CITY OF NEW BERN BOARD OF ALDERMEN MEETING FEBRUARY 27, 2018 – 6:00 P.M. CITY HALL COURTROOM 300 POLLOCK STREET

- 1. Meeting opened by Mayor Dana E. Outlaw. Prayer Coordinated by Alderman Harris. Pledge of Allegiance.
- 2. Roll Call.

Consent Agenda

- Consider Adopting a Resolution Calling for a Public Hearing on the Initial Zoning of Property Located at the Intersection of Waterscape Way and West Thurman Road Identified as Tax Parcel 7-104-12002.
- Consider Adopting a Resolution Calling for a Public Hearing to Rezone Property Located Near the Intersection of Waterscape Way and West Thurman Road Identified as Tax Parcels 7-104-9004 and 7-104-10006 from R-8 Residential to C-3 Commercial.
- 5. Consider Adopting a Resolution to Close the 200 Block of Craven Street for New Bern Get Your Color On.
- 6. Consider Adopting a Resolution to Close the 100 Block of King Street for a Block Party.
- 7. Consider Adopting a Resolution to Close the 500-600 Blocks of Roundtree Street for Craven Terrace's Ribbon-Cutting Ceremony.
- 8. Consider Approving a Proclamation for Arbor Day.
- 9. Approve Minutes.

- 10. Consider Adopting a Resolution Approving the Sale of 1111 Williams Street.
- 11. Consider Adopting a Resolution Approving the Sale of 1112 Grace Street.
- 12. Consider Adopting a Resolution Establishing a Fund Balance Policy.
- 13. Consider Adopting a Resolution Placing 408 Hancock Street Under the Purview of Parks and Recreation as a Multipurpose Art Center.

- 14. Consider Adopting a Budget Ordinance Amendment for the FY2017-18 General Fund Operating Budget.
- 15. Consider Adopting an Ordinance for the Demolition of the Dwelling Located at 1127 H Street.
- Consider Adopting an Ordinance for the Demolition of the Dwelling Located at 725-727 West Street.
- 17. Consider Adopting an Ordinance for the Demolition of the Dwelling Located at 811 Miller Street.
- 18. Consider Adopting an Ordinance for the Demolition of the Dwelling Located at 1607-09 Dillahunt Street.
- 19. Consider Adopting an Ordinance to Amend Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles".
- 20. Appointment(s).
- 21. Attorney's Report.
- 22. City Manager's Report.
- 23. New Business.
- 24. Closed Session.
- 25. Adjourn.

Aldermen

Sabrina Bengel Jameesha Harris Robert V. Aster Johnnie Ray Kinsey Barbara J. Best Jeffrey T. Odham



300 Pollock Street, P.O. Box 1129 New Bern, NC 28563-1129 (252) 636-4000 Dana E. Outlaw Mayor

Mark A. Stephens City Manager

Memo to:

Mayor and Board of Aldermen

From:

Mark A. Stephens, City Manager 4

Date:

February 20, 2018

Re:

February 27, 2018 Agenda Explanations

- 1. Meeting opened by Mayor Dana E. Outlaw. Prayer Coordinated by Alderman Harris. Pledge of Allegiance.
- 2. Roll Call.

Consent Agenda

3. Consider Adopting a Resolution Calling for a Public Hearing on the Initial Zoning of Property Located at the Intersection of Waterscape Way and West Thurman Road Identified as Tax Parcel 7-104-12002.

(Ward 3) Kip Peregoy of Carolina Colours Association has submitted a request to have an approximately 1.77-acre of land zoned C-3 Commercial. The parcel is located at the intersection of W. Thurman Road and Waterscape Way and is further identified as Tax Parcel ID 7-104-12002. This is an initial zoning request which requires a public hearing pursuant to state statute and local ordinance. This resolution will call for the hearing to be held on March 13, 2018. A memo from Morgan Potts, City Planner, is attached along with a map of the subject property.

4. Consider Adopting a Resolution Calling for a Public Hearing to Rezone Property Located Near the Intersection of Waterscape Way and West Thurman Road Identified as Tax Parcels 7-104-9004 and 7-104-10006 from R-8 Residential to C-3 Commercial.

(Ward 3) Kip Peregoy of Carolina Colours Association has also submitted a request to rezone two parcels of land from R-8 Single Family Residential to C-3 Commercial District. The parcels consist of approximately 3.86 acres of land and are located near the intersection of Waterscape Way and W. Thurman Road. They are identified as Tax Parcel IDs 7-104-9004 and 7-104-10006. State statute and local ordinance require the Board to hold a public hearing to receive comments on the

requested rezoning. The proposed resolution calls for the hearing to be held on March 13, 2018. A memo from Mrs. Potts is attached along with a map of the subject property.

5. Consider Adopting a Resolution to Close the 200 Block of Craven Street for New Bern Get Your Color On.

(Ward 1) January Brown, President of New Bern Get Your Pink On, has requested the 200 block of Craven Street be closed to vehicular traffic on March 22, 2018 from 2 p.m. to 8 p.m. for the event "New Bern Get Your Color On". This annual event focuses on cancer awareness and is projected to draw 200 participants. A memo from Foster Hughes, Director of Parks and Recreation, is attached along with a copy of the event questionnaire and a location map.

6. Consider Adopting a Resolution to Close the 100 Block of King Street for a Block Party.

(Ward 1) Seth Miller has requested the 100 block of King Street be closed to vehicular traffic on March 10, 2018 from 11 a.m. until 7 p.m. for a block party/birthday party. A memo from Mr. Hughes is attached along with a copy of the event questionnaire and a location map.

7. Consider Adopting a Resolution to Close the 500-600 Blocks of Roundtree Street for Craven Terrace's Ribbon-Cutting Ceremony.

(Wards 1 and 2) Michelle Folio, Regional Vice President of Preservation Management, has requested the 500-600 blocks of Roundtree Street be closed to vehicular traffic from 10 a.m. to 12 noon on March 13, 2018 for Craven Terraces' ribbon-cutting ceremony. A memo from Mr. Hughes is attached along with a copy of the event questionnaire and a location map.

8. Consider Approving a Proclamation for Arbor Day.

Arbor Day is a nationally-observed day that celebrates tree planting, growing, and care. Parks and Recreation has requested a proclamation recognizing March 16, 2018 as Arbor Day. In 1967, the State Legislature ratified a bill in support of annually recognizing a particular day as Arbor Day. That day has been designated as the first Friday following March 15th.

9. Approve Minutes.

Minutes from the February 13, 2018 regular meeting and February 16, 2018 work session are provided for review and approval.

10. Consider Adopting a Resolution Approving the Sale of 1111 Williams Street.

(Ward 5) After receiving a bid of \$1,000.00 for the purchase of 1111 Williams Street, the Board adopted a resolution to initiate the upset bid process. The bid was advertised as required by law, but no other bids were received. The vacant lot has a tax value of \$4,000, and the offer represents 25% of this value. This property was acquired by the City and Craven County in March 2008 through tax foreclosure. At the time of foreclosure, taxes were due in the amount of \$3,850.42 to the County and \$3,726.69 to the City. Additionally, the City incurred \$3,200.00 in demolition costs, and the County and City incurred \$2,273.83 in foreclosure costs. If the property is sold for the initial offer of \$1,000.00, the County will received \$528.63 and the City will receive \$471.37. The City will also receive \$205.00 as reimbursement for advertising the bid. Attached are a memo from Brenda Blanco, City Clerk, along with the Offer to Purchase, maps of the property, the property tax card, and an estimate of the division of proceeds.

11. Consider Adopting a Resolution Approving the Sale of 1112 Grace Street.

(Ward 5) After receiving a bid of \$1,000.00 for the purchase of 1112 Grace Street, the Board adopted a resolution to initiate the upset bid process. The bid was advertised as required by law, but no other bids were received. The offer represents 25% of the tax value, which is \$4,000.00 for the vacant lot. This property was acquired by the City and Craven County in December 2006 through tax foreclosure. At the time of foreclosure, taxes were due in the amount of \$1,810.41 to the County and \$6,849.70 to the City, of which \$4,750.00 was a demolition lien. If the property is sold for the initial offer of \$1,000.00, the County will received \$543.10 and the City will receive \$456.90 plus reimbursement of the advertising costs in the amount of \$205.00. Attached are a memo from Brenda Blanco, City Clerk, along with the Offer to Purchase, maps of the property, the property tax card, and an estimate of the division of proceeds.

12. Consider Adopting a Resolution Establishing a Fund Balance Policy.

One of the goals identified at the Board's retreat on February 2nd and 3rd was to maintain fiscal responsibility. To assist with accomplishing this goal, it is recommended a fund-balance policy be adopted for the General Fund. The proposed policy sets the minimum fund balance at 25% with an annual goal of 35%. The policy also provides guidance on utilizing excess fund balance, as well as actions to be taken should the balance fall below the minimum of 25%. A memo from J.R. Sabatelli, Director of Finance, is attached.

13. Consider Adopting a Resolution Placing 408 Hancock Street Under the Purview of Parks and Recreation as a Multipurpose Art Center.

(Ward 1) At its December 12, 2017 and January 9, 2018 meetings, the Board discussed 408 Hancock Street and the possibility of using the property as a community arts center. On four different occasions, the Director of Parks and Recreation has met with concerned artists to discuss this proposal. It is his

recommendation that the property be placed under the scope of Parks and Recreation for the purpose of providing an art gallery, working artist studio, classrooms, and meeting space. The Department would work with interested groups to offer a variety of classes to the public, including the community's youth. Wall gallery space would be made available to artists on a monthly basis for a specified fee. In order to enable this use, several structural upgrades, facility amenities, and general supplies are needed at an estimated cost of \$25,000. Please refer to the memo from Foster Hughes.

14. Consider Adopting a Budget Ordinance Amendment for the FY2017-18 General Fund Operating Budget.

(Ward 1) To provide for the structural upgrades, facility amenities, and general supplies referenced in the previous item, this budget amendment will appropriate \$25,000 from Fund Balance to recreation facilities.

15. Consider Adopting an Ordinance for the Demolition of the Dwelling Located at 1127 H Street.

(Ward 1) Minimum housing violations for 1127 H Street were formally addressed in March 2005. On November 17, 2005, a hearing was held at which time the structure was found to be in a deteriorated state. The owner was granted 120 days to comply with the minimum housing code, which was subsequently extended to May 30, 2008 through additional agreements. In June 2008, the property was deemed in compliance. However, the property was since found to be in violation in 2012 and 2014. A final hearing before the Chief Building Inspector was held on August 11, 2016, at which time the owner was given until January 20, 2017 to bring the property into compliance. To date, no permits have been applied for and the structure remains in a dilapidated state. A memo from Jeff Ruggieri, Director of Development Services, is provided along with a chronological list of events and photos of the property.

16. Consider Adopting an Ordinance for the Demolition of the Dwelling Located at 725-727 West Street.

(Ward 1) A housing complaint was initiated for 727 West Street (also referred to as 725-727 West Street) on July 8, 2010 for numerous violations. On June 11, 2012, the property was damaged by fire. Staff conducted a minimum housing hearing on April 2, 2013, and an order was issued giving the owners until April 14, 2014 to complete all needed improvements to bring the structure into compliance. A building permit was issued on October 25, 2013, but work was never completed. The property remains in violation of the City's minimum housing code, and no additional permits have been sought. Attached are a memo from Mr. Ruggieri, a chronological list of events, and pictures of the property.

17. Consider Adopting an Ordinance for the Demolition of the Dwelling Located at 811 Miller Street.

(Ward 1) This property has been in a deteriorated or dilapidated state of condition since 2000. On June 24, 2017, a letter was sent to the owners advising them of the minimum house violation. A hearing was held with the Chief Building Inspector on August 24, 2017, at which time the owners were given 45 days to bring the property into compliance. To date, no permits have been applied for and no work has been initiated to remedy the condition of the structure. Attached are a memo from Mr. Ruggieri, a chronological list of events, and pictures of the property.

18. Consider Adopting an Ordinance for the Demolition of the Dwelling Located at 1607-09 Dillahunt Street.

(Ward 5) The property at 1607 Dillahunt Street (also known as 1607-1609 Dillahunt Street) has been vacant since 1999 and a concern for the Police Department since 2001. Staff has worked with the owners from January 2005 to late 2016 to both secure the building and bring it into compliance. A formal letter of violation was sent to the owners on August 31, 2015, and a hearing was conducted with the Chief Building Inspector on November 19, 2015, at which time the owners were granted six months to comply with the code. On May 10, 2016, this order was extended until August 19, 2016 to provide the owners an additional three months' time. However, to date no permits have been applied for and work has not been initiated. Attached are a memo from Mr. Ruggieri, a chronological list of events, and pictures of the property.

19. Consider Adopting an Ordinance to Amend Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles".

(Ward 1) The Master Parking Plan Advisory Committee presented several recommendations to the Board of Aldermen in November 2017 and January 2018. In response to some of those recommendations, an amendment is proposed to the City's parking ordinance. The area addressed in the amendment is bordered by Metcalf Street, Broad Street, the Neuse River, and the Trent River. The amendment makes modifications to no-parking zones, loading zones, and 15-minute parking zones. It also deletes reference to parking meters, provides for a loading zone in front of the Convention Center, removes any criminal penalties and makes violations a civil offense, and provides procedures for citations and appeals. A memo from Scott Davis, City Attorney, is provided detailing these changes, and Mr. Davis will answer any questions the Board may have.

20. Appointment(s).

a) Based on the rotation schedule, Alderman Best is asked to make an appointment to the Appearance Commission. The number of members on this commission was recently increased from five to seven, and one of these positions is unfilled. The Ordinance provides appointees shall be residents of the City's planning and zoning jurisdiction and shall, when possible, have had special training or experience in a design field such as architecture, landscape design, horticulture, city planning, or a closely-related field. Members of the Appearance Commission serve a three-year term. The commission currently holds its meetings at 6 p.m. on the second Thursday of each month at Parks and Recreation's administrative offices.

- b) Peggy Broadway's term on the Appearance Commission will expire March 1, 2018. Appointments are made on a rotating basis, and Alderman Odham is asked to fill this seat. Pursuant to the ordinance, appointees shall be residents of the City's planning and zoning jurisdiction and shall, when possible, have had special training or experience in a design field such as architecture, landscape design, horticulture, city planning, or a closely-related field. Members of the Appearance Commission serve a three-year term. The commission currently holds its meetings at 6 p.m. on the second Thursday of each month at Parks and Recreation's administrative offices.
- c) The Board is asked to appoint a representative to the Highway 17 Association. While Bernard White previously represented the City in this capacity, appointees are not restricted to elected officials and can be a member of the local government's management team or staff. Meetings are held quarterly, usually on the fourth Wednesday of the month from 10 a.m. to 12 noon, followed by lunch. The meeting location rotates within the Hwy. 17 corridor area. The next two meetings are scheduled for April 18th and June 27th.
- 21. Attorney's Report.
- 22. City Manager's Report.
- 23. New Business.
- 24. Closed Session.
- 25. Adjourn.

Agenda Item Title:

To consider adopting a resolution to call for a public hearing to initially zone Craven County Parcel ID 7-104-12002 to C-3 Commercial.

Date of Meeting 02-27-2018 Ward # if applicable Ward 3
Department Development Services Person Submitting Item: Morgan Potts
Call for Public Hearing Yes No Date of Public Hearing 3/13/2018
Explanation of Item:
State statute and local ordinance requires the governing body to hold a public hearing to initially zone a parcel consisting of 1.77 +/- acres to C-3 Commercial District, located at the intersection of Waterscape Way & West Thurman Road. The property is further identified as Craven County Parcel Identification 7-104-12002.
Actions Needed by Board:
Adoption of a resolution calling for a public hearing to be held on March 13, 2018, to consider initially zoning a parcel consisting of 1.77 +/- acres to C-3 Commercial District, located at the intersection of Waterscape Way & West Thurman Road. The property is further identified as Craven County Parcel Identification 7-104-12002.
Is item time sensitive? 🔽 Yes 🗌 No
Will there be advocates/opponents at the meeting? ✓ Yes ☐ No
Backup Attached:
Memo, site map of zoning surrounding the parcel, resolution to call for a public hearing.
Cost of Agenda Item: ⁰
If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director : \square Yes \square No
Additional notes:
The parcel at Waterscape Way & West Thurman Road was annexed by the City in 2005. The property is currently not zoned. It consists of approximately 1.77+/- acres. The applicant has

requested a C-3 Commercial zoning for the purpose of utilizing the parcel as outdoor storage

area for the residents of Carolina Colours.



Development Services 303 1st Street, P.O. Box 1129 New Bern, NC 28563 (252)639-7581

MEMORANDUM

TO: Mayor Outlaw and Board of Aldermen

FROM: Morgan Potts, AICP

City Planner

DATE: February 15, 2018

SUBJECT: Call for a Public Hearing to consider the initial zoning request for Craven County Parcel ID 7-104-12002 to C-3 Commercial.

Background

The Board of Aldermen is requested to hold a call for a public hearing to be held on March 13, 2018 at 6:00 p.m., or as soon thereafter as possible, to consider a request by Kip Peregoy of the Carolina Colours Association, Inc., to initially zone a parcel to C-3 Commercial. The site is located at the intersection of W. Thurman Road and Waterscape Way. The property is further identified as Craven County Parcel Identification 7-104-12002.

Recommendation

To hold a call for a public hearing to be held on March 13, 2018 at 6:00 p.m., to consider a request by Kip Peregoy of the Carolina Colours Association, Inc., to initially zone a parcel to C-3 Commercial. The site is located at the intersection of W. Thurman Road and Waterscape Way. The property is further identified as Craven County Parcel Identification 7-104-12002. Staff has no concerns with this initial zoning request.

Please contact me at 639-7583 should you have questions or need additional information.

RESOLUTION BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN

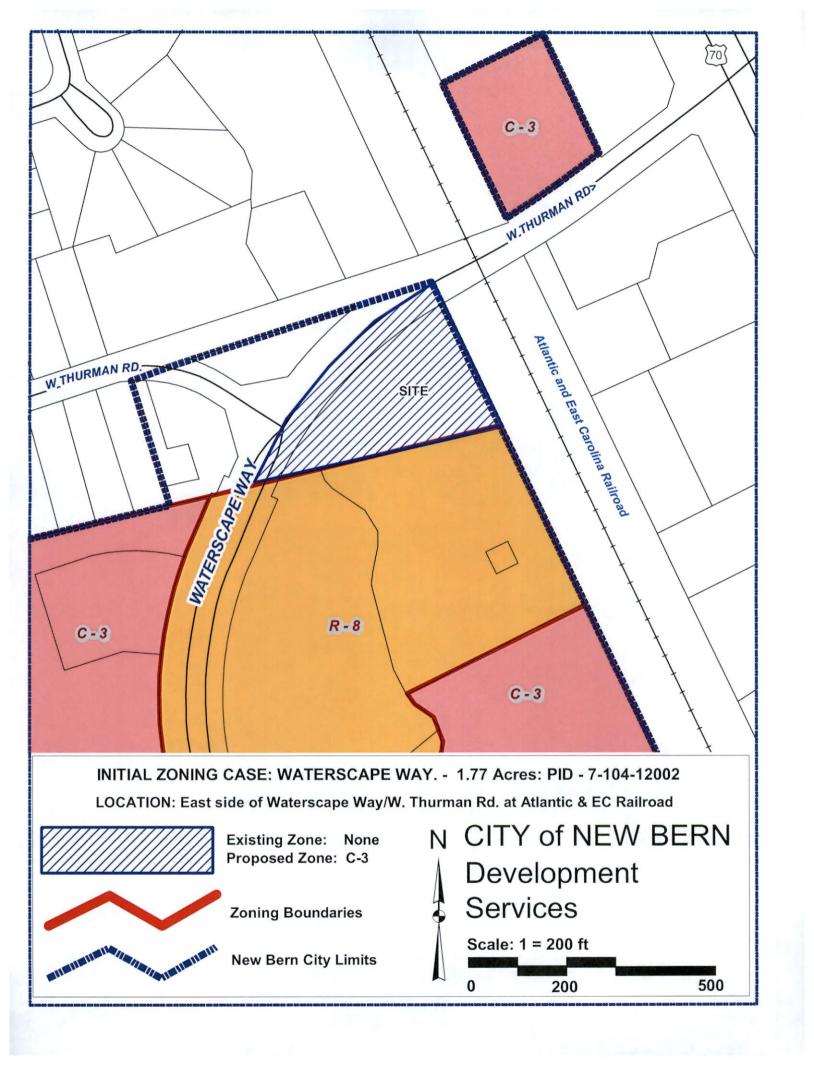
WHEREAS, the Board of Aldermen of the City of New Bern desires to call for a public hearing to receive public comments on a request to initially zone 1.77 +/- acres to C-3 Commercial District, located at the intersection of Waterscape Way and West Thurman Road. The property is further identified as Craven County Parcel Identification 7-104-12002.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

That a public hearing will be conducted by the Board of Aldermen of the City of New Bern at 6:00 PM on Tuesday, March 13, 2018 in the City Hall Courtroom, or as soon thereafter as the matter may be reached, in order that all interested parties may be given an opportunity to be heard on a request to initially zone a 1.77 +/- acre tract as C-3 Commercial District. The property is located at the intersection of Waterscape Way and West Thurman Road and is further identified as Craven County Parcel Identification 7-104-12002.

ADOPTED THIS THE 27th DAY OF FEBRUARY, 2018.

	DANIA E CUELAW MAYOR	
	DANA E. OUTLAW, MAYOR	
BRENDA E. BLANCO, CITY CLERK	· -	



Agenda Item Title:

residents of Carolina Colours.

To consider adopting a resolution to call for a public hearing to rezone Craven County Parcel ID's 7-104-9004 & 7-104-10006 from R-8 Residential to C-3 Commercial.

Date of Meeting 02-27-2018 Ward # if applicable Ward 3
Department Development Services Person Submitting Item: Morgan Potts
Call for Public Hearing Ves No Date of Public Hearing 3/13/2018
Explanation of Item:
State statute and local ordinance requires the governing body to hold a public hearing to rezone Craven County Parcel ID's 7-104-9004 & 7-104-10006. The two parcels consist of 3.86+/- acres, and are located near the intersection of Waterscape Way and W. Thurman Road, and to the west of property owned by the North Carolina Railroad. The applicant has proposed to rezone the property from R-8 Residential District to C-3 Commercial District.
Actions Needed by Board:
Adoption of a resolution calling for a public hearing to be held on March 13, 2018, to rezone Craven County Parcel ID's 7-104-9004 & 7-104-10006, consisting of 3.86+/- acres. The parcels are located near the intersection of Waterscape Way and W. Thurman Road, and to the west of property owned by the North Carolina Railroad.
Is item time sensitive? Ves No
Will there be advocates/opponents at the meeting? ✓ Yes ☐ No
Backup Attached:
Memo, site map of zoning surrounding the parcel, resolution to call for a public hearing.
Cost of Agenda Item: ⁰
If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director : \square Yes \square No
Additional notes:
The two parcels were annexed by the City in 2005. The property is currently zoned R-8 Single Family Residential. They consist of approximately 3.86 +/- acres. The applicant has requested a C-3 Commercial zoning for the purpose of utilizing the parcel as outdoor storage area for the



Development Services 303 1st Street, P.O. Box 1129 New Bern, NC 28563 (252)639-7581

MEMORANDUM

TO: Mayor Outlaw and Board of Aldermen

FROM: Morgan Potts, AICP

City Planner

DATE: February 15, 2018

SUBJECT: Call for a Public Hearing to consider a rezoning request for Craven County Parcel ID's 7-104-9004 & 7-104-10006 from R-8 Single Family Residential to C-3 Commercial District

Background

The Board of Aldermen is requested to hold a call for a public hearing to be held on March 13, 2018 at 6:00 p.m., or as soon thereafter as possible, to consider a request by Kip Peregoy of the Carolina Colours Association, Inc., to rezone two parcels from R-8 Single Family Residential to C-3 Commercial District. The site is located near the intersection of Waterscape Way and W. Thurman Road, and to the west of property owned by the North Carolina Railroad. The property is further identified as Craven County Parcel ID's 7-104-9004 & 7-104-10006.

Recommendation

To hold a call for a public hearing to be held on March 13, 2018 at 6:00 p.m., to consider a request by Kip Peregoy of the Carolina Colours Association, Inc., to rezone two parcels from R-8 Single Family Residential to C-3 Commercial District. The site is located near the intersection of Waterscape Way and W. Thurman Road, and to the west of property owned by the North Carolina Railroad. The property is further identified as Craven County Parcel ID's 7-104-9004 & 7-104-10006. Staff has no concerns with this initial zoning request.

Please contact me at 639-7583 should you have questions or need additional information.

RESOLUTION BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN

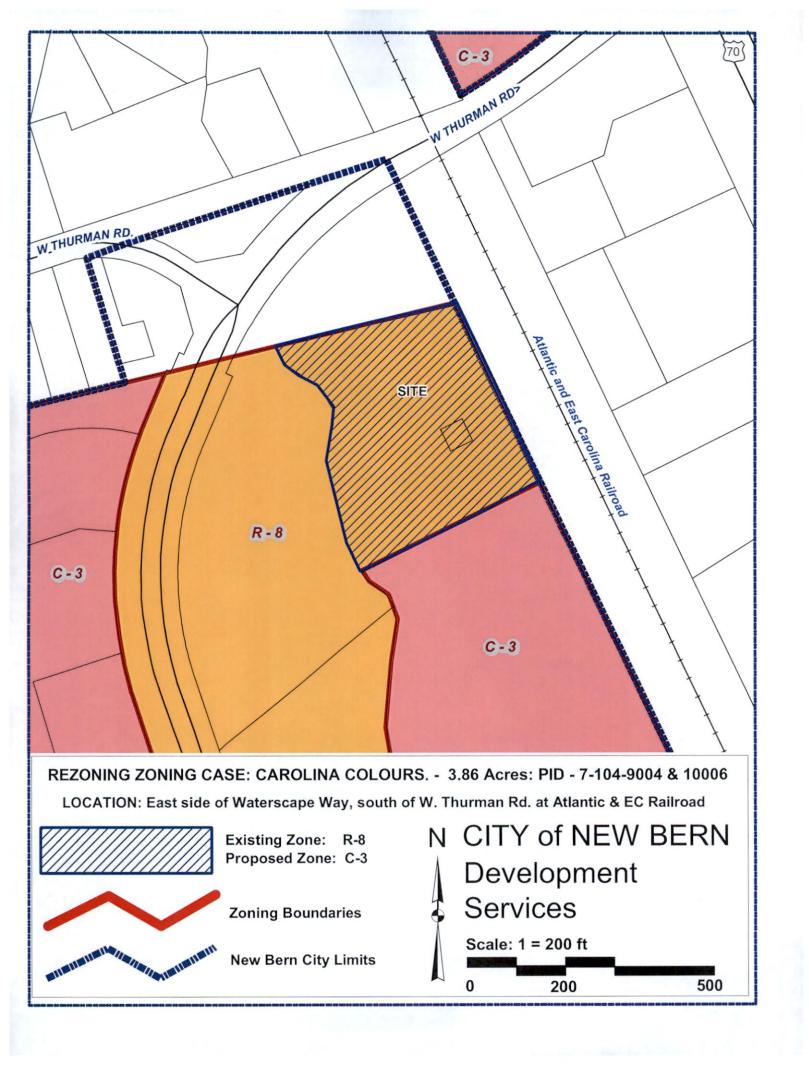
WHEREAS, the Board of Aldermen of the City of New Bern desires to call for a public hearing to receive public comments on a request to rezone 3.86 +/- acres from R-8 Residential to C-3 Commercial District. The properties are located near the intersection of Waterscape Way and W. Thurman Road and are further identified as Craven County Parcel Identification Numbers 7-104-9004 and 7-104-10006.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

That a public hearing will be conducted by the Board of Aldermen of the City of New Bern at 6:00 PM on Tuesday, March 13, 2018 in the City Hall Courtroom, or as soon thereafter as the matter may be reached, in order that all interested parties may be given an opportunity to be heard on a request to rezone 3.86 +/- acres from R-8 Residential to C-3 Commercial District. The subject properties are located near the intersection of Waterscape Way and W. Thurman Road and are further identified as Craven County Parcel Identification Numbers 7-104-9004 and 7-104-10006.

ADOPTED THIS THE 27th DAY OF FEBRUARY, 2018.

	DANA E. OUTLAW, MAYOR	-
BRENDA E. BLANCO, CITY CLERK	•	



Agenda Item Title:

Consider Adopting Resolution p.m. Thursday, March 22, 201 Event 200 block of Craven Str	to close a specific street to vehicle traffic from 2:00 p.m. until 8:00 .8 for New Bern Get Your Color On, Cancer Awareness Community eet:
Date of Meeting 2/27/2018	Ward # if applicable <u>Ward 1</u> If multiple, list:
Department Parks & Recrea	tion Person Submitting Item: Mr. Foster Hughes
Call for Public Hearing No	Date of Public Hearing
Explanation of Item:	
	Bern Get Your Color On has requested to close a specific street to eness Community Event on Thursday, March 22, 2018 from 2:00 p.m.
Actions Needed by Board:	
Adopt the Resolution. Is item time sensitive? No Will there be advocates/opp Backup Attached: Resolution	ponents at the meeting? <u>Select</u>
Memo Event Application Map	1
Cost of Agenda Item: N/A	
certified by the Finance Dire	enditure, has it been budgeted and are funds available and ector: <u>Select</u>
Additional notes:	·



Aldermen

Sabrina Bengel Iameesha Harris **Bobby Aster** Johnnie Ray Kinsey Barbara J. Best Jeffrey T. Odham

Family, fitness and fun come together here.

Foster Hughes, CPRE Director of Parks & Recreation



Dana E. Outlaw Mayor

Mark A. Stephens City Manager

Memo To: Mayor and Board of Aldermen

Foster Hughes, CPRE Director of Parks and Recreation (From:

Re:

Adopt the Resolution to close a specific street to vehicle traffic the 200 block of Craven Street, for New Bern Get Your Color On, Cancer Awareness Community

Event on Thursday, March 22, 2018 from 2:00 p.m. until 8:00 p.m.

Background Information:

January Brown, President New Bern Get Your Color On has requested to close a specific street to vehicle traffic the 200 block of Craven Street for New Bern Get You Color On, Cancer Awareness Community Event on Thursday, March 22, 2018 from 2:00 p.m. until 8:00 p.m.

Recommendation:

The Parks and Recreation Department recommends approval and request the Board adopt a Resolution approving to close the 200 block of Craven Street, for New Bern Get Your Color On, Cancer Awareness Community Event on Thursday, March 22, 2018 from 2:00 p.m. until 8:00 p.m.

If you have any questions concerning this matter, please call

RESOLUTION

WHEREAS, New Bern Get Your Color On has scheduled its annual cancer awareness community event and has requested the 200 block of Craven Street be closed to vehicular traffic from 2:00 p.m. until 8:00 p.m. on Thursday, March 22, 2018; and

WHEREAS, the Director of Parks and Recreation of the City of New Bern recommends the street be closed as requested.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

That the 200 block of Craven Street be closed to vehicular traffic from 2:00 p.m. until 8:00 p.m. on Thursday, March 22, 2018 for the cancer awareness event, New Bern Get Your Color On.

	DANA E. OUTLAW, MAYOR
BRENDA E. BLANCO, CITY CLERK	_

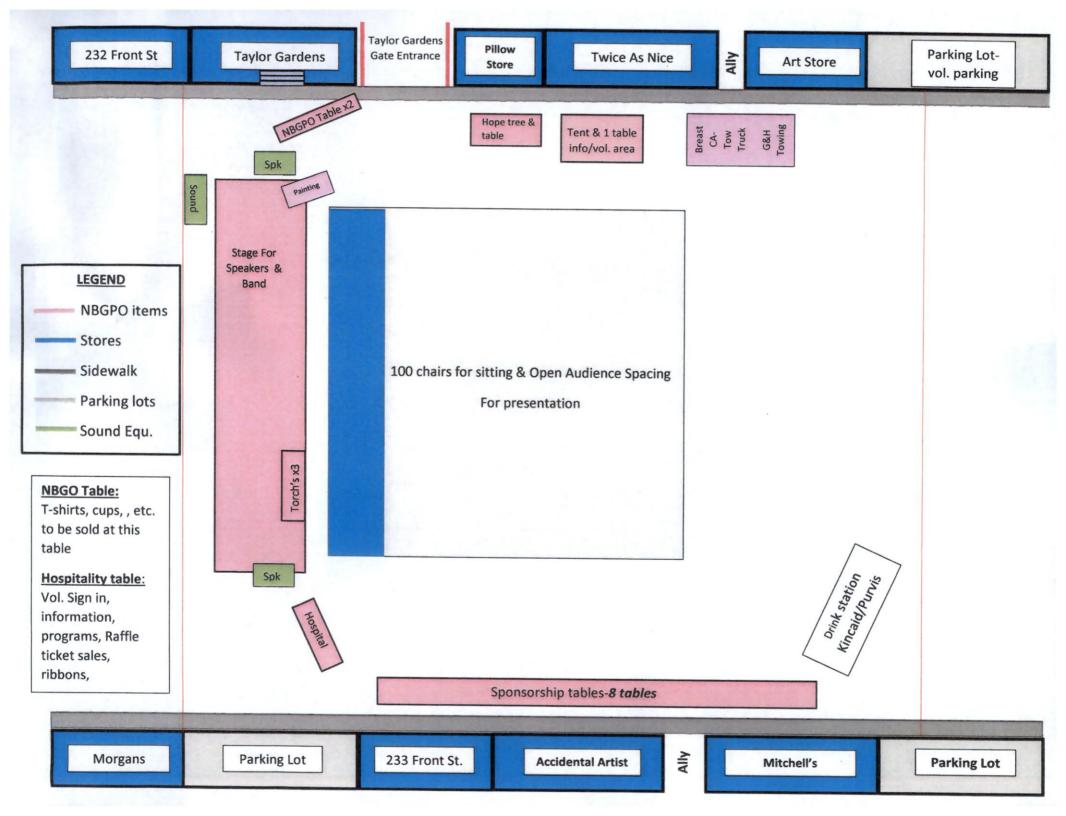
March 22, 2016 Thursday

New Bern Parks, Recreation, & Cultural Resources Pre-Event or Permit Questionnaire

Thank you for choosing New Bern Parks & Recreation for your event or permit. The purpose of this form is to obtain information <u>before</u> the application or permit process is requested. All requests are to be returned to Parks & Recreation Administration; requests include, but not limited to parks, open spaces, ball fields, streets, festivals, parades, road races and rallies.

If requesting the use of a recreation center, complete and return to the facility of choice (contact facility at bottom of page); approval of application is at the discretion of the Center Supervisor.

Please note: When requesting the use of City facilities for event purposes, allow for a minimum of 60 days prior to the requested event date for consideration; for permits, allow for a minimum of 30 days prior to the requested permit date for consideration. Completing a pre-event or permit questionnaire does not guarantee approval.
Name: January Brown Today's Date: 1/10/18
Name: January Brown Today's Date: 1/10/18 Address: <u>333 middle St 3 cd floor, Po Box 1717 City</u> : New Bern
State: NC Zip: 3565 Telephone: 252-638-3/85, v3/1/Cell: 252-229-3294
E-mail address: ibrown & eccog.org
Facility Requested (check one):Stanley White Rec. CenterWest New Bern Rec. Center
George St. Park Spray Ground New Bern Aquatics Center Athletic Field City Park
X Other (example: Open Space/Ball Field/Street): <u>Craven Street</u> -
Date of Event: 2/22 18 7 Hours: From: 200cm? To: 18:00 pm]
Purpose of Event: New Bern Get Your Color On Annual Awamess Event
ls this an ongoing event?YesNo (if yes, please explain, include dates & times:
Are you requesting closure and/or use of State-owned streets/bridges in the City limits of New Bern?Y*N
If yes, a 90-day notice is required by DOT regulation to gain permission to use/close State roads/bridges. A Special Event Form must be completed and returned to NCDOT. If you require this form, please let our office know and we will supply one for you. Once the NCDOT Special Events Form is complete, attached the following: a map of the route: along with a certificate of insurance naming the City of New Bern and NCDOT as an additional insured.
ls event for fundraising purposes? X_YesNo (If yes, please provide non-profit or not-for-profit organization name and tax I.D.
Number) Organization Name: New Bern Get Your ID#: SLO10105
Projected Attendance: 200 Will you be charging admission? Yes X No (If yes, state how much \$)
Note: Security may be required at the organizers expense, given the attendance and projected nature of the event.
Recreation Center: please check the area(s) you are requesting
Meeting RoomKitchenMulti-purpose RoomGame RoomFitness RoomGymnasium
Park Name: Please check the area(s) you are requesting.
ShelterOpen SpaceStageGazeboOther:
Electricity? Yes No (Check one) Water? Yes No (Check one) 4 barricades
January Prozoze 18440-President 1/10/18 Signature Title (if applicable) Dates



Agenda Item Title:

	e to vehicular traffic the 100 block of King Street from 11:00 arch 10, 2018 for a block party/birthday party.
Date of Meeting 2/27/2018	Ward # if applicable <u>Ward 1</u> If multiple, list:
Department Parks & Recreation	Person Submitting Item: Mr. Foster Hughes
Call for Public Hearing No	Date of Public Hearing
Explanation of Item:	
Seth Miller, organizer, has requested party on Saturday, March 10, 2018 fr	to close the 100 block of King Street for a block party/birthday om 11:00 a.m. until 7:00 p.m.
Actions Needed by Board:	
Adopt the Resolution.	
Is item time sensitive? No Will there be advocates/opponent Backup Attached:	ts at the meeting? <u>Select</u>
Resolution Memos Event applications Map	
Cost of Agenda Item: N/A	
If this item requires an expenditu certified by the Finance Director:	re, has it been budgeted and are funds available and <u>Select</u>
Additional notes:	



Aldermen

Sabrina Bengel Jameesha Harris Bobby Aster Johnnie Ray Kinsey Barbara J. Best Jeffrey T. Odham

Foster Hughes, CPRE

Director of Parks & Recreation

Dana E. Outlaw Mayor

Mark A. Stephens City Manager



Memo To: Mayor and Board of Aldermen

From: Foster Hughes, CPRE, Director of Parks & Recreation

Re: Adopt a Resolution to close to vehicular traffic the 100 block of King Street on

March 10, 2018 from 11:00 a.m. until 7:00 p.m. for a block party/birthday party.

Background Information:

Seth Miller, organizer, has requested to close to vehicular traffic the 100 block of King Street between East Front and Edgerton Streets on March 10, 2018 from 11:00 a.m. until 7:00 p.m. for a block party/birthday party.

