 11-28-1972, 6-25-1974)

#### Article X

#### PLAN ARCHDALE COMMISSION

Sec. 4-38. Establishment of the Plan Archdale Commission.

The Archdale City Council formed the Plan Archdale Commission on July 26, 2022.

Sec. 4-39. Composition and Membership

The Plan Archdale Commission shall consist of eleven (11) members appointed by the City Council. Commission representation shall consist of nine (9) members who shall be residents of the City or reside within the area in which extraterritorial zoning is exercised by the City and two (2) members who are owners or employees of companies owning property within Archdale used

for multi-family, business, commercial, or non-profit purposes. In addition, one member of City Council shall be appointed to serve in a non-voting, ex-officio capacity on the board.

The members of the Plan Archdale Commission shall serve for terms of three (3) years until successors are appointed. The terms of the original members may be staggered so that all terms do not expire simultaneously. Vacancies shall be filled only for the remainder of the unexpired term of the vacant position. Commission members shall serve without compensation but may be reimbursed for actual expenses incidental to the performance of their duties within the limit of funds available to the board and identified by the City Council for such purposes.

#### Sec. 4-40. Powers and Duties

The Plan Archdale Commission provides recommendations to the Archdale City Council and City of Archdale staff for creating a more livable and inclusive community and oversees prioritization, implementation, and monitoring of progress towards achieving the goals outlined in the City's adopted Comprehensive Plan (*Plan Archdale*).

- (a) Recommendations of the Plan Archdale Commission will be based and categorized on the following seven livability factors defined in the Comprehensive Plan (*Plan Archdale*). For each one, a broad vision is stated to help define the overall intended outcome of the implementation of the recommendations.
  - (1) HOUSING: The City of Archdale is a community that provides housing choice and opportunities for people of all ages, incomes, and abilities. The diversity of the housing supply ensures that Archdale is a destination of choice for individuals and families at every stage of life.
  - (2) NEIGHBORHOOD: Archdale's neighborhoods are designed to make it easier for residents to reach the things they need most, neighborhoods served by good access to more distant destinations via transit or automobile help residents connect to jobs, health care, and services throughout the greater community.
  - (3) TRANSPORTATION: The City of Archdale provides its residents with transportation options that connect people to social activities, economic opportunities, and medical care. The street network provides extensive network of sidewalks, greenways and bicycle facilities allows residents to move around the City safely without a car.
  - (4) ENVIRONMENT: Archdale is a city that respects the natural environment, with policies and programs that foster environmental stewardship. The City seeks to ensure that its residents have access to preserved open space, clean water and clean air.
  - (5) HEALTH: Residents of Archdale maintain healthy lifestyles supported by access to high-quality healthcare options, opportunities to buy fresh foods, and plentiful options for exercise in the City's parks and along its sidewalk and greenway network.

- (6) **ENGAGEMENT:** The City of Archdale fosters interaction among residents and with their government. The City’s parks and other public spaces give residents an opportunity to interact with one-another and meet new people in a welcoming and inclusive atmosphere.
  
- (7) **OPPORTUNITY:** Backed by a strong regional economy and fiscally healthy local government, the City of Archdale provides residents an equal chance to earn a living wage and improve their well-being, from jobs to education, to housing, and civic engagement.

## Article XI

### CITY OF ARCHDALE STORMWATER ADVISORY BOARD

Sec. 4-41. Establishment of a Stormwater Advisory Board.

A city of Archdale Stormwater Advisory Board is hereby established.

Sec .4-42. Membership qualifications and terms.

The Stormwater Advisory Board shall consist of seven (7) members appointed by the City Council. Board representation shall consist of five (5) members who are owners of single-family residential property within the Archdale and two (2) members who are owners or employees of companies owning property within Archdale used for multi-family, business, commercial, or non-profit purposes. In addition, one member of City Council shall be appointed to serve in a non-voting, ex-officio capacity on the board.

The terms of board members shall be a maximum of three (3) years. The terms of the original members may be staggered so that all terms do not expire simultaneously. Vacancies shall be filled only for the remainder of the unexpired term of the vacant position. Members of the board shall demonstrate interest in support for the efficiency, effectiveness, goals and missions of the City’s stormwater management program. Board members shall serve without compensation, but may be reimbursed for actual expenses incidental to the performance of their duties within the limit of funds available to the board and identified by the City Council for such purposes.

Sec. 4-43. Powers and duties of the board.

The Stormwater Advisory Board is herewith charged with the following responsibilities:

1. Provide recommendations regarding the identification and implementation of stormwater management program issues including but not limited to program activities, functions, systems, and funding.
  
2. Assist City staff in working with stakeholder groups to implement program objectives and activities.

3. Assist City staff with public education and outreach activities that promote the city's stormwater management program.
4. Assist City staff in meeting the identified goals and objectives of the city's stormwater management program.
5. Provide a mechanism for program evaluation and annual reporting to the City Council of the program activities and effectiveness.

#### Sec. 4-44. Meetings.

The board shall establish a regular meeting schedule and shall meet at least quarterly.

All meetings shall be open to the public and reasonable notice of the time and place thereof shall be given in accordance with the North Carolina Open Meetings Law.

The board shall keep a record of its meetings, including attendance of its members, and its resolutions, findings, recommendations, and actions.

#### Sec. 4-45. Meeting Attendance.

Any member of the board who misses more than three (3) consecutive meetings shall lose his or her status as a member of the board, and shall be replaced or reappointed by the City Council. Absences due to sickness, death, or other emergencies of like nature shall be recognized as excused absences, and such shall not affect the member's status on the board, except that in the event of a long illness or other such cause for prolonged absence, the member shall be replaced.

#### Sec. 4-46. Quorum and voting.

A quorum of the board shall consist of a simple majority. The voting of a simple majority of those present at a meeting, a quorum being present, shall be necessary to take any official board action.

#### Sec. 4-47. Bylaws and rules of procedure.

The board shall adopt bylaws and rules of procedure as may be necessary for the board to conduct its business and carry out its duties and responsibilities.

## Article XII

### OATHS AND BONDS

#### Sec. 4-48. Oaths and Bonds of Officers and Employees

- (a) All officers and employees appointed by the council shall serve at the pleasure of the council except as otherwise provided by law, and shall receive for their services such compensation as may be established annually in the budget ordinance.
- (b) In addition to the requirements of state law, the council shall prescribe the required bond for each officer or employee that it deems necessary to be bonded, and no such officer or employee may begin the duties of his office until the required bond has been obtained.
- (c) All city officers shall take the following oath before beginning their duties:  
"I, \_\_\_\_\_ do solemnly swear (affirm) that I will support and maintain the Constitution and laws of the United States and the Constitution and laws of North Carolina not inconsistent therewith and that I will faithfully discharge the duties of my office as \_\_\_\_\_, so help me God.
- (d) This oath may be administered by the mayor or by any other official authorized to administer oaths by shall be subscribed and filed with the city clerk.