



Town of Mount Gilead

Board of Commissioners Regular Meeting Minutes December 2, 2025

The Mount Gilead Board of Commissioners met in regular session on **Tuesday, December 2, 2025, at 7:00 p.m.** at the **Mount Gilead Fire Department**, 106 East Allenton Street, Mount Gilead, North Carolina.

Present: Mayor Sheldon P. Morley; Mayor Pro-Tem Tim McAuley; Commissioners Paula Covington, Mary Lucas, and Vera Richardson.

Staff Present: Town Manager Barrett Brown; Police Chief Talmadge LeGrand; Public Works Director James “Wahoo” McCormick; Fire Chief Keith Byrd; Lessie D. Jackson, Town Clerk.

The mayor called the meeting to order at **7:00 p.m.**, followed by a moment of silence and the Pledge of Allegiance.

Consent Agenda

Items included adoption of the agenda; approval of the **November 3, 2025** regular meeting minutes; staff reports; and the Parks & Recreation report.

Motion: Richardson; **Second:** Covington; **Vote:** Approved.

(Amendments included introduction of Police Officer **Joseph Lawing** and inclusion of two budget amendments.)

Public Comment

The Board received public comments from **Steve Brown** and **Jones Almond**. Written comments were submitted by **Melanie St. Germain** and **Chip Miller**. No action was taken.

New Business

- **Hope for the Homeless Montgomery:** Presentation by Judith Chappell regarding homelessness in Montgomery County. No action taken.

- **Budget Amendment BA-2025-04 (Insurance):**
Motion: Richardson; **Second:** Lucas; **Vote:** Approved.
 - **Budget Amendment BA-2025-05 (Bank Building):**
Motion: McAuley; **Second:** Covington; **Vote:** Approved.
 - **Stanback Park Project:**
Motion: Lucas to rescind the project; **Second:** McAuley;
Vote: Failed 3–2 (Lucas, McAuley in favor; Richardson, Covington, Morley opposed).
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Reports and Actions

The Town Manager reported on ongoing town projects.

Motion: Accept historic theater photograph (Richardson / McAuley) — Approved.

Motion: Establish **Centenarian Recognition Program** (Covington / McAuley) — Approved.

Motion: Extend auditors’ contract through **February 2026** (McAuley / Richardson) — Approved.

Mayor and Board Reports

Brief reports were given by the mayor and members of the Board.

Adjournment

Motion: McAuley; **Second:** Richardson; **Vote:** Approved.

The meeting adjourned at **8:30 p.m.**

Approved this _____ day of _____, 2026.

Sheldon P. Morley, Mayor

Lessie D. Jackson, Town Clerk



TOWN OF MOUNT GILEAD WWTP

Clarifier #1 had to be drained to retrieve a broken skimmer blade. We were back online in 2 ½ days. This took place on Dec 1-3.

Toxicity test were performed this month. Waiting on results.

Low level mercury test were performed this month. Waiting on results.

LKC is in progress to repair lights, Mission Control unit for blowers and valve control box for step screen press.

Quote has been sent to LeeAnn for approval for a new motor for grit chamber. This is a high priority issue.

Everything else is normal.



TOWN OF MOUNT GILEAD Public Works

December

Public Works Department

1. **Daily trash pickup at park and cleanup as needed.**
2. **Daily Inmate pickup.**
3. **Daily work orders.**
4. **Daily Accountability report.**
5. **Weekly Lift station checks.**
6. **Weekly Park clean up.**
7. **Weekly time sheets.**
8. **Weekly Truck and Equipment checks.**
9. **Monthly meter reading.**
10. **Monthly cutoffs.**
11. **Monthly Master meter reading.**
12. **Monthly water report on samples to DEQ.**
13. **Monthly water report on water usage to DEQ.**
14. **Monthly set up and cleaned for Board meeting.**
15. **Picked up lime and delivered it to sewer plant**
16. **Cleaned storm drains X-5**
17. **Cleaned out sewer on 311 Cedar St.**
18. **Picked up leaves (8 rounds)**
19. **Cleaned leaves off streets (S. School, Loblolly, E. Haywood, Cedar, Watkins, Clenton, Blackwell, Short, Stanback, W. Haywood, Park AVE, E. Ingram, E. Second, Post Office and N. School)**
20. **Closed Park for winter**
21. **Got ready for Christmas Parade**
22. **Replaced pump #1 at Lift station #1**
23. **Cleaned ditches at E. Haywood, N. School, Watkins, Park Ave, Lift station # 1 and Blackwell.**
24. **Cleaned Sewer line at 200 Clenton**
25. **Cleaned sewer main line in Twin Harbor**

26. **Put new locks on park restrooms**
27. **Put new restroom doorknobs at Redevelopment Corp.**



Town of
**MOUNT GILEAD POLICE
DEPARTMENT**

**123 North MainStreet - Post Office Box 325
Mount Gilead, North Carolina, 27306
Phone: (910) 439-6711 Fax: (910) 439-1855**

MEMORANDUM

**To: Barret Brown
Town Manager**

**From: Talmedge LeGrand
Chief of Police**

Date: December, 2025

Subject: Mount Gilead Police Department Monthly Report for December 2025

This month at the Mount Gilead Police Department, everyone has completed all of their yearly in-service training.