Recommendation:

The Parks and Recreation Department recommends approval and requests the Board adopt a Resolution approving the closure of the 100 block of King Street between East Front and Edgerton Streets for a block party/birthday party on March 10, 2018 from 11:00 a.m. until 7:00 p.m.

If you have any questions concerning this matter, please call.

RESOLUTION

WHEREAS, Seth Miller, a resident of E. Front Street, has requested the 100 block of King Street be closed to vehicular traffic on March 10, 2018 from 11 a.m. to 7 p.m. for a block party/birthday party; and

WHEREAS, the Director of Parks and Recreation of the City of New Bern recommends the street be closed as requested.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

That the 100 block of King Street be closed to vehicular traffic from 11:00 a.m. until 7:00 p.m. on Saturday, March 10, 2018 for a block party/birthday party.

	DANA E. OUTLAW, MAYOR
BRENDA E BLANCO CITY CLERK	

NEW BERN

New Bern Parks, Recreation, & Cultural Resources Pre-Event or Permit Questionnaire



Thank you for choosing New Bern Parks & Recreation for your event or permit. The purpose of this form is to obtain information <u>before</u> the application or permit process is requested. All requests are to be returned to Parks & Recreation Administration; requests include, but not limited to parks, open spaces, ball fields, streets, festivals, parades, road races and rallies.

If requesting the use of a recreation center, complete and return to the facility of choice (contact facility at bottom of page); approval of application is at the discretion of the Center Supervisor.

Please note: When requesting the use of City facilities for event purposes, allow for a minimum of 60 days prior to the requested event date for consideration; for permits, allow for a minimum of 30 days prior to the requested permit date for consideration. Completing a pre-event or permit questionnaire does not guarantee approval.

Name: Seth M. Miller	Today's Date:
Address: 617 E. Front St	City: New Bern
State: NC Zip: 28560	Telephone: 252-670-6023
E-mail address: SETH.M.MILLER@gm	ail.com
	Stanley White Rec. CenterWest New Bern Rec. Center
George St. Park Spray Ground	New Bern Aquatics CenterAthletic FieldCity Park
X Other (example: Open Space/Ba	Field/Street): 100 Block King St (Between E.Front St & Edgerton St)
Date of Event: Saturday 03/10/2018	Hours: From: 11:00am To: 7:00pm
Purpose of Event: Block Party/Birthday Pa	arty- requesting closure via barracades at E.Front & King and Edgerton & King
ls this an ongoing event?Yes _X	No (if yes, please explain, include dates & times:
Are you requesting closure and/or use	of State-owned streets/bridges in the City limits of New Bern?Y* _X _N
returned to NCDOT. If you require this form, plea attached the following: a map of the route: along	ation to gain permission to use/close State roads/bridges. A Special Event Form must be completed and ase let our office know and we will supply one for you. Once the NCDOT Special Events Form is complete, g with a certificate of insurance naming the City of New Bern and NCDOT as an additional insured. Yes X_No (If yes, please provide non-profit or not-for-profit organization name and tax I.D.
Number) Organization Name:	ID #:
Projected Attendance: 25 Will y	ou be charging admission?Yes _X _No (If yes, state how much \$)
Note: Security may be required at the orga	anizers expense, given the attendance and projected nature of the event.
Recreation Center:	please check the area(s) you are requesting
Meeting RoomKitchen	_Multi-purpose RoomGame RoomFitness RoomGymnasium
Park Name:	Please check the area(s) you are requesting.
ShelterOpen Spa	aceStageGazeboOther:
Electricity?YesX_No (Che	ck one) Water?Yes _X_No (Check one)
Seth Miller	Ward 1/City Resident 02/16/2018
Signature	Title (if applicable) (Date)



Agenda Item Title:

Consider Adopting Resolution to close to vehicular traffic the 500-600 blocks of Roundtree Street from 10:00 a.m. until 12:00 p.m. on Tuesday, March 13, 2018 for Craven Terrace Ribbon Cutting.
Date of Meeting 2/27/2018 Ward # if applicable Ward 2 If multiple, list: Ward 1
Department Parks & Recreation Person Submitting Item: Mr. Foster Hughes
Call for Public Hearing No Date of Public Hearing
Explanation of Item:
Michele Folino, Regional Vice President, has requested to close the 500-600 blocks of Roundtree Street for Craven Terrace Ribbon Cutting on Tuesday, March 13, 2018 from 10:00 a.m. until 12:00 p.m.
Actions Needed by Board:
Adopt the Resolution. Is item time sensitive? No Will there be advocates/opponents at the meeting? Select Backup Attached: Resolution Memos Event applications Map
Cost of Agenda Item: N/A If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director: Select Additional notes:



Aldermen

Sabrina Bengel Jameesha Harris **Bobby Aster** Johnnie Ray Kinsey Barbara J. Best Jeffrey T. Odham

Family, fitness and fun come together here.

Foster Hughes, CPRE Director of Parks & Recreation



Dana E. Outlaw Mayor

Mark A. Stephens City Manager

Memo To: Mayor and Board of Aldermen

From: Foster Hughes, CPRE, Director of Parks & Recreation

Re: Adopt the Resolution to close to vehicular traffic the 500-600 blocks of Roundtree

Street on March 13, 2018 from 10:00 a.m. until 12:00 p.m. for Craven Terrace

Ribbon Cutting.

Background Information:

Michele Folino, Regional Vice President, has requested to close to vehicular traffic the 500-600 blocks of Roundtree Street on March 13, 2018 from 10:00 a.m. until 12:00 p.m. for Craven Terrace Ribbon Cutting.

Recommendation:

The Parks and Recreation Department recommends approval and requests the Board adopt a Resolution approving the closure of the 500-600 blocks of Roundtree Street for Craven Terrace Ribbon Cutting on March 13, 2018 from 10:00 a.m. until 12:00 p.m.

If you have any questions concerning this matter, please call.

RESOLUTION

THAT WHEREAS, Preservation Management has requested the 500-600 blocks of Roundtree Street be closed to vehicular traffic on March 13, 2018 from 10:00 a.m. until 12:00 p.m. for the Craven Terrace ribbon-cutting ceremony; and

WHEREAS, the Director of Parks and Recreation of the City of New Bern recommends the street be closed as requested.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

That the 500-600 blocks of Roundtree Street be closed to vehicular traffic from 10:00 a.m. until 12:00 p.m. on Tuesday, March 13, 2018 for the Craven Terrace ribbon-cutting ceremony.

ADOPTED THIS 27th DAY OF FEBRUARY 2018.

	DANA E. OUTLAW, MAYOR	-
BRENDA E. BLANCO, CITY CLERK		

New Bern Parks, Recreation, & Cultural Resources Pre-Event or Permit Questionnaire



Thank you for choosing New Bern Parks & Recreation for your event or permit. The purpose of this form is to obtain information <u>before</u> the application or permit process is requested. All requests are to be returned to Parks & Recreation Administration; requests include, but not limited to parks, open spaces, ball fields, streets, festivals, parades, road races and rallies.

If requesting the use of a recreation center, complete and return to the facility of choice (contact facility at bottom of page); approval of application is at the discretion of the Center Supervisor.

Please note: When requesting the use of City facilities for event purposes, allow for a minimum of 60 days prior to the requested event date for consideration; for permits, allow for a minimum of 30 days prior to the requested permit date for consideration. Completing a pre-event or permit questionnaire does not guarantee approval.

Name: Preservation Management / Michele Folino To		Today's Date: 2/21/1	8		
Address: 601 Roundtree St		City: New Bern			
State: NC Zip: 28560	Telephone: 252 633 0	540 Cell: 443	987 5456 Michele		
E-mail address: _mlchele.folino@presn	ıgmt.com				
Facility Requested (check one):	Stanley White Rec. Center	West New Bern	Rec. Center		
George St. Park Spray Ground	New Bern Aquatics Cer	iterAthletic Fiel	dCity Park		
X Other (example: Open Space/	Ball Field/Street) 1 600 block of R	oundtree street			
Date of Event: 3/13/18 Tuesd	Hours: From	:10am To:	12pm		
Purpose of Event: Ribbon Cutting Cra	ven Terrace				
Is this an ongoing event?Yes	X_No (if yes, please explain	n, include dates & time	s:		
Are you requesting closure and/or u	se of State-owned streets/brid	lges in the City limits o	f New Bern? X	_Y*	_N_
*If yes, a 90-day notice is required by DOT re returned to NCDOT. If you require this form, i attached the following: a map of the route: a	please let our office know and we will s	supply one for you. Once the	NCDOT Special Even	its Form is com	plete,
Is event for fundraising purposes?	Yes X_No (If yes, please p	ovide non-profit or not-for-p	rofit organization name	and tax I.D.	
Number) Organization Name:	ID#:				
Projected Attendance: 100-150 Wil	l you be charging admission?	Yes XNo (If y	es, state how muc	:h \$	١
Note: Security may be required at the o	rganizers expense, given the atte	endance and projected na	iture of the event.		
Recreation Center:	please chec	k the area(s) you are	equesting		
Meeting RoomKitchen _	Multi-purpose Room	Game RoomFitn	ess RoomGyi	mnasium	مولي.
Park Name:	Please check	the area(s) you are re	equesting.	mnasium Du ^{rci}	j. l ^{ulu}
ShelterOpen S	paceStageGa	zeboOther:			
Electricity?YesNo (Cl	eck one) Water?Yes	SNo (Check	: опе)	-	
Michele Folino	Regional Vice President	2/21/1			
Signature	Title (if applicable)	((Date)		

Agenda Item Title:

Consider Approving a Proclamation for Arbor Day

Date of Meeting 02/27/18	Ward # if applicable N/A			
Department City Clerk	Person Submitting Item: Brenda Blanco			
Call for Public Hearing Yes V No	Date of Public Hearing			
Explanation of Item:				
March 16th. In 1967, the State Legisl	a Proclamation for Arbor Day, which this year falls on ature ratified a bill in support of recognizing a particular t Friday following March 15th has been designated as			
Actions Needed by Board:				
Consider approving Arbor Day Proclai	mation			
Is item time sensitive? Ves No				
Will there be advocates/opponents at the meeting? ☐ Yes ☐ No				
Backup Attached:				
Proclamation				
Cost of Agenda Item: \$0				
If this item requires an expenditure, certified by the Finance Director :	has it been budgeted and are funds available and Yes \[\] No			
Additional notes:				



- **WHEREAS**, **Arbor Day** is a national celebration of community tree growing, planting and care dating back to 1872; and
- **WHEREAS**, recognition of this important historical tradition and the practical as well as aesthetic value of trees is a year-long effort in New Bern; and
- WHEREAS, Arbor Day serves to acknowledge the good work of City employees, resident volunteers, local garden clubs, corporate participants and the many service groups involved in the preservation and expansion of our urban forest; and
- WHEREAS, Arbor Day reminds us all of the basic need for trees, such as they help clean the air, protect wildlife, save heating and cooling costs, conserve energy production, block pollution of rivers and streams, reduce soil erosion and provide a sense of comfort, shelter and spiritual well-being; and
- **WHEREAS**, trees in our City increase property values, enhance the economic vitality of business areas and comprise a visual record of New Bern's past as well as a plan for the future appearance of its streetscapes and landscapes,
- NOW THEREFORE, I, Dana E. Outlaw, Mayor of the City of New Bern, on behalf of the New Bern Board of Aldermen do hereby proclaim March 16, 2018 as

"ARBOR DAY"

in the City of New Bern and urge all citizens to celebrate its meaning by planting, replacing or protecting their trees and woodlands and by learning more about the proper selection, care and maintenance of trees to make them last longer for the benefit of this and future generations.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of New Bern this the 27th day of February in the Year of Our Lord Two Thousand and Eighteen.

DANA E. OUTLAW, MAYOR

Agenda Item Title:

Consider Adopting a Resolution to Sale 1111 Williams Street

Date of Meeting 02/27/18	Ward # if applicable Ward 5
Department City Clerk	Person Submitting Item: Brenda Blanco
Call for Public Hearing ☐ Yes ✓ No	Date of Public Hearing
Explanation of Item:	
additional bids were received. The offer represents 2 acquired by the City and Craven County in March 200 amount of \$3,850.42 to the County and \$3,726.69 to costs, and the County and City incurred a total of \$2,3	f 1111 Williams Street was advertised as required by state statute, but no 5% of the tax value, which is \$4,000.00 on the vacant lot. The property was 08 through tax foreclosure. At the time of foreclosure, taxes were due in the the City. In addition to the taxes, the City also incurred \$3,200.00 in demolition 273.83 in foreclosure costs. If the property is sold for the initial offer, the County. The City will also be reimbursed the cost to advertise the offer.
Actions Needed by Board:	
Consider adopting resolution approvin	ig the sale of the property
Is item time sensitive? ☐ Yes ✓ No	
Will there be advocates/opponents a	nt the meeting?□Yes ☑No
Backup Attached:	
Memo, resolution, copy of offer to pure anticipated proceeds	chase, maps of property, tax card, and breakdown of
Cost of Agenda Item:	
If this item requires an expenditure, certified by the Finance Director :	has it been budgeted and are funds available and Yes No
Additional notes:	

Aldermen

Sabrina Bengel Jameesha Harris Robert V. Aster Johnnie Ray Kinsey Barbara J. Best Jeffrey T. Odham



300 Pollock Street, P.O. Box 1129 New Bern, NC 28563-1129 (252) 636-4000 Dana E. Outlaw Mayor

Mark A. Stephens City Manager

<u>Memorandum</u>

TO: Mayor and Board of Aldermen

FROM: Brenda Blanco, City Clerk

DATE: February 15, 2018

SUBJECT: Sale of 1111 Williams Street

After receiving an offer of \$1,000.00 from Amanda Hurst for the purchase of 1111 Williams Street, the Board adopted a resolution initiating the upset bid process. The bid was advertised as required by statute, but no additional bids were received. The offer represents 25% of the tax value, which is \$4,000.00. The vacant lot was acquired by the City and Craven County in March 2008 through tax foreclosure. At the time of foreclosure, taxes were due in the amount of \$3,850.42 to the County and \$3,726.69 to the City. In addition to the taxes, the City also incurred \$3,200.00 in demolition costs, and the County and City incurred a total of \$2,273.83 in foreclosure costs.

If the property is sold for the initial offer, the County will receive \$528.63 and the City will receive \$471.37. The City will also be reimbursed the cost to advertise the offer.

/beb

RESOLUTION

THAT WHEREAS, the City of New Bern and Craven County have received an offer to purchase a parcel of property owned by the City and County identified as 1111 Williams Street, and being more particularly described herein; and

WHEREAS, the Board of Aldermen is authorized to sell the City's interest in the property pursuant to North Carolina General Statute §160A-269; and

WHEREAS, the offer to purchase was advertised as required by said statute; and

WHEREAS, the offer to purchase was in the sum of \$1,000.00 by Amanda Hurst; that no increased bids were received; and

WHEREAS, the Board of Aldermen deems it advisable and in the best interest of the City to sell its interest in the subject property to the successful bidder and to convey its interest in said property by quitclaim deed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

Section 1. That the last and highest bid of Amanda Hurst in the sum of \$1,000.00 for said parcel identified as 1111 Williams Street, and being more particularly described herein, be and the same is hereby accepted as to the City's interest in said property, and the Mayor and the City Clerk be and they are hereby authorized and directed to execute a quitclaim deed to the purchaser for the City's interest in said property.

Section 2. That a copy of said quitclaim deed is attached hereto and incorporated herein by reference, and the original deed shall be delivered to said purchaser once the same has been executed on behalf of the City and County, upon payment of the purchase price.

<u>Section 3</u>. That the subject property is more particularly described as follows:

All that certain lot or parcel of land lying and being situate in Number Eight (8) Township, Craven County, North Carolina, and being more particularly described as follows:

Lot No. Ninety-two (92) in that subdivision known as Mechanicsville, map or plat of which is recorded in the Office of the Register of Deeds of Craven County in Book 116, Page 530, reference to which is hereby made for a more perfect description. It being the same land described in a deed from Elizabeth B. Duffy and Francis Duffy to Mary Jones recorded in Book 167, Folio 108, Craven County Registry, and in a deed from Mary Jones to Claudius Parker recorded in Book 174, Folio 164, Craven County Registry; and in a deed from Claudius Parker and wife to John Gooding and wife, Annie Gooding, recorded July

19, 1955 in Book 520, Page 413, Craven County Registry, to all of which reference is hereby made. Said premises known as 1111 Williams Street according to the current postal enumeration for the City of New Bern.

Being also that same property conveyed to Craven County and the City of New Bern by Commissioner's Deed recorded March 18, 2008 in Book 2704 at Page 843 of the Craven County Registry.

ADOPTED THIS 27th DAY OF FEBRUARY, 2018.

DANA E. OUTLAW, Mayor

BRENDA E. BLANCO, City Clerk

CRAVEN COUNTY

Ar	nanda Hurst , as Buyer, hereby offers to purchase and CRAVEN COUNTY and the
	Y OF NEW BERN, collectively as Seller, upon acceptance of said offer, agrees to sell and convey, all of that plot, piece or parcel and described below (hereafter referred to as the "Property"), upon the following terms and conditions:
	REAL PROPERTY: Located in or near the City of New Bern, Craven County, North Carolina, being known as and more
part	icularly described as:
	et Address: 1111 Williams Street
Sub	division Name:
	Parcel ID No.: 8-014-241
	Reference:
	ng all of that property more particularly described in Deed Book 2704, Page 843 in the Craven County Registry.
	PURCHASE PRICE: The purchase price is \$\(\frac{1}{000.00}\) and shall be paid as follows:
(a)	\$ 50.00 , EARNEST MONEY DEPOSIT with this offer by cash bank check certified check to be
	held by Seller until the sale is closed, at which time it will be credited to Buyer, or until this contract is otherwise properly
	terminated. In the event this offer is not accepted, then all earnest monies shall be refunded to Buyer. In the event of breach of
	this contract by Seller, all earnest monies shall be refunded to Buyer upon Buyer's request In the event of breach of this contract
	by Buyer, then all earnest monies shall be forfeited to Seller upon Seller's request, but such forfeiture shall not affect any other
	remedies available to Seller for such breach.
(b)	\$ 950.00 , BALANCE of the purchase price in cash or readily available funds at Closing.
	CONDITIONS:
	This contract is not subject to Buyer obtaining financing.
	The Property must be in substantially the same or better condition at Closing as on the date of this offer, reasonable wear and tear
(-)	excepted.
(c)	The Property is being sold subject to all liens and encumbrances of record, if any.
	Other than as provided herein, the Property is being conveyed "as is".
	This contract is subject to the provisions of G.S. §160A-269. Buyer acknowledges that this contract is subject to certain notice
(-)	provisions and the rights in others to submit upset bids in accordance therewith.
'n	Title shall be delivered at Closing by QUITCLAIM DEED
	SPECIAL ASSESSMENTS: Seller makes no warranty or representation as to any pending or confirmed governmental special
	ssments for sidewalk, paving, water, sewer, or other improvements on or adjoining the Property, or pending or confirmed owners'
	ciation special assessments. Buyer shall take title subject to all pending assessments, if any.
	PAYMENT OF TAXES: Any ad valorem taxes to which the Property is subject shall be paid in their entirety by Buyer.
	EXPENSES: Buyer shall be responsible for all costs with respect to any title search, title insurance, recording of the deed, and
	egal fees. Seller shall pay for preparation of a deed and all other documents necessary to perform Seller's obligations under this
	ement, and for any excise tax (revenue stamps) required by law.
	EVIDENCE OF TITLE: Not Applicable.
	CLOSING: Closing shall be defined as the date and time of recording of the deed. All parties agree to execute any and all
	uments and papers necessary in connection with Closing and transfer of title within thirty (30) days of the granting of final
	royal of the sale by Craven County's Board of Commissioners and the City of New Bern's Board of Aldermen pursuant to G.S.
	0A-269. The deed is to be made to Amanda Hurst
810	POSSESSION: Unless otherwise provided herein, possession shall be delivered at Closing.
	PROPERTY INSPECTION, APPRAISAL, INVESTIGATION:
	This contract is not subject to inspection, appraisal or investigation, as the Property is being bought "as is." Seller makes no
	esentation as to water, sewer, conditions, title, access, or fitness for any intended use.
	CLOSING SHALL CONSTITUTE ACCEPTANCE OF THE PROPERTY IN ITS THEN EXISTING CONDITION. PICHT OF ENTRY DESTORATION AND INDEMNITY Business and posterior and contractors shall not have the right to
	RIGHT OF ENTRY, RESTORATION AND INDEMNITY: Buyer and Buyer's agents and contractors shall not have the right to
	r upon the Property for any purpose without advance written permission of the Seller. If such permission is given, Buyer will
	minify and hold Seller harmless from all loss, damage, claims, suits or costs, which shall arise out of any contract, agreement, or injury
	my person or property as a result of any activities of Buyer and Buyer's agents and contractors relating to the Property. This indemnity
	l survive this contract and any termination hereof.
	OTHER PROVISIONS AND CONDITIONS: (ITEMIZE ALL ADDENDA TO THIS CONTRACT AND ATTACH RETO.): None.
	Buyer Initials Seller Initials

Page 1 of 2

- 13. RISK OF LOSS: The risk of loss or damage by fire or other casualty prior to Closing shall be upon Seller.
- 14. ASSIGNMENTS: This contract may not be assigned without the written consent of all parties, but if assigned by agreement, then this contract shall be binding on the assignee and the assignee's heirs, successors or assigns (as the case may be).
- 15. PARTIES: This contract shall be binding upon and shall inure to the benefit of the parties, i.e., Buyer and Seller and their heirs, successors and assigns. As used herein, words in the singular include the plural and the masculine includes the feminine and neuter genders, as appropriate.
- 16. SURVIVAL: If any provision herein contained which by its nature and effect is required to be observed, kept or performed after the Closing, it shall survive the Closing and remain binding upon and for the benefit of the parties hereto until fully observed, kept or performed.
- 17. ENTIRE AGREEMENT: This contract contains the entire agreement of the parties and there are no representations, inducements or other provisions other than those expressed herein. All changes, additions or deletions hereto must be in writing and signed by all parties.
- 18. NOTICE AND EXECUTION: Any notice or communication to be given to a party herein may be given to the party or to such party's agent. This offer shall become a binding contract (the "Effective Date") when signed by both Buyer and Seller and such signing is communicated to the offering party. This contract is executed under seal in signed multiple originals, all of which together constitute one and the same instrument, with a signed original being retained by each party, and the parties adopt the word "SEAL" beside their signatures below.

BUYER:	SELLER			
(If an individual)	CRAVEN COUNTY			
Mame: Amanda Hurst Date: 12/22/17 Address: 417 Rocky Run Road New Bern, NC 28562 Phone: 252-671-1794	By:(SEAL) Its: Date:			
(If a business entity)	CITY OF NEW BERN			
By:(SEAL) Its: Date:	By:(SEAL) Its: Date:			
Address:				
Phone:				

Craven County Geographic Information System

Craven County does NOT warrant the information shown on this page and should be used ONLY for tax assessment purposes. This report was created by Craven County GIS reporting services on 12/21/2017 3:19:20 PM

Parcel ID:

8-014 -241

Owner:

CRAVEN COUNTY & NEW BERN-CITY OF

Mailing Address:

PO BOX 1128 NEW BERN NC 28563

Property Address:

1111 WILLIAMS ST

Description:

LOT 1111 WILLIAMS ST

Lot Description:

Subdivision:

Assessed Acreage:

0.122

Calculated Acreage: 0.120

2704-0843

Recorded Date:

3 18 2008

Deed Reference: Recorded Survey:

Estate Number:

Land Value:

\$4,000

Tax Exempt:

Yes 0

Improvement Value: \$0

of Improvements:

Total Value:

\$4,000

City Name:

NEW BERN

Fire tax District:

Drainage District:

Special District:

Land use:

VACANT-RESIDENTIAL TRACT

Recent Sales Information

SALE DATE

Sellers Name

Buyers Name

Sale Type

Sale Price

GOODING, EDDIE HRS

CRAVEN COUNTY & NEW

STRAIGHT

3/18/2008

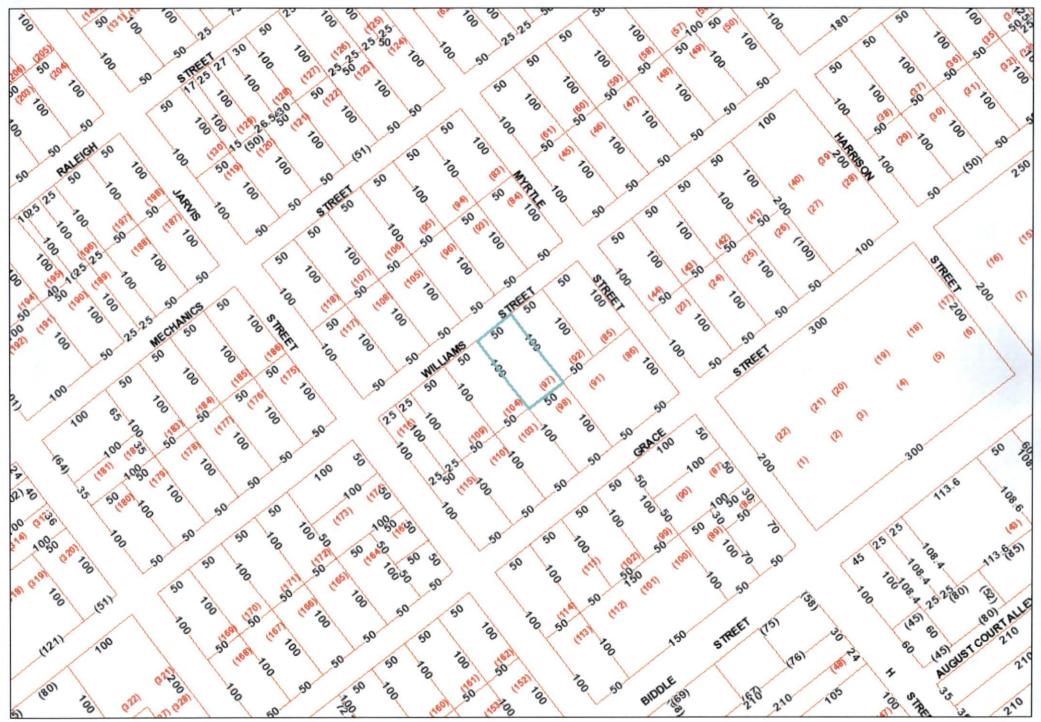
TRANSFER

\$13,500

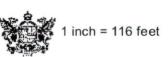
BERN-CITY OF

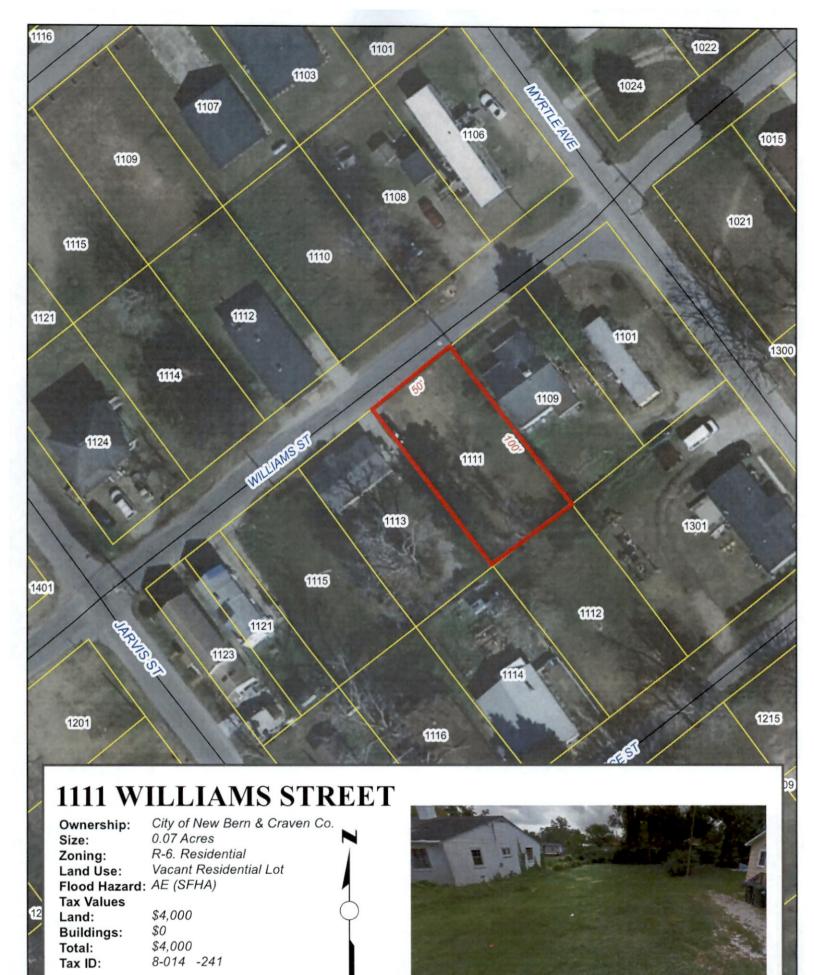
List of Improvements to Site

No improvements listed for this parcel









1210

20

1 inch = 50 feet

40

80 Feet

ESTIMATE OF DIVISION OF PROCEEDS

Property: 1111 Williams Street

Offer Amount Less: Reimb to City for publication of notice of offer (approx.)		\$	205.00	\$ 1,000.00
Balance		•	200.00	\$ 795.00
Foreclosure cost reimbursement:				
County	\$ 1,511.96		66.494%	\$ 528.63
City	\$ 761.87		33.506%	\$ 266.37
Total Costs	\$ 2,273.83			
County Total	\$ 528.63			
City Total	\$ 471.37			
Tor information numberate				
For information purposes:				
County taxes at Foreclosure	\$ 3,850.42			
City taxes/liens at Foreclosure (incl. \$3200.00 demo lien)	\$ 6,926.69			

AGENDA ITEM COVER SHEET

Agenda Item Title:

Additional notes:

Consider Adopting a Resolution to Sale 1112 Grace Street

Date of Meeting 02/27/18	Ward # if applicable Ward 5
Department City Clerk	Person Submitting Item: Brenda Blanco
Call for Public Hearing Yes No	Date of Public Hearing
Explanation of Item:	
received. The offer represents 25% of the tax value, which County in December 2006 through tax foreclosure. Forecld of \$1,810.41 to the County, and the City was due \$6,849.74	2 Grace Street was advertised as required by state statute, but no other bids were the is \$4,000.00 on the vacant lot. The property was acquired by the City and Craven osure costs totaled \$2,098.71. At the time of foreclosure, taxes were due in the amount 0, of which \$4,750.00 was a demolition lien. If the property is sold for the initial offer, the 30. The City will also be reimbursed the cost to advertise the offer.
Actions Needed by Board:	
Consider adopting resolution approving	g the sale of the property
Is item time sensitive? Yes 🗹 No	
Will there be advocates/opponents a	t the meeting?□Yes ☑No
Backup Attached:	
Memo, resolution, copy of offer to pure anticipated proceeds	chase, maps of property, tax card, and breakdown of
Cost of Agenda Item:	
<u> </u>	has it been budgeted and are funds available and Yes No

Aldermen

Sabrina Bengel Jameesha Harris Robert V. Aster Johnnie Ray Kinsey Barbara J. Best Jeffrey T. Odham



300 Pollock Street, P.O. Box 1129 New Bern, NC 28563-1129 (252) 636-4000 Dana E. Outlaw Mayor

Mark A. Stephens City Manager

Memorandum

TO: Mayor and Board of Aldermen

FROM: Brenda Blanco, City Clerk

DATE: February 15, 2018

SUBJECT: Sale of 1112 Grace Street

After receiving an offer of \$1,000.00 from Amanda Hurst for the purchase of 1112 Grace Street, the Board adopted a resolution initiating the upset bid process. The bid was advertised as required by statute, but no additional bids were received. The offer represents 25% of the tax value, which is \$4,000.00 on the vacant lot. The property was acquired by the City and Craven County in December 2006 through tax foreclosure. Foreclosure costs totaled \$2,098.71. At the time of foreclosure, taxes were due in the amount of \$1,810.41 to the County, and the City was due \$6,849.70, of which \$4,750.00 was a demolition lien.

If the property is sold for the initial offer, the County will receive \$543.10 and the City will receive \$456.90. The City will also be reimbursed the cost to advertise the offer.

/beb

RESOLUTION

THAT WHEREAS, the City of New Bern and Craven County have received an offer to purchase a parcel of property owned by the City and County identified as 1112 Grace Street, and being more particularly described herein; and

WHEREAS, the Board of Aldermen is authorized to sell the City's interest in the property pursuant to North Carolina General Statute §160A-269; and

WHEREAS, the offer to purchase was advertised as required by said statute; and

WHEREAS, the offer to purchase was in the sum of \$1,000.00 by Amanda Hurst; that no increased bids were received; and

WHEREAS, the Board of Aldermen deems it advisable and in the best interest of the City to sell its interest in the subject property to the successful bidder and to convey its interest in said property by quitclaim deed.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

Section 1. That the last and highest bid of Amanda Hurst in the sum of \$1,000.00 for said parcel identified as 1112 Grace Street, and being more particularly described herein, be and the same is hereby accepted as to the City's interest in said property, and the Mayor and the City Clerk be and they are hereby authorized and directed to execute a quitclaim deed to the purchaser for the City's interest in said property.

Section 2. That a copy of said quitclaim deed is attached hereto and incorporated herein by reference, and the original deed shall be delivered to said purchaser once the same has been executed on behalf of the City and County, upon payment of the purchase price.

<u>Section 3</u>. That the subject property is more particularly described as follows:

All that certain lot or parcel of land lying and being situate in Number Eight (8) Township, Craven County, North Carolina, and being more particularly described as follows:

On the north side of Grace Street between Jarvis and Craven Streets, being lot #98 in the plan of Mechanicsville. Being the same lot conveyed to Octavia W. Dunn and Susie E. Hagood by William Dunn, Jr., Trustee, by deed recorded in Book 298, Page 138 of the records of Craven County.

Being also that same property conveyed to Craven County and the City of New Bern by Commissioner's Deed recorded December 14, 2006 in Book 2543 at Page 585 of the Craven County Registry.

ADOPTED THIS 27th DAY OF FEBRUARY, 2018.

	DANA E. OUTLAW, Mayor	
BRENDA E. BLANCO, City Clerk		

Prepared by and return to:

Michael Scott Davis DAVIS HARTMAN WRIGHT PLLC 209 Pollock Street New Bern, NC 28560

Tax Parcel Nos. 8-014-241 and 8-014-246

Revenue Stamps: \$0.00

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

QUITCLAIM DEED

THIS QUITCLAIM DEED, made this 27th day of February, 2018, by and between the CITY OF NEW BERN, a municipal corporation of the State of North Carolina, and CRAVEN COUNTY, a body politic and corporate of the State of North Carolina ("Grantors"); to AMANDA HURST, whose mailing address is 417 Rocky Run Road, New Bern, NC 28562, ("Grantee");

WITNESSETH:

That said Grantors for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration to Grantors paid by the Grantee, the receipt of which is hereby acknowledged, have remised and released, and by these presents do remise, release and forever quitclaim unto the Grantee, Grantee's heirs and assigns, the following described property, to wit:

SEE <u>EXHIBIT A ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.</u>

The property herein conveyed does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD the above described lots or parcels of land and all privileges and appurtenances thereunto belonging to the Grantee, Grantee's heirs and assigns, free and discharged

from all right, title, claim or interest of the said Grantors or anyone claiming by, through or under the Grantors.

IN TESTIMONY WHEREOF, the CITY OF NEW BERN has caused this instrument to be executed as its act and deed by its Mayor, attested by its City Clerk, and its seal to be hereunto affixed, all by the authority of its Board of Aldermen, and CRAVEN COUNTY has caused this instrument to be executed as its act and deed by the Chairman of its Board of Commissioners, attested by its Clerk, and its seal to be hereunto affixed, all by the authority of its Board of Commissioners, as of the day and year first above written.

CITY OF NEW REDN

	CITT OF NEW DERIV
(SEAL)	
	Ву:
	DANA E. OUTLAW, Mayor
ATTEST:	

BRENDA E. BLANCO, City Clerk

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

	Ç,				
I,, ì	Notary Public in and for said County and State, do arry, 2018, before me personally appeared DANA E.				
hereby certify that on the day of Febru	ary, 2018, before me personally appeared DANA E.				
OUTLAW, with whom I am personally acquain	nted, who, being by me duly sworn, says that he is the				
Mayor and that BRENDA E. BLANCO is the City Clerk for the City of New Bern, the municipal control of the City of New Bern, the municipal control of the City of New Bern, the municipal control of the City of New Bern, the municipal control of the City of New Bern, the municipal control of the City of New Bern, the municipal control of the City of New Bern, the municipal control of the City of New Bern, the municipal control of the City of New Bern, the municipal control of the City of New Bern, the municipal control of the City of New Bern, the municipal control of the City of New Bern, the municipal control of the City of New Bern, the municipal control of the City of New Bern, the municipal control of the City of New Bern, the municipal control of the City of New Bern, the municipal control of the City of New Bern, the municipal control of the City of New Bern, the c					
	the foregoing instrument; that he knows the common				
	al affixed to the foregoing instrument is said common				
	on was subscribed thereto by the said Mayor; that the				
	the Board of Aldermen of said municipal corporation;				
and that the said instrument is the act and deed	of said municipal corporation.				
111777 17700 1 1 1 1 00 1 1 1 1					
WITNESS my hand and official seal th	us the day of February, 2018.				
_					
	Notary Public				
My Commission Expires:					
•					

CRAVEN COUNTY

(SEAL)	
By:	
	Chairman, Craven County Board of Commissioners
ATTEST:	
Clerk, Craven County Board of	
Commissioners	
STATE OF NORTH CAROLINA	
COUNTY OF CRAVEN	
with whom I am personally acquainted, who, of the Board of Commissioners for Craven Co of the Board of Commissioners for Craven C which executed the foregoing instrument; the corporate; that the seal affixed to the foregoin body politic and corporate was subscribed the	Notary Public in and for said County and State, do, 2018, before me personally appeared, being by me duly sworn, says that he is the Chairman unty, and that GWENDOLYN M. BRYAN is the Clerk county, the body politic and corporate described in and at he knows the common seal of said body politic and ag instrument is said common seal; that the name of the ereto by the said Chairman; that the said common seal amissioners of said body politic and corporate; and that body politic and corporate.
WITNESS my hand and official seal t	his the day of, 2018.
	Notary Public
My Commission Expires:	

EXHIBIT A

All those certain lots or parcels of land lying and being situate in Number Eight (8) Township, Craven County, North Carolina, and being more particularly described as follows:

TRACT ONE (1111 Williams Street)

Lot No. Ninety-two (92) in that subdivision known as Mechanicsville, map or plat of which is recorded in the Office of the Register of Deeds of Craven County in Book 116, Page 530, reference to which is hereby made for a more perfect description. It being the same land described in a deed from Elizabeth B. Duffy and Francis Duffy to Mary Jones recorded in Book 167, Folio 108, Craven County Registry, and in a deed from Mary Jones to Claudius Parker recorded in Book 174, Folio 164, Craven County Registry; and in a deed from Claudius Parker and wife to John Gooding and wife, Annie Gooding, recorded July 19, 1955 in Book 520, Page 413, Craven County Registry, to all of which reference is hereby made. Said premises known as 1111 Williams Street according to the current postal enumeration for the City of New Bern.

Being also that same property conveyed to Craven County and the City of New Bern by Commissioner's Deed recorded March 18, 2008 in Book 2704 at Page 843 of the Craven County Registry.

Subject to restrictive covenants and easements of record.

TRACT TWO (1112 Grace Street)

On the north side of Grace Street between Jarvis and Craven Streets, being lot #98 in the plan of Mechanicsville. Being the same lot conveyed to Octavia W. Dunn and Susie E. Hagood by William Dunn, Jr., Trustee, by deed recorded in Book 298, Page 138 of the records of Craven County.

Being also that same property conveyed to Craven County and the City of New Bern by Commissioner's Deed recorded December 14, 2006 in Book 2543 at Page 585 of the Craven County Registry.

Subject to restrictive covenants and easements of record.

NORTH CAROLINA

CRAVEN COUNTY

OFFER TO PURCHASE AND CONTRACT

Amanda Hurst, as Buyer, hereby offers to purchase and CRAVEN COUNTY and the
CITY OF NEW BERN, collectively as Seller, upon acceptance of said offer, agrees to sell and convey, all of that plot, piece or parce
of land described below (hereafter referred to as the "Property"), upon the following terms and conditions:
1. REAL PROPERTY: Located in or near the City of New Bern, Craven County, North Carolina, being known as and more
particularly described as:
Street Address: 1112 Grace Street
Subdivision Name:
Tax Parcel ID No.: 8-014-246
Plat Reference:
Being all of that property more particularly described in Deed Book 2543, Page 585 in the Craven County Registry.
2. PURCHASE PRICE: The purchase price is \$ 1,000.00 and shall be paid as follows:
(a) \$50.00 , EARNEST MONEY DEPOSIT with this offer by Ckcash D bank check C certified check to be
held by Seller until the sale is closed, at which time it will be credited to Buyer, or until this contract is otherwise properly
terminated. In the event this offer is not accepted, then all earnest monies shall be refunded to Buyer. In the event of breach of the state of the
this contract by Seller, all earnest monies shall be refunded to Buyer upon Buyer's request In the event of breach of this contract
by Buyer, then all earnest monies shall be forfeited to Seller upon Seller's request, but such forfeiture shall not affect any other
remedies available to Seller for such breach.
(b) \$\frac{950.00}{}, BALANCE of the purchase price in cash or readily available funds at Closing.
3. CONDITIONS:
(a) This contract is not subject to Buyer obtaining financing.
(b) The Property must be in substantially the same or better condition at Closing as on the date of this offer, reasonable wear and tea
excepted.
(c) The Property is being sold subject to all liens and encumbrances of record, if any.
(d) Other than as provided herein, the Property is being conveyed "as is".
(e) This contract is subject to the provisions of G.S. §160A-269. Buyer acknowledges that this contract is subject to certain notice
provisions and the rights in others to submit upset bids in accordance therewith.
(f) Title shall be delivered at Closing by QUITCLAIM DEED
4. SPECIAL ASSESSMENTS: Seller makes no warranty or representation as to any pending or confirmed governmental species
assessments for sidewalk, paving, water, sewer, or other improvements on or adjoining the Property, or pending or confirmed owners
association special assessments. Buyer shall take title subject to all pending assessments, if any.
5. PAYMENT OF TAXES: Any ad valorem taxes to which the Property is subject shall be paid in their entirety by Buyer.
6. EXPENSES: Buyer shall be responsible for all costs with respect to any title search, title insurance, recording of the deed, an
its legal fees. Seller shall pay for preparation of a deed and all other documents necessary to perform Seller's obligations under this
agreement, and for any excise tax (revenue stamps) required by law.
7. EVIDENCE OF TITLE: Not Applicable.
8. CLOSING: Closing shall be defined as the date and time of recording of the deed. All parties agree to execute any and a
documents and papers necessary in connection with Closing and transfer of title within thirty (30) days of the granting of fine
approval of the sale by Craven County's Board of Commissioners and the City of New Bern's Board of Aldermen pursuant to G.S.
§160A-269. The deed is to be made to Amanda Hurst
9. POSSESSION: Unless otherwise provided herein, possession shall be delivered at Closing.
10. PROPERTY INSPECTION, APPRAISAL, INVESTIGATION:
(a) This contract is not subject to inspection, appraisal or investigation, as the Property is being bought "as is." Seller makes n
representation as to water, sewer, conditions, title, access, or fitness for any intended use.
(b) CLOSING SHALL CONSTITUTE ACCEPTANCE OF THE PROPERTY IN ITS THEN EXISTING CONDITION.
11. RIGHT OF ENTRY, RESTORATION AND INDEMNITY: Buyer and Buyer's agents and contractors shall not have the right
enter upon the Property for any purpose without advance written permission of the Seller. If such permission is given, Buyer wi
indemnify and hold Seller harmless from all loss, damage, claims, suits or costs, which shall arise out of any contract, agreement, or injur
to any person or property as a result of any activities of Buyer and Buyer's agents and contractors relating to the Property. This indemnit
shall survive this contract and any termination hereof.
12. OTHER PROVISIONS AND CONDITIONS: (ITEMIZE ALL ADDENDA TO THIS CONTRACT AND ATTAC
HERETO.): None.
Ruyer Initials Seller Initials

Page 1 of 2

- 13. RISK OF LOSS: The risk of loss or damage by fire or other casualty prior to Closing shall be upon Seller.
- 14. ASSIGNMENTS: This contract may not be assigned without the written consent of all parties, but if assigned by agreement, then this contract shall be binding on the assignee and the assignee's heirs, successors or assigns (as the case may be).
- 15. PARTIES: This contract shall be binding upon and shall inure to the benefit of the parties, i.e., Buyer and Seller and their heirs, successors and assigns. As used herein, words in the singular include the plural and the masculine includes the feminine and neuter genders, as appropriate.
- 16. SURVIVAL: If any provision herein contained which by its nature and effect is required to be observed, kept or performed after the Closing, it shall survive the Closing and remain binding upon and for the benefit of the parties hereto until fully observed, kept or performed.
- 17. ENTIRE AGREEMENT: This contract contains the entire agreement of the parties and there are no representations, inducements or other provisions other than those expressed herein. All changes, additions or deletions hereto must be in writing and signed by all parties.
- 18. NOTICE AND EXECUTION: Any notice or communication to be given to a party herein may be given to the party or to such party's agent. This offer shall become a binding contract (the "Effective Date") when signed by both Buyer and Seller and such signing is communicated to the offering party. This contract is executed under seal in signed multiple originals, all of which together constitute one and the same instrument, with a signed original being retained by each party, and the parties adopt the word "SEAL" beside their signatures below.

BUYER:		SELLER				
(If an individual)		CRAVEN COUNTY				
Name: Amanda Hurst Date: 12/22/17 Address: 417 Rocky Run Road New Bern, NC 28562 252-671-1794	(SEAL)	By: Its: Date:				
(If a business entity)		CITY OF NEW BERN				
Ву:	(SEAL)	Ву:	(SEAL)			
Its:		Its:	<u>.</u>			
Date:	<u>.</u>	Date:				
Address:						
Phone:						

Craven County Geographic Information System

Craven County does NOT warrant the information shown on this page and should be used ONLY for tax assessment purposes. This report was created by Craven County GIS reporting services on 12/21/2017 3:16:12 PM

Parcel ID:

8-014 -246

Owner:

CRAVEN COUNTY & NEW BERN-CITY OF

Mailing Address:

PO BOX 1128 NEW BERN NC 28563

Property Address:

1112 GRACE ST

Description:

LOT 98 MECHANICSVILLE

Lot Description:

Subdivision:

Assessed Acreage:

0.117

Calculated Acreage: 0.120

Deed Reference:

2543-0585

Recorded Date:

12 14 2006

Recorded Survey:

Estate Number:

Land Value:

\$4,000

Tax Exempt:

Yes

Improvement Value: \$0

of Improvements:

Total Value:

\$4,000

City Name:

NEW BERN

Fire tax District:

Drainage District:

Special District:

Land use:

VACANT-RESIDENTIAL TRACT

Recent Sales Information

SALE DATE

Sellers Name

Buyers Name

Sale Type

Sale Price

12/14/2006

STRAIGHT

ANDREWS, OSSIE SR HRS

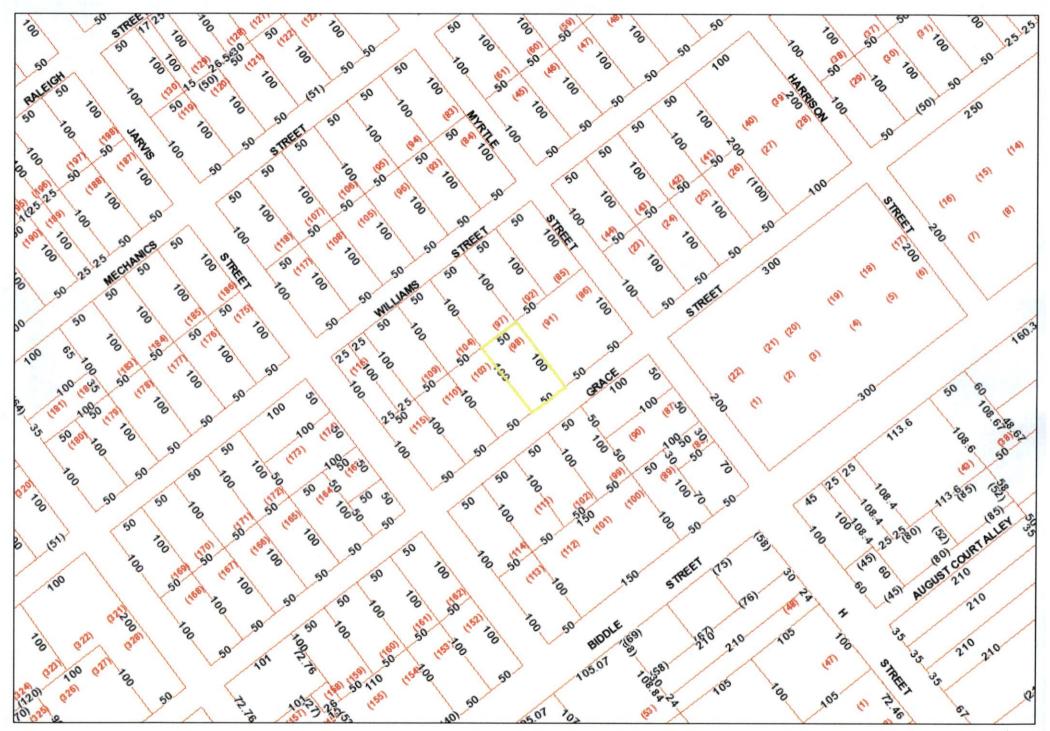
CRAVEN COUNTY & NEW BERN-CITY OF

TRANSFER

\$11,000

List of Improvements to Site

No improvements listed for this parcel









Ownership: New Bern & Craven County

Size: 0.12 Acres
Zoning: R-6 Residential
Land Use: Vacant Residential Lot

Flood Hazard: AE

Tax Values

Land: \$4,000 Buildings: \$0 Total: \$4,000 Tax ID: 8-014 -246

1 inch = 50 feet 0 20 40 80 Feet



TIUI

113

ESTIMATE OF DIVISION OF PROCEEDS

Property: 1112 Grace Street

Offer Amount			\$	1,000.00
Less: Reimb to City for publication of notice of offer (approx.)		\$ 205.00	_	
Balance			\$	795.00
Foreclosure cost reimbursement:				
County	\$ 1,433.71	68.314%	\$	543.10
City	\$ 665.00	31.686%	\$	251.90
Total Costs	\$ 2,098.71			
	\$ 543.10			
County Total				
City Total	\$ 456.90			
For information purposes:				
County taxes at Foreclosure	\$ 1,810.41			
City taxes/liens at Foreclosure (incl. \$4750.00 demo lien)	\$ 6,849.70			

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting a Resolution Establishing a Fund Balance Policy - General Fund

Date of Meeting 2/27/18	Ward # if applicable N/A
Department Finance	Person Submitting Item: J.R. Sabatelli, CPA, Director of Finance
Call for Public Hearing Yes V No	Date of Public Hearing
Explanation of Item:	
	goal of the Board of Aldermen. The attached resolution y for the General Fund to help accomplish that goal.
Actions Needed by Board:	
Adopt Resolution	
Y- is sinisi 2	
Is item time sensitive? Yes No	
Will there be advocates/opponents a	at the meeting? Yes No
Backup Attached:	
Memo, Resolution, Policy	
Cost of Agenda Item: 0	
If this item requires an expenditure, certified by the Finance Director :	has it been budgeted and are funds available and]Yes No
Additional notes:	



Office of the Director of Finance

TO: City Manager, Honorable Mayor and Members of the Board of Aldermen

FROM: JR Sabatelli – Director of Finance

DATE: February 15, 2018

RE: Fund Balance Policy – General Fund

Background

The Board of Aldermen held their annual retreat on February 2nd and 3rd to establish goals and objectives for the coming years. One of the major goals to come from the retreat is Maintaining Fiscal Responsibility. Adopting a fund balance policy for the General Fund will move the City towards accomplishing this goal. The attached policy formally establishes a Fund Balance minimum of 25% with an annual goal of 35%. The policy also provides guidance on the utilization of Fund Balance in excess of the minimum and actions to be taken should Fund Balance fall below the minimum.

Requested Action

The Board to approve the resolution adopting the Fund Balance Policy – General Fund at its February 27, 2018 meeting.

RESOLUTION TO ADOPT A FUND BALANCE POLICY FOR THE GENERAL FUND

WHEREAS, the Board of Aldermen wish to maintain sound fiscal policies; and

WHEREAS, sound fiscal policy dictates that written policies exist to guide and control the level of fund balance maintained in the General Fund; and

WHEREAS, the Board of Aldermen have reviewed the proposed policy and wish to adopt it.

NOW, THEREFORE, BE IT RESOLVED BY NEW BERN BOARD OF ALDERMAN THAT:

- 1. The Fund Balance Policy General Fund, which is attached hereto and incorporated herein by reference, is hereby adopted; and
 - 2. This Policy shall be effective on the date of adoption.

Adopted this 27th day of February, 2018.

	•	
	DANA E. OUTLAW, MAYOR	_
BRENDA E. BLANCO, CITY CLERK	•	

Fund Balance Policy – General Fund

Financial Policy 3.0
Prepared by: J.R. Sabatelli, CPA, Director of Finance
Adopted by Board of Aldermen
Effective: February 27, 2018

I. Objectives

- a. To establish minimum fund balance levels for the operating funds of the City of New Bern that define what resources are available to provide sufficient financial flexibility to meet future obligations, take advantage of opportunities, and avoid interest expense through use of excess reserves in lieu of debt;
- b. To enhance the financial position of the City in order to maintain the highest credit and bond ratings;
- c. To maintain reserves for unforeseen revenue volatility and expenditures such as weather related disasters, including but not limited to hurricanes and snow events;
- d. To generate investment income that diversifies revenue streams and decreases reliance on tax, fees and other revenues; and
- e. To ensure adequate availability of cash throughout the year.

II. Definitions

- a. In accordance with governmental accounting standards, the total fund balance of the City's governmental funds is comprised of five components:
 - i. Non-spendable Fund Balance resources that are physically or legally in a non-spendable form such as inventory;
 - ii. Restricted Fund Balance resources limited by state law or the donor such as grants or resources reported as "Stabilization by State Statute":
 - iii. Committed Fund Balance resources previously committed by the Board of Aldermen for a particular purpose such as a project partially funded by grants;
 - iv. Assigned Fund Balance resources assigned less formally for a particular purpose such as insurance reserves or subsequent year spending; and
 - v. Unassigned Fund Balance all remaining resources.
- b. Available Fund Balance is the legal Fund Balance available for appropriations of the General Fund as defined by North Carolina General Statute 159-8(a) or its successors. The official Available Fund Balance shall be calculated once per year based on the City's annual audit.

III. Flow of Fund Balance

- a. When both restricted and unrestricted amounts of fund balance are available for use for expenditures incurred, the City shall utilize restricted amounts first and then unrestricted amounts as needed.
 - i. Governmental fund type expenditures shall be applied to unrestricted amounts in the following order: 1) Committed, 2) Assigned, 3) Unassigned.

IV. Fund Balance Levels

- a. The City shall maintain Available Fund Balance of at least 25% for the General Fund.
- b. In order to maintain the minimum Available Fund Balance, City policies, budgets, and directives shall strive to maintain Available Fund Balance at approximately 35%.

V. Use of Excess Fund Balance

- a. Available Fund Balance in excess of the minimum established in Section IV shall be used in the following manner:
 - i. As a funding source for capital expenditures, large scale repairs and major maintenance needs funded by pay-as-you-go through the annual budget process or reduction in subsequent year financings, such as paving, equipment, generators, etc.;
 - ii. Early repayment of existing debt;
 - iii. Expenditures to support or facilitate projects that generate new revenues or cost savings in excess of the investments within established time frames;
 - iv. Interim partial year funding for new programs that are needed before the next fiscal year; or
 - v. Invested to increase interest earned and reduce future costs of OPEB, Pension or Cemetery liabilities.
- b. Available Fund Balance in excess of the minimum established in Section IV shall never be utilized for regular operating and personnel costs such as salaries, utilities, supplies, etc.

VI. Fund Balance Below Policy Limits

- a. Available Fund Balance may not go below the minimum established in Section IV(a) above except at the discretion of the Board of Aldermen in dire financial circumstances in order to:
 - i. Provide resources to offset unforeseen revenue shortfalls, and should be done in combination with expenditure reductions; or
 - ii. Fund emergency expenditures in a disaster such as a hurricane or other event.
- b. When adopting appropriations reducing Available Fund Balance below the minimum level, the Board of Aldermen shall adopt a plan of specific actions to be taken to restore the Available Fund Balance to the minimum set forth in this policy within three fiscal years.

AGENDA ITEM COVER SHEET

Agenda Item Title:

under the pur		ng the building located at 408 Hancock Street be placed tion for the purpose of an art gallery, working artist studio,
Date of Meeti	ng 2/27/2018	Ward # if applicable <u>Ward 1</u> If multiple, list:
Department	Parks & Recreation	Person Submitting Item: Mr. Foster Hughes
Call for Public	c Hearing <u>No</u>	Date of Public Hearing
Explanation of	of Item:	
	Recreation Department f	mmends placing 408 Hancock Street under the purview of or an art gallery, working artist studio, class room and
Actions Need	ed by Board:	
Adopt the Res	olution.	
		at the meeting? Select
Resolution Memo		
Cost of Agend	da Item: \$25,000	
	equires an expenditure he Finance Director: <u>Y</u>	e, has it been budgeted and are funds available and 'es
Additional no	tes:	
The Finance D	irector and the Parks and	Recreation Director has discussed the budget amendment.



Aldermen

Sabrina Bengel Jameesha Harris Bobby Aster Johnnie Ray Kinsey Barbara J. Best leffrey T. Odham

Foster Hughes, CPRE

Director of Parks & Recreation

Dana E. Outlaw Mayor

Mark A. Stephens City Manager



Memo To: Mayor and Board of Aldermen

Foster Hughes, CPRE Director of Parks and Recreation From:

Re: Adopt the Resolution authorizing that the building located at 408 Hancock Street

be placed under the purview of Parks and Recreation for the purpose of an art

gallery, working artist studio, classroom and meeting space.

Background Information:

During the December 12, 2017 Board of Aldermen meeting, Aldermen Bengel made a recommendation to place the property previously occupied by the Fireman's Museum, 408 Hancock Street under the purview of the Parks and Recreation Department.

During the January 9, 2018 Board of Aldermen meeting, 408 Hancock Street was again discussed with Parks and Recreation making recommendations for how a proposed working artist studio and gallery would be operated by the Department.

The Director of Parks and Recreation has met on four different occasions with concerned artists to discuss the proposed studio and gallery space.

Recommendation:

The Director of Parks and Recreation recommends placing 408 Hancock Street under the purview of Parks and Recreation. The facility would be used for the following purposes: Art gallery, working artist studio, class room and meeting space.

If you have any questions concerning this matter, please call.

1307 Country Club Rd New Bern, NC 28562 Office 252 639-2901 Fax 252 636-4138

RESOLUTION

WHEREAS, during the December 12, 2017 Board of Alderman meeting, Alderman Bengel made a recommendation to place the property previously occupied by the Fireman's Museum at 408 Hancock Street under the purview of the Parks and Recreation Department; and

During the January 9, 2018 Board of Alderman meeting, 408 Hancock Street was again discussed with Parks and Recreation making recommendations for how a proposed working-artist studio and gallery would be operated by the Department; and

The Director of Parks and Recreation has met on four different occasions with concerned artists to discuss the proposed studio and gallery space; and

WHEREAS, the Director of Parks and Recreation recommends placing 408 Hancock Street under the purview of Parks and Recreation for the following purposes: art gallery, working artist studio, classroom and meeting space. Parks and Recreation would work with interested groups to offer a variety of classes to the public. Classes would also be offered to youth in the community. Wall gallery space would be made available to artists on a monthly basis for a fee.

WHEREAS, 408 Handcock Street is in need of several structural upgrades, facility amenities, and general supplies for classroom/meeting space. The Director of Parks and Recreation has requested \$25,000 to complete these upgrades through a budget amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

That the building located at 408 Hancock Street be placed under the purview of Parks and Recreation for the purpose of an art gallery, working artist studio, classroom, and meeting space.

ADOPTED THIS 27th DAY OF FEBRUARY 2018.

	DANA E. OUTLAW, MAYOR
BRENDA E BLANCO CITY CLERK	

AGENDA ITEM COVER SHEET

Α	ge	nd	a	Item	T	itl	e:
---	----	----	---	------	---	-----	----

Consider Adopting Ordinance to Amend the FY2017-18 General Fund Operating Budget

Date of Meeting 2/27/2018	Ward # if applicable Ward 1
Department Finance	Person Submitting Item: JR Sabatelli, CPA Director of Finance
Call for Public Hearing Yes 🗸 No	Date of Public Hearing
Explanation of Item:	
	00 to Parks & Recreation - Facilities division for the street. This will be funded through appropriated fund
Actions Needed by Board:	
Adopt the budget ordinance	
Is item time sensitive? ☐ Yes 🗹 №	<u>_</u>
Will there be advocates/opponents	at the meeting? Yes VNO
Backup Attached:	
Memo from Director of Finance Ordinance	
Cost of Agenda Item: \$25,000	
If this item requires an expenditure, certified by the Finance Director:	, has it been budgeted and are funds available and Yes No
Additional notes:	



Office of the Director of Finance

TO: City Manager, Honorable Mayor and Members of the Board of Aldermen

FROM: JR Sabatelli, CPA – Director of Finance

DATE: February 15, 2018

RE: Amendment to the FY2017-18 General Fund Operating Budget

Parks & Recreation

This amendment appropriates \$25,000 for repairs, renovation, and supplies for 408 Hancock Street per the previous agenda item regarding this property. This will be funded through appropriated fund balance.

Requested Action

It is recommended that the Board adopt the enclosed budget amendment at its meeting on February 27, 2018.

CITY OF NEW BERN, NORTH CAROLINA REQUESTED AMENDMENT TO Fiscal Year 2017-2018

FROM: Joseph R. Sabatelli, Director of Fin	nance Meeting Date: February 27, 2018				
EXPLANATION: This amendment increases appropriations to the Parks and Recreation budget in the amount of \$25,000 for the repair and renovation of 408 Hancock Street. This item will be funded through appropriated fund balance.					
BE IT ORDAINED BY THE BOARD OF 2017-2018 Annual Budget ORDINANCE	ALDERMEN OF THE CITY OF NEW BERN THAT THE IS AMENDED AS FOLLOWS:				
<u>.</u>	ection 1 - Appropriations				
Schedule A - GENERAL FUND Increase: Recreation Facilities	<u>\$ 25,000</u>				
Sect	ion 2 - Estimated Revenues				
Schedule A - GENERAL FUND Increase: Fund Balance Appropriated	\$ 25,000				
NATURE OF TRANSACTION: ADDITIONAL REVENUE AVAILABLE FOR APPROPRIATION TRANSFER WITHIN ACCOUNTS OF SAME FUND OTHER: Appropriate Fund Balance					
	APPROVED BY THE BOARD OF ALDERMEN AND ENTERED ON MINUTES DATED FEBRUARY 27, 2018 AGENDA ITEM NUMBER				
	BRENDA E. BLANCO, CITY CLERK				

AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting an Ordinance for the Demolition of the Dwelling Located at 1127 H Street.

Date of Meeting 2/27/2018	Ward # if applicable W	ard 1	☑		
Department Development Services	Person Submitting Iter	m: Jeff Ru	ıggieri		
Call for Public Hearing Yes 🗹 No	Date of Public Hea	iring			
Explanation of Item: Staff is seeking approval of an ordinar	nce to demolish the struc	cture loca	ated at 1127 H Street.		
Actions Needed by Board: Consider Adopting Ordinance for Demolition of 1127 H Street.					
Is item time sensitive? Yes No	ס				
Will there be advocates/opponents at the meeting?☐Yes ☐No					
Backup Attached: Memo, Cost Est., Chrono, Location M	aps, Pictures				
Cost of Agenda Item: \$4,800.00					
If this item requires an expenditure, certified by the Finance Director:	_	nd are fi	unds available and		
Additional notes:					

Aldermen

Sabrina Bengel Jameesha S. Harris Robert V. Aster Johnnie Ray Kinsey Barbara J. Best Jeffrey T. Odham



300 Pollock Street, P.O. Box 1129 New Bern, NC 28563-1129 (252) 636-4000 Dana E. Outlaw Mayor

Mark A. Stephens City Manager

TO:

Mayor Dana Outlaw, City of New Bern Board of Aldermen

FROM:

Jeff Ruggieri, Director Development Services

DATE:

2/15/2018

SUBJECT: Request for demolition ordinance for structure located at 1127 H Street

Staff is seeking approval of an ordinance to demolish the structure located at 1127 H Street. The file for this property dates back to January of 1995, however minimum housing violations were formally addressed in March of 2005. City building inspection staff conducted a minimum housing hearing on 11-17-2005 and found the structure in a deteriorated state. The Order of the Chief Building Inspector granted the owner 120 days to comply with the City's minimum housing code. Additional agreements granted the owner until 5-30-2008 to bring the structure into compliance. In June of 2008, the property was found to comply with the City's Minimum Housing Code. The property was again found in violation in 2012 and 2104. A final hearing before the Chief building Inspector was held on 8-11-2016. The order of the chief building official granted the owner until 1-20-2017 to bring the structure into compliance. To date no permits have been applied for and the structure remains in a dilapidated conditions.

A complete chronology of events is attached.

Prepared by and return to:

Michael Scott Davis DAVIS HARTMAN WRIGHT PLLC 209 Pollock Street New Bern, NC 28560

AN ORDINANCE TO ORDER THE DEMOLITION OF A DWELLING UNFIT FOR HUMAN HABITATION LOCATED AT 1127 H STREET IN THE CITY OF NEW BERN, NORTH CAROLINA

THAT WHEREAS, the City of New Bern properly served Hovies M. Dillahunt ("Owner"), on July 11, 2016, pursuant to Section 38-30 of the Code of Ordinances for the City of New Bern, complaining and alleging that the dwelling owned by Owner located at 1127 H Street in the City of New Bern, North Carolina (Craven County parcel identification number 8-006-006) is unfit for human habitation; and

WHEREAS, the Owner of the certain dwelling located at 1127 H Street in the City of New Bern, North Carolina ("Subject Property") was ordered to remove or demolish the dwelling located on the Subject Property and clear the debris therefrom, or to repair, alter, or improve said dwelling to comply with the minimum standards established by Chapter 38 of the Code of the City of New Bern by November 11, 2016; and

WHEREAS, the Owner has been given a reasonable opportunity to comply with the aforementioned Order of the Building Inspector; and

WHEREAS, the Owner has failed to remove or demolish the dwelling and clear the debris therefrom, or to repair, alter or improve said dwelling to comply with the minimum standards established by Chapter 38 of the Code of the City of New Bern, as directed in said Order.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

Section 1. That the Building Inspector of the City of New Bern is ordered to remove or demolish the dwelling located on the Subject Property at 1127 H Street in the City of New Bern, North Carolina, more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO.

Section 2. That the Building Inspector of the City of New Bern is ordered to sell the materials of the dwelling that are salvageable and shall credit the proceeds of the sale against the cost of the removal or demolition, and any balance remaining shall be deposited with the Clerk of Superior Court of Craven County, shall be secured in a manner directed by the court, and shall be disbursed by the court to the persons found to be entitled thereto, and shall be disbursed by the court to the persons found to be entitled thereto by final order or decree of the court.

Section 3. That this ordinance shall be in full force and effect from and after its adoption.

ADOPTED THIS 27th DAY OF FEBRUARY, 2018.

DANA E. OUTLAW, Mayor	DANA E. OUTLAW, Mayor	
		DANA E. OUTLAW, Mayor

BRENDA E. BLANCO, City Clerk

EXHIBIT A

All that certain tract or parcel of land lying and being situate in Number Eight (8) Township, Craven County, North Carolina, being more particularly described as follows:

In a townsite in the City of New Bern as laid off and plotted in Book 64 at Page 94 as described as follows: Beginning on H Street at the corner of Lots #46 and 46 and running parallel with Biddle Street 105 feet; thence parallel with H street 100 feet to the line of Lot #48; thence with the line of Lot #48 and parallel with Biddle Street 105 feet to H Street; thence along H Street to the beginning.

It being the same property conveyed to Walter Hayes and wife, Hannah E. Hayes to Julia H. Dillahunt by deed dated November 4, 1941 and recorded in Book 359 at Page 158, Craven County Registry.



300 Pollock Street, P.O. Box 1129 New Bern, NC 28563 (252)639-2941

MEMORANDUM

TO: Michael Scott Davis, City Attorney

FROM: Nancy Riegelsperger, Building Inspector

DATE: 2/13/2018

RE: 1127 H Street

I am requesting an ordinance on the above referenced property.

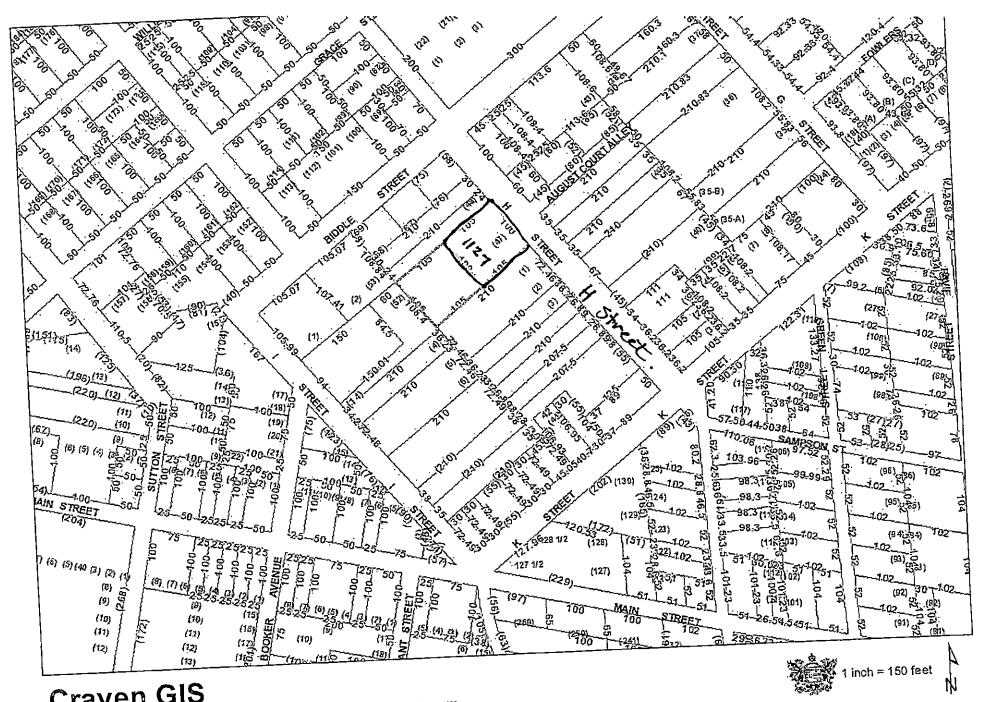
Here is the owner's information. Enclosed are the service verifications, chronological order, quotes, a map, the Complaint and the Order. This property has been thru the minimum housing process, and the

Order of the Building Inspector expired on 8-14-16.

Owner: Hovis Dillahunt

If you have any questions, feel free to call me at 252-639-2947. Thanks Nancy

Cc; Jeff Ruggieri



Craven GIS

Craven County does NOT warrant the Information shown on this map and should be used ONLY for tax assessment purposes.

1117 H Street, New Bern (8-006-006) HOVIES M. DILLAHUNT

Chronological Order Prepared: October 6, 2006

	Chronological Order Prepared: October 6, 2006
DATE	EVENT
1-12-95	Inspection Report: Ripock: Temporary pole OK for 30 days.
Inspection Report: Knewman: Met with owner to verify property line and settle a discleanup bill. This property includes a 2 story house. The property line extends about the utility pole. Currently there is a free-standing block fence separating this property on the left. The property extends back to a fence in the back. neighbors property on the left. The property extends back to a fence in the back property owner was billed for the cleanup. Owner was told that pictures and dates of are in the file and he is free to view them at any time. Main problem has been the action of the cleanup of the property of the property of the property owner was billed for the cleanup.	
1-10-96	Inspection Record: Ripock: Cannot release electrical with electrical wires where major work is being done. This work will require a permit. Floor joist and seal to be replaced. Will require temporary service pole.
1-12-96	Building Permit # 12794 issued.
1-17-96	December Ripock: Main seal under center wall. OK
1-22-96	Inspection Record: Ripock: Need GFCI at kitchen sink and lavatory area for protection. Trood
8-21-96	Inspection Record: Knewman: (1) Trash and debris by streed need to be removed and disposed (4) properly. (2) Entire lot needs to be mowed (3) Panel to be labeled after electricity is turned ofn (4) properly. (2) Entire lot needs to be mowed (3) Panel to be replaced/repaired (check wasp nest). Seal around washer drain (5) Upstairs bedroom window to be replaced/repaired (check wasp nest). (6) Back bedroom needs new light fixture (7) Light fixture by bathroom needs to be secured (8) (6) Back bedroom needs new light fixture (7) Light fixture leaning but unsafe at this time. All openings which might admit rodents to be sealed (9) Structure leaning but unsafe at this time. ** Electrician to check out system. Needs to call for inspection when complete (1) Hall fixture not the secure of the secure
8-29-96	Inspection Record: Knewman: Licensed electrician to check out system and submit notarized letter that system meets code and is safe to occupy. Debris by street must be removed. Check with Public Works. Yard has to be mowed. Will need reinspection after electrician checks out system.
1-31-97	Brook: House meets MH standards at this time.
2-17-98	Inspection Record: Anthony Davis: House being utilized as a possible crack house per visit in the property of the policy of the
2-18-98	Letter from Norris Dillahunt to New Bern Police Dept: "Per request, I have changed the rocks the house and posted no trespassing signs. I am requesting you to arrest anyone found trespassing the house and posted no trespassing signs. I am requesting you to arrest anyone found trespassing the house and posted no trespassing signs. I am requesting you to arrest anyone found trespassing the house and posted no trespassing signs.
11-20-98	Trial Authory Davis orange tagged the house this past reordary, L. Parte

1117 H Street, New Bern (8-006-006) HOVIES M. DILLAHUNT

	Chronological Order Prepared: October 6, 2006
11-20-98	Inspection Record: Knewman: Was asked to check this location. Lady has moved in and there is an orange seal on the meter. At the present time, they are no apparent electrical hazards. There an orange seal on the meter. At the present time, they are no apparent electrical hazards. There are orange seal on the meter. At the present time, they are no apparent electrical hazards. There are orange seal on the meter. At the present time, they are no apparent electrical hazards. There are orange seal on the meter. At the present time, they are no apparent electrical hazards. There are orange seal on the meter. At the present time, they are no apparent electrical hazards. There are orange seal on the meter. At the present time, they are no apparent electrical hazards. There are orange seal on the meter. At the present time, they are no apparent electrical hazards. There are orange seal on the meter. At the present time, they are no apparent electrical hazards. There are orange seal on the meter. At the present time, they are no apparent electrical hazards.
Undated	Nrigelsperger: Please send a Ten Day MH letter to owner and tenant.
3-24-05	Nrigelsperger: Please send a Ten Bay Ten Day MH Letter sent to owner and tenant via regular and certified mail. Green certified card returned acknowledging receipt 4-4-05.
4-1-05	returned acknowledging receipt 4 rost. Initial Inspection Report conducted and prepared. Mailed regular and certified mail to owner. Green certified card returned acknowledging receipt 5-16-05.
7-20-05	and I do a housing
7-27-05	Complaint and Notice of Hearing/Notice of Lis Pendens issued, filed with court, posted and manded regular and certified mail to owners. 8-3 and 8-4-05 green certified mailings returned unclaimed regular and certified mail to owners. 8-3 and 8-4-05 green certified mailings returned unclaimed regular and certified mail to owners. 8-3 and 8-4-05 green certified mailings returned unclaimed regular and certified mail to owners. 8-3 and 8-4-05 green certified mailings returned unclaimed regular and certified mail to owners. 8-3 and 8-4-05 green certified mailings returned unclaimed regular and certified mail to owners. 8-3 and 8-4-05 green certified mailings returned unclaimed regular and certified mail to owners. 8-3 and 8-4-05 green certified mailings returned unclaimed regular and certified mail to owners.
¥8-19-05	Narratives: NR: I made contact with owner and he stated his mother is gravely in and September 1, 2005, at 2:00 p.m. is tentative. I told him OK - if I didn't hear from him I would look for him 1, 2005, at 2:00 p.m. is tentative. I told him OK - if I didn't hear from him I would look for him at the time and date above stated that was fine. This is for a hearing continued from yesterday due at the time and date above stated that was fine.
10-13-05	Complaint and Notice of Hearing/Notice of Lis Pendens Amendment issued, filed with court posted and mailed to owners via certified and regular mail. Certified mailings returned to office posted and mailed to owners via certified and regular mail.
11-2-05	Complaint and Notice of Hearing/Notice of Lis Pendens Amendment and Second Fundament And Seco
11-17-05	Hearing held with Norris and Hovies Dillahunt present. We discussed the status of the house and Hearing held with Norris and Hovies Dillahunt present. Mr. Hovies Dillahunt is not married determined that less than 16K will be spent to make repairs. Mr. Hovies Dillahunt is not married determined that less than 16K will be spent to make repairs. Mr. Hovies Dillahunt is not married determined that less than 16K will be spent to make repairs. Mr. Hovies Dillahunt is not married determined that less than 16K will be spent to make repairs.
11-21-05	Order of the Building Inspector issued, filed with court and mailed to owner via containing and in file about green certified cards)
3-27-06	Notarized letter received from W. J. Godette, Jr., "premises have been updated based upon the National Electrical Code and Local Ordinances. To my knowledge all electrical circuits are good condition and functional on this date."