The department walked with students from Mount Gilead Elementary School to the book store to get books that First United Methodist Church purchased for them. Officers from the department were able to attend a Christmas program, where students were able to perform. They did an awesome job!

We enjoyed the 5k run put on by the Gilmont Service Club. Later that day we had a good time at the Christmas Parade, although it was a cold one.

I would like to say thank you to everyone who donated to the Shop With A Cop program this year. This year we were able to take fourteen students shopping. Again I say thank you!

Administration and Patrol

- The School Resource Officer continues to greet students at MGES and provide a positive environment.
- Officers attended the scheduled grand jury session.
- Officers are continuing to check business doors each night.
- Officers conducted various traffic stops.
- Officers continue to take annual in-service training.
- Ranking officers continue to fill in shifts for officers as needed shift schedule (sickness, training, vacancy etc.).
- Entered IBR (monthly crime report) into the state database for crime statistics.
- Continued entry of SBI Traffic Stop Reports.
- Routinely reviewed body camera videos.
- Continued escorts for businesses as they close at night.
- Department vehicles serviced with oil changes and tire rotations.

Montgomery County Communications
199 South Liberty St Troy , NC 27371

CFS Report - By Dept/Date With Notes
 MT GILEAD POLICE DEPT
 12/01/2025 - 12/28/2025

CFS #	Date/Time	Location	Call Type	Disposition
202529101	12/01/2025 07:33:39	202 E SECOND AVE, MT GILEAD	ALARM (NOT FIRE) RESIDENTIAL	CLEAR-10-24
Units 705		OCA(s)		
Notes RICHARDSON RESD...9104392066...SIDE DOOR...AUD..ATTEMPTING KEY HOLDER...OP 7105				
202529132	12/01/2025 14:27:34	BURGER SHACK 100 S WADESBORO BLVD, MT GILEAD	INTOXICATED SUBJECT(s)	CLEAR-10-24
Units 704, 705		OCA(s)		
Notes RI K M WEARING HEAVY COAT AND ORANGE RATKINSON 12/01/2025 14:28:32 E,F,L,R,O SAME WILL BE LAYING ON A BENCH OUTSIDE RATKINSON 12/01/2025 14:28:49 E,F,L,R,O SAME HAS BEEN ASKED TO LEAVE MULTIPLE TIMES RATKINSON 12/01/2025 14:31:48 E,F,L,R,O ADV NO CHECKS NEEDED				
202529156	12/01/2025 18:49:04	COUNTY LINE-STANLY COUNTY 731W 4583 NC HWY 731 W, MT GILEAD	TRANSPORTATION PI	CLEAR-10-24
Units 703		OCA(s)		
Notes inhone crash det trans from stanlv no voice contact iust hear cars going by JWHITAKER 12/01/2025 18:50:47 E Age unknown, Gender unknown, Consciousness unknown, Breathing status unknown. Unknown number of patients involved. JWHITAKER 12/01/2025 18:51:15 E Age unknown, Gender unknown, Consciousness unknown, Breathing status unknown. Unknown number of patients involved. Chief Complaint: Traffic Collision / Transportation Incident Dispatch Level: 29B05 Suffix: X Response: Bravo CADCode: 29B05X JWHITAKER 12/01/2025 18:51:42 E Age unknown, Gender unknown, Consciousness unknown, Breathing status unknown. Unknown number of patients involved. JWHITAKER 12/01/2025 19:03:37 E,F,L,R,O c21 adv found cell phone on side of rdwy JWHITAKER 12/01/2025 19:12:24 E,F,L,R,O c21 req to have mg ofc 25 with him at st2				
202529203	12/02/2025 14:21:21	S WADESBORO BLVD \ N MAIN ST	ASSIST MOTORIST	CLEAR-10-24
Units 705		OCA(s)		
Notes ESLAGLE 12/02/2025 14:23:54 E,F,L,R,O 705 ADV 18 WHEELER HAS SLID OFF RDWY...PREV CALL FOR SAME WAS TRANSERED TO SHP...SHP WAS NOTIFIED THEY COULD 10-22				
202529240	12/02/2025 18:33:04	FOOD KING MT GILEAD 112 S MAIN ST, MT GILEAD	ASSIST MOTORIST	CLEAR-10-24
Units 703		OCA(s)		
Notes flat tire BSALAZAR 12/02/2025 18:39:36 E,F,L,R,O CLEAR-10-24 - 703 ADV VEHICLE WILL BE LEFT OVERNIGHT.				