1117 H Street, New Bern (8-006-006) HOVIES M. DILLAHUNT

Chronological Order Prepared: October 6, 2006

X 8-8-05

Email from Jandeson to Nriegelsperger: I sent the complaint out on the 27th of July. The hearing is set for August 18th at 2:00 p.m. We sent the copies to PO Box 14523, New Ber. The regular mailing addressed to Hovies Dillahunt came back marked "not deliverable as addressed" "attempted - not known" with a handwritten note "no longer at this address". In addition, the certified copies have also come back. The only one that still remains out is the one addressed to Spouse. This is more or less just a review FYI. Reply: After talking with Johnny, he suggested we try and send it to Hovies Dillahunt at 960 Highway 55 West, New Bern 28562

CHRONOLOGICAL ORDER OF EVENTS 1127 H Street, New Bern (8-006-006) HOVIES M. DILLAHUNT

	HOVIES M. DILLAHUNT Chronological Order Completed: 6-24-08
	EVENT
	Narratives: NJR: Please send to Scott for collections.
10-2-06	Memo to City Atty: Property been through MH process and Order expired on March 17, 2000(a) Memo to City Atty: Property been through MH process and Order expired on March 17, 2000(a)
11-6-07	Nancy Note: Approximately 9:00 a.m., I talked with Hovis Dillahum. He canculate assistance of familiar with the complaint the City had placed against 1127 H Street. I told him I was and he familiar with the complaint the City had placed against 1127 H Street. I told him I was and he familiar with the complaint the City was interested in was getting his property and putting his proceeded to tell me that all the City was interested in was getting his property and putting his proceeded to tell me that all the City was interested in file) Photos attached
11-14-07	Letter from City Atty to property owner: Pursuant to our meeting today, we unterstand contractor, Norris Dillahunt, will provide to Johnny Clark a letter from Beatty's Plumbing confirming that the plumbing work has been completed to code and if Mr. Dillahunt cannot confirming that the plumbing work has been completed to code and if Mr. Dillahunt cannot confirming that the plumbing work has been completed to code and if Mr. Dillahunt cannot confirming that the plumbing work has been completed to code and if Mr. Dillahunt cannot confirming that the plumbing work has been completed to code and if Mr. Dillahunt cannot confirming that the plumbing work has been completed to code and if Mr. Dillahunt cannot confirming that the plumbing work has been completed to code and if Mr. Dillahunt cannot confirming that the plumbing work has been completed to code and if Mr. Dillahunt cannot confirming that the plumbing work has been completed to code and if Mr. Dillahunt cannot confirming that the plumbing work has been completed to code and if Mr. Dillahunt cannot confirming that the plumbing work has been completed to code and if Mr. Dillahunt cannot confirming that the plumbing work has been completed to code and if Mr. Dillahunt cannot confirming that the plumbing work has been completed to code and if Mr. Dillahunt cannot confirm the plumbing work has been completed to code and if Mr. Dillahunt cannot confirm the plumbing work has been completed to code and if Mr. Dillahunt cannot confirm the plumbing work has been completed to code and if Mr. Dillahunt cannot confirm the plumbing work has been completed to code and if Mr. Dillahunt cannot confirm the plumbing work has been completed to code and if Mr. Dillahunt cannot confirm the plumbing work has been completed to code and if Mr. Dillahunt cannot confirm the plumbing work has been completed to code and if Mr. Dillahunt cannot confirm the plumbing work has been completed to code and if Mr. Dillahunt cannot confirm the plumbing work has been completed to code and if Mr.
11-14-07	Johnny Clark Notes: W/Ronnie Dillahunt, Norris Dillahunt, Hovies D
11-29-07	Nancy Riegelsperger: The following is a list of items found These are required to be before compliance can be issued: 1-Glass in dormer window and all other windows must be sealed and repaired, free of cracks, breaks and must have screens 2- All rotten wood on house and around and repaired, free of cracks, breaks and must have screens 2- All rotten wood on house and around and repaired, free of cracks, breaks and must have screens 2- All rotten wood on house and around and repaired, free of cracks, breaks and must have screens 2- All rotten wood on house and around and repaired, free of cracks, breaks and must have screens 2- All rotten wood on house and around and repaired, free of cracks, breaks and must have screens 2- All rotten wood on house and around and repaired, free of cracks, breaks and must have screens 2- All rotten wood on house and around and repaired, free of cracks, breaks and must have screens 2- All rotten wood on house and around and repaired, free of cracks, breaks and must have screens 2- All rotten wood on house and around and repaired, free of cracks, breaks and must have screens 2- All rotten wood on house and around and repaired, free of cracks, breaks and must have screens 2- All rotten wood on house and around and repaired, free of cracks, breaks and must have screens 2- All rotten wood on house and around and repaired, free of cracks, breaks and must have screens 2- All rotten wood on house and around and repaired, free of cracks, breaks and must have screens 2- All rotten wood on house and around and repaired, free of cracks, breaks and must have screens 2- All rotten wood on house and around and repaired, free of cracks, breaks and must have screens 2- All rotten wood on house and around and repaired, free of cracks, breaks and around and repaired and breaks and around and around and repaired, free of cracks and around and around and a
12-30-07	Email from Pgarvick to NJR: I had in my notes from our last meeting that we were going to be Hovies Dillahunt another letter and that you were going to send us a list of repairs needed to be Hovies Dillahunt another letter and that you were going to send us a list of repairs needed to be
1-11-08	Letter from City Atty to property owner: The City has provided me with a list of repairs that still need to be made to the above referenced dwelling when it was last inspected on 11-29-07 in order for it to comply with the minimum standards established by the Code of the City of New Bern. If you have made these repairs, please contact Nancy for an inspection. If the repairs have not beer If you have made these repairs, please contact Nancy for an inspection. If the repairs have not beer made, the City is willing to enter into an agreement with you giving you until the end of May made, the City is willing to enter into an agreement with you giving you until the end of May 2008, to complete the repairs. In any event, please contact NR within ten days of your receipt of this letter. If you fail to do so, I have been instructed to bring suit to collect the penalties due in accordance with my letter to you of October 31, 2007, a copy of which is enclosed. I certainly hop that won't be necessary.

1127 H Street, New Bern (8-006-006) HOVIES M. DILLAHUNT

	HOVIES M. DILLAHUNT Chronological Order Completed: 6-24-08
1-24-08	Letter from property owner tp City Atty: This response is in regards to your letter (above) concerning the necessary repairs that need to be performed on the property referenced above. Norris Dillahunt has been appointed as contractor to fix the repairsHe has discussed and gone over the work that needs to be donewith City Inspector, Nancy Riegelsperger, I would like to have until the end of May, 2008, to Complete those repairs
1-25-08	Narratives: NJR: I called owner - I have no problem with May '08 deadline but he must come to the office and sign an agreement to that effect/ 1031-08: I received a letter upon my arrival back to my office from owner taking me up on the offer allowing him until the end of May '08.
	Copy of unsigned Agreement between Dillahunt/City
2-18-08	Janey Notes: Jclark called Alderman Parham with regard to the captioned. JC advised that our office had prepared an agreement that Mr. Hovies Dillahunt picked up ten days ago and has not returned to the office despite Nancy's efforts to reach him. Due to the fact that owner has not complied, he intends to send the file to the City Atty for collection of penalties due. Mr. Parham asked JC if Norris Dillahunt had obtained permits - Johny replied no. Mr. Parham asked JC to hold off until tomorrow in an effort to contact Mr, Dillahunt
3-3-08	Memo to City Atty: Enclosed herewith please find a complete copy of our MH file. As we discussed in our meetingthe Order expired on March 17, 2006, an Agreement was prepared allowing Mr. Dillahunt until 5-30-08 to comply, which has never been signed. Johnny has spoken to Julius Parham who stated we should proceed with whatever action necessary to resolve this matter
4-7-08	Complaint in action: City of New Bern vs. Hovies M. Dillahunt filed in General Court of Justice Superior Court Division
6-4-08	Inspection Report: NJR: Switch plates; uneven flooring; door not sealed (rear/front); step in kitchen sloped; smoke detector in hallway; letters from electrical, plumbing, HVAC contractors referencing systems. Exterior: Broken windows - front porch. Girder and piers installed - need building permit. Protect holes on corners of the house, Fill in hole.
6-6-08	Letter from Kendelectric: I have inspected the electrical systemand it appears to meet electrical housing standards within the City as I understand them.
6-12-08	Building Permit # 80764 issued to owner 6-12-08 Inspection report
6-12-08	Letter from Beatty's Plumbing: Please be advised that we have checked all plumbing systems inside and under home. All plumbing is found to be in good and operative condition. At the time of inspection water closet problem was corrected, NOTE: Mechanic found: Water closet had leak at base. Reset water closet to correct problem.

	CHRONOLOGICAL ORDER OF EVENTS 1127 H Street, New Bern (8-006-006) HOVIES M. DILLAHUNT Chronological Order Completed: 6-24-08
6-18-08	Final Inspection: NJR: Debris still in rear yard; all other items addressed. Pier under house has been repaired. Tenant must keep yard and porches free of debris Certificate of Compliance issued to Owner Nancy Note: Please cancel Order and have City Atty's office cancel their complaint too.
6-24-08	Cancellation of Complaint, Amendment, Second Amendment and Order issued
6-24-08	Email from Janderson to City Atty & Pgarvick: These premises have been brought into compliance and Nancy has issued a Certificate of Vompliance. Please cancel your legal proceedings in this regard as we are cancelling our Order as of today. Reply: Pgarvick: I mentioned to Nancy last week that Mr. Dillahunt had filed an answer to the Complaint we filed that included a counterclaim. I'll check w/Scott to make sure we can just file a dismissal.

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1127 H Street, New Bern (8-006-006) HOVIES M. DILLAHUNT

Chronological Order Completed: 2-21-11

	EVENT
10-7-10	Email from Ldibella to Nriegelsperger; Jolark: Detective Salan, PD will try to call you re: 1127 H Stree minimum housing situation, very bad conditions, filth, animal carcass in premises.
	Police Officer's Complaint Form: Detective S. Joll. Resident: Julia Taylor: Nature of Complaint: The house was searched on 10-6-10. During the search the PD discovered the house appearing to have structure problem. We also found decaying animal bones possibly a cat from a previous walk through. We do not believe the house is fit for living conditions until such items have been fixed. Also this house is known drug house. If arrest made, the Nature of: Two arrests were made. Julia Taylor and Sherea Taylor both arrested for drug charges.
10-8-10	GIS Printout
10-12-10	Ten Day MH letter sent via regular and certified mail to owner with Certificate of Service annexed Certified green card returned 10-15-10 acknowledging receipt.
10-28-10	Email from Janderson to Nriegelsperger: The MH letter expires on this as of today. Reply: Inspection scheduled for next week.
11-3-10	Sub-Standard Housing: Inspection Worksheet: NR: Remove old vehicle from yard. Repair holes in wa (rec room) and floor covering. Sink leaks (kitchen) - remove extension cord (refrigerator). Smok detectors. Toilet doesn't flush properly. Tub faucet runs. Cover needed on receptacle on back porch. Exterior: House slopes upstairs badly. Plenty piers present. First floor not so bad.
12-1-10	Narratives: NR: Mr. Dillahunt called and said he had gotten everything done but the licensed plumber an will be ready for a final inspection next week. No problem. He purchased a broom for tenant and lecture her on cleanliness.
12-8-10	Letter from Beatty's Plumbing Company, Llc: Please be advised that Beatty's inspected home on 12-10 and found all plumbing systems to be in good operative condition. All plumbing is found to be up to code.
12-15-10	Sub-Standard Housing: Inspection Worksheet: NR: Clean up yard. Don't spread out to neighboring debri Screens are still missing on windows. Electrical extension cord problem resolved. Smoke detector installed.
2-21-11	Sub-Standard Housing: Inspection Worksheet: NR: Yard is clean. Screens are in windows. Car is gon Smoke detectors still need to be installed in (?) Room. Call when it is installed. All else meets M standards.

EVENTS

CHRONOLOGICAL ORDER

Continuation

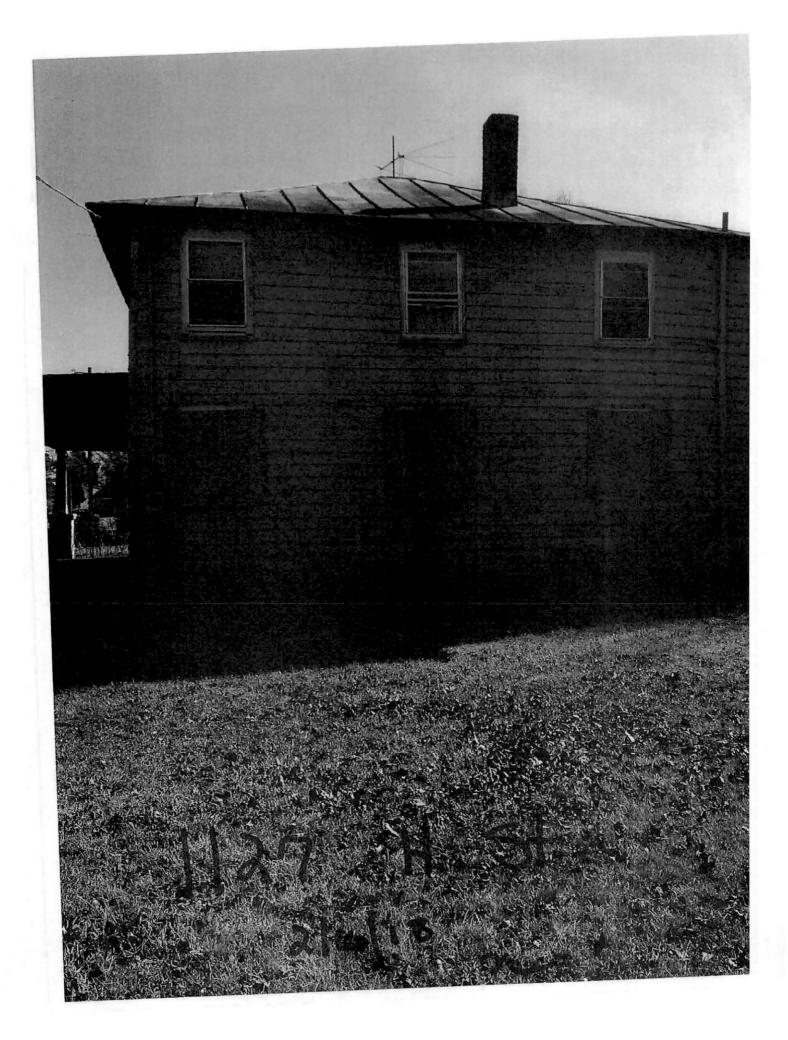
DATE: 1127 H STREET

BY: NJ Riegelsperger

5-20-14	NEW COMPLAINT: MHCR rec'd on 1-10-12 move out no tenant since 2012 house is full of trash, debris.
	Windows broken, House is boarded up. need MH Insp.
5-7-15	No action taken to improve the status of this structure. A MH Letter was sent according to the GIS info obtained. Mailed cert mail and reg, mail. GOOD SERVICE.
4-27-16	Title opinion received.
7-11-16	A Complaint Lis Pendens was filed at the courthouse posted on dwelling and Mailed reg and certified mail to owner. GOOD SERVICE
8-11-16	Hearing held in the office of the Building Inspector with Hovis Dillahunt, Owner who is not married and had present Ronnie Dillahunt in his behalf. Violations, options were discussed. The Order of the Building Inspector will read: the house is Dilapidated, vacant and cannot be occupied until it meets the MH Standards. 4.5 months to repair exp. 1-20-17.
8-16-17	The Order of the Building Inspector was filed at the courthouse, posted on the dwelling and sent reg. mail and certified mail. GOOD SERVICE
2-8-17	A courtesy letter was sent (just reg mail) reminding the owner of the expiration of the Order and the penalties that are accruing. Failure to comply will result in a request form the BOA for an Ordinance to demolish the structure at the owners cost.
1-24-18	Preparing the paperwork for an ordinance to demolish.

Quate to Demolish PW 4800 00 \$1 4800 00 Plus Any Asbestos Cost





FILED

NORTH CAROLINA CITY OF NEW BERN

BEFORE THE BUILDING 2016 AUG 16 ATHSPECTOR OF THE CITY OF NEW BERN

CRAVEN CO., C.S.C.

16 M 329 FILE#

Ma

THE CITY OF NEW BERN,

Plaintiff

-VS-

HOVIES DILLAHUNT SPOUSE OF HOVIES DILLAHUNT; if any, Defendant

ORDER OF THE BUILDING INSPECTOR OF THE CITY OF NEW BERN

THIS MATTER came on to be heard and was heard before the undersigned Building Inspector of the City of New Bern, at a hearing in the office of the Building Inspector of the City of New Bern on the 11th day of August, 2016; and

UPON HEARING evidence and testimony in this matter, the Building Inspector of the City of New Bern found the following facts:

- Nancy J. Riegelsperger, Building Inspector & appeared on behalf of the City of New Bern Hovies Dillahunt, who is not married, Ronnie Dillahunt, brother were present for the owner for the owner.
- Hovies Dillahunt own the real property located at 1127 H Street, New Bern, North Carolina, and further identified by Craven County Tax Identification number 8-006-006
- The dwelling located at 725 Cedar Street, New Bern, North Carolina does not meet the Minimum housing standard set forth in Chapter 38 of the City of New Bern's Ordinance due to 3 deterioration and defects, increasing the hazard of fire, accidents, or other calamities.
 - The dwelling is presently vacant.

- It is the opinion of the Inspections Department of the City of New Bern that the dwelling cannot be repaired, altered, or improved to comply with the minimum standards established by Chapter 5. 38 of the Code of the City of New Bern at a cost less than seventy-five (75%) percent of the value, and, therefore, it is a dilapidated dwelling as defined by Chapter 38 of the Code of the City of New Bern. As a result thereof, no one shall reside in or occupy said dwelling.
 - The aforesaid dwelling must be repaired, altered, improved OR demolished/removed to comply with the minimum standards established by Chapter 38 of the Code of the City of New Bern. 6.
 - The Subject dwelling requires work to be performed by subcontractors to bring it into compliance with the minimum standards established by Chapter 38 of the Code of the City of 7. New Bern. All work such as electrical, plumbing, heating and air conditioning must be performed by persons licensed by the State of North Carolina to perform such work, and shall be inspected as required by law. Electrical service will only be provided with a temporary service pole or a generator with city noise restrictions applying.
 - After finding the aforementioned facts, the Building Inspector ordered that the Owners shall: 8.
 - Repair, alter, improve, or remove/demolish said dwelling to comply with the minimum standards, established by Chapter 38 of the Code of the City of New Bern no later than November 11, 2016;
 - Ensure all permits are obtained prior to work beginning. Ъ.
 - Ensure that all mechanical work be performed by persons licensed by the State of North Carolina to perform such work, and that all such work is inspected as required by law.
 - Ensure that lead paint on the exterior of said dwelling is abated in compliance with the d. regulations enforced by the Craven County Health Department.
 - Ensure that property and structures located thereon be brought into compliance with Article XVI of the Appendix A of the Land Use Ordinance of the City of New Bern which is commonly referred to the Flood Plain Ordinance.
 - Shall be assessed a civil penalty as required by the City Code Section 38-5 as follows: f.

- The sum of \$500.00 for failure to comply with this Order within 31 days of January 20, 2017;
- An additional sum of \$1,000.00 (for a total sum of \$1,500.00) for failure to comply with this Order within 61 days of January 20, 2017;
- An additional sum of \$1,500.00 (for a total sum of \$3,000.00) for failure comply with this Order within 91 days of January 20, 2017;
- An additional sum of \$2,000.00 (for a total sum of \$5,000.00) for failure to comply with this Order within 121 days of January 20, 2017; and
- An additional sum of \$2,000.00 (\$5,000.00 plus \$2,000.00 per month) for each additional 30-days or fraction thereof for continuing failure to comply with this Order.

THIS 16 DAY OF August 2016

252-639-2947

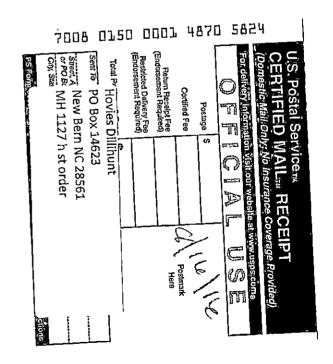
CERTIFICATE OF SERVICE

I hereby certify that on the *lb* day of August 2016, I served a copy of the foregoing Order upon the following persons by depositing a true and correct copy thereof in an envelope with proper postage affixed thereto for mailing by certified mail, return receipt requested, and also by placing a true and correct copy thereof in another envelope with proper postage affixed thereto for mailing by regular first class mail, and depositing said envelopes in a regular depository for the United States mail at New Bern, North Carolina, addressed as follows:

Hovies Dillihunt (no spouse) PO Box 14623 New Bern NC 28561

DATE: August 16, 2016

Nancy Riegelsperger Building Inspector City of New Bern



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Tracking Number: 70080150000148705824

Product & Tracking Information

Postal Product:

Certified Mail

DATE & TIME

STATUS OF ITEM

LOCATION

August 23, 2016 , 4:58 pm

Dalivered

NEW BERN, NC 28562

Your item was delivered at 4:58 pm on August 23, 2016 in NEW BERN, NC 28562.

August 19, 2016 , 8:26 am

Sorting Complete

NEW BERN, NC 28562

August 19, 2016 , 7:42 am

: Available for Pickup

NEW BERN, NC 28561

August 19, 2016 , 7:12 am

Arrived at Unit

NEW BERN, NC 28562

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FILED

NORTH CAROLINA 2016 JUL 1 1 P 12: 56

CRAVEN COUNTY

CRAVEH-60. C.S.C.
BY

THE CITY OF NEW BERN

Plaintiff

-VSHOVIES DILLAHUNT,
SPOUSE OF HOVIES DILLAHUNT; if any
Defendant

FILE# _ 16 M

BEFORE THE BUILDING INSPECTOR

OF THE CITY OF NEW BERN

COMPLAINT - (DWELLING UNFIT FOR HUMAN HABITATION) AND NOTICE OF HEARING/ NOTICE OF LIS PENDENS

THE CITY OF NEW BERN ALLEGES AND SAYS THAT:

- 1. In accordance with North Carolina General Statutes Section 160A, Article 19, Part 6, and Section 38-29 of the Code of the City of New Bern, the undersigned Building Inspector for the City of New Bern has done a preliminary investigation to determine if the dwelling identified is unfit for human habitation.
- 2. The preliminary investigation has disclosed that there is a basis for believing that the dwelling bearing postal enumeration 1127 H Street and further identified as Map 8-006-006 New Bern, North Carolina, is unfit for human habitation.
- 3. A hearing will be held on the 11th day of August 2016, at 3p.m. In the office of the City Building Inspector at 303 First Street, New Bern, NC
- 4. You have the right to file an answer to this Complaint with the Building Inspector in person at the hearing or by writing to the Building Inspector of the City of New Bern, PO Box 1129,

New Bern, North Carolina, 28563-1129.

5. You have the right to appear at the above-scheduled hearing, in person or otherwise,

and give testimony.

6.

Following the hearing, the undersigned Building Inspector may issue an order to

repair, alter or improve the dwelling, to vacate and close the dwelling, or to remove or demolish the

dwelling and clear the debris therefrom, as appears appropriate. At the expiration of the Order of the

Building Inspector shall be assessed a civil penalty as required by the City Code Section 38-5 as

follows:

- The sum of \$500.00 for failure to comply with this Order within 31 days to 60 days

An additional sum of \$1,000.00 (for a total sum of \$1,500.00) for failure to comply

with this Order within 61 days 90 days

An additional sum of \$1,500.00 (for a total sum of \$3,000.00) for failure to comply

with this Order within 91 days to 120 days

- An additional sum of \$2,000.00 (for a total sum of \$5,000.00) for failure to comply

with this Order within 121 days and

An additional sum of \$2,000.00 (\$5,000.00 plus \$2,000.00 per month) for each

additional 30-days or fraction thereof for continuing failure to comply with this Order.

DATE: 7-11-16

Nancy J. Riegelsperger

Building Inspector

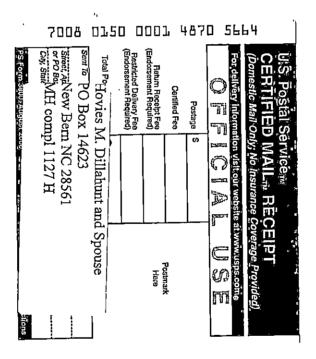
City of New Bern (252) 639-2947

CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of July, 2016, I served a copy of the foregoing Complaint Lis Pendens/ Notice of Hearing upon the following persons by depositing a true and correct copy thereof in an envelope with proper postage affixed thereto for mailing by certified mail, return receipt requested, and also by placing a true and correct copy thereof in another envelope with proper postage affixed thereto for mailing by regular first class mail, and depositing said envelopes in a regular depository for the United States mail at New Bern, North Carolina, addressed as follows:

Hovies M. Dillahunt and Spouse PO Box 14623 New Bern NC 28561

Nancy Riegelsperger Building Inspector City of New Bern



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NEW BERN, NC 28562

FAYETTEVILLE, NC 28302

FAYETTEVILLE, NC 28302

CHARLOTTE, NC 28228

CHARLOTTE, NC 28228

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July 13, 2016 , 7:01 pm

July 13, 2016, 8:38 am

July 13, 2016, 2:05 am

July 13, 2016, 12:55 am

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AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting an Ordinance for the Demolition of the Dwelling Located at 725-727 West Street.

Date of Meeting 2/27/2018	Ward #	if applicabl	e Ward 1	Ţ.
Department Development Services	Person	Submitting	Item: ^{Jeff F}	ługgieri
Call for Public Hearing ☐ Yes ✔ No) Da	te of Public	Hearing	
Explanation of Item: Staff is seeking approval of an ordinal Street.	ince to de	emolish the s	tructure lo	cated at 725-727 West
Actions Needed by Board: Consider Adopting Ordinance for Den	molition o	f 725-727 W	est Street.	
Is item time sensitive? Yes No			a a 🗆 Nia	
Will there be advocates/opponents a	at the m	eeting?∐Y	es L_INO	
Backup Attached: Memo, Cost Est., Chrono, Location M	/laps, Pic	tures		
Cost of Agenda Item: \$6,500.00				
If this item requires an expenditure, certified by the Finance Director : $oxedsymbol{oxed}$		_	ed and are	funds available and
Additional notes:				

Aldermen

Sabrina Bengel Jameesha S. Harris Robert V. Aster Johnnie Ray Kinsey Barbara J. Best Jeffrey T. Odham



300 Pollock Street, P.O. Box 1129 New Bern, NC 28563-1129 (252) 636-4000 Dana E. Outlaw Mayor

Mark A. Stephens City Manager

TO:

Mayor Dana Outlaw, City of New Bern Board-of Aldermen

FROM:

Jeff Ruggieri, Director Development Service

DATE:

2/15/2018

SUBJECT: Request for demolition ordinance for structure located at 725-727 West Street

Staff is seeking approval of an ordinance to demolish the structure located at 725-727 West Street. The complaint originated on 7-08-2010 for numerous violations under Chapter 39 of City Code. A structure fire on 6-11-2012 damaged the property further. City building inspection staff conducted a minimum housing hearing on 4-02-2013. An Order of the Building Inspector was issued and gave the owners until 4-14-2014 to complete all improvements required to bring the structure into compliance with minimum housing code. On 10-25-2013 a building permit was issued but no work was ever completed. As of 2-13-2018 the property remains in violation of the City's minimum housing code and no permits have been applied for to bring the property into compliance.

A complete chronology of events is attached.

Prepared by and return to:

Michael Scott Davis DAVIS HARTMAN WRIGHT PLLC 209 Pollock Street New Bern, NC 28560

AN ORDINANCE TO ORDER THE DEMOLITION OF A DWELLING UNFIT FOR HUMAN HABITATION LOCATED AT 727 WEST STREET IN THE CITY OF NEW BERN, NORTH CAROLINA

THAT WHEREAS, the City of New Bern properly served Charles J. Alexander and wife, Eleanor Alexander ("Owners"), on March 7, 2013, pursuant to Section 38-30 of the Code of Ordinances for the City of New Bern, complaining and alleging that the dwelling owned by Owners located at 727 West Street in the City of New Bern, North Carolina (Craven County parcel identification number 8-007-209) is unfit for human habitation; and

WHEREAS, the Owners of the certain dwelling located at 727 West Street in the City of New Bern, North Carolina ("Subject Property") were ordered to remove or demolish the dwelling located on the Subject Property and clear the debris therefrom, or to repair, alter, or improve said dwelling to comply with the minimum standards established by Chapter 38 of the Code of the City of New Bern by April 4, 2014; and

WHEREAS, the Owners have been given a reasonable opportunity to comply with the aforementioned Order of the Building Inspector; and

WHEREAS, the Owners have failed to remove or demolish the dwelling and clear the debris therefrom, or to repair, alter or improve said dwelling to comply with the minimum standards established by Chapter 38 of the Code of the City of New Bern, as directed in said Order.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

Section 1. That the Building Inspector of the City of New Bern is ordered to remove or demolish the dwelling located on the Subject Property at 727 West Street in the City of New Bern, North Carolina, more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO.

Section 2. That the Building Inspector of the City of New Bern is ordered to sell the materials of the dwelling that are salvageable and shall credit the proceeds of the sale against the cost of the removal or demolition, and any balance remaining shall be deposited with the Clerk of Superior Court of Craven County, shall be secured in a manner directed by the court, and shall be disbursed by the court to the persons found to be entitled thereto, and shall be disbursed by the court to the persons found to be entitled thereto by final order or decree of the court.

Section 3. That this ordinance shall be in full force and effect from and after its adoption.

ADOPTED THIS 27th DAY OF FEBRUARY, 2018.

	DANA E. OUTLAW, Mayor	
BRENDA E. BLANCO, City Clerk		

EXHIBIT A

All that certain tract or parcel of land lying and being situate in Number Eight (8) Township, Craven County, North Carolina, being more particularly described as follows:

All that certain lot or parcel of land in Number Eight (8) Township, Craven County, North Carolina, in the City of New Bern on the west side of West Street between Cedar and Elm Streets, beginning at a point in the west line of West Street 56 feet 2 inches south from the south line of Cedar Street, thence south with the west line of West Street 40 feet; thence west and parallel with Cedar Street 103 feet 7 inches; thence north and parallel with West Street 40 feet; thence east and parallel with Cedar Street 103 feet 7 inches to the point of beginning.

Being that part of the lot conveyed by William L. Hand and wife to B. F. Reid by deed recorded in Book 260, Page 90, remaining after the northern 20 feet of same was conveyed by B. F. Reid et al. to H. C. Sparrow by deed recorded in Book 259, Page 425, both deeds being in the Office of the Register of Deeds of Craven County.

Being the same premises conveyed to William H. Bryant and wife, Wilvera H. Bryant by deed from Haywood B. Hogans, Jr. and wife Everine B. Hogans recorded in Book 698 Page 5 in the Office of the Craven County Register of Deeds.



300 Pollock Street, P.O. Box 1129 New Bern, NC 28563 (252)639-2941

MEMORANDUM

TO: Michael Scott Davis, City Attorney

FROM: Nancy Riegelsperger, Building Inspector

DATE: 2/13/2018

RE: 725-727 West Street

I am requesting an ordinance on the above referenced property.

Here is the owner's information. Enclosed are the service verifications, chronological order, quotes, a map, the Complaint and the Order. This property has been thru the minimum housing process, and the Order of the Building Inspector expired on 4-4-14.

Owner: Charles Alexander

If you have any questions, feel free to call me at 252-639-2947. Thanks Nancy

Cc; Jeff Ruggieri

725-727 West Street Prepared on 2-13-18 By Nancy R

DATE

EVENTS

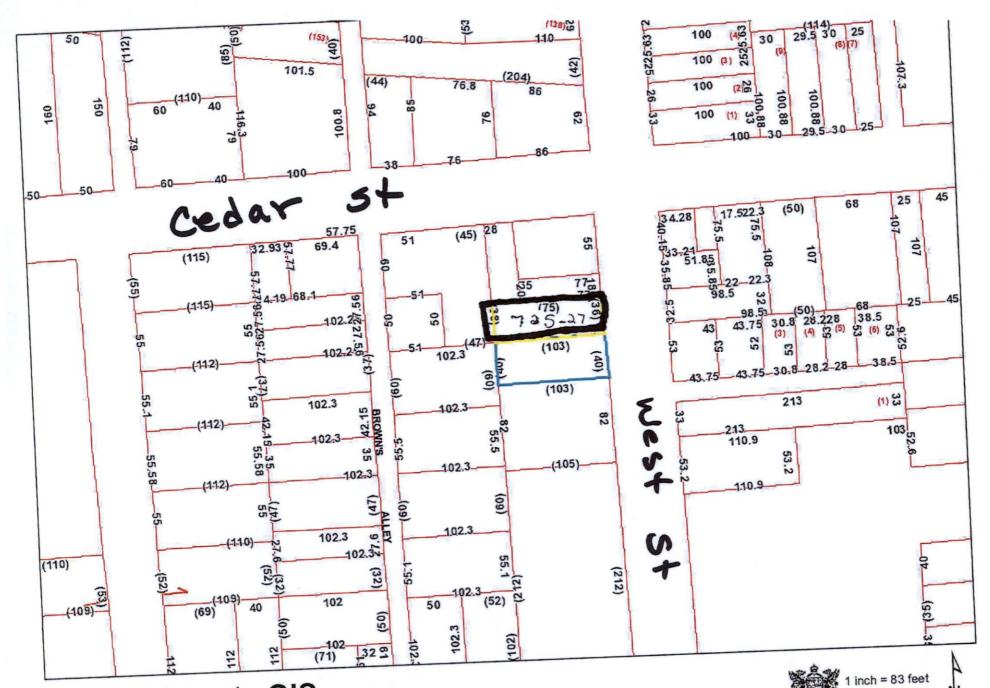
5-29-10	GIS information obtained.
7-08-10	MH letter sent to the owner regular mail and certified mail. Good Service green card
	signed. reg. mail not returned.
6-11-2012	Fire Report received from NBFD.
1-28-13	Title Opinion received.
3-7-13	Complete Lie Bonden / Notice of Hearing filed at the courtnouse, posted on awaring and
J	
4-2-13	A hearing was held in the office of the Building Inspector present were charge
T-E 13	l Diamoleporcor Ki
	I
	1
	in conford where he lives. The Order of the building inspector will be
	Dilapidated, Vacant, and progressive Order wy 41 hadds: #1-house is cleaned out and permits are obtained and work must be started no later
	This includes structural support, the executor
l	aiding and the roof sheathed, wrap, and sided/ shilligieu, willdows are to be
	I
	I was a section of the section of th
	The state of the s
	#4- shall be substantially complete with improvements to said dwelling and be in-
	compliance with MH Code. No later than April 4, 2014. If any part is not completed within, the timetable set in phase 1-4. It is considered to be
	defaulted and the penalties are imposed immediately.
	Building permit is issued Permit # 131532-2013
10-25-2013	Building permit is issued Permit# 191992 2000
10-30-2013	Permit picked up today.
1-2-2014	Electrical permit requested. Held by inspections.
1-14-14	9 am In my office with Greg Mc Coy present. A phone call to Mr. Alexander with
	9 am In my office with Greg Mc Coy present A priority of the Structure being a two-apartment unit. GIS shows SFD. Zoning says problems with the structure being a two-apartment unit. GIS shows SFD. Zoning says
	problems with the structure being a two-apartment units of the problems with the structure being a two-apartment units of the problems with the structure being a two-apartment units of the problems with the structure being a two-apartment units of the problems with the structure being a two-apartment units of the problems with the structure being a two-apartment units of the problems with the structure being a two-apartment units of the problems with the structure being a two-apartment units of the problems with the structure being a two-apartment units of the problems with the structure being a two-apartment units of the problems with the structure being a two-apartment units of the problems with the structure and now must meet been over 180 days since used as a legal non-conforming structure and now must meet
	today's zoning / building requirements.
4-18-2015	today's zoning / building requirements. Letter from Mr. Alexander. With a request to continue to use this property as a duplex a
	it has been for over 50 years. Requesting approval.
5-4-15	
	attached to the dwelling and will not support a two family discounts
11-19-15	
1 11-13-13	l asked Mr. Alexander now he coming with vector property and surveyor/ Attny to combine a lot to his lot so he would be able to meet the land

725-727 West Street Prepared on 2-13-18 By Nancy R

ATE	EVENTS Talked about an agreement(
77.12	requirement. Then he could put his contractors to work. Talked about an agreement(
	food for thought)
10-6-17	food for thought) No work has been done. No transfer of property done. No inspection done. Request
10-0-17	Ordinance to demolish.
2-13-2018	Ordinance to demolish. GIS shows the same owner. Chrono has been done. Paperwork completed for BOA
Z-13-2010	meeting.
	Meeting.
 	
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<u>[</u>	

Quote For Demo by PW \$6500. Plus the Cost of Abestos removal

.



Craven County GIS





FILED

13 APR - 4 PH 3: 02

NORTH CAROLINA

FILE # 13M 189

CREATEN COMMY, C.S.C.

CITY OF NEW BERN BEFORE THE BUILDING INSPECTOR OF THE CITY OF NEW BERN

CITY OF NEW BERN,

Plaintiff

-VS-

CHARLES J. ALEXANDER
SPOUSE of CHARLES J. ALEXANDER,
Defendant

ORDER OF THE BUILDING INSPECTOR
OF THE
CITY OF NEW BERN



THIS MATTER came on to be heard and was heard before the undersigned Building Inspector of the City of New Bern, at a hearing in the office of the Building Inspector of the City of New Bern on the 4th day of April, 2013 and

UPON HEARING evidence and testimony in this matter, the Building Inspector of the City of New Bern found the following facts:

 Nancy J. Riegelsperger, Building Inspector, appeared on behalf of the City of New Bern. Charles J. Alexander

Observers: n/a

The following were properly notified but were not present: Spouse of Charles J. Alexander, Eleanor Alexander.

- Charles J. Alexander & Eleanor Alexander owns the real property identified as 727
 West Street, Tax Map Designation 8-007-209. New Bern, North Carolina
- 3. The dwelling located at 727 West Street, New Bern, North Carolina does not meet the Minimum housing standard set forth in Chapter 38 of the City of New Bern's Ordinance due to deterioration and defects, increasing the hazard of fire, accidents, or other calamities.
- 4. The dwelling, a single family structure with 2 apartments which are presently vacant.
- 5. It is the opinion of the Inspections Department of the City of New Bern that the dwelling cannot be repaired, altered, or improved to comply with the minimum standards established by Chapter 38 of the Code of the City of New Bern at a cost not

- in excess of seventy-five (75%) of their value, and, therefore, it is a dilapidated dwelling as defined by Chapter 38 of the Code of the City of New Bern. As a result thereof, no one shall reside in or occupy said dwelling.
- 6. The aforesaid dwelling requires work to be performed by subcontractors to bring it into compliance with the minimum standards established by Chapter 38 of the Code of the City of New Bern. All work such as electrical, plumbing, heating and air conditioning, must be performed by persons licensed by the State of North Carolina to perform such work. Electrical service will only be provided with a temporary service pole or a generator with city noise restrictions applying.
- 7. The aforesaid dwelling must be repaired, altered, or improved OR demolished/ removed to comply with the minimum standards established by Chapter 38 of the Code of the City of New Bern prior to the occupancy of the aforesaid dwelling.
- 8. After finding the aforementioned facts, the Building Inspector ordered that Charles J. Alexander & Eleanor Alexander.
 - a. Ensure all permits are obtained prior to work beginning.
 - b. Ensure that all such as electrical, plumbing, and heating and air conditioning be performed by persons licensed by the State of North Carolina to perform such work, and required inspections called for.
 - c. Shall within the time table established below as determined during the hearing held on April 4, 2013 before the Building Inspector. Before the end of each time period or phase, all work must be completed and the proper inspections must be made.
 - 1. by no later than August 4, 2013: (PHASE I) shall be completed.
 - aa. Building permits are obtained. The house is cleaned out of personal belongings. On site work is started.
 - 2. by no later than November 4, 2013: (Phase II) shall be completed.
 - bb. The exterior of the structure is completed including structural supports, the exterior walls be sheathed, wrap and sided, windows and doors are installed, the roof including the sheathing, shingles, and the proper inspections are made.
 - 3. by no later than March 4, 2014: (Phase III) shall be completed.
 - aa. All of the rough-ins are completed and the inspections have passed. Including electric, plumbing, building and a heat source has been provided. Insulation has been installed and has passed inspection.
 - 4. by no later than April 4, 2014: (Phase IV, the final phase) shall be completed.
 - aa. Shall be substantially complete with the improvements to said

dwelling and be in compliance with the Minimum Housing Code Chapter 38 of the City of New Bern.

- 5. If any part of the above (Phase I, II, III or IV) time tables are not complied with the Order is considered to be defaulted and the penalties cited in sub-paragraph "h" subsequent shall begin to accrue immediately.
- d. For purposes of this Order, substantially complete means that said dwelling shall be at least 90% completed
 - All electrical device installed
 - All plumbing fixtures are installed
 - HVAC if any; installed
 - Sheetrock or paneling be installed
 - All exterior repairs shall be completed.
- e. Approval will be obtained from the Historical Preservation Commission for any exterior work performed, where applicable. It will be necessary to conform to replacement in kind on any exterior work.
- f. Ensure that lead paint on the exterior of said dwelling is abated in compliance with the regulations enforced by the Craven County Health Department.
- g. Property and structure (s) to be brought into compliance with Article XVI of the Appendix A of the Land Use Ordinance of the City of New Bern which is commonalty called the Flood Plain Ordinance.
- h. A civil penalty in the amount of \$50.00 for each day shall be assessed against Charles J. Alexander, Eleanor Alexander, should they fail, neglect or refuse to comply with this Order of the Building Inspector, all as provided in Section 38-5 of the Code of the City of New Bern.

NANCY J. RIEGELSPERGER

BUILDING INSPECTOR CITY OF NEW BERN

252-639-2947



CERTIFICATE OF SERVICE

Re: 727 West Street

I hereby certify that on the \(\frac{1}{2} \) day of \(\frac{1}{2} \), \(\frac{1}{2} \), I served a copy of the foregoing \(\frac{0}{2} \) or the following:

Charles J. Alexander & Eleanor Alexander

by placing a true copy thereof in an envelope with proper postage affixed thereto for mailing by Certified Mail, Return Receipt Requested, and depositing said envelope in a regular depository for the United States mail addressed to:

Charles J. Alexander & Eleanor Alexander 912 West Garden Street Sanford, NC 27330

Postmari Hare FILED
13 MAR - 7 AM II: 38
CRAVEN COUNTY -

FILE# 13 M 189

NORTH CAROLINA

CRAVEN COUNTY

(BY A)

BEFORE THE BUILDING INSPECTOR
OF THE CITY OF NEW BERN

THE CITY OF NEW BERN,
Plaintiff
-VSCHARLES J. ALEXANDER
SPOUSE OF CHARLES J. ALEXANDER
Defendants

COMPLAINT - (DWELLING UNFIT FOR HUMAN HABITATION) AND NOTICE OF HEARING/ NOTICE OF LIS PENDENS

THE CITY OF NEW BERN ALLEGES AND SAYS THAT:

- 1. In accordance with North Carolina General Statutes Section 160A, Article 19, Part 6, and Section 38-29 of the Code of the City of New Bern, the undersigned Building Inspector for the City of New Bern has done a preliminary investigation to determine if the dwelling identified is unfit for human habitation.
- 2. The preliminary investigation has disclosed that there is a basis for believing that the dwelling bearing postal enumeration <u>727 WEST STREET Map 8-007-209</u>, New Bern, North Carolina, is unfit for human habitation.
- 3. A hearing will be held on the 28th day of March, 2013, at 9 a.m. in the office of the City Building Inspector at the first floor of the Dunn Building on the corner of Craven and Pollock Streets 248 Craven Street

4. You have the right to file an answer to this Complaint with the Building Inspector in person at the hearing or by writing to the Building Inspector of the City of New Bern, PO Box 1129, New Bern, North Carolina, 28563-1129.

5. You have the right to appear at the above-scheduled hearing, in person or otherwise, and give testimony.

6. Following the hearing, the undersigned Building Inspector may issue an order to repair, alter or improve the dwelling, to vacate and close the dwelling, or to remove or demolish the dwelling and clear the debris therefrom, as appears appropriate. At the expiration of the Order of the Building Inspector a civil penalty in the amount of \$50.00 for each day that the structure does not comply with the Order of the Building Inspector will be imposed as provided in Section 38-5 of the Code of the City of New Bern.

THIS 7th DAY OF March 2013

Nancy J. Riegelsperger

Building Inspector City of New Bern (252) 639-2947

CERTIFICATE OF SERVICE

Re: 727 WEST STREET Map 8-007-209

CHARLES ALEXANDER 912 WEST GARDEN STREET SANFORD NC 27330 SPOUSE OF CHARLES ALEXANDER(ELEANOR) 912 WEST GARDEN STREET SANFORD NC 27330

And in another envelope in a regular depository for the United States mail addressed to: N/A

Nancy J. Riegelsper Building Inspector City of New Bern

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AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting an Ordinance for the Demolition of the Dwelling Located at 811 Miller Street.

Date of Meeting 2/27/2018	Ward # if applicable Ward 1	
Department Development Services	Person Submitting Item: Jeff R	uggieri
Call for Public Hearing ☐ Yes ✓ No	Date of Public Hearing	
Explanation of Item: Staff is seeking approval of an ordinar Street.	nce to demolish the structure loc	ated at 811 Miller
Actions Needed by Board: Consider Adopting Ordinance for Dem	nolition of 811 Miller Street.	
Is item time sensitive? Yes No)	
Will there be advocates/opponents a	at the meeting?□Yes □No	
Backup Attached: Memo, Cost Est., Chrono, Location M	aps, Pictures	
Cost of Agenda Item: \$3,700.00		
If this item requires an expenditure, certified by the Finance Director :	_	unds available and
Additional notes:		

Aldermen

Sabrina Bengel Jameesha S. Harris Robert V. Aster Johnnie Ray Kinsey Barbara J. Best Jeffrey T. Odham



300 Pollock Street, P.O. Box 1129 New Bern, NC 28563-1129 (252) 636-4000 Dana E. Outlaw Mayor

Mark A. Stephens City Manager

TO:

Mayor Dana Outlaw, City of New Bern Board of Aldermen

FROM:

Jeff Ruggieri, Director Development Services

DATE:

2/15/2018

SUBJECT: Request for demolition ordinance for structure located at 811 Miller Street

Staff is seeking approval of an ordinance to demolish the structure located at 811 Miller Street. The property has been in some form of deteriorated or dilapidated condition since 2000. On 6-27-2017 a minimum housing violation letter was sent to the owners. On 8-24-2017 a hearing was held with the Chief Building Inspector and an Order of the Chief Building Inspector was issued granting the owner 45 days to come into compliance with the City's minimum housing code. To date no permits have been applied for and no work has been initiated to bring the structure into compliance.

A complete chronology of events is attached.

Prepared by and return to:

Michael Scott Davis DAVIS HARTMAN WRIGHT PLLC 209 Pollock Street New Bern, NC 28560

AN ORDINANCE TO ORDER THE DEMOLITION OF A DWELLING UNFIT FOR HUMAN HABITATION LOCATED AT 811 MILLER STREET IN THE CITY OF NEW BERN, NORTH CAROLINA

THAT WHEREAS, the City of New Bern properly served Kenneth J. Riggs and spouse, if any, Nova T. Riggs and spouse, if any, and Elwood G. Edwards ("Owners"), on July 27, 2017, pursuant to Section 38-30 of the Code of Ordinances for the City of New Bern, complaining and alleging that the dwelling owned by Owners located at 811 Miller Street in the City of New Bern, North Carolina (Craven County parcel identification number 8-007-030) is unfit for human habitation; and

WHEREAS, the Owners of the certain dwelling located at 811 Miller Street in the City of New Bern, North Carolina ("Subject Property") were ordered to remove or demolish the dwelling located on the Subject Property and clear the debris therefrom, or to repair, alter, or improve said dwelling to comply with the minimum standards established by Chapter 38 of the Code of the City of New Bern by October 8, 2017; and

WHEREAS, the Owners have been given a reasonable opportunity to comply with the aforementioned Order of the Building Inspector; and

WHEREAS, the Owners have failed to remove or demolish the dwelling and clear the debris therefrom, or to repair, alter or improve said dwelling to comply with the minimum standards established by Chapter 38 of the Code of the City of New Bern, as directed in said Order.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

Section 1. That the Building Inspector of the City of New Bern is ordered to remove or demolish the dwelling located on the Subject Property at 811 Miller Street in the City of New Bern, North Carolina, more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO.

Section 2. That the Building Inspector of the City of New Bern is ordered to sell the materials of the dwelling that are salvageable and shall credit the proceeds of the sale against the cost of the removal or demolition, and any balance remaining shall be deposited with the Clerk of Superior Court of Craven County, shall be secured in a manner directed by the court, and shall be disbursed by the court to the persons found to be entitled thereto, and shall be disbursed by the court to the persons found to be entitled thereto by final order or decree of the court.

Section 3. That this ordinance shall be in full force and effect from and after its adoption.

ADOPTED THIS 27th DAY OF FEBRUARY, 2018.

	DANA E. OUTLAW, Mayor	
BRENDA E. BLANCO, City Clerk		

EXHIBIT A

All that certain tract or parcel of land lying and being situate in Number Eight (8) Township, Craven County, North Carolina, being more particularly described as follows:

That certain parcel or lot of land situate in North Carolina, Craven County, City of New Bern, known and designated as Reizensteinville, as plotted and recorded in the public records in the Office of the Register of Deeds of Craven County in Book 105, Page 56, and being the southern half of Lot Number Six (6) upon said plat or plan, EXCEPTING from the operation of this instrument a portion of the said land on the northern side thereof three feet six inches in width, and extending the entire depth of said lot, reserved as one-half of a driveway.

This being the same lot or tract of land as conveyed to James Venters and his wife, Bulah Venters, by John King and wife, Macy King, by deed dated June 9, 1954, and recorded in Book 503, Page 457, Craven County Registry. The said Bulah Venters becoming the owner of said property by reason of survivorship at the death of her husband, James Venters; and the said Bulah Venters last name now being Edwards by reason of her second marriage and her second husband now being deceased.

Being the same land conveyed by Bulah Venters Edwards to Elwood G. Edwards by deed recorded in Book 934 at Page 499 in the Office of the Register of Deeds of Craven County, North Carolina.



300 Pollock Street, P.O. Box 1129 New Bern, NC 28563 (252)639-2941

MEMORANDUM

TO: Michael Scott Davis, City Attorney

FROM: Nancy Riegelsperger, Building Inspector

DATE: 2/13/2018

RE: 811 Miller Street

I am requesting an ordinance on the above referenced property.

Here is the owner's information. Enclosed are the service verifications, chronological order, quotes, a map, the Complaint and the Order. This property has been thru the minimum housing process, and the Order of the Building Inspector expired on 10-8-17.

Owner: Kenneth Riggs

If you have any questions, feel free to call me at 252-639-2947. Thanks Nancy

Cc; Jeff Ruggieri

811 Miller Streeet Prepared on 2-12-18 By NJR

DATE

EVENTS

9-08-10	Photos taken
11-22-10	Title Opinion requested.
10-13-16	Narrative: case reviewed, finding were a judgement has been served on Kenneth Riggs in 2008. Unkn outcome. The house in a dilapidated status NOW. The order of the Building Inspector issued in 2000 was a deteriorated Order.
12-6-16	Copy of this narrative was scanned and sent to Scott's Office for further direction.
12-6-16	e- mail memo from Scott. "the best way to move forward with this is to to go thru thr unfit dwelling action process". Start over.
2-23-17	Quote to demolish. Is \$3700.00 and a tree will have to be removed in front of the house.
6-26-17	Title opinion obtained.
6-27-17	MH Letter Sent to Owners at 82 Fortress Place ,Palm Coast FL. 32137 service was good Green card signed, reg. mail not returned.
7-27-17	Complaint filed at courthouse, posted and mailed regular & certified to all interested parties. Good Service all regular mailed was not returned. 3 certified were returned unclaimed.
8-7-17	Phone call from Elwood Edward the above was his address, but he sold the property to Kenneth Riggs, which he does not know.
8-7-17	A Letter received from Nova Riggs who was married to Kenneth Riggs separated in 2004. She states she has no interest in the property since she divorced him in 2006. She wishes to be released from the complaint.
8-15-17	Received a letter from Mr. E. Edwards addressing a letter sent to the City's Attny. In 2008. In which he signed a deed to the City for the property. He wants nothing else to do with the property.
8-23-17	Memo to Scott. Stating I received the letter from Mr Edwards and asked how does this effect the hearing to be held tomorrow?
8-23-17	Elwood Edwards called and said he is going out of the country tomorrow. He does even know to man (Kenneth Riggs) Jimmy Land handled the sale of the property.
8-23-17	Return email from Peggy to Scott cc. me, saying she got that letter, how do you want to handle this? She also sent me more information on contacting him. Phn call- from Peggy: telling her of A Letter received from Nova Riggs who was married to Kenneth Riggs separated in 2004. She states she has no interest in the property since she divorced him in 2006. She wishes to be released from the complaint.
8-24-17	I found telephone listing for Kenneth Riggs from the info Peggy sent. I made contact with Mr. Riggs. 123 S Tarboro St is the correct address he no longer uses the PO Box #. He gave me his phone #, and he advised he had gotten my letter about the hearing (the Complaint Lis Penden). He stated he wanted to fix up the house but has not been able to get to New Bern in the past 10 years. I reminded him the hearing was at 11am,today. I would be writing a dilapidated order, and he would have to comply w/in 45 days. He seem to be ok with that. I gave him my contact information so if when or if he is ready to

811 Miller Streeet Prepared on 2-12-18 By NJR

DATE	EVENTS
	start work I would help with the process.
	l am counting this as good service for my regular mailing.
8-24-17	Response from Peggy. "Awesome".
8-24-17	11am a Hearing was held in the Office of the Building Inspector. No one but me showed up. Properly notified were Mr. Elwood Edwards, Nova Riggs & spouse if any., Kenneth Riggs & Spouse if any. I received a letter from Ms. Nova Riggs saying she wants no part of the property and a deed was signed by Mr Edwards, who also doesn't have any interest in the property. At 10 am I spoke with the owner Kenneth Riggs by phone. He advised he wishes to repair the house, but has not been able to do so. He hasn't been in NB in 10 years. I briefed him as to how the order would be written. Dilapidated Order 45 days to comply w/ MH code
8-30-17	The Order of the Building Inspector was filed at the courthouse, posted, and mailed both certified & regular Mail. Good Service.
<u>. </u>	
	
	
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	<u></u>

811 Miller Street (8-007-030)

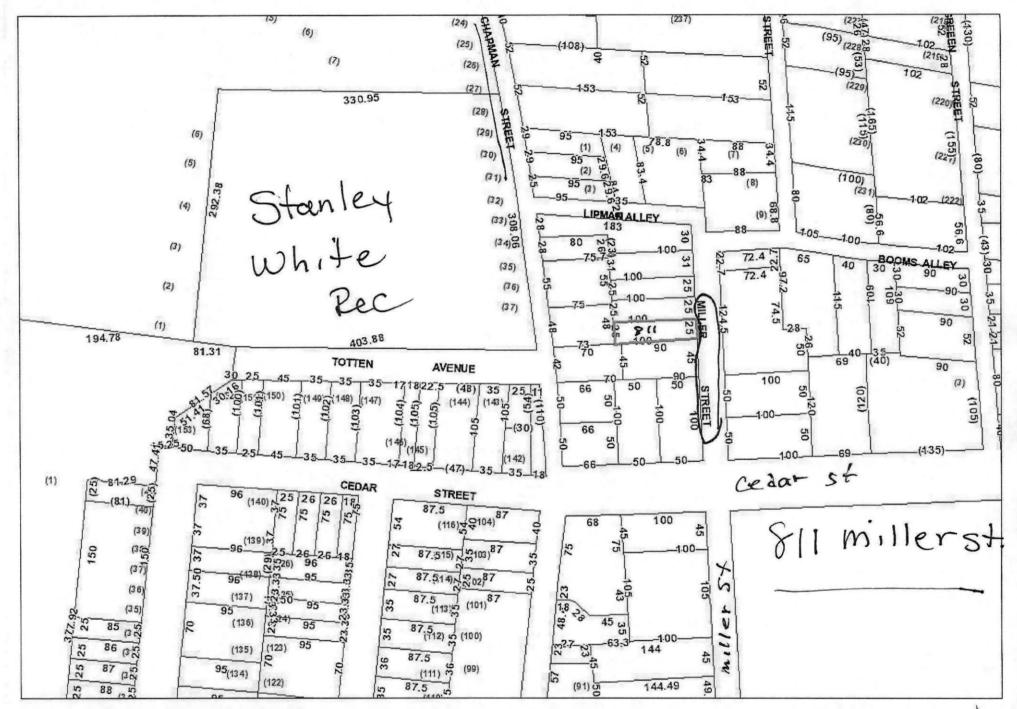
Kenneth Riggs Chronological Order Prepared: November 22, 2010

DATE	EVENT
11-3-94	MH Letter sent
1-23-95	MH Letter returned, addressee unknown
9-21-98	Complaint received that house open to vagrants, inspector verified and noted that house was wide open
9-21-98	File Note: House wide open, property has high weeds & trash. Property to be declared an ET to clean and board up. Tried contacting owner but no phone listed
9-21-98	Notice sent to appropriate utilities that meter has been orange tagged and no electric until meets MH housing standards
9-22-98	Board up sent to Public Works
9-24-98	File Note: Telephone conversation with realtor handling property. Told him cost of board up was \$271.09. Inspector told realtor that house was boarded because of problems at property and we didn't know he was handling property. Told him we have to get hold of the owner
2-24-00	Table of condemned properties showing this house had its electric service to be removed
2-24-00	Letter to Utilities to terminate electric service w/removal of service line
5-31-00	Notice of hearing filed w/hearing on 6-27-00 with proof of owner receiving
6-17-00	File Notes: Mcroy: Received call from Realtor, Jimmy Land. He has contacted the owners and house has been boarded up for about 4 years. Plan to demolish. I told Mr. Land a 60 day order would probably be issued.
6-27-00	Hearing held. No one appeared on behalf of owners. House is deteriorated. Issue 60 day order
6-29-00	60 day Order issued, filed with court and mailed to owner. Green certified cards returned on July 30, 2000, showing notification
7-5-00	File Notes: Mcroy: Realtor called for disposition of hearing Advised that a 60 day order was issued.
7-18-00	File Notes: NJR: Spoke to realtor. I sent a MH letter to Owner. He is working with Keith and house is scheduled to be demolished next week. He also stated that he would maintain the premises after the demolition. I asked Mcroy if a demo procedure was in effect. She was not aware of one.
8-8-00	Realtor called saying Kenneth Riggs is in the process of buying premises. He will be contacting us as to MH requirements. Realtor is aware of 60 day order expiring on 8-28-00.
8-21-00	Realtor sent a copy of the proposed contract of sale to our office. A copy of the signed contract of sale was also forwarded

811 Miller Street (8-007-030)

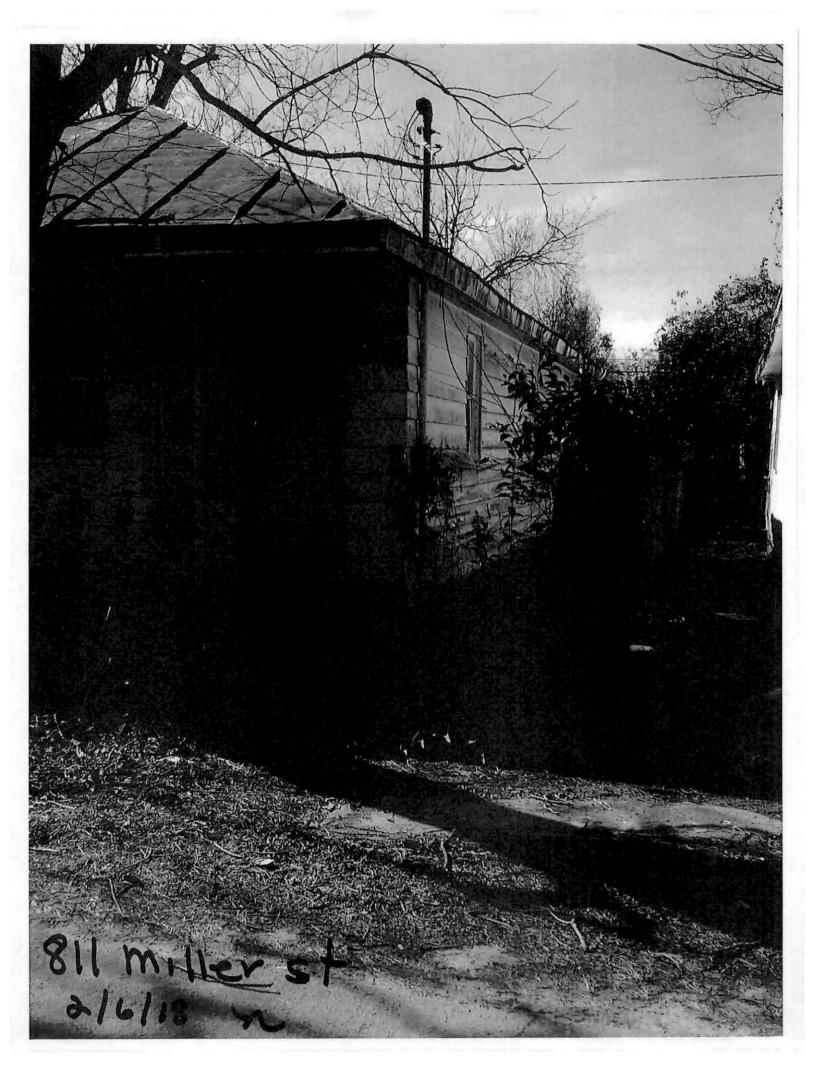
	Kenneth Riggs Chronological Order Prepared: November 22, 2010
8-29-00	Memo from Mcroy to KB: Does new owner realize that he is still responsible for the \$50.00 per day penalty
8-31-00	Letter sent to Mr. Riggs advising him of the \$50.00 per day penalty
9-1-00	JC says new owner needs to come to office and sign a 90-day extension agreement
9-21-00	Copy of MH Inspection faxed and sent to Anthony Richardson via certified. 9-26-00: Green certified card returned showing delivery
9-19-00	Certified courtesy letter that order is about to expire returned to office "unclaimed"
11-1-00	Building Permit issued to Owner, Kenneth Riggs
11-1-00	Letter from Owner that he would like a six month extension. JC granted the request.
11-29-00	Amendment to Order to extend for an additional 6 months. 12-5-00: Green certified returned that owner received Amended Order
MH Checklist	5-3-01: Not working; 7-5-01: Not working; 8-6-01: Not working; 9-15-00: Working; 10-15-01: Working; Nov 15, 2001: Working; 3-14-03: Almost done; 4-25-03: Not working; 7-16-03: No change, status changed from dilapidated to deteriorated; 8-22-03: No change; 10-31-03: Not working; 1-19-04: No change; 12-10-05: No change, vacant.
7-23-03	Memo from JC to City Atty: Property has been through MH process. Please start process required to acquire these monies
12-14-05	Complaint filed in action: City of New Bern vs. Kenneth J. Riggs and spouse, Nova T. Riggs
12-15-05	GIS Printout showing Elwood G. Edwards in title with Nancy Note: Still same owner.
1-4-06	Memo from Nriegelsperger to Sdavis: Property has been through MH process and the \$50.00 a day penalty started on May 1 st , 2001. Please proceed with actions required to acquire these monies.
1-12-06	Email from Pgarvick to Nriegelsperger: I am sending you back the file We filed suit against Kenneth Riggs and his wife to collect the penalties on this property last month. We attempted service by certified mail but they did not pick them up, so we are serving by sheriff.
2-24-06	Note from Janderson to Sdavis: Nancy asked me to have you check the following files to see the status811 Miller Street
9-2-08	Narratives: Nriegelsperger: Status - check from Scott re: complaint filed in 12-05. 9-25-08: Serving judgment in Raleigh.
	Copy of Deed in Book 1781 page 441 Copy of Deed of Trust in Book 1781 Page 444
	-

Quote 8/1 Miller Demolish P.W. Street 64 plus any \$ 3700.00 Asbestos Cost.



Craven County GIS





NORTH CAROLINA CRAVEN COUNTY

THE CITY OF NEW

FILE# 17 M

EFORE THE BUILDING INSPECTOR OF THE CITY OF NEW BERN

BY Plaintiff

-VS-

KENNETH J. RIGGS, SPOUSE OF KENNETH J. RIGGS, NOVA T. RIGGS, SPOUSE OF NOVA T. RIGGS, ELWOOD G. EDWARD

Defendant

COMPLAINT - (DWELLING UNFIT FOR HUMAN HABITATION) AND

NOTICE OF HEARING/NOTICE OF LIS **PENDENS**

THE CITY OF NEW BERN ALLEGES AND SAYS THAT:

- In accordance with North Carolina General Statutes Section 160A, Article 19, Part 6, 1. and Section 38-29 of the Code of the City of New Bern, the undersigned Building Inspector for the City of New Bern has done a preliminary investigation to determine if the dwelling identified is unfit for human habitation.
- The preliminary investigation has disclosed that there is a basis for believing that the 2. dwelling bearing postal enumeration 811 Miller Street and further identified as Map 8-007-030 New Bern, North Carolina, is unfit for human habitation.
- A hearing will be held on the 24th day of August 2017, at 11 a.m. In the office of the 3. City Building Inspector at 303 First Street, New Bern, NC
- You have the right to file an answer to this Complaint with the Building Inspector in 4. person at the hearing or by writing to the Building Inspector of the City of New Bern, PO Box 1129, New Bern, North Carolina, 28563-1129.
- You have the right to appear at the above-scheduled hearing, in person or otherwise, 5. and give testimony. :

Upon information and belief Craven County Tax Office and the City of New Bern

Tax Office may have an ownership interest or contract interest in the subject property, due to

unpaid taxes and are therefore included in this complaint.

7. Following the hearing, the undersigned Building Inspector may issue an order to repair, alter

or improve the dwelling, to vacate and close the dwelling, or to remove or demolish the dwelling and

clear the debris therefrom, as appears appropriate. At the expiration of the Order of the Building

Inspector shall be assessed a civil penalty as required by the City Code Section 38-5 as follows:

The sum of \$500.00 for failure to comply with this Order within 31 days to 60 days

An additional sum of \$1,000.00 (for a total sum of \$1,500.00) for failure to comply

with this Order within 61 days 90 days

6.

An additional sum of \$1,500.00 (for a total sum of \$3,000.00) for failure to comply

with this Order within 91 days to 120 days

An additional sum of \$2,000.00 (for a total sum of \$5,000.00) for failure to comply

with this Order within 121 days and

An additional sum of \$2,000.00 (\$5,000.00 plus \$2,000.00 per month) for each

additional 30-days or fraction thereof for continuing failure to comply with this Order.

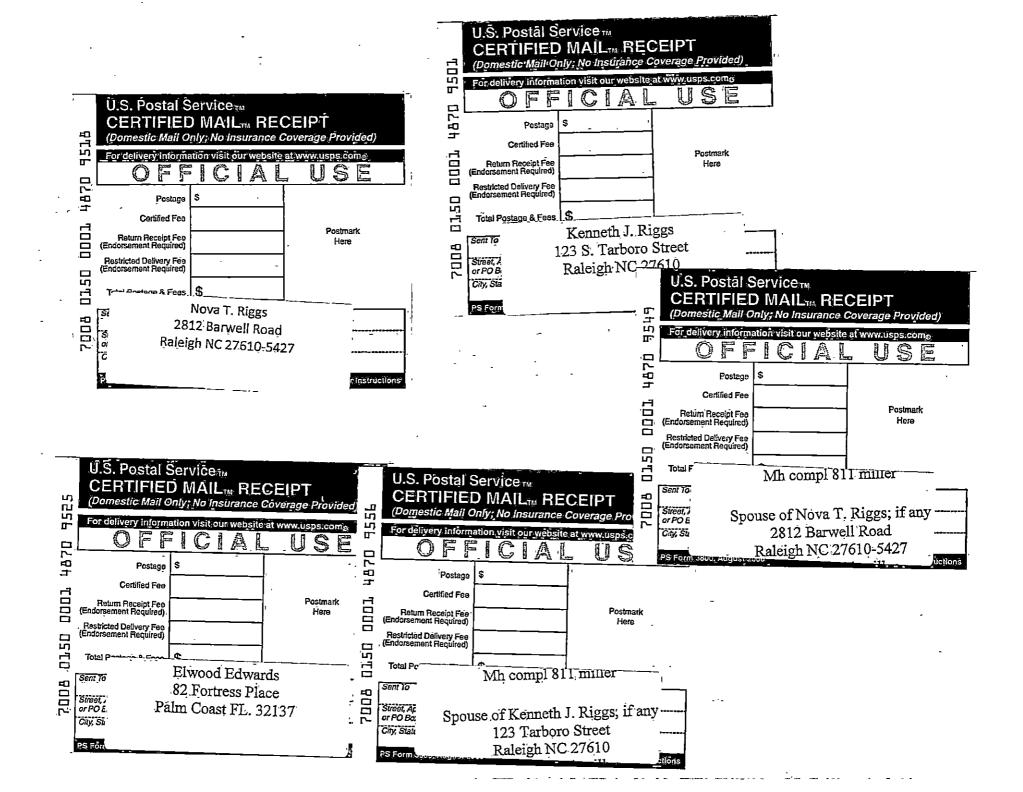
DATE: 2.7 day of July 2017

Nancy J. Riegelsperger

Building Inspector

City of New Bern

(252) 639-2947



CERTIFICATE OF SERVICE

RE: 811 Miller Street

I hereby certify that on the 27th day of July 2017, I served a copy of the foregoing Complaint Lis Pendens/ Notice of Hearing upon the following persons by depositing a true and correct copy thereof in an envelope with proper postage affixed thereto for mailing by certified mail, return receipt requested, and also by placing a true and correct copy thereof in another envelope with proper postage affixed thereto for mailing by regular first class mail, and depositing said envelopes in a regular depository for the United States mail at New Bern, North Carolina, addressed as follows:

Nova T. Riggs 2812 Barwell Road Raleigh NC 27610-5427

Kenneth J. Riggs 123 S. Tarboro Street Raleigh NC 27610

Elwood Edwards 82 Fortress Place Palm Coast FL. 32137

> Nancy Riegelsperger Building Inspector City of New Bern

> > Jiled this

CERTIFICATE OF SERVICE

RE: 811 Miller Street

I hereby certify that on the 27th day of July 2017, I served a copy of the foregoing Complaint Lis Pendens/ Notice of Hearing upon the following persons by depositing a true and correct copy thereof in an envelope with proper postage affixed thereto for mailing by certified mail, return receipt requested, and also by placing a true and correct copy thereof in another envelope with proper postage affixed thereto for mailing by regular first class mail, and depositing said envelopes in a regular depository for the United States mail at New Bern, North Carolina, addressed as follows:

Nova T. Riggs 2812 Barwell Road Raleigh NC 27610-5427

Kenneth J. Riggs 123 S. Tarboro Street Raleigh NC 27610

Elwood Edwards 82 Fortress Place Palm Coast FL. 32137

Spouse of Nova T. Riggs; if any 2812 Barwell Road Raleigh NC 27610-5427

Spouse of Kenneth J. Riggs 123 S. Tarboro Street Raleigh NC 27610

Amended

Nancy Riegelsperger Building Inspector City of New Bern

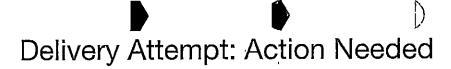
USPS Tracking® Results

FAQs > (http://faq.usps.com/?articleId=220900)

Track Another Package +

Remove X

Tracking Number: 70080150000148709501



Product & Tracking Information

See Available Actions

Postal Product:

Features: Certified Mail™

DATE & TIME

STATUS OF ITEM

LOCATION

Reminder to Schedule Redelivery of your item



This is a reminder to arrange for redelivery of your item or your item will be returned to sender. You may arrange redelivery by using the Schedule a Redelivery feature on this page or calling 800-ASK-USPS, or may pick up the item at the Post Office indicated on the notice.

August 1, 2017, 11:50 am

Notice Left (No Authorized

RALEIGH, NC 27610

Recipient Available)

July 31, 2017, 9:50 am

Out for Delivery

RALEIGH, NC 27606

125p AFTER FIVE DAYS RETURN TO City of New Bern P.O. Box 1129 Nem Wern, N.A. 28563-1129



7008 0150 0001 4870 9556



Spouse of Kenneth J. Riggs, if any 123 Tarboro Street Raleigh NC 27610 Mh compl 811 miller

SIXIE

6998/2**7**/

8C: 28563112929 *2680-03224-27

USPS Tracking® Results

FAQs > (http://faq.usps.com/?articleId=220900)

Track Another Package +

Remove X

Tracking Number: 70080150000148709556

Delivery Attempt: Action Needed

Product & Tracking Information

See Available Actions

Postal Product:

Features: Certified Mail™

DATE & TIME

STATUS OF ITEM

LOCATION

Reminder to Schedule Redelivery of your item



This is a reminder to arrange for redelivery of your item or your item will be returned to sender. You may arrange redelivery by using the Schedule a Redelivery feature on this page or calling 800-ASK-USPS, or may pick up the item at the Post Office indicated on the notice.

August 1, 2017, 11:50 am

Notice Left (No Authorized

RALEIGH, NC 27610

Recipient Available)

July 31, 2017, 9:50 am

Out for Delivery

RALEIGH, NC 27606

USPS-Tracking® Results—————

FAQs > (http://faq.usps.com/?articleId=220900)

Track Another Package +

Remove X

Tracking Number: 70080150000148709525







Product & Tracking Information

See Available Actions

Postal Product:

Features: Certified Mail™

DATE & TIME

STATUS OF ITEM

LOCATION

July 31, 2017, 4:08 pm

Delivered, Left with

Individual

PALM COAST, FL 32137

Your item was delivered to an individual at the address at 4:08 pm on July 31, 2017 in PALM COAST, FL 32137.

July 30, 2017, 8:17 pm

Arrived at USPS Regional

LAKE MARÝ FL

Facility

DISTRIBUTION CENTER

July 30, 2017, 12:36 pm

Arrived at USPS Regional

ORLANDO FL

Facility

DISTRIBUTION CENTER

USPS Tracking® Results

FAQs > (http://faq.usps.com/?articleId=220900)

Track Another Package +

Remove X

Tracking Number: 70080150000148709518







Updated Delivery Day: Monday, July 31, 2017 (1)
Product & Tracking Information

See Available Actions

Postal Product:

Features: Certified Mail™

DATE & TIME

STATUS OF ITEM

LOCATION

July 31, 2017, 5:30 pm

Delivered, Left with Individual

RALEIGH, NC 27610

•

Your item was delivered to an individual at the address at 5:30 pm on July 31, 2017 in RALEIGH, NC 27610.

 July 31, 2017, 9:50 am
 Out for Delivery
 RALEIGH, NC 27606

 July 31, 2017, 9:40 am
 Sorting Complete
 RALEIGH, NC 27606

 July 31, 2017, 8:59 am
 Arrived at Unit
 RALEIGH, NC 27606

FILED

NORTH CAROLINA CITY OF NEW BERN

2017 AUG 3Q 1P 1: 06

BEFORE THE BUILDING
INSPECTOR OF THE CITY OF NEW BERN

CRAVEN COUNTY, C.S.C.

THE CITY OF NEW BERN,
Plaintiff

-VS-

KENNETH J. RIGGS,
SPOUSE OF KENNETH J. RIGGS; if any
NOVA T. RIGGS
SPOUSE OF NOVA T. RIGGS; if any,
ELWOOD G. EDWARDS,

Defendant

FILE# 17 M 251

ORDER OF THE BUILDING
INSPECTOR OF THE
CITY OF NEW BERN



THIS MATTER came on to be heard and was heard before the undersigned Building Inspector of the City of New Bern, at a hearing in the office of the Building Inspector of the City of New Bern on the 24TH day of August, 2017; and

UPON HEARING evidence and testimony in this matter, the Building Inspector of the City of New Bern found the following facts:

- 1. Nancy J. Riegelsperger, Building Inspector appeared on behalf of the City of New Bern.
- 2. The following were properly notified but not present; KENNETH J. RIGGS, SPOUSE OF KENNETH J. RIGGS; if any, NOVA T. RIGGS, SPOUSE OF NOVA T. RIGGS; if any and ELWOOD G. EDWARDS
- 3. KENNETH J. RIGGS, SPOUSE OF KENNETH J. RIGGS; if any, NOVA T. RIGGS, SPOUSE OF NOVA T. RIGGS; if any and ELWOOD G. EDWARD own the real property located at 811 Miller Street, New Bern, North Carolina, and further identified by Craven County Tax Identification number 8-007-030.
- The dwelling located at 811 Miller Street, New Bern, North Carolina does not meet the Minimum housing standard set forth in Chapter 38 of the City of New Bern's Ordinance due to deterioration and defects, increasing the hazard of fire, accidents, or other calamities.

- 5. It is the opinion of the Inspections Department of the City of New Bern that the dwelling cannot be repaired, altered, or improved to comply with the minimum standards established by Chapter 38 of the Code of the City of New Bern at a cost less than seventy-five (75%) percent of the value, and, therefore, it is a **dilapidated** dwelling as defined by Chapter 38 of the Code of the City of New Bern. As a result thereof, no one shall reside in or occupy said dwelling.
- 6. The dwelling is presently vacant.
- 7. The aforesaid dwelling must be vacated, closed and secured, repaired, altered, improved **OR** demolished/removed to comply with the minimum standards established by Chapter 38 of the Code of the City of New Bern.
- 8. The Subject dwelling requires work to be performed by subcontractors to bring it into compliance with the minimum standards established by Chapter 38 of the Code of the City of New Bern. All work such as electrical, plumbing, heating and air conditioning must be performed by persons licensed by the State of North Carolina to perform such work, and shall be inspected as required by law. Electrical service will only be provided with a temporary service pole or a generator with city noise restrictions applying.
- 9. After finding the aforementioned facts, the Building Inspector ordered that the Owners shall:
- a. Repair, alter, improve, or remove/demolish said dwelling to comply with the minimum standards, established by Chapter 38 of the Code of the City of New Bern no later than October 8, 2017;
 - b. Ensure all permits are obtained prior to work beginning.
- c. Ensure that all mechanical work be performed by persons licensed by the State of North Carolina to perform such work, and that all such work is inspected as required by law.
- d. Ensure that lead paint on the exterior of said dwelling is abated in compliance with the regulations enforced by the Craven County Health Department.
 - f. Shall be assessed a civil penalty as required by the City Code Section 38-5 as follows:

- The sum of \$500.00 for failure to comply with this Order within 31 days of October 8, 2017;
- An additional sum of \$1,000.00 (for a total sum of \$1,500.00) for failure to comply with this Order within 61 days of October 8, 2017;
- An additional sum of \$1,500.00 (for a total sum of \$3,000.00) for failure comply with this Order within 91 days of October 8, 2017;
- An additional sum of \$2,000.00 (for a total sum of \$5,000.00) for failure to comply with this Order within 121 days of October 8, 2017; and
- An additional sum of \$2,000.00 (\$5,000.00 plus \$2,000.00 per month) for each additional 30-days or fraction thereof for continuing failure to comply with this Order.

THIS 30 DAY OF August 2017

VANCY J. RIEGELSPERGER

BUILDING INSPECTOR

CITY OF NEW BERN

252-639-2947

CERTIFICATE OF SERVICE

RE: 811 Miller Street

I hereby certify that on the Jo day of August, 2017, I served a copy of the foregoing Order upon the following persons by depositing a true and correct copy thereof in an envelope with proper postage affixed thereto for mailing by certified mail, return receipt requested, and also by placing a true and correct copy thereof in another envelope with proper postage affixed thereto for mailing by regular first class mail, and depositing said envelopes in a regular depository for the United States mail at New Bern, North Carolina, addressed as follows:

Kenneth Riggs 123 S. Tarboro Street Raleigh NC 27610-

Spouse of Kenneth Riggs if any, 123 S. Tarboro Street Raleigh NC 27610-

Nova Riggs 2812 Barnwell Road Raleigh NC 27610-5427

Spouse of Nova Riggs; if any, 2812 Barnwell Road Raleigh NC 27610-5427

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> Nancy Riegelsperger Building Inspector City of New Bern

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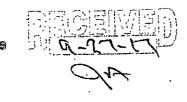
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AGENDA ITEM COVER SHEET

Agenda Item Title:

Consider Adopting an Ordinance for the Demolition of the Dwelling Located at 1607-1609 Dillahunt Street.

Date of Meeting 2/27/2018	Ward	l # if applica	ble Ward 1	
Department Development Services	Pers	on Submittin	g Item: ^{Jeff}	Ruggieri
Call for Public Hearing ☐ Yes ☑ No	ט	Date of Publi	c Hearing	
Explanation of Item: Staff is seeking approval of an ordinal Dillahunt Street.	ance to	demolish the	structure lo	cated at 1607-1609
Actions Needed by Board: Consider Adopting Ordinance for Den	molition	n of 1607-160	9 Dillahunt	Street.
Is item time sensitive? Yes No		meeting?	Yes □No	
Backup Attached:	at the	meeting:	163 🗀 140	
Memo, Cost Est., Chrono, Location M	Maps, F	Pictures		
Cost of Agenda Item: \$16,000.00				
If this item requires an expenditure, certified by the Finance Director:			ted and are	funds available and
Additional notes:				

Aldermen

Sabrina Bengel Jameesha S. Harris Robert V. Aster Johnnie Ray Kinsey Barbara J. Best Jeffrey T. Odham



300 Pollock Street, P.O. Box 1129 New Bern, NC 28563-1129 (252) 636-4000 Dana E. Outlaw Mayor

Mark A. Stephens City Manager

TO:

Mayor Dana Outlaw, City of New Bern Board of Aldermen

FROM:

Jeff Ruggieri, Director Development Services

DATE:

2/15/2018

SUBJECT: Request for demolition ordinance for structure located at 1607-1609 Dillahunt

Street

Staff is seeking approval of an ordinance to demolish the structure located at 1607-1609 Dillahunt Street. This property has been vacant since 1999 and has been a concern of the New Police Department since 2001. From 1-05-2005 to late 2016 city staff has worked with the owners to both secure the building and bring the property into compliance with the City's minimum structure code. Ultimately, the owners are unwilling to bring the property into compliance. On 8-31-2015 a formal letter of violation was sent to the owners and a hearing before the Chief Building Inspector was conducted on 11-19-2015. The order of the building official granted the owners 6 months to comply with the City's minimum structure code. On 5-10-2016 the Chief Building Inspector extended the order to 8-19-2016. To date no permits have been applied for and no work has been initiated to bring the property into compliance.

A complete chronology of events is attached.

Prepared by and return to:

Michael Scott Davis DAVIS HARTMAN WRIGHT PLLC 209 Pollock Street New Bern, NC 28560

AN ORDINANCE TO ORDER THE DEMOLITION OF A NON-RESIDENTIAL BUILDING OR STRUCTURE LOCATED AT 1607 DILLAHUNT STREET IN THE CITY OF NEW BERN, NORTH CAROLINA

THAT WHEREAS, the City of New Bern properly served Johnnie Sampson, Jr. and wife, Ethel Sampson ("Owners"), on October 27, 2015, pursuant to Section 39-9(b) of the Code of Ordinances for the City of New Bern, complaining and alleging that the non-residential building or structure owned by Owners located at 1607 Dillahunt Street in the City of New Bern, North Carolina (Craven County parcel identification number 8-020-115) is in violation of the minimum standards established by Chapter 39 of the Code of Ordinances of the City of New Bern in that it has not been properly maintained so that the safety or health of its occupants or members of the general public is jeopardized; and

WHEREAS, pursuant to Section 39-9(c)(4) of the Code of Ordinances of the City of New Bern, the Owners of the certain non-residential building or structure located at 1607 Dillahunt Street in the City of New Bern, North Carolina ("Subject Property") were ordered to remove or demolish the non-residential building or structure located on the Subject Property and clear the debris therefrom, or to repair, alter, or improve said non-residential building or structure to comply with the minimum standards established by Chapter 39 of the Code of the City of New Bern by May 19, 2016; and

WHEREAS, the Owners have been given a reasonable opportunity to comply with the aforementioned Order of the Building Inspector; and

WHEREAS, the Owners have failed to remove or demolish the non-residential building or structure and clear the debris therefrom, or to repair, alter or improve said non-residential building or structure to comply with the minimum standards established by Chapter 39 of the Code of the City of New Bern, as directed in said Order.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

Section 1. That the Building Inspector of the City of New Bern is ordered to remove or demolish the non-residential building or structure located on the Subject Property at 1607 Dillahunt Street in the City of New Bern, North Carolina, more particularly described as follows:

SEE EXHIBIT A ATTACHED HERETO.

Section 2. That the Building Inspector of the City of New Bern is ordered to sell the materials of the structure that are salvageable, as well as any personal property, fixtures, or appurtenances found in or attached to the structure, and shall credit the proceeds of the sale against the cost of the removal or demolition, and any balance remaining shall be deposited with the Clerk of Superior Court of Craven County, shall be secured in a manner directed by the court, and shall be disbursed by the court to the persons found to be entitled thereto by final order or decree of the court.

Section 3. That this ordinance shall be in full force and effect from and after its adoption.

ADOPTED THIS 27th DAY OF FEBRUARY, 2018.

	DANA E. OUTLAW, Mayor	
BRENDA E. BLANCO, City Clerk	<u> </u>	

EXHIBIT A

All that certain tract or parcel of land lying and being situate in Number Eight (8) Township, Craven County, North Carolina, being more particularly described as follows:

Being all of Lots Nos. 136, 137 and 138 as the same are shown and delineated on the map of Larksville, as recorded in Book 548 at Page 128 in the Office of the Register of Deeds, said map being incorporated herein by reference for a more particular description of the aforesaid lot.



300 Pollock Street, P.O. Box 1129 New Bern, NC 28563 (252)639-2941

MEMORANDUM

TO: Michael Scott Davis, City Attorney

FROM: Nancy Riegelsperger, Building Inspector

DATE: 2/13/2018

RE: 1607-09 Dillahunt Street

I am requesting an **ordinance** on the above referenced property.

Here is the owner's information. Enclosed are the service verifications, chronological order, quotes, a map, the Complaint and the Order. This property has been thru the minimum housing process, and the Order of the Building Inspector expired on 8-19-16.

Owner: Johnny Sampson Jr. and Ethel Belle Sampson

If you have any questions, feel free to call me at 252-639-2947. Thanks Nancy

Cc; Jeff Ruggieri

CHRONOLOGICAL ORDER OF EVENTS

Mission Rest Home 1607-1609 Dillahunt Street Completed 2-7-18

BY: NJ Riegelsperger

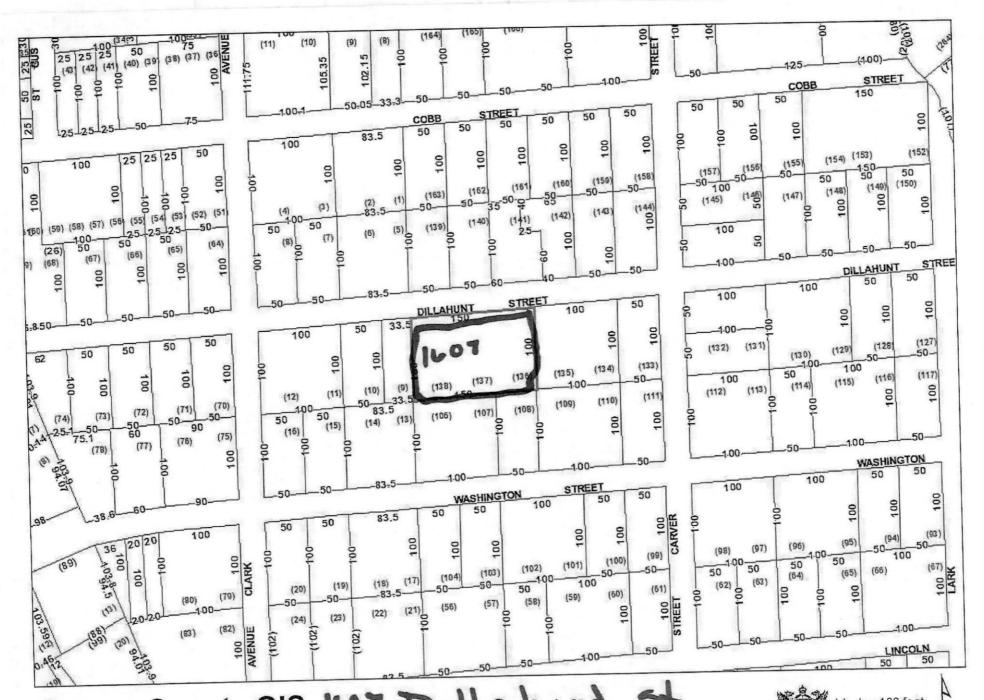
DATE:	EVENTS
01-05-01	Inspection report from Keith Boulware to start a file on this property. Due to a complaint
	to the reference to the building being insecure. Vagrants, upon inspection round
	a cracked window, the door to the mechanical room window broken but. Photos taken.
	Note to Jacua it alone for now Per Johnny Clark.
05-18-05	Momo from Japay Anderson, Office Assistant, to Chip Dickinson, Nuisance/Abatement
	Officer-stating NBPD request to board up it unsecured would you look at it.
6-1-05	GIS information obtained
6-30-06	Verified ownership GIS.
7-05-06	Many photos taken from inside and outside
7-11-06	Letter sent to the owners. The letter addressed the safety and sanitary conditions within
, 11 00	I was attracture meaning the electrical fire health, and structural nazards present. Too
	have 10 days to contact our office for an interior inspection. Sent reg. mail and certified.
	G d Camileo Croon card signed
7-21-06	Note from JC where he called and left a message asking Johnny Sampson, Owner to call
, 4,4,00	and set up a time to meet JC.
7-31-06	at the small Johnny Campson
8-15-2006	a way Marking hold with Johnny and Ethel Sampson with JC and JA. Present. Discussion
6-13-2000	The late of the second to 1607 on Dillahumt Straka, Harmony House undergrowns to 16 it was
	I was to a plack owned rost home in MC Tohnny asked What here plans were. They
	The standard machine should available grants to terminal title premises, we
	The same to the building Their intension are the same. Violations were discussed
	The roof upgrants been vacant for at least 7 years (1999)and major violation wybunding
	to The James it remains in disrenair the more deteriorated it becomes.
	Other aptions were discussed, sell the property, contact fire Affilette Stone regarding to
	1 representations and requested them to poor up the property.
10.00.05	A see I telled to Me. Sampson shout the huilding being unsecured and it site could have se
12-06-05	the state of the second state of the second state of the second s
	Language Commissioner Campson Called the asking Why he had to have this done with a first
	hours, I explain and stressed the importance, if NBPD contacted me they are having
	problems. Attempted to call the owners, Number I Had was a Fax #
1-30-13	Contacted the Sampson's. explained the open door & broken windows. She would have
2-7-13	it taken care ASAP. She will call me when it is done.
	it taken care ASAP. She will call the when it is ushe:
2-18-13	9am she has completed the request from above. A Commercial Building violation letter was sent to the same owners. One sent reg. mail
8-31-15	A Commercial Building Violation letter was sent to the same owners.
	and one sent Certified mail. Good Service. Green card signed. A long letter was sent from Ms. Sampson to Alton Wilson, CBI telling him of the history of th
9-9-15	A long letter was sent from Ms. Sampson to Allon Wilson, Contenting him of the
	the building, explaining that the City has tied her hands with rules and regulations and
	how unfair it is. She is asking for more time to be able to the building "it tip top
	how untain it is. She is asking for more time to be able to fund her ideas. Due to theft condition". Several avenue are being pursued to be able to fund her ideas. Due to theft condition.
	the amount of money to repair it now has increased. Her mortgage balance it *0,000. it
=	not fair she states. Attached was a mortgage statement.
9-10-15	1150am called Ms Sampson and gave her Mr. John Woods, State Historic Preservation

	Office Number. She was glad to have a contact I asked her to keep me informed as to her progress so we could work with her left her w/contact info.
10-9-15	Title opinion received.
10-27-15	Email from Peggy, paralegal for the City's Attorney she advised the taxes have been paid. NO Foreclosure.
10-27-15	A complaint Lis Pendens was filed at the courthouse, posted, and sent regular and certified mail. Good service. No letter returned.
11-19-15	A Hearing was held. Present were Ethel and Johnny Sampson Jr., owners, Alton, and Me, for the City. All person notified were present. Discussion of the violations, intentions and the status of the building. The Order of the Building Inspector will read: Dilapidated, 6 months to comply with chapter 39 requirements. It vacant and must be secured.
12-1-15	The Order of the Building Inspector was filed at the courthouse, posted and mailed regular and certified mail. Good Service. No mail returned.
5-10-16	Alton continued the expiration of the Order to 8-19-16 as requested by the owners.
2-7-18	No work has been done and is not in compliance with the Ordinance. Paperwork started for an Ordinance to demolish.

Donalish by

Public work is \$16,000

Plus any asbestos removal



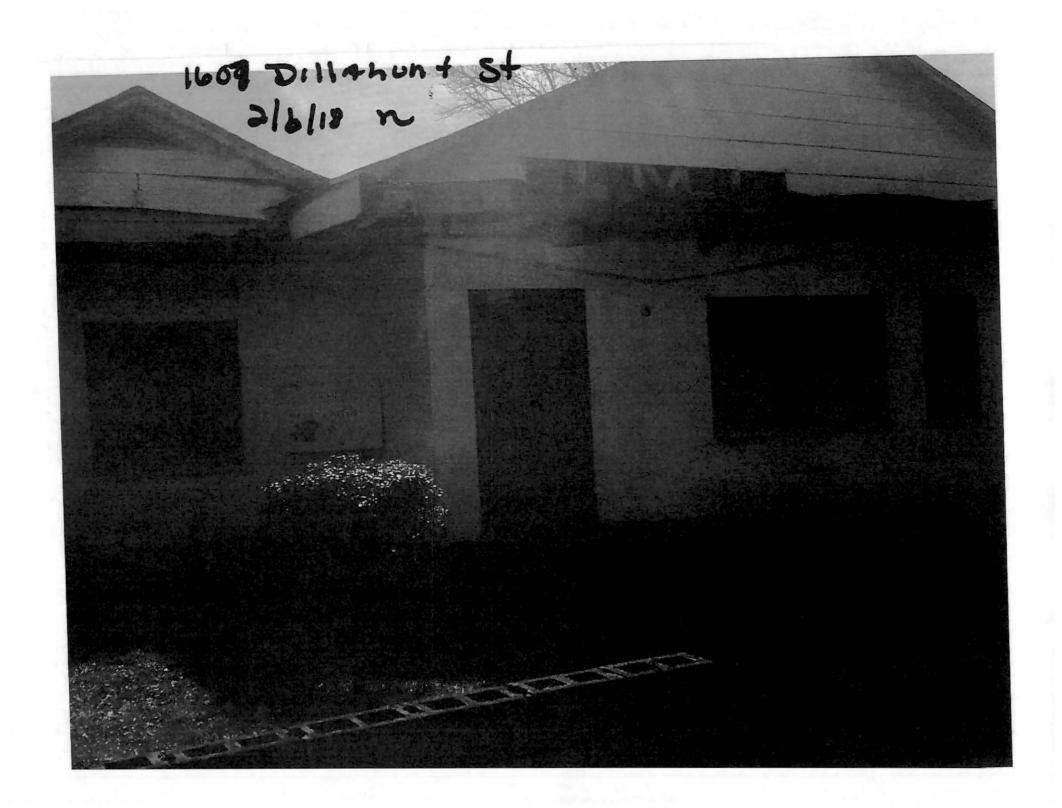
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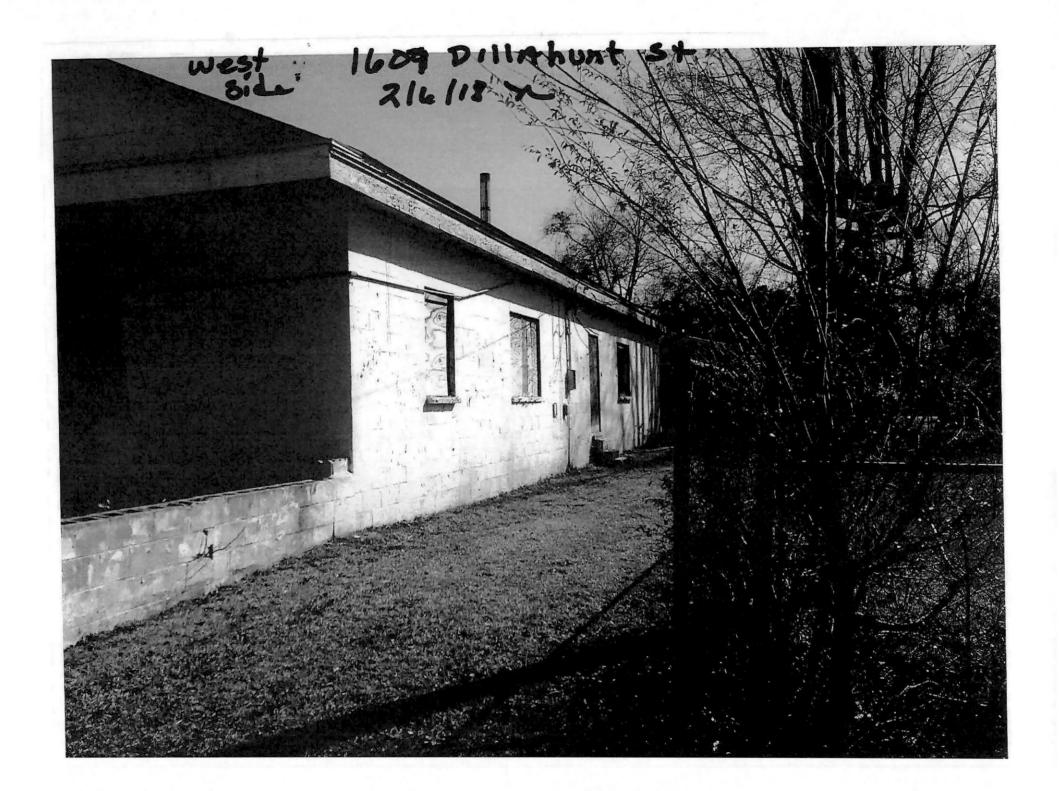
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NORTH CAROLINA ILEO

CRAVEN COUNTY DEC - 1 1 A 11: 18

CRAVEN CO., C.S.C.

CITY OF NEW BERN,
Plaintiff
VS

JOHNNY SAMPSON JR, ETHEL BELLE SAMPSON, Defendants BEFORE THE BUILDING INSPECTOR OF THE CITY OF NEW BERN

File #_____15-M-47_1

Cont to 8/19/16

Der action or 5/10/16

ORDER of the

BUILDING INSPECTOR
of the CITY OF NEW BERN

COPY

THIS MATTER came on to be heard and was heard before the undersigned Building Inspector of the City of New Bern, at a hearing in the office of the Chief Building Inspector of the City of New Bern on the 17TH day of November, 2015; and

UPON HEARING evidence and testimony in this matter, the Code Enforcement Officer of the City of New Bern found the following facts:

- 1. Nancy J. Riegelsperger, Building Inspector, Alton R. Wilson, Chief Building Inspector appeared on behalf of the City of New Bern. Also present were Johnny and Ethel Sampson Jr.
 - 2 The following were properly notified but were not present: NA
- Johnny and Ethel Sampson Jr. (married) own the real property located at 1607-09 Dillahunt Street, New Bern, North Carolina, and further identified by Craven County Tax Identification number 8-020-115 ("Subject Property").
- 4. The Subject Property contains a nonresidential building or structure that is presently unoccupied ("Subject Building")
- 5. The Subject Building is not in compliance with the minimum maintenance standards set forth in Chapter 39 of the Code of Ordinances of the City of New Bern.

- 6. The Subject Building has not been properly maintained so that the safety or health of its occupants or members of the general public is jeopardized for failure of the property to meet the minimum standards established by Chapter 39 of the Code of Ordinances of the City of New Bern as evidenced by the following:
- a. Exterior walls are not structurally sound, are not free from defects and damages, are not capable of bearing imposed loads safely. The exposed walls are not sufficiently weatherproofed to prevent deterioration of the Subject Building.
- b. Interior walls vertical studs partitions supporting members, sills joists rafters or other basic structural members that list lean or buckle to such an extent as to render the building unsafe, that are rotted deteriorated or damaged or that have holes or cracks which might admit rodents.
- c. All exterior surfaces that may cause unsafe conditions due to a lack of maintenance Exterior surfaces shall be painted or sealed in order to protect the underlying surface from deterioration All exterior surfaces that have been painted shall be maintained generally free of peeling and flaking Where fifty percent 50 or more of the aggregate of any painted surface shall have peeling or flaking or previous paint worn away the entire surface shall be repainted in order to prevent further deterioration
- d. All openings originally designed as windows doors loading docks or other means of egress or ingress which have been temporarily closed by boarding or other manner in a non secure manner so as to allow unauthorized admittance If an opening is temporarily closed by boarding to secure the building or structure the boarding shall be trim fit sealed to prevent water intrusion and painted or stained to properly conform with the other exterior portions of the building and the building or structure shall be maintained in a state that secures the building or structure from any unauthorized admittance from humans animals or birds
- e. Floors and roof have improperly distributed loads which have insufficient strength to be reasonably safe for the purpose used. It is unsafe to enter the Subject Building. The second floor of the Subject Building has collapsed onto the first.
- f. The roof has not been kept structurally sound and has not been maintained in such a manner so as to prevent rain or other objects from penetrating into the interior of the building causing the ceiling and walls to decay and drop to ground level.

- g. The Subject Building, including its environs has accumulations of garbage trash or rubbish which creates health and sanitation problems.
- h. The Subject Building has cracked and broken glass, loose shingles, loose wood, and other dangerous objects causing a hazardous conditions.
- i. Any combination of conditions which in the judgment of the code enforcement officer renders any building or structure dangerous or injurious to the health safety or general welfare of occupants or members of the general public
- 7. It is the opinion of the Code Enforcement Officer of the City of New Bern that given local construction costs, the cost of repair, alteration, or improvement of the Subject Building would exceed fifty percent (50%) of its current value based upon the deficiencies and defects identified herein and hereby identified as Dilapidated.
- 8. After finding the aforementioned facts, the Code Enforcement Officer of the City of New Bern orders that the Owner shall:
- a. Repair, alter, improve, or remove/demolish the Subject Building to bring it into compliance with the minimum standards established by Chapter 39 of the Code of the City of New Bern no later than May 19, 2016.
 - b. Ensure all permits are obtained prior to work beginning.
- c. The Subject Building requires work to be performed by subcontractors to bring it into compliance with the minimum standards established by Chapter 39 of the Code of the City of New Bern. All work such as electrical, plumbing, heating and air conditioning must be performed by persons licensed by the State of North Carolina to perform such work, and shall be inspected as required by law. Electrical service will only be provided with a temporary service pole or a generator with city noise restrictions applying.
- d. Ensure that lead paint on the exterior of the Subject Building is abated in compliance with the regulations enforced by the Craven County Health Department.
- 10. Should Owner fail to comply with this Order of the Building Inspector, Owner shall be assessed a civil penalty as required by Section 39-22 of the Code of Ordinances of the City of New Bern:

- The sum of \$500.00 for failure to comply with this Order within 31 days of May 19, 2016
- An additional sum of \$1,000.00 (for a total sum of \$1,500.00) for failure to comply with this Order within 61 days of May 19, 2016;
- An additional sum of \$1,500.00 (for a total sum of \$3,000.00) for failure comply with this Order within 91 days of May 19, 2016;
- An additional sum of \$2,000.00 (for a total sum of \$5,000.00) for failure to comply with this Order within 121 days of May 19, 2016; and
- An additional sum of \$2,000.00 (\$5,000.00 plus \$2,000.00 per month) for each additional 30-days or fraction thereof for continuing failure to comply with this Order.

Date: 12-1-15

Alton Wilson,

Chief Building Inspector

City of New Bern

CERTIFICATE OF SERVICE

RE: 1607 Dillahunt Street

I hereby certify that on the ______ day of _______ Decem _______, I served a copy of the foregoing Complaint upon the following by placing a true and correct copy thereof in an envelope with proper postage affixed thereto for mailing by Certified Mail, Return Receipt Requested, and depositing said envelope in a regular depository for the United States mail addressed to:

	7008 0150 0001 487 <u>0 3677</u>
Johnny and Ethel Sampson Jr. 1036 Sampson Street New Bern NC 28560	U.S. Postal Sew. 2 m. CERTIFIED WIALLE RE (Domestic Mail Only; No insurance Fordelivery Information visit our websit Postage Fordelivery Information visit our websit Postage Centiled Fee Resum Receipt Fee (Endorsoment Required) Restricted Delivery Fee (Endorsoment Required) Total Postana & Fare Se Lohnny and Ethel Sampson Jr. 1036 Sampson Street New Bern NC 28560 Comm ord 1607-09 Dill
Dated: 乙‐1・1 ち	Stal Sélecie. IFIED WANT RECEI Mail Only; No insurance Cover y information visit our wabsite at we Postage Postage Receipt Fee Recei
Nancy J. Riegelsperger	PT age.Provided) wusps.com6 Postmark Hera for Instructions
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City of New Bern	

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FILE# 15M 471

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STATE OF NORTH CAROLINA CRAVEN COUNTY, C.S.C.

CRAVEN COUNTY

CITY OF NEW BERN,
Plaintiff

VS

JOHNNY SAMPSON JR., ETHEL BELLE SAMPSON, Defendants CITY OF NEW BERN BEFORE THE BUILDING INSPECTOR OF THE CITY OF NEW BERN

COMPLAINT-(non-residentialBuilding or structure) AND NOTICE OF HEARING/ LIS PENDENS



THE CITY OF NEW BERN ALLEGES AND SAYS THAT:

- 1. In accordance with North Carolina General Statutes Section 160A-439 and Chapter 39 of the Code of the City of New Bern ("Chapter 39"), the undersigned Building Inspector for the City of New Bern has done a preliminary investigation to determine if nonresidential building or structure identified herein has been properly maintained so that the safety or health of its occupants or members of the general public are not jeopardized for failure of the property to meet the minimum standards established by Chapter 39.
- 2. The preliminary investigation has disclosed that there is a basis for believing that the nonresidential building or structure bearing postal enumeration 1607 Dillahunt Street and further identified as Map 8-020-115 New Bern, North Carolina, is in violation of the minimum standards established by Chapter 39 as evidenced by the following:
 - a. Such damage by fire wind or other causes as to render the building unsafe

- b. Dilapidation decay unsanitary conditions or disrepair which is dangerous to the health and safety of the occupants or members of the general public
- c. Lack of adequate ventilation light heating or sanitary facilities to such extent as to endanger the health safety or general welfare of the occupants or members of the general public
- d. Buildings and structures that have cracked or broken glass loose shingles loose wood crumbling stone or brick loose or broken plastic or other dangerous objects or similar hazardous conditions. Exterior surfaces are not maintained or treated in such a manner as to prevent deterioration.
- e. Improperly attached gutters or downspouts that are located so as to cause a hazard to pedestrian vehicular traffic or adjacent property
- f. All Exterior surfaces shall be painted or sealed in order to protect the underlying surface from deterioration. Any exterior surfaces that have been painted shall be maintained generally free of peeling and flaking, Where fifty percent 50 or more of the aggregate of any painted surface shall have peeling or flaking or previous paint worn away the entire surface shall be repainted in order to prevent further deterioration
- g. Windows containing broken or cracked glass that could be in danger of falling or shattering All windows must be tight fitting and have sashes of proper size and design and free from rotten wood broken joints or broken or loose mullions
- h. All openings originally designed as windows doors loading docks or other means of egress or ingress which have been temporarily closed by boarding or other manner in a non secure manner so as to allow unauthorized admittance If an opening is temporarily closed by boarding to secure the building or structure the boarding shall be trim fit sealed to prevent water intrusion and painted or stained to properly conform with the other exterior portions of the building and the building or structure shall be maintained in a state that secures the building or

structure from any unauthorized admittance from humans animals or birds

- i. Any combination of conditions which in the judgment of the code enforcement officer renders any building or structure dangerous or injurious to the health safety or general welfare of occupants or members of the general public.
- 3. A hearing will be held on the 19th day of November 1 p.m. in the office of the City Building Inspector located at 303 First Street, New Bern, North Carolina.
- 4. You have the right to file an answer to this Complaint by writing to the Building Inspector of the City of New Bern, P.O. Box 1129, New Bern, N.C., 28563-1129.
- 5. You have the right to appear at the above-scheduled hearing, in person or otherwise, and give testimony.
- 6. The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the City Building Inspector.
- 7. Following the hearing, the undersigned Building Inspector may issue an order to repair, alter, improve, vacate and close, to remove or demolish the structure or building and clear the debris therefrom, as appears appropriate. Failure to comply at the expiration of the Order of the Building Inspector a civil penalty shall be assessed as required by the City Code Section 39-22 as follows:
- The sum of \$500.00 for failure to comply with this Order within 31 days to 60 days
- An additional sum of \$1,000.00 (for a total sum of \$1,500.00) for failure to comply with this Order within 61 days 90 days
- An additional sum of \$1,500.00 (for a total sum of \$3,000.00) for failure to comply with this Order within 91 days to 120 days
- An additional sum of \$2,000.00 (for a total sum of \$5,000.00) for failure to comply with this Order within 121 days and

CERTIFICATE OF SERVICE

RE: 1607 Dillahunt Street

I hereby certify that on the 27 th day of October, 2015, I served a copy of the foregoing Complaint upon the following by placing a true and correct copy thereof in an envelope with proper postage affixed thereto for mailing by Certified Mail, Return Receipt Requested, and depositing said envelope in a regular depository for the United States mail addressed to:

Johnny Sampson Jr & Ethel Belle Sampson 1036 Sampson Street New Bern NC 28560

Dated:

Nancy J. Riegelsperger Building Inspector

City of New Bern

AGENDA ITEM COVER SHEET

Agenda item title:

Vehicles" of the Code of Ordinances as to the Downtown Parking Area
Date of Meeting/Work Session February 27, 2018 Ward # if applicable 1
Department Public Works Person submitting item Scott Davis
Call for Public Hearing Date of Public Hearing
Explanation of the item:
Ordinance amendment to remove all current regulations for the Downtown Parking Area and to establish the No Parking Zones, Loading Zones, and penalties within the Downtown Parking Area
Actions needed by Board:
Adopt ordinance amendment
Is item time sensitive?No
Will there be advocates/opponents at the meeting?
Backup attached:
Ordinance amendment – redline and final Map of the proposed parking ordinance revisions Memo
Cost of Agenda ItemN/A
If this item requires an expenditure, has it been budgeted and are funds available and certified by the Finance Director?
Additional notes:

MEMORANDUM

TO: Mayor and Members of the Board

City Manager

FROM: Michael Scott Davis, City Attorney

RE: Parking Ordinance Amendment

DATE: February 13, 2018

The area addressed in the ordinance amendment is bordered by Metcalf Street, Broad Street, the Neuse River and the Trent River ("Downtown Parking Area").

The ordinance amendment is a two-step process. The first step is to remove all regulations for the Downtown Parking Area as follows: (1) the revisions to Sections 70-225(a), 70-226(a) and 70-227(a) simply remove the existing parking regulations in the Downtown Parking Area; (2) the revisions to Section 70-229 remove all 15-minute parking zones from the Downtown Parking Area; (3) the revisions to Section 70-230 remove all loading zones from the Downtown Parking Area; and (4) Division 2 dealing with parking meters has been deleted.

The second step is to establish the No Parking Zones, Loading Zones, and Penalties in the Downtown Parking Area as follows: (1) the revisions to Section 70-225(b) add the six No Parking areas in the Downtown Parking Area; (2) the revisions to Section 70-227(b) add the 2-hour parking regulations unique to the Downtown Parking Area; (3) the one addition to Section 70-230 adds the Loading Zone for the bus in front of the Convention Center; and (4) the revisions to Section 70-235 remove any criminal penalties and makes any violations a civil offense. The citation procedure and appeal procedure have also been included.

AN ORDINANCE TO AMEND ARTICLE VI. "STOPPING, STANDING AND PARKING" OF CHAPTER 70 "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES OF THE CITY OF NEW BERN

THAT WHEREAS, the Board of Alderman of the City of New Bern deems it advisable and in the public interest to effect said revisions to Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinances of the City of New Bern.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

SECTION 1. That Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting Section 70-225. "Prohibited parking zones." in its entirety and inserting in its stead the following:

"Sec. 70-225. Prohibited parking zones.

(a) When signs are placed, erected or installed in each block giving notice thereof, no person shall park a vehicle for longer than two hours at any time between the hours of 9:30 a.m. and 5:00 p.m. on any day except Saturday, Sunday and public holidays, upon any of the following streets, and the changing of the position of a vehicle from one point directly to another point, within the same block, shall be deemed one continuous parking period; each hour which a vehicle shall be parked in violation of the terms hereof shall constitute a separate offense.

Avenue B, on the southwesterly side, beginning at a point 50 feet measured southwesterly from the southwesterly right-of-way line of North Pasteur Street and extending southwesterly 60 feet.

Batts Hill Road, on both sides thereof, from its intersection with Country Club Road to its easternmost terminus.

Bay Street, between Miller Street and Second Avenue. Traffic shall be limited to a westerly direction.

Bern Street, on the west side thereof, beginning at a point 237 feet south of the southerly right-of-way line of Cedar Street, and extending southwardly 50 feet.

Browns Alley, on the east side, from Elm Street to Cedar Street.

C Street, on the south side, between National Avenue and E Street.

Carmer Street, on the east side thereof, beginning at a point 180 feet northwardly of the northern curbline of Neuse Boulevard, extending 20 feet northwardly.

Carmer Street, on the west side thereof, beginning at a point 15 feet northwardly of the northern curbline of Neuse Boulevard, extending 20 feet northwardly.

Carmer Street, on the west side thereof, beginning at a point 180 feet northwardly of the northern curbline of Neuse Boulevard, extending 20 feet northwardly.

Carmer Street, on the east side thereof, beginning at a point 15 feet northwardly of the northern curbline of Neuse Boulevard, extending 20 feet northwardly.

Carroll Street, on the west side.

Carroll Street, on the east side thereof, beginning at a point 125 feet northwardly of the northern curbline of Neuse Boulevard extending northwardly 40 feet.

Cedar Street, beginning at a point 65 feet west of the western right-of-way line of Miller Street, and extending westwardly for a distance of 30 feet.

Cedar Street, on the south side thereof, between Miller Street and Oak Street.

Change Street, on the north side, between Craven Street and East Front Street.

Chapman Street, on the east side, from Cedar Street to Main Street.

Clark Avenue, on both sides, beginning at the southern curb line of Lincoln Street and extending to a point 230 feet southwardly thereof.

Craven Street, on the northeastern side, from the southeastern curbline of Queen Street to a point 86 feet southeasterly thereof.

Craven Street, on the southwestern side, from the southeastern curbline of Queen Street to a point 76 feet southeasterly thereof.

Craven Street, on the west side, beginning at 132 feet north of the northern right-of-way line of Broad Street and running northwardly 80 feet. Provided, however, the three parking spaces which this identifies may be used by law enforcement officers to park for a period not to exceed more than two hours for the purpose of loading and unloading prisoners.

Craven Street, on the west side, beginning 212 feet north of the northern right-of-way line of Broad Street and running northwardly approximately 113 feet.

Craven Street, on the west side, beginning at the northern curbline of New Street, extending 45 feet northwardly.

Craven Street, on the west side, beginning at the southern curbline of New Street and extending 45 feet southwardly.

Craven Street, North, on the east side.

Darst Avenue, on the east side, from Queen Street to Elm Street.

deGraffenried Avenue, on both sides, beginning at the southern curbline of Neuse Boulevard and extending to a point 200 feet southwesterly thereof.

Dunn Street, on either side, between National Avenue and North Craven Street.

Eden Street, south of Tryon Palace Drive.

Eden Street, on the east side, beginning at the southern curb line of Pollock Street, extending 41 feet southwardly.

Eden Street, on the west side, beginning at the southern curb line of Pollock Street, extending 247 feet southwardly.

Elizabeth Avenue, on the north side thereof, beginning at the western curbline of South Glenburnie Road extending 316 feet westerly along Elizabeth Avenue.

Elizabeth Avenue, on the south side thereof, beginning at a point 253 feet westerly of the western curbline of Glenburnie Road, extending 1,037 feet westerly along Elizabeth Avenue.

Elizabeth Avenue, on the southwest side, beginning at the northwestern right-of-way line of South Glenburnie Road, and extending to a point 355 feet northwesterly thereof.

Eubanks Street, on the west side, from Booms Alley to K Street.

F Street, on the east side, from Cypress Street to Biddle Street.

First Avenue, on the east side, from Broad Street to Cedar Street.

First Street, on both sides, from Neuse Boulevard to Pembroke Road.

Fleet Street, on the east side, between Pollock Street and Tryon Palace Drive.

East Front Street, on the east side, between Broad Street and Johnson Street.

Gaston Boulevard, on the west side, beginning at a point 60 feet north from the back of curb on Neuse Boulevard and extending in a northerly direction for a distance of 120 feet.

George Street, on the east side, thereof, from the southern curbline of Guion Street to a point 78 feet southwardly thereof.

Hospital Drive (formerly S.R. #1487), on the north side thereof, from DeGraffenried Avenue extended northwardly across Neuse Boulevard, to the Emergency Room entrance on the grounds of Craven County Hospital.

I Street, on the east side, from Main Street to Biddle Street.

K Street, on the south side, from F Street to Main Street.

Karen Drive, on both sides, beginning at a point 425 feet southwardly of the southerly right-of-way line of Neuse Boulevard, extending 430 feet southeasterly thereof.

Karen Drive, on the northwesterly side, from the southerly right-of-way line of Neuse Boulevard southwesterly 300 feet.

Kennedy Avenue, on the east side thereof, from the northerly right-of-way line of Neuse Boulevard, northwardly to the end of Kennedy Avenue.

Kilmarnock Street, on the east side thereof, beginning at ten feet northwardly of the northern curbline of Neuse Boulevard, extending 20 feet northwardly.

Kilmarnock Street, on the east side thereof, beginning at a point 190 feet northwardly of the northern curbline of Neuse Boulevard, extending 40 feet northwardly.

Kilmarnock Street, on the west side beginning at the northern right-of-way of Broad Street, extending in a northwardly direction for 200 feet.

Kimberly Road, on the east side thereof, beginning at a point 32 feet from the western curbline of Simmons Street Extension, measured along the radius of the curb on Kimberly Road extending thence northwesterly along and with the eastern curbline of Kimberly Road 50 feet.

Kimberly Road, on the west side thereof, beginning at a point 33 feet from the western curbline of Simmons Street Extension, measured along the radius of the curb on Kimberly Road, extending thence northwesterly and then northeasterly along and with the western curbline of Kimberly Road 205 feet.

Kings Way, on the east side thereof, from Elizabeth Avenue to its northerly terminus and in the cul-de-sac at the northern end thereof.

Linden Street, on the north side, between New Street and East Front Street.

Main Street, on the north side, between West Street and K Street.

Main Street, on the south side, between Bloomfield Street and Pavie Avenue.

Meadows Street, on both sides between Center Avenue and Henderson Avenue.

Meadows Street, between Clarendon Boulevard (U.S. Highway 17) and Tatum Drive.

Metcalf Street, beginning at its intersection with the southernmost curbline of Broad Street, extending in a southerly direction on both sides of said street for a distance of 50 feet.

Metcalf Street, beginning at its intersection with the northernmost curbline of Pollock Street, extending for a distance of 145 feet in a northerly direction on the west side of said street and a distance of 50 feet in a northerly direction on the east side of said street.

Metcalf Street, on the east side thereof, beginning at a point 55 feet northwardly of the northern right-of-way line of New Street, extending 20 feet northwardly along Metcalf Street.

Metcalf Street, on the east side, between the intersection of Metcalf Street, Tryon Palace Drive and the Trent River.

Metcalf Street, south of Tryon Palace Drive.

Middle Street, on the west side, beginning at the northwest corner of the intersection of Middle Street and Broad Street and extending 100 feet in a northerly direction.

Miller Street, on the east side, from Broad Street to Cedar Street.

Miller Street, on the east side, from Cedar Street to Booms Alley.

Moses Griffin Lane, on the east side beginning at a point 443 feet from the northernmost pavement edge of Tomlinson Boulevard at its intersection with Moses Griffin Lane, and extending northwardly for a distance of 30 feet.

Nathan Tisdale Lane, on the west side, beginning at a point 572 feet north of its intersection with Tomlinson Boulevard, and extending northwardly for a distance of 22 feet.

National Avenue. on the west side.

Neuse Avenue, on the southeast side thereof, from the southerly right-of-way line of National Avenue to a point 275 feet southwest thereof.

New Street, on the north side, between Hancock Street and Metcalf Street.

New Street, on the north side, between Middle Street, and East Front Street.

New Street, on the south side, between Metcalf Street and Bern Street.

New Street, on the south side, between Middle Street and Hancock Street, beginning at a point 129 feet westwardly of the westerly right-of-way line of Middle Street and running westwardly 134 feet.

North Street, from West Street to Eubanks Street.

Nunn Street, on the east side, from Main Street to Cypress Street.

North Pasteur Street, on the southwesterly side, beginning at a point 80 feet measured southeasterly from the southeasterly right-of-way line of Avenue B and extending southeasterly 35 feet.

Pine Tree Drive, on both sides, beginning at the southeastern curbline of the main entrance to West New Bern Recreation Center and extending to a point 400 feet southeasterly thereof.

Pine Tree Drive, on both sides, beginning at the southwestern curbline of Grace Avenue and extending in a southerly direction to the northern right-of-way of M.L. King Jr. Boulevard.

Pine Valley Drive, on the west side thereof, beginning at a point 275 feet from the southern curb line of St. Andrews Circle and extending southwardly for a distance of 200 feet.

Pollock Street, on the south side beginning at its westernmost intersection with Queen Street and extending for a distance of 30 feet in a westwardly direction.

Pollock Street, on the south side, beginning at the eastern curbline of Eden Street, extending 17.5 feet eastwardly.

Pollock Street, on the south side, beginning at the western curbline of Eden Street, extending 40 feet westwardly.

Pollock Street, on the north side, between Hancock Street and Queen Street.

Pollock Street, on the south side, from the western curbline of Hancock Street to a point 100 feet westerly thereof.

Pollock Street, on either side, from the intersection of Pollock Street and First Street, extending eastwardly 150 feet.

Queen Street, on the north side, between Bern Street and George Street.

Queen Street, on the north side thereof, beginning at the intersection of Pollock Street and extending southwesterly 169 feet.

Queen Street, on the south side, beginning at a point 130 feet measured from the right-of-way line of Pollock Street and extending southwesterly to its intersection with Bryan Street.

Queen Street and Pollock Street intersection, between the north line of Pollock Street extended at such intersection and the south line of Queen Street extended, and the McCarthy corner at such intersection.

Rhem Street, on the east side beginning at the northernmost right-of-way line of First Street, at its intersection with Rhem Street, and extending for a distance of 170 feet in a northerly direction.

Roundtree Street, on the west side beginning at the northern right-of-way of Broad Street, extending in a northwardly direction for 396 feet.

Second Avenue, on the west side, from Broad Street to Cedar Street.

Smith Street, on the east side, from Cedar Street to Cypress Street.

Spencer Avenue, in the medium portion thereof, from First Street to Simmons Street.

Spencer Avenue extended into Queen Street, on the north side, running from the intersection of the curbline of Queen Street or Spencer Avenue extended, with the curbline of First Street eastwardly with the curbline 125 feet; thence northeastwardly 40 feet for a total of 165 feet.

Spencer Avenue, on the north and south sides thereof, from the western right-of-way line of Simmons Street westerly for 200 feet.

Stoney Hill Trail, on both sides thereof, from its intersection with old U.S. Highway Number 70 (N.C. Highway Number 55) to its northeastern terminus.

Third Avenue, on the east side, from Broad Street to Cedar Street.

Trent Boulevard, from its intersection with Simmons Street eastwardly to the intersection of Trent Boulevard with Spencer Avenue.

Trent Boulevard, on the south side beginning at its westernmost curbline of Ninth Street, at its intersection with Trent Boulevard, and extending for a distance of 120 feet in a westerly direction.

Tryon Palace Drive, on the south side, from Fleet Street to Eden Street.

Tryon Road, on both sides of the street, beginning at the western right-of-way of Fort Totten Drive, westwardly for a distance of 100 feet.

Unnamed short street which extends westwardly from Kilmarnock Street to the northern end of Carroll Street on the south side thereof from Kilmarnock Street to Carroll Street, and on the north side thereof from Kilmarnock Street to the intersection of the northern curbline of such unnamed street with the western curbline of Carmer Street extended northwardly.

Woodland Avenue, on the north side thereof, from a point 195 feet east of the eastern right-of-way line of Ninth Street eastwardly as far as Woodland Avenue extends on the ground within the right-of-way of U.S. Highway 17 (Clarendon Boulevard).

Woodland Avenue, on the south side thereof, from a point 235 feet east of the eastern right-of-way line of Meadows Street, eastwardly to Clarendon Boulevard.

(b) When signs are placed, erected or installed, giving notice thereof, no person shall park a vehicle at any time upon the paved portion of any of the following streets:

Bay Street, between Chapman Street and Miller Street.

Bloomfield Street.

Booms Alley.

Chapman Street, between Broad Street and Elm Street.

Craven Street, on the eastern side, from Broad Street to Pollock Street.

Craven Street, on the western side, from South Front Street to the Trent River.

Craven Street, on the eastern side, from a point 425 feet south from the southern right-of-way line of South Front Street, southerly to the Trent River.

Green Street

Lees Avenue.

Middle Street, on the western side, from a point 550 feet from the southern right-of-way line of South Front Street to the Trent River.

Middle Street, on the eastern side, from a point 300 feet south from the southern right-of-way line of South Front Street, southerly to the Trent River.

Murray Street.

Pavie Avenue.

Pollock Street, on the northern side, from East Front Street to Craven Street.

SECTION 2. That Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting Section 70-226. "Parking prohibited, or limited, during certain hours in designated places." in its entirety and inserting in its stead the following:

"Sec. 70-226. Parking prohibited, or limited, during certain hours in designated places.

(a) When signs are placed, erected, or installed in each block, giving notice thereof, no person shall park a vehicle between the hours specified upon any of the following streets:

7:00 A.M. TO 4:00 P.M.

MONDAY THROUGH FRIDAY

Roundtree Street, on the west side thereof, beginning at a point 100 feet north of the northern curbline of Reizenstein Street extended, and extending 44 feet in a northerly direction.

8:00 A.M. TO 3:00 P.M. ON SCHOOL DAYS

High School Drive, from Tatum Drive to Simmons Street.

High School Drive, on either side, from Tatum Drive to the end of High School Drive at the property of the city schools.

Meadows Street, on the eastern and northern sides, from Clarendon Boulevard to Tatum Drive.

Tatum Drive, on either side, from the west side of the Montgomery Ward parking lot to the south end of Tatum Drive.

Woodland Avenue, on the south side thereof, from the eastern right-of-way line of Meadows Street eastwardly 235 feet.

6 P.M. to 6 A.M.

Roundtree Street, on the west side thereof, beginning at a point 416 feet north of the northern right-of-way of Broad Street and extending in a northerly direction 345 feet.

8:00 P.M. TO 6:00 A.M.

Bern Street, the west side, beginning at the northwest right-of-way line of Queen Street and extending 240 feet in a northerly direction.

2:00 A.M. TO 6:00 A.M.

Innisbrook court.

(b) When signs are placed, erected, or installed in each block giving notice thereof, no person shall park a vehicle for longer than two hours, between the hours of 8:00 a.m. and 3:00 p.m. on school days, upon any of the following streets, and the changing of the position of a vehicle from one point directly to another point, within the same block, shall be deemed one continuous parking period; each hour during which a vehicle shall be parked in violation of the terms hereof shall constitute a separate offense. The subject streets are as follows:

TWO HOUR PARKING BETWEEN 8:00 A.M. AND 3:00 P.M. ON SCHOOL DAYS

Woodland Avenue, between Meadows Street and Clarendon Boulevard, on the north side thereof.

SECTION 3. That Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting Section 70-227. "Two hour parking zones." in its entirety and inserting in its stead the following:

"Sec. 70-227. Two hour parking zones.

(a) When signs are placed, erected or installed in each block giving notice thereof, no person shall park a vehicle for longer than two hours at any time between the hours of 7:30 a.m. and 5:30 p.m. on any day except Saturday, Sunday and public holidays, upon any of the following streets, and the changing of the position of a vehicle from one point directly to another point, within the same block, shall be deemed one continuous parking period.

Bern Street, on the west side thereof, beginning at a point 25 feet south of the south curbline of Pollock Street extending southwardly to a point 135 feet south of the south curbline of Pollock Street.

Broad Street, on the north side, between Roundtree Street and Kilmarnock Street.

East Front Street, on the west side, between Broad Street and Johnson Street.

Fleet Street, on the west side, beginning at a point 28 feet south of the southern curbline of Broad Street, extending southwardly a distance of 112 feet.

Fleet Street, on the west side, between Pollock Street and New South Front Street.

George Street, on either side, between Broad Street and New Street.

George Street, on the east and west sides thereof, from Broad Street to Pollock Street.

Hancock Street, on the east side, from the intersection of Hancock Street and Tryon Palace Drive to the intersection of Hancock Street and Broad Street.

Hancock Street, on the west side, beginning at a point 55 feet south of the south curbline of Broad Street and continuing southwardly 375 feet to a point 25 feet north of the north curbline of Pollock Street.

Johnson Street, on the north side thereof, between Middle Street and Hancock Street.

Johnson Street, on the south side thereof, from the western right-of-way line of Middle Street to a point 135 feet east of the eastern right-of-way line of Hancock Street.

National Avenue, on the west side, beginning at a point 114 feet south of the southeastern most right-of-way of Court Street as it intersects with National Avenue, and extending in a southerly direction for 60 feet.

New Street, on the south side, from the intersection of New Street and Hancock Street eastwardly to the western right-of-way line of Middle Street.

Pollock Street, on the south side, between Hancock Street and Metcalf Street, except that portion of the street presently designated "No Parking."

Queen Street, on the north side, between West Street and Darst Avenue.

Queen Street, on the south side, between Broad Street and Princess Street.

Queen Street, on the south side, beginning at a point in the southern curbline of Queen Street which lies 116 feet westwardly of the intersection of the western right-of-way line of Princess Street and the southern right-of-way line of Queen Street, extending westwardly 125 feet.

Queen Street, on the southern side, beginning at the intersection of the southern right-of-way line of Bryan Street, extending westwardly a distance of 216 feet.

(b) When signs are placed, erected or installed in each block giving notice thereof, no person shall park a vehicle for longer than two hours at any time between the hours of 8:00 a.m. and 4:00 p.m. on any day except Saturday, Sunday and public holidays, upon any of the following streets, and the changing of the position of a vehicle from one point directly to another point, within the same block, shall be deemed one continuous parking period.

Craven Street, on the eastern side, from the southern right-of-way line of South Front Street, extending in a southerly direction 425 feet.

Craven Street, on both sides, from the intersection of Craven Street and South Front Street to Pollock Street.

Craven Street, on the western side, between Pollock Street and Broad Street.

Middle Street, on the western side, from the intersection of Middle Street and South Front Street extending in a southerly direction 550 feet.

Middle Street, on the eastern side, from the intersection of Middle Street and South Front Street extending in a southerly direction 300 feet.

Middle Street, on both sides, from the intersection of Middle Street and South Front Street to Broad Street.

Pollock Street, on both sides, from the intersection of Pollock Street and East Front Street to the terminus of the Neuse River.

Pollock Street, on the southern side, between East Front Street and Craven Street.

Pollock Street, on both sides, between Craven Street and Hancock Street.

South Front Street, on both sides, between East Front Street and Metcalf Street.

State Law reference – G.S. 160A-301.

SECTION 4. That Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting Section 70-229. "Fifteen-minute parking zones." in its entirety and inserting in its stead the following:

"Sec. 70-229. Fifteen-minute parking zones.

When signs are placed, erected, or installed in each block giving notice thereof, no person shall park a vehicle for longer than 15 minutes at any time upon any of the following streets, and the changing of the position of a vehicle from one point directly to another point, within the same block, shall be deemed as one continuous parking period:

Hancock Street, on the west side, beginning at a point 109 feet north of the intersection of the north curbline of Broad Street and the west curbline of Hancock Street, north for a distance of 28 feet, between the hours of 9:00 a.m. and 5:00 p.m.

National Avenue, on the east side, for a distance of 150 feet in a northerly direction from the intersection of Dunn Street and National Avenue.

Pollock Street, on the south side thereof, beginning at a point 25 feet west of the west curbline of Bern Street extending westwardly 20 feet, between the hours of 9:00 a.m. and 9:00 p.m.

SECTION 5. That Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting Section 70-230. "Loading zones." in its entirety and inserting in its stead the following:

"Sec. 70-230. Loading zones.

(a) Those streets, or parts of streets, described in subsection (b) of this section shall be reserved as stands for the specific purpose and at the exact location named therein and no automobile or other vehicle shall park therein, except those for which the space or stand has been designated. Those streets or parts of streets reserved as loading zones and described in subsection (b) of this section shall be used only for the purpose of loading and unloading goods, wares, merchandise and commodities on and from motor vehicles unless the type loading zone clearly indicates otherwise. Provided, however, the loading zones described in subparagraph (b) of this section may be used by motor vehicles as places in which to park for not to exceed two minutes, while loading or discharging passengers.

In addition, no bus, taxicab or vehicle for hire shall park on any street in a place other than that which has been designated for such purpose and no bus shall stop or stand on any street except in a designated bus stop.

(b) The following zones are hereby established:

LOADING ZONES

Carroll Street, on the east side, beginning at a point ten feet north of the northern curbline of Neuse Boulevard extended, extending 70 feet northwardly along Carroll Street.

Cedar Street, on the north side, beginning at a point 165 feet west of the westerly curbline of Lees Avenue and extending westwardly for a distance of 40 feet.

Cedar Street, on the south side, beginning at a point 28 feet east of the eastern curbline of Oak Street extended, and extending 44 feet in an easterly direction: Between the hours of 6:00 a.m. and 5:30 p.m. Monday through Friday.

Colony Drive, on the north side, beginning at a point 85 feet east of the northeasterly curbline of Brunswick Avenue and extending 40 feet eastwardly along Colony Drive.

Colony Drive, on the south side, beginning at a point 85 feet east of the southeasterly curbline of Brunswick Avenue and extending 40 feet eastwardly along Colony Drive.

Craven Street, North, on the southwest side thereof, beginning at a point 527 feet measured along and with the southwestern curbline of North Craven Street, extended, from its point of intersection with the centerline of the Seaboard Coastline Railroad, running thence along and with the southwestern curbline of North Craven Street northwestwardly a distance of 34 feet.

George Street, on the east side, beginning at a point 206 feet north of the northern right-of-way of Guion Street, extending 30 feet northwardly along George Street.

George Street, on the east side, beginning at a point 25 feet south of the southeastern edge of the paving on Cypress Street and extending for a distance of 40 feet southwardly on George Street.

George Street, on the west side, beginning at a point 25 feet south of the southwestern edge of the paving on Cypress Street and extending for a distance of 40 feet southwardly on George Street.

Middle Street, on the west side, beginning at a point 170 feet south of the southern right-of-way line of Johnson Street and extending 20 feet southwardly along Middle Street.

Pollock Street, on the south side, beginning at a point 155 feet west of the southwest corner of the intersection of Pollock Street and Hancock Street, and extending 93 feet in a westerly direction.

Queen Street, on the southeast side, beginning at a point 42 feet south of the southern curbline of Princess Street and extending southwardly for a distance of 40 feet along Queen Street.

Queen Street, on the southeast side, beginning at a point 179 feet southwest of the southwestern curbline of North Craven Street, extended, and extending southwestwardly along the southeastern right-of-way line of Queen Street for a distance of 40 feet.

Trent Boulevard, on the north side, beginning at a point 317 feet west of the southwest curbline of First Street and extending westwardly for a distance of 40 feet.

Tryon Palace Drive, on the south side, beginning at a point 223 feet west of the intersection of the centerline of the Atlantic and North Carolina Railroad with the southern curbline of Tryon Palace Drive and extending 20 feet in a westerly direction.

LAW ENFORCEMENT LOADING ZONES

Craven Street, on the west side, beginning at point 147 feet north of the northern curbline of Broad Street, extending northwardly for a distance of 81 feet.

Middle Street, on the west side, beginning at a point 85 feet south of the southern curbline of New Street and extending southwardly for a distance of 44 feet.

SCHOOL BUS LOADING ZONES

First Street, on the west side, beginning at a point 25 feet south of the southwest corner of the intersection of First Street and Rhem Avenue, and extending 282 feet in a southerly direction.

Bern Street, on the east side, beginning at a point 75 feet south of the southern right-of-way line of Broad Street, and extending 275 feet in a southerly direction.

deGraffenried Avenue, on the west side, beginning at a point 180 feet north of the intersection of the western curbline of deGraffenried Avenue and the northern curbline of Tatum Drive, and extending northwardly for a distance of 51 feet.

George Street, on the west side, beginning at a point 181 feet north of the northern right-of-way line of Broad Street, and extending northerly along the line of George Street 43 feet.

George Street, on the west side, beginning at a point ten feet south of the line of Queen Street, and extending southwardly along the line of George Street 32 feet.

Hancock Street, on the east side, beginning at a point 149 feet north of the curbline of Tryon Palace Drive and extending northwardly along the line of Hancock Street 19 feet.

Liberty Street, on the east side, beginning at a point 273 feet north of the northern curbline of Walt Bellamy Drive, and extending 50 feet in a northerly direction.

Middle Street, on the east side, beginning at a point 104 feet north of the northeast corner of the intersection of Middle Street and New Street, and extending 131 feet in a northerly direction.

Queen Street, on the north side, beginning at a point in the northern curbline of Queen Street located 116.5 feet northeast of the centerline of Bern Street, and extending northeastwardly along the curbline of Queen Street 60 feet.

Rhem Avenue, on the south side, beginning at a point 25 feet west of the southwest corner of the intersection of Rhem Avenue and First Street, and extending 295 feet in a westerly direction.

Spencer Avenue, on the north side, beginning at a point 25 feet west of the northwest corner of the intersection of Spencer Avenue and First Street, and extending 170 feet in a westerly direction.

West Street, on the east side, beginning at a point 205 feet south of the southeast corner of the intersection of West Street and Cedar Street, and extending 383.6 feet in a southerly direction to the intersection with the southern property line of the F.R. Danyus Elementary School.

BUS LOADING ZONE

South Front Street, on the south side, beginning at a point 140 feet west of the western line of East Front Street, extending in a westerly direction 120 feet."

<u>SECTION 6</u>. That Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinance of the City of New Bern be and the same is hereby amended by adding Section 70-235. "Penalty for violation of certain provisions." as follows:

"Sec. 70-235. Penalty for violation of certain provisions.

- (a) All offenses set out in Division 1 of Article IV shall be punished as civil offenses pursuant to G.S. 160A-175. Violations shall not be misdemeanors or infractions pursuant to G.S. 14-4.
- (b) Notice to be affixed. Whenever a member of the police department of the city or other person charged by ordinance with the enforcement of the provisions of this chapter regulating the parking of vehicles shall find that any of those provisions are being, or have been, violated by the owner or operator of any vehicle, such officer or person shall notify the owner or operator of the vehicle of the violation by conspicuously attaching to the vehicle a parking violation notice or citation in such form as the Finance Director may direct.
- (c) Parking violation notice; contents. Such parking violation notice or citation shall. among other things, (i) state upon its face the amount of the penalty for the specific violation if the penalty is paid within thirty (30) days from and after the violation; (ii) notify the offender that a failure to pay the penalty within thirty (30) days from the violation shall subject the offender to an additional late penalty in the amount of twenty-five (\$25.00); (iii) notify the offender that a failure to pay the penalty within the prescribed time shall subject the offender to a civil action in the nature of debt for the stated penalty plus an additional penalty in the amount of ninety-five dollars (\$95.00), together with the cost of the action to be taxed by the court; (iv) further provide that the offender may answer the city parking citation by mailing or delivering the citation and the stated penalty to the address specified on the citation, and that upon payment, the case or claim and right of action by the city will be deemed compromised and settled; (v) that the penalty must be either paid or the failure to pay must be cleared within thirty (30) days of the issuance of the citation. The notice shall further state that if the parking violation citation is not cleared within thirty (30) days, court action by the filing of a civil complaint for collection of the penalty may be taken. As used upon the parking violation citation, the word "cleared" shall mean either (i) payment, (ii) arrangement for payment to be made, or (iii) a prima facie showing that the parking citation was

received as a result of mistake, inadvertence or excusable neglect by the person issuing the citation as determined by the administrative appeal process established in subsection (d).

(d) Settlement of claim. The chief of police or their designee is authorized to accept payments in full and final settlement of the claim or claims, right or rights of action which the city may have to enforce such penalty by civil action in the nature of debt. Acceptance of a penalty shall be deemed a full and final release of any and all claims, or right of action arising out of contended violations. The chief of police is further authorized: (i) to establish a procedure to allow persons who receive citations for violations of city parking regulations to file administrative appeals; and (2) to set deadlines for the filing of such appeals. Any such procedure shall allow a minimum of twenty (20) days to file an appeal from the date of the parking citation.

(e) Penalties.

- (1) Any person who shall violate or allow or permit anyone to violate any of the provisions of this division and sections 70-211, 70-213, 70-214, 70-217, 70-225, 70-226, 70-227, 70-228, and 70-229 shall pay a civil penalty of \$25.00.
- (2) Any person who shall violate or allow or permit anyone to violate any of the provisions of section 70-232 shall pay a civil penalty of \$50.00.
- (f) Additional penalties. Any civil penalty for a violation that is not paid within thirty (30) days shall accrue an additional penalty of \$25.00 for a total civil penalty of \$50.00.

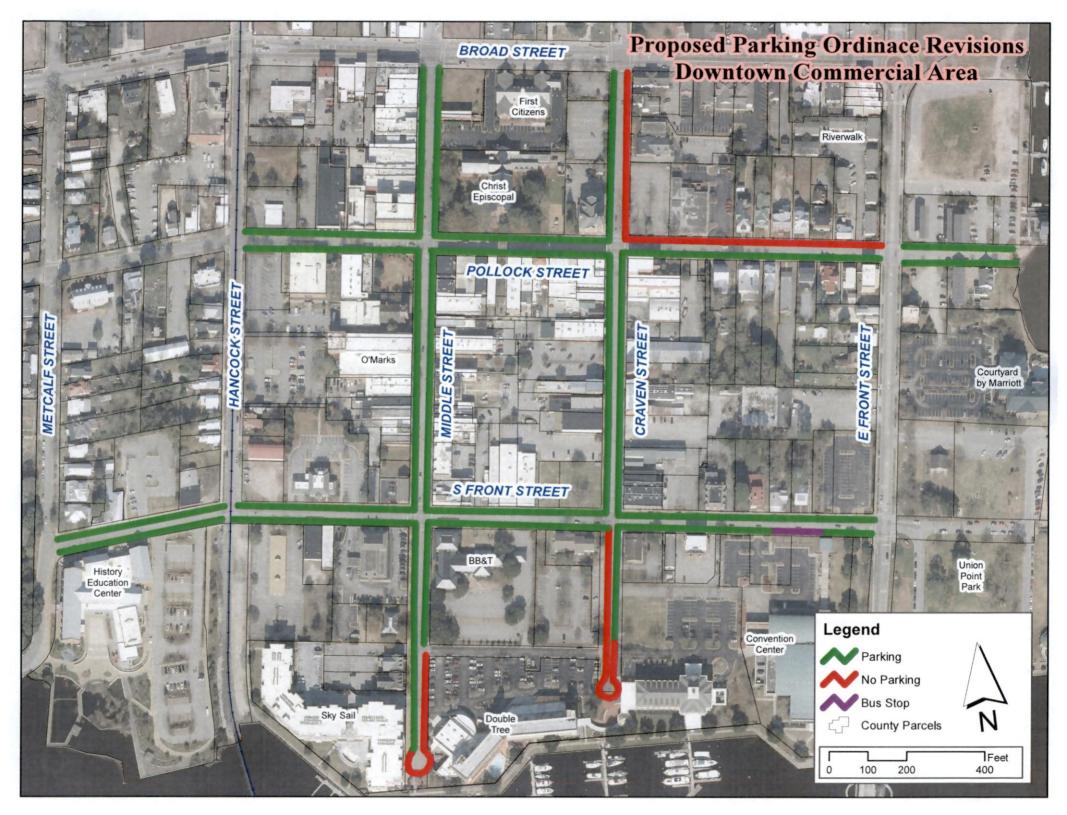
SECTION 7. That Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting "Division 2. Parking Meters" in its entirety, and renumbering subsequent divisions accordingly.

SECTION 8. This ordinance shall be effective from and after the date of its adoption.

ADOPTED THIS 27th DAY OF FEBRUARY, 2018.

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	DANA E. OUTLAW, MAYOR	

BRENDA E. BLANCO, CITY CLERK



AN ORDINANCE TO AMEND ARTICLE VI. STOPPING, STANDING AND PARKING" OF CHAPTER 70 "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES OF THE CITY OF NEW BERN

THAT WHEREAS, the Board of Alderman of the City of New Bern deems it advisable and in the public interest to effect said revisions to Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinances of the City of New Bern.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN:

SECTION 1. That Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting Section 70-225. "Prohibited parking zones." in its entirety and inserting in its stead the following:

"Sec. 70-225. Prohibited parking zones.

(a) When signs are placed, erected or installed in each block giving notice thereof, no person shall park a vehicle for longer than two hours at any time between the hours of 9:30 a.m. and 5:00 p.m. on any day except Saturday, Sunday and public holidays, upon any of the following streets, and the changing of the position of a vehicle from one point directly to another point, within the same block, shall be deemed one continuous parking period; each hour which a vehicle shall be parked in violation of the terms hereof shall constitute a separate offense.

Avenue B, on the southwesterly side, beginning at a point 50 feet measured southwesterly from the southwesterly right-of-way line of North Pasteur Street and extending southwesterly 60 feet.

Batts Hill Road, on both sides thereof, from its intersection with Country Club Road to its easternmost terminus.

Bay Street, between Miller Street and Second Avenue. Traffic shall be limited to a westerly direction.

Bern Street, on the west side thereof, beginning at a point 237 feet south of the southerly right-of-way line of Cedar Street, and extending southwardly 50 feet.

Broad Street, on both the north and south sides thereof, from the Neuse River westwardly to Queen Street.

Browns Alley, on the east side, from Elm Street to Cedar Street.

C Street, on the south side, between National Avenue and E Street.

Carmer Street, on the east side thereof, beginning at a point 180 feet northwardly of the northern curbline of Neuse Boulevard, extending 20 feet northwardly.

Carmer Street, on the west side thereof, beginning at a point 15 feet northwardly of the northern curbline of Neuse Boulevard, extending 20 feet northwardly.

Carmer Street, on the west side thereof, beginning at a point 180 feet northwardly of the northern curbline of Neuse Boulevard, extending 20 feet northwardly.

Carmer Street, on the east side thereof, beginning at a point 15 feet northwardly of the northern curbline of Neuse Boulevard, extending 20 feet northwardly.

Carroll Street, on the west side.

Carroll Street, on the east side thereof, beginning at a point 125 feet northwardly of the northern curbline of Neuse Boulevard extending northwardly 40 feet.

Cedar Street, beginning at a point 65 feet west of the western right-of-way line of Miller Street, and extending westwardly for a distance of 30 feet.

Cedar Street, on the south side thereof, between Miller Street and Oak Street.

Change Street, on the north side, between Craven Street and East Front Street.

Chapman Street, on the east side, from Cedar Street to Main Street.

Clark Avenue, on both sides, beginning at the southern curb line of Lincoln Street and extending to a point 230 feet southwardly thereof.

Craven Street, on both sides thereof, beginning at a point 309 feet south of the southern curbline of Tryon Palace Drive, southwardly to the bulkhead at Trent River.

Craven Street, on the east side, between Pollock Street and Johnson Street.

Craven Street, on the northeastern side, from the southeastern curbline of Queen Street to a point 86 feet southeasterly thereof.

Craven Street, on the southwestern side, from the southeastern curbline of Queen Street to a point 76 feet southeasterly thereof.

Craven Street, on the west side, beginning at 132 feet north of the northern right-of-way line of Broad Street and running northwardly 80 feet. Provided, however, the three parking spaces which this identifies may be used by law enforcement officers to park for a period not to exceed more than two hours for the purpose of loading and unloading prisoners.

Craven Street, on the west side, beginning 212 feet north of the northern right-of-way line of Broad Street and running northwardly approximately 113 feet.

Craven Street, on the west side, beginning at the northern curbline of New Street, extending 45 feet northwardly.

Craven Street, on the west side, beginning at the southern curbline of New Street and extending 45 feet southwardly.

Craven Street, on the west side thereof, beginning at a point 98.6 feet south of the south curbline of Pollock Street, and extending from said point of beginning 45 feet southwardly along the curbline of Craven Street.

Craven Street, North, on the east side.

Darst Avenue, on the east side, from Queen Street to Elm Street.

deGraffenried Avenue, on both sides, beginning at the southern curbline of Neuse Boulevard and extending to a point 200 feet southwesterly thereof.

Dunn Street, on either side, between National Avenue and North Craven Street.

Eden Street, south of Tryon Palace Drive.

Eden Street, on the east side, beginning at the southern curb line of Pollock Street, extending 41 feet southwardly.

Eden Street, on the west side, beginning at the southern curb line of Pollock Street, extending 247 feet southwardly.

Elizabeth Avenue, on the north side thereof, beginning at the western curbline of South Glenburnie Road extending 316 feet westerly along Elizabeth Avenue.

Elizabeth Avenue, on the south side thereof, beginning at a point 253 feet westerly of the western curbline of Glenburnie Road, extending 1,037 feet westerly along Elizabeth Avenue.

Elizabeth Avenue, on the southwest side, beginning at the northwestern right-of-way line of South Glenburnie Road, and extending to a point 355 feet northwesterly thereof.

Eubanks Street, on the west side, from Booms Alley to K Street.

F Street, on the east side, from Cypress Street to Biddle Street.

First Avenue, on the east side, from Broad Street to Cedar Street.

First Street, on both sides, from Neuse Boulevard to Pembroke Road.

Fleet Street, on the east side, between Pollock Street and Tryon Palace Drive.

East Front Street, on the east side, between Broad Street and Johnson Street.

East Front Street, between Tryon Palace Drive and Broad Street.

Gaston Boulevard, on the west side, beginning at a point 60 feet north from the back of curb on Neuse Boulevard and extending in a northerly direction for a distance of 120 feet.

George Street, on the east side, thereof, from the southern curbline of Guion Street to a point 78 feet southwardly thereof.

Hospital Drive (formerly S.R. #1487), on the north side thereof, from DeGraffenried Avenue extended northwardly across Neuse Boulevard, to the Emergency Room entrance on the grounds of Craven County Hospital.

I Street, on the east side, from Main Street to Biddle Street.

K Street, on the south side, from F Street to Main Street.

Karen Drive, on both sides, beginning at a point 425 feet southwardly of the southerly right-of-way line of Neuse Boulevard, extending 430 feet southeasterly thereof.

Karen Drive, on the northwesterly side, from the southerly right-of-way line of Neuse Boulevard southwesterly 300 feet.

Kennedy Avenue, on the east side thereof, from the northerly right-of-way line of Neuse Boulevard, northwardly to the end of Kennedy Avenue.

Kilmarnock Street, on the east side thereof, beginning at ten feet northwardly of the northern curbline of Neuse Boulevard, extending 20 feet northwardly.

Kilmarnock Street, on the east side thereof, beginning at a point 190 feet northwardly of the northern curbline of Neuse Boulevard, extending 40 feet northwardly.

Kilmarnock Street, on the west side beginning at the northern right-of-way of Broad Street, extending in a northwardly direction for 200 feet.

Kimberly Road, on the east side thereof, beginning at a point 32 feet from the western curbline of Simmons Street Extension, measured along the radius of the curb on Kimberly Road extending thence northwesterly along and with the eastern curbline of Kimberly Road 50 feet.

Kimberly Road, on the west side thereof, beginning at a point 33 feet from the western curbline of Simmons Street Extension, measured along the radius of the curb on Kimberly Road, extending thence northwesterly and then northeasterly along and with the western curbline of Kimberly Road 205 feet.

Kings Way, on the east side thereof, from Elizabeth Avenue to its northerly terminus and in the cul-de-sac at the northern end thereof.

Linden Street, on the north side, between New Street and East Front Street.

Main Street, on the north side, between West Street and K Street.

Main Street, on the south side, between Bloomfield Street and Pavie Avenue.

Meadows Street, on both sides between Center Avenue and Henderson Avenue.

Meadows Street, between Clarendon Boulevard (U.S. Highway 17) and Tatum Drive.

Metcalf Street, beginning at its intersection with the southernmost curbline of Broad Street, extending in a southerly direction on both sides of said street for a distance of 50 feet.

Metcalf Street, beginning at its intersection with the northernmost curbline of Pollock Street, extending for a distance of 145 feet in a northerly direction on the west side of said street and a distance of 50 feet in a northerly direction on the east side of said street.

Metcalf Street, on the east side thereof, beginning at a point 55 feet northwardly of the northern right-of-way line of New Street, extending 20 feet northwardly along Metcalf Street.

Metcalf Street, on the east side, between the intersection of Metcalf Street, Tryon Palace Drive and the Trent River.

Metcalf Street, south of Tryon Palace Drive.

Middle Street, on both sides thereof, beginning at a point 286 feet south of the southern curbline of Tryon Palace Drive, southwardly to the bulkhead at Trent River.

Middle Street, on the west side, beginning at the northwest corner of the intersection of Middle Street and Broad Street and extending 100 feet in a northerly direction.

Middle Street, on the west side thereof, from the southerly right of way line of Broad Street, southwardly 43 feet.

Middle Street, on the east side thereof, from the southerly right-of-way line of Broad Street, southwardly 94 feet.

Miller Street, on the east side, from Broad Street to Cedar Street.

Miller Street, on the east side, from Cedar Street to Booms Alley.

Moses Griffin Lane, on the east side beginning at a point 443 feet from the northernmost pavement edge of Tomlinson Boulevard at its intersection with Moses Griffin Lane, and extending northwardly for a distance of 30 feet.

Nathan Tisdale Lane, on the west side, beginning at a point 572 feet north of its intersection with Tomlinson Boulevard, and extending northwardly for a distance of 22 feet.

National Avenue, on the west side.

Neuse Avenue, on the southeast side thereof, from the southerly right-of-way line of National Avenue to a point 275 feet southwest thereof.

New Street, on the north side, between Hancock Street and Metcalf Street.

New Street, on the north side, between Middle Street, and East Front Street.

New Street, on the south side, between Metcalf Street and Bern Street.

New Street, on the south side, between Middle Street and Hancock Street, beginning at a point 129 feet westwardly of the westerly right-of-way line of Middle Street and running westwardly 134 feet.

North Street, from West Street to Eubanks Street.

Nunn Street, on the east side, from Main Street to Cypress Street.

North Pasteur Street, on the southwesterly side, beginning at a point 80 feet measured southeasterly from the southeasterly right-of-way line of Avenue B and extending southeasterly 35 feet.

Pine Tree Drive, on both sides, beginning at the southeastern curbline of the main entrance to West New Bern Recreation Center and extending to a point 400 feet southeasterly thereof.

Pine Tree Drive, on both sides, beginning at the southwestern curbline of Grace Avenue and extending in a southerly direction to the northern right-of-way of M.L. King Jr. Boulevard.

Pine Valley Drive, on the west side thereof, beginning at a point 275 feet from the southern curb line of St. Andrews Circle and extending southwardly for a distance of 200 feet.

Pollock Street, on the north side, between East Front Street and Craven Street.

Pollock Street, on the south side beginning at its westernmost intersection with Queen Street and extending for a distance of 30 feet in a westwardly direction.

Pollock Street, on the south side, beginning at the eastern curbline of Eden Street, extending 17.5 feet eastwardly.

Pollock Street, on the south side, beginning at the western curbline of Eden Street, extending 40 feet westwardly.

Pollock Street, on the north side, between Hancock Street and Queen Street.

Pollock Street, on the south side, from the western curbline of Hancock Street to a point 100 feet westerly thereof.

Pollock Street, on either side, from the intersection of Pollock Street and First Street, extending eastwardly 150 feet.

Queen Street, on the north side, between Bern Street and George Street.

Queen Street, on the north side thereof, beginning at the intersection of Pollock Street and extending southwesterly 169 feet.

Queen Street, on the south side, beginning at a point 130 feet measured from the right-of-way line of Pollock Street and extending southwesterly to its intersection with Bryan Street.

Queen Street and Pollock Street intersection, between the north line of Pollock Street extended at such intersection and the south line of Queen Street extended, and the McCarthy corner at such intersection.

Rhem Street, on the east side beginning at the northernmost right-of-way line of First Street, at its intersection with Rhem Street, and extending for a distance of 170 feet in a northerly direction.

Roundtree Street, on the west side beginning at the northern right-of-way of Broad Street, extending in a northwardly direction for 396 feet.

Second Avenue, on the west side, from Broad Street to Cedar Street.

Smith Street, on the east side, from Cedar Street to Cypress Street.

Spencer Avenue, in the medium portion thereof, from First Street to Simmons Street.

Spencer Avenue extended into Queen Street, on the north side, running from the intersection of the curbline of Queen Street or Spencer Avenue extended, with the curbline of First Street eastwardly with the curbline 125 feet; thence northeastwardly 40 feet for a total of 165 feet.

Spencer Avenue, on the north and south sides thereof, from the western right-of-way line of Simmons Street westerly for 200 feet.

Stoney Hill Trail, on both sides thereof, from its intersection with old U.S. Highway Number 70 (N.C. Highway Number 55) to its northeastern terminus.

Third Avenue, on the east side, from Broad Street to Cedar Street.

Trent Boulevard, from its intersection with Simmons Street eastwardly to the intersection of Trent Boulevard with Spencer Avenue.

Trent Boulevard, on the south side beginning at its westernmost curbline of Ninth Street, at its intersection with Trent Boulevard, and extending for a distance of 120 feet in a westerly direction.

Tryon Palace Drive, on the north side thereof, beginning at a point 140 feet east of the eastern curbline of Craven Street, extending 25 feet eastwardly.

Tryon Palace Drive, on the north side, from the eastern right-of-way line of East Front Street eastwardly 440 feet.

Tryon Palace Drive, on the south side, from the eastern right of way line of East Front Street eastwardly 250 feet.

Tryon Palace Drive, on the north side, from the western curbline of East Front Street to a point 186 feet west thereof.

Tryon Palace Drive, on the south side, from Fleet Street to Eden Street.

Tryon Palace Drive, on the south side thereof, beginning at the western curbline of East Front Street (U.S. Highway 70 Business), extending westwardly along Tryon Palace Drive 117 feet.

Tryon Palace Drive Loop which connects Eden Street and Tryon Palace Drive.

Tryon Road, on both sides of the street, beginning at the western right-of-way of Fort Totten Drive, westwardly for a distance of 100 feet.

Unnamed short street which extends westwardly from Kilmarnock Street to the northern end of Carroll Street on the south side thereof from Kilmarnock Street to Carroll Street, and on the north side thereof from Kilmarnock Street to the intersection of the northern curbline of such unnamed street with the western curbline of Carmer Street extended northwardly.

Woodland Avenue, on the north side thereof, from a point 195 feet east of the eastern right-of-way line of Ninth Street eastwardly as far as Woodland Avenue extends on the ground within the right-of-way of U.S. Highway 17 (Clarendon Boulevard).

Woodland Avenue, on the south side thereof, from a point 235 feet east of the eastern right-of-way line of Meadows Street, eastwardly to Clarendon Boulevard.

(b) When signs are placed, erected or installed, giving notice thereof, no person shall park a vehicle at any time upon the paved portion of any of the following streets:

Bay Street, between Chapman Street and Miller Street.

Bloomfield Street.

Booms Alley.

Chapman Street, between Broad Street and Elm Street.

Craven Street, on the eastern side, from Broad Street to Pollock Street.

Craven Street, on the western side, from South Front Street to the Trent River.

<u>Craven Street</u>, on the eastern side, from a point 425 feet south from the southern right-of-way line of South Front Street, southerly to the Trent River.

Green Street.

Lees Avenue.

Middle Street, on the western side, from a point 550 feet from the southern right-of-way line of South Front Street to the Trent River.

Middle Street, on the eastern side, from a point 300 feet south from the southern right-of-way line of South Front Street, southerly to the Trent River.

Murray Street.

Pavie Avenue.

Pollock Street, on the northern side, from East Front Street to Craven Street.

SECTION 2. That Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting Section 70-226. "Parking prohibited, or limited, during certain hours in designated places." in its entirety and inserting in its stead the following:

"Sec. 70-226. Parking prohibited, or limited, during certain hours in designated places.

(a) When signs are placed, erected, or installed in each block, giving notice thereof, no person shall park a vehicle between the hours specified upon any of the following streets:

1:00 A.M. TO 4:00 A.M.

Craven Street, between Broad Street and the Trent River.

Middle Street, between New Street and the Trent River.

Pollock Street, between Hancock Street and Craven Street.

Tryon Palace Drive, between Metcalf Street and Craven Street.

7:00 A.M. TO 4:00 P.M.

MONDAY THROUGH FRIDAY

Roundtree Street, on the west side thereof, beginning at a point 100 feet north of the northern curbline of Reizenstein Street extended, and extending 44 feet in a northerly direction.

8:00 A.M. TO 3:00 P.M. ON SCHOOL DAYS

High School Drive, from Tatum Drive to Simmons Street.

High School Drive, on either side, from Tatum Drive to the end of High School Drive at the property of the city schools.

Meadows Street, on the eastern and northern sides, from Clarendon Boulevard to Tatum Drive.

Tatum Drive, on either side, from the west side of the Montgomery Ward parking lot to the south end of Tatum Drive.

Woodland Avenue, on the south side thereof, from the eastern right-of-way line of Meadows Street eastwardly 235 feet.

3:00 P.M. TO 4:00 A.M.

Tryon Palace Drive, on the north side, between Middle Street and Craven Street.

6 P.M. to 6 A.M.

Roundtree Street, on the west side thereof, beginning at a point 416 feet north of the northern right-of-way of Broad Street and extending in a northerly direction 345 feet.

8:00 P.M. TO 6:00 A.M.

Bern Street, the west side, beginning at the northwest right-of-way line of Queen Street and extending 240 feet in a northerly direction.

2:00 A.M. TO 6:00 A.M.

Innisbrook court.

(b) When signs are placed, erected, or installed in each block giving notice thereof, no person shall park a vehicle for longer than two hours, between the hours of 8:00 a.m. and 3:00 p.m. on school days, upon any of the following streets, and the changing of the position of a vehicle from one point directly to another point, within the same block, shall be deemed one continuous parking period; each hour during which a vehicle shall be parked in violation of the terms hereof shall constitute a separate offense. The subject streets are as follows:

TWO HOUR PARKING BETWEEN 8:00 A.M. AND 3:00 P.M. ON SCHOOL DAYS

Woodland Avenue, between Meadows Street and Clarendon Boulevard, on the north side thereof.

SECTION 3. That Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting Section 70-227. "Two hour parking zones." in its entirety and inserting in its stead the following:

"Sec. 70-227. Two hour parking zones.

(a) When signs are placed, erected or installed in each block giving notice thereof, no person shall park a vehicle for longer than two hours at any time between the hours of 7:30 a.m. and 5:30 p.m. on any day except Saturday, Sunday and public holidays, upon any of the following streets, and the changing of the position of a vehicle from one point directly to another point, within the same block, shall be deemed one continuous parking period. ; each hour which a vehicle shall be parked in violation of the terms hereof shall constitute a separate offense.

Bern Street, on the west side thereof, beginning at a point 25 feet south of the south curbline of Pollock Street extending southwardly to a point 135 feet south of the south curbline of Pollock Street.

Broad Street, on the north side, between Roundtree Street and Kilmarnock Street.

Craven Street, from the intersection of Craven Street and Tryon Palace Drive to the intersection of Craven Street and Broad Street; excepting that portion of the west side of Craven Street for a distance of 150 feet in a northerly direction from the intersection of Pollock Street and Craven Street.

East Front Street, on the west side, between Broad Street and Johnson Street.

Fleet Street, on the west side, beginning at a point 28 feet south of the southern curbline of Broad Street, extending southwardly a distance of 112 feet.

Fleet Street, on the west side, between Pollock Street and New South Front Street.

George Street, on either side, between Broad Street and New Street.

George Street, on the east and west sides thereof, from Broad Street to Pollock Street.

Hancock Street, on the east side, from the intersection of Hancock Street and Tryon Palace Drive to the intersection of Hancock Street and Broad Street.

Hancock Street, on the west side, beginning at a point 55 feet south of the south curbline of Broad Street and continuing southwardly 375 feet to a point 25 feet north of the north curbline of Pollock Street.

Johnson Street, on the north side thereof, between Middle Street and Hancock Street.

Johnson Street, on the south side thereof, from the western right-of-way line of Middle Street to a point 135 feet east of the eastern right-of-way line of Hancock Street.

Middle Street, from its intersection with New Street to the southern limit of the paved portion thereof, south of Tryon Palace Drive, except those portions of same which have been designated 15 minute parking zones by section 70-229 and those portions of the same which have been designated loading zones by section 70-230.

National Avenue, on the west side, beginning at a point 114 feet south of the southeastern most right-of-way of Court Street as it intersects with National Avenue, and extending in a southerly direction for 60 feet.

New Street, on the south side, from the intersection of New Street and Hancock Street eastwardly to the western right-of-way line of Middle Street.

Pollock Street, on the south side, between Craven Street and East Front Street, except that portion of the street which is otherwise restricted and properly marked.

Pollock Street, on the south side, between Hancock Street and Metcalf Street, except that portion of the street presently designated "No Parking."

Pollock Street, between Hancock Street and Craven Street.

Queen Street, on the north side, between West Street and Darst Avenue.

Queen Street, on the south side, between Broad Street and Princess Street.

Queen Street, on the south side, beginning at a point in the southern curbline of Queen Street which lies 116 feet westwardly of the intersection of the western right-of-way line of Princess Street and the southern right-of-way line of Queen Street, extending westwardly 125 feet.

Queen Street, on the southern side, beginning at the intersection of the southern right-ofway line of Bryan Street, extending westwardly a distance of 216 feet.

Tryon Palace Drive on the north and south sides thereof, from Craven Street to Hancock Street, except that portion of the street which is otherwise restricted and properly marked.

(b) When signs are placed, erected or installed in each block giving notice thereof, no person shall park a vehicle for longer than two hours at any time between the hours of 8:00 a.m. and 4:00 p.m. on any day except Saturday, Sunday and public holidays, upon any of the following streets, and the changing of the position of a vehicle from one point directly to another point, within the same block, shall be deemed one continuous parking period.

<u>Craven Street</u>, on the eastern side, from the southern right-of-way line of South Front Street, extending in a southerly direction 425 feet.

<u>Craven Street</u>, on both sides, from the intersection of Craven Street and South Front Street to Pollock Street.

Craven Street, on the western side, between Pollock Street and Broad Street.

<u>Middle Street</u>, on the western side, from the intersection of Middle Street and South Front Street extending in a southerly direction 550 feet.

<u>Middle Street</u>, on the eastern side, from the intersection of Middle Street and South Front Street extending in a southerly direction 300 feet.

Middle Street, on both sides, from the intersection of Middle Street and South Front Street to Broad Street.

<u>Pollock Street</u>, on both sides, from the intersection of Pollock Street and East Front Street to the terminus of the Neuse River.

Pollock Street, on the southern side, between East Front Street and Craven Street.

Pollock Street, on both sides, between Craven Street and Hancock Street.

South Front Street, on both sides, between East Front Street and Metcalf Street.

State Law reference – G.S. 160A-301.

SECTION 4. That Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting Section 70-229. "Fifteen-minute parking zones." in its entirety and inserting in its stead the following:

"Sec. 70-229. Fifteen-minute parking zones.

When signs are placed, erected, or installed in each block giving notice thereof, no person shall park a vehicle for longer than 15 minutes at any time upon any of the following streets, and the changing of the position of a vehicle from one point directly to another point, within the same block, shall be deemed as one continuous parking period:

Craven Street, on the east side thereof, beginning at a point which lies 34 feet northwardly from the northern curbline of South Front Street, extending northwardly along Craven Street 63 feet.

Hancock Street, on the west side, beginning at a point 109 feet north of the intersection of the north curbline of Broad Street and the west curbline of Hancock Street, north for a distance of 28 feet, between the hours of 9:00 a.m. and 5:00 p.m.

Middle Street, on the east side, beginning at a point 273 feet south of the point of intersection of the southern curbline of Pollock Street with the eastern curbline of Middle Street, and extending southwardly for a distance of 45 feet.

Middle Street, on the west side, beginning at a point 286 feet south of the intersection of the southern curbline of Pollock Street with the western curbline of Middle Street, and extending southwardly for a distance of 40 feet.

National Avenue, on the east side, for a distance of 150 feet in a northerly direction from the intersection of Dunn Street and National Avenue.

Pollock Street, on the south side thereof, beginning at a point 25 feet west of the west curbline of Bern Street extending westwardly 20 feet, between the hours of 9:00 a.m. and 9:00 p.m.

Tryon Palace Drive, on the north side thereof, beginning at a point which lies 138 feet eastwardly from the northeast curbline of Middle Street, extending eastwardly along Tryon Palace Drive 78 feet.

Tryon Palace Drive, on the south side thereof, beginning at a point which lies 117 feet westwardly from the western curbline of East Front Street (U.S. Highway 70 Business), extending westwardly along Tryon Palace Drive 117 feet.

SECTION 5. That Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting Section 70-230. "Loading zones." in its entirety and inserting in its stead the following:

"Sec. 70-230. Loading zones.

- (a) Those streets, or parts of streets, described in subsection (b) of this section shall be reserved as stands for the specific purpose and at the exact location named therein and no automobile or other vehicle shall park therein, except those for which the space or stand has been designated. Those streets or parts of streets reserved as loading zones and described in subsection (b) of this section shall be used only for the purpose of loading and unloading goods, wares, merchandise and commodities on and from motor vehicles unless the type loading zone clearly indicates otherwise; however, no automobile, truck, motorcycle, or other motor vehicle shall be permitted to remain parked in any zone within the city established as a zone for loading and unloading for a longer period of time than 15 minutes from the time the vehicle is first parked in any such loading zone. Provided, however, the loading zones described in subparagraph (b) of this section may be used by motor vehicles as places in which to park for not to exceed two minutes, while loading or discharging passengers.
- (1)—In addition, no bus, taxicab or vehicle for hire shall park on any street in a place other than that which has been designated for such purpose and no bus shall stop or stand on any street except in a designated bus stop.
- (2) The loading zones described in subsection (b) of this section which are located in the central business district, bounded by Broad Street, Craven Street, Tryon Palace Drive, and Hancock Street, may be used for regular two-hour vehicle parking on Saturday of each week with the exception of the following described zones:

Middle Street, on the east side, beginning at a point 170 feet north of the northeast corner of the intersection of Middle Street and Tryon Palace Drive, and extending 50 feet in a northerly direction.

Middle Street, on the west side, beginning at a point 43 feet south of the southwest corner of the intersection of Middle Street and Broad Street, and extending 20 feet in a southerly direction.

(b) The following zones are hereby established:

LOADING ZONES

Carroll Street, on the east side, beginning at a point ten feet north of the northern curbline of Neuse Boulevard extended, extending 70 feet northwardly along Carroll Street.

Cedar Street, on the north side, beginning at a point 165 feet west of the westerly curbline of Lees Avenue and extending westwardly for a distance of 40 feet.

Cedar Street, on the south side, beginning at a point 28 feet east of the eastern curbline of Oak Street extended, and extending 44 feet in an easterly direction: Between the hours of 6:00 a.m. and 5:30 p.m. Monday through Friday.

Colony Drive, on the north side, beginning at a point 85 feet east of the northeasterly curbline of Brunswick Avenue and extending 40 feet eastwardly along Colony Drive.

Colony Drive, on the south side, beginning at a point 85 feet east of the southeasterly curbline of Brunswick Avenue and extending 40 feet eastwardly along Colony Drive.

Craven Street, on the east side, beginning at a point 155 feet north of the northeast corner of the intersection of Craven Street and Tryon Palace Drive, and extending 63 feet in a northerly direction.

Craven Street, on the east side, beginning at a point 125 feet south of the southeast corner of the intersection of Craven Street and Pollock Street, and extending 60 feet in a southerly direction.

Craven Street, North, on the southwest side thereof, beginning at a point 527 feet measured along and with the southwestern curbline of North Craven Street, extended, from its point of intersection with the centerline of the Seaboard Coastline Railroad, running thence along and with the southwestern curbline of North Craven Street northwestwardly a distance of 34 feet.

George Street, on the east side, beginning at a point 206 feet north of the northern right-of-way of Guion Street, extending 30 feet northwardly along George Street.

George Street, on the east side, beginning at a point 25 feet south of the southeastern edge of the paving on Cypress Street and extending for a distance of 40 feet southwardly on George Street.

George Street, on the west side, beginning at a point 25 feet south of the southwestern edge of the paving on Cypress Street and extending for a distance of 40 feet southwardly on George Street.

Middle Street, on the east side, beginning at a point 170 feet north of the northeast corner of the intersection of Middle Street and Tryon Palace Drive, and extending 50 feet in a northerly direction.

Middle Street, on the west side, beginning at a point 170 feet south of the southern right-of-way line of Johnson Street and extending 20 feet southwardly along Middle Street.

Middle Street, on the west side, beginning at a point 43 feet south of the southwest corner of the intersection of Middle Street and Broad Street, and extending 20 feet in a southerly direction.

Middle Street, on the east side beginning at a point 94 feet south of the southeast corner of the intersection of Middle Street and Broad Street, and extending 55 feet in a southerly direction.

Middle Street, on the west side, beginning at a point 86 feet north of the northwest corner of the intersection of Middle Street and Tryon Palace Drive, and extending 48 feet in a northerly direction.

Middle Street, on the west side, beginning at a point 25 feet south of the southwest corner of the intersection of Middle Street and Tryon Palace Drive, and extending 51 feet in a southerly direction.

Middle Street, on the west side, beginning at a point 25 feet south of the southwest corner of the intersection of Pollock Street and Middle Street and extending 44 feet in a southerly direction.

Pollock Street, on the north side, beginning at a point 138 feet east of the northeast corner of the intersection of Pollock Street and Middle Street, and extending 44 feet in an easterly direction.

Pollock Street, on the south side, beginning at a point 155 feet west of the southwest corner of the intersection of Pollock Street and Hancock Street, and extending 93 feet in a westerly direction.

Queen Street, on the southeast side, beginning at a point 42 feet south of the southern curbline of Princess Street and extending southwardly for a distance of 40 feet along Queen Street.

Queen Street, on the southeast side, beginning at a point 179 feet southwest of the southwestern curbline of North Craven Street, extended, and extending southwestwardly along the southeastern right-of-way line of Queen Street for a distance of 40 feet.

Trent Boulevard, on the north side, beginning at a point 317 feet west of the southwest curbline of First Street and extending westwardly for a distance of 40 feet.

Tryon Palace Drive, on the south side, beginning at a point 223 feet west of the intersection of the centerline of the Atlantic and North Carolina Railroad with the southern curbline of Tryon Palace Drive and extending 20 feet in a westerly direction.

LAW ENFORCEMENT LOADING ZONES

Craven Street, on the west side, beginning at point 147 feet north of the northern curbline of Broad Street, extending northwardly for a distance of 81 feet.

Middle Street, on the west side, beginning at a point 85 feet south of the southern curbline of New Street and extending southwardly for a distance of 44 feet.

SCHOOL BUS LOADING ZONES

First Street, on the west side, beginning at a point 25 feet south of the southwest corner of the intersection of First Street and Rhem Avenue, and extending 282 feet in a southerly direction.

Bern Street, on the east side, beginning at a point 75 feet south of the southern right-of-way line of Broad Street, and extending 275 feet in a southerly direction.

Craven Street, on the west side, beginning at the intersection of the southerly curbline of Tryon Palace Drive with the western curbline of Craven Street, and extending southwardly along the line of Craven Street 73 feet.

deGraffenried Avenue, on the west side, beginning at a point 180 feet north of the intersection of the western curbline of deGraffenried Avenue and the northern curbline of Tatum Drive, and extending northwardly for a distance of 51 feet.

George Street, on the west side, beginning at a point 181 feet north of the northern right-of-way line of Broad Street, and extending northerly along the line of George Street 43 feet.

George Street, on the west side, beginning at a point ten feet south of the line of Queen Street, and extending southwardly along the line of George Street 32 feet.

Hancock Street, on the east side, beginning at a point 149 feet north of the curbline of Tryon Palace Drive and extending northwardly along the line of Hancock Street 19 feet.

Liberty Street, on the east side, beginning at a point 273 feet north of the northern curbline of Walt Bellamy Drive, and extending 50 feet in a northerly direction.

Middle Street, on the east side, beginning at a point 104 feet north of the northeast corner of the intersection of Middle Street and New Street, and extending 131 feet in a northerly direction.

Middle Street, on the east side, beginning at a point 165 feet north of the curbline of Tryon Palace Drive and extending northwardly along the line of Middle Street 27 feet.

Queen Street, on the north side, beginning at a point in the northern curbline of Queen Street located 116.5 feet northeast of the centerline of Bern Street, and extending northeastwardly along the curbline of Queen Street 60 feet.

Rhem Avenue, on the south side, beginning at a point 25 feet west of the southwest corner of the intersection of Rhem Avenue and First Street, and extending 295 feet in a westerly direction.

Spencer Avenue, on the north side, beginning at a point 25 feet west of the northwest corner of the intersection of Spencer Avenue and First Street, and extending 170 feet in a westerly direction.

West Street, on the east side, beginning at a point 205 feet south of the southeast corner of the intersection of West Street and Cedar Street, and extending 383.6 feet in a southerly direction to the intersection with the southern property line of the F.R. Danyus Elementary School.

BUS LOADING ZONE

South Front Street, on the south side, beginning at a point 140 feet west of the western line of East Front Street, extending in a westerly direction 120 feet."

SECTION 6. That Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinance of the City of New Bern be and the same is hereby amended by adding Section 70-235. "Penalty for violation of certain provisions." as follows:

"Sec. 70-235. Penalty for violation of certain provisions.

- (a) All offenses set out in Division 1 of Article IV shall be punished as civil offenses pursuant to G.S. 160A-175. Violations shall not be misdemeanors or infractions pursuant to G.S. 14-4.
- (b) Notice to be affixed. Whenever a member of the police department of the city or other person charged by ordinance with the enforcement of the provisions of this chapter regulating the parking of vehicles shall find that any of those provisions are being, or have been, violated by the owner or operator of any vehicle, such officer or person shall notify the owner or operator of the vehicle of the violation by conspicuously attaching to the vehicle a parking violation notice or citation in such form as the Finance Director may direct.
- (c) Parking violation notice; contents. Such parking violation notice or citation shall, among other things, (i) state upon its face the amount of the penalty for the specific violation if the penalty is paid within thirty (30) days from and after the violation; (ii) notify the offender that a failure to pay the penalty within thirty (30) days from the violation shall subject the offender to an additional late penalty in the amount of twenty-five (\$25.00); (iii) notify the offender that a failure to pay the penalty within the prescribed time shall subject the offender to a civil action in the nature of debt for the stated penalty plus an additional penalty in the amount of ninety-five dollars (\$95.00), together with the cost of the action to be taxed by the court; (iv) further provide that the offender may answer the city parking citation by mailing or delivering the citation and the stated penalty to the address specified on the citation, and that upon payment, the case or claim and right

of action by the city will be deemed compromised and settled; (v) that the penalty must be either paid or the failure to pay must be cleared within thirty (30) days of the issuance of the citation. The notice shall further state that if the parking violation citation is not cleared within thirty (30) days, court action by the filing of a civil complaint for collection of the penalty may be taken. As used upon the parking violation citation, the word "cleared" shall mean either (i) payment, (ii) arrangement for payment to be made, or (iii) a prima facie showing that the parking citation was received as a result of mistake, inadvertence or excusable neglect by the person issuing the citation as determined by the administrative appeal process established in subsection (d).

(d) Settlement of claim. The chief of police or their designee is authorized to accept payments in full and final settlement of the claim or claims, right or rights of action which the city may have to enforce such penalty by civil action in the nature of debt. Acceptance of a penalty shall be deemed a full and final release of any and all claims, or right of action arising out of contended violations. The chief of police is further authorized: (i) to establish a procedure to allow persons who receive citations for violations of city parking regulations to file administrative appeals; and (2) to set deadlines for the filing of such appeals. Any such procedure shall allow a minimum of twenty (20) days to file an appeal from the date of the parking citation.

(e) Penalties.

- (a1) Any person who shall violate or allow or permit anyone to violate any of the provisions of this division and sections 70-211, 70-213, 70-214, 70-217, 70-225, 70-226, 70-227, 70-228, and 70-229 shall pay a civil penalty of \$5.00 \$25.00.
- ($b\underline{2}$) Any person who shall violate or allow or permit anyone to violate any of the provisions of section 70-232 shall pay a civil penalty of \$50.00.
- (f) Additional penalties. Any civil penalty for a violation that is not paid within thirty (30) days shall accrue an additional penalty of \$25.00 for a total civil penalty of \$50.00.
- (c) Any person who shall fail or refuse to pay the civil penalties prescribed in this section within 24 hours from the time of the issuance of a notice of such a violation by affixing the notice to the vehicle unlawfully parked shall be liable to the city for subject civil penalty to be collected by suit in the general court of justice.
- (d) A notice issued and attached to a vehicle shall be returned to the city, together with the civil penalty herein prescribed."

SECTION 7. That Article VI. "Stopping, Standing and Parking" of Chapter 70 "Traffic and Vehicles" of the Code of Ordinance of the City of New Bern be and the same is hereby amended by deleting "Division 2. Parking Meters" in its entirety, and renumbering subsequent divisions accordingly.

DIVISION 2. - PARKING METERS

Sec. 70-246. - Duties of the city manager.

The city manager shall provide for the installation of parking meters and shall cause the parking spaces on each street within parking meter zones to be marked and shall cause the meters to be kept and maintained in good working condition.

Sec. 70-247. - Installation of meters.

A parking meter shall be installed on the curb adjacent to each space marked for the parking of a vehicle within all parking meter zones. Each meter shall have a signal or other device which will clearly indicate when the meter is not being kept activated and in operation by a deposit within it of the required coin or coins, and to indicate such violations.

Sec. 70-248. - Contracts for purchase and installation of meters.

The city shall have the authority to enter into a contract for the installation of parking meters and to provide payment therefor exclusively from the receipts obtained by the city from their operation and that the means of payment shall be in addition to any other purchasing powers heretofore granted the city by its Charter, or by the laws of the state.

Sec. 70-249. - Manner of parking in spaces; operation of meter.

When any vehicle shall be parked next to a parking meter, the owner or operator of the vehicle shall park within the area designated by the curb or street marking lines as indicated for parallel or diagonal parking, and upon entering such parking space shall immediately deposit in such meter one coin of the United States, as indicated by the instructions on the meter. It shall be unlawful for any person to fail to park within a designated area, or to fail or neglect to deposit the proper coin. The parking space may then be used by such vehicle during the legal parking limit provided by this division, and the vehicle shall be considered as unlawfully parked if it remains in the space beyond the legal parking limit, and when the parking meter displays a signal showing illegal parking. It shall be unlawful for any person to cause or permit any vehicle registered in his name to be unlawfully parked as set out in this section.

Sec. 70-250. - Purchase of parking time in twelve-minute parking meter zones.

It shall be lawful for any vehicle to be parked in a parking space provided for one vehicle within a 12 minute parking meter zone established pursuant to this division, provided there shall be deposited in the meter to activate it a \$0.01 coin of the United States of America for the 12-minute period. It shall be unlawful for any vehicle to be parked within any such one space provided for a vehicle in a 12-minute zone unless the meter so controlling the space shall be kept at all times activated by depositing therein a coin.

Sec. 70-251. Twelve minute parking meter zones established.

The following described areas are hereby designated and established as 12 minute parking meter zones during the times designated for one to two hours parking meter zones: *Craven Street*, on the west side, for a distance of 150 feet in a northerly direction from the intersection of Pollock Street and Craven Street.

Sec. 70-252. - Deposit of slugs.

It shall be unlawful to deposit or cause to be deposited in any parking meter, any slug, device or a metallic substitute for a coin of the United States.

Sec. 70-253. - Unlawful parking.

It shall be unlawful for any vehicle to remain parked in any parking meter zone for a period of time in excess of the period of time permitted in the zone. It shall also be unlawful to permit any vehicle to remain in any parking space within a parking meter zone unless, during all times while the same remains parked therein, the parking meter controlling the parking space shall be kept activated and in operation by keeping deposited therein the coin or coins required to keep the meter in operation.

Sec. 70-254. - Tampering with meters.

It shall be unlawful for any person to tamper with, open, wilfully break or destroy any parking meter.

Sec. 70-255. - Enforcement.

It shall be the duty of traffic officers so instructed to take the parking meter number, and the state vehicle tag number of all persons violating the provisions of this division and make a complaint therefor in the appropriate court.

Sec. 70-256. - Disposition of revenue.

The fees required to be deposited in parking meters by this division are hereby levied as police regulation and inspection fees to cover the cost of providing parking spaces, parking meters, and the installation and maintenance thereof; the cost of regulation and inspection, operation, control and use of the parking meter spaces and zones created in this division; for the regulation and control of traffic moving in and out of, and parking, in the parking spaces and zones so created; and for the cost of any resultant traffic administration expense.

Sec. 70-257. - Penalty for violation of certain provisions.

- (a) Any person who shall violate or allow or permit anyone to violate any of the provisions of this division and sections 70-211, 70-213, 70-214, 70-217, 70-227, 70-228, and 70-229 shall pay a civil penalty of \$5.00.
- (b) Any person who shall violate or allow or permit anyone to violate any of the provisions of section 70-232 shall pay a civil penalty of \$50.00.
- (c) Any person who shall fail or refuse to pay the civil penalties prescribed in this section within 24 hours from the time of the issuance of a notice of such a violation by affixing the notice to the vehicle unlawfully parked shall be liable to the city for subject civil penalty to be collected by suit in the general court of justice.

(d) A notice issued and attached to a vehicle shall be returned to the city, together with the civil penalty herein prescribed.

SECTION 8. This ordinance shall be effective from and after the date of its adoption.

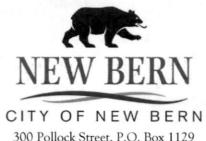
ADOPTED THIS 27th DAY OF FEBRUARY, 2018.

DANA E. OUTLAW, MAYOR

BRENDA E. BLANCO, CITY CLERK

Aldermen

Sabrina Bengel Jameesha Harris Robert V. Aster Johnnie Ray Kinsey Barbara J. Best Jeffrey T. Odham



300 Pollock Street, P.O. Box 1129 New Bern, NC 28563-1129 (252) 636-4000 Dana E. Outlaw Mayor

Mark A. Stephens City Manager

Memorandum

TO:

Alderman Barbara Best

FROM:

Brenda Blanco, City Clerk BEB

DATE:

February 2, 2018

SUBJECT:

Appointment to New Bern Appearance Commission

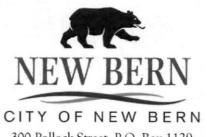
The number of members on the Appearance Commission was recently increased from five to seven. One of these positions has now been filled. Appointments are made on a rotating basis between the Aldermen and Mayor, and it is your turn to make the next appointment.

For your reference, the Ordinance provides appointees shall be residents of the City's planning and zoning jurisdiction and shall, when possible, have had special training or experience in a design field such as architecture, landscape design, horticulture, city planning, or a closely-related field. Members of the Appearance Commission serve a three-year term. The commission currently holds its meetings at 6 p.m. on the second Thursday of each month at Parks and Recreation's administrative offices.

/beb

Aldermen

Sabrina Bengel Jameesha Harris Robert V. Aster Johnnie Ray Kinsey Barbara J. Best Jeffrey T. Odham



300 Pollock Street, P.O. Box 1129 New Bern, NC 28563-1129 (252) 636-4000 Dana E. Outlaw Mayor

Mark A. Stephens City Manager

Memorandum

TO:

Alderman Jeffrey Odham

FROM:

Brenda Blanco, City Clerk

DATE:

February 2, 2018

SUBJECT:

Appointment to New Bern Appearance Commission

Peggy Broadway's term on the Appearance Commission will expire March 1, 2018. Appointments are made on a rotating basis between the Aldermen and Mayor, and it is your turn to fill this seat.

For your reference, the Ordinance provides appointees shall be residents of the City's planning and zoning jurisdiction and shall, when possible, have had special training or experience in a design field such as architecture, landscape design, horticulture, city planning, or a closely-related field. Members of the Appearance Commission serve a three-year term. The commission currently holds its meetings at 6 p.m. on the second Thursday of each month at Parks and Recreation's administrative offices.

/beb

Aldermen

Sabrina Bengel Jameesha Harris Robert V. Aster Johnnie Ray Kinsey Barbara J. Best Jeffrey T. Odham



300 Pollock Street, P.O. Box 1129 New Bern, NC 28563-1129 (252) 636-4000 Dana E. Outlaw Mayor

Mark A. Stephens City Manager

Memorandum

TO:

Mayor and Board of Aldermen

FROM:

Brenda Blanco, City Clerk

DATE:

February 2, 2018

SUBJECT:

Appointment to Highway 17 Association

The Board is asked to appoint a representative to the Highway 17 Association. While Bernard White previously represented the City in this capacity, appointees are not restricted to elected officials and can be a member of the local government's management team or staff. Meetings are held quarterly, usually on the fourth Wednesday of the month from 10 a.m. to 12 noon, followed by lunch. The meeting location rotates within the Hwy. 17 corridor area. The next two meetings are scheduled for April 18th and June 27th.

/beb