CFS #	Date/Time	Location	Call Type	Disposition
202529242	12/02/2025 18:39:00	122 HOFFMAN DR, MT GILEAD	TRESPASSING	BUILDING SECURE
Units	703		OCA(s)	
Notes	RI K M SIURI WAI KING AROI IND THE PROPERTY SAME CAN BE SEEN FROM THEIR SECURITY CAMERAS SIURI HAS WAI KED INTO BSALAZAR 12/02/2025 18:46:30 E,F,L,R,O PROVIDED 703 WITH CALLER'S PUBLIC SERVICE INFORMATION			
202529258	12/02/2025 23:49:13	431 THOMASVILLE CHURCH RD, MT GILEAD	B-E	UNABLE TO LOCATE-CONTACT-AREA CHECKED
Units	703		OCA(s)	
Notes	iust attempted b-e. clr has 14 cameras and did catch same on camera. adv blk male drv hoodie. same is leaving the property now. unk dot SSIMPSON 12/03/2025 00:20:08 E,F,L,R,O 114 req 703 detained the lavoide tyson subj, adv it is going to be suspect BSALAZAR 12/03/2025 00:35:59 E,F,L,R,O 703 ADV HE IS UNABLE TO LOCATE SUBJ			
202529273	12/03/2025 06:16:00	C'S - FOOD CENTER 101 JULIUS CHAMBERS AVE, MT GILEAD	WANTED PERSON	CLEAR-10-24
Units	706		OCA(s) 12-25-131	
Notes	TAWING 12/03/2025 06:16:13 E,F,L,R,O LAVOIDE DANIEL TYSON 03/02/1986 25078510 NC 25CR477802-610 North Carolina Warrant for Arrest MONTGOMERY ATTEMPT BREAK/ENTER MOTOR VEH LAVOID DANEIL TYSON LAVOIDE DANIEL TYSON LAVORD DANIEL TYSON LEVOIDE DANIEL TYSON LEVORD DANIEL TYSON Unserved			
202529347	12/04/2025 07:51:26	PRIDE PLUMBING 205 N MAIN ST, MT GILEAD	ALARM (NOT FIRE) COMMERCIAL	CLEAR-10-24
Units	706		OCA(s)	
Notes	entry exit kh jim shark 910-975-1470			
202529352	12/04/2025 09:11:28	103 BRAXTON ST, MT GILEAD	INFORMATION	CLEAR-10-24
Units	706		OCA(s)	
Notes	abuse referral			
202529377	12/04/2025 16:34:39	103 W HAYWOOD LN, MT GILEAD	ASSAULT (NO INJURIES)	REPORT TAKEN
Units	704, 706		OCA(s) 12-25-132	
Notes				
202529381	12/04/2025 17:27:45	103 W HAYWOOD LN, MT GILEAD	FOLLOWUP INVESTIGATION	CLEAR-10-24
Units	706		OCA(s)	
Notes				
202529400	12/04/2025 21:09:32	R&R SMOKE & VAPE 211 N MAIN ST, MT GILEAD	ALARM (NOT FIRE) COMMERCIAL	CLEAR-10-24
Units	702		OCA(s)	
Notes	INTERIOR BURGLAR ALARM - MOTION BSALAZAR 12/04/2025 21:09:32 E,F,L,R,O KEY HOLDER SAMMY 910.585.1952			

CFS #	Date/Time	Location	Call Type	Disposition
202529433	12/05/2025 09:05:58	103 W HAYWOOD LN, MT GILEAD	FOLLOWUP INVESTIGATION	CLEAR-10-24
Units	704		OCA(s)	
Notes	ESLAGLE 12/05/2025 09:08:43 E,F,L,R,O 704 ADV NO CHECKS NEEDED			
202529446	12/05/2025 11:53:19	103 W HAYWOOD LN, MT GILEAD	FOLLOWUP INVESTIGATION	CLEAR-10-24
Units	704, 705		OCA(s)	
Notes	ESLAGLE 12/05/2025 11:57:23 E,F,L,R,O 704 ADV NO CHECKS NEEDED			
202529517	12/06/2025 07:24:41	MT GILEAD MUSEUM 202 W ALLENTON ST, MT GILEAD	ALARM (NOT FIRE) COMMERCIAL	CLEAR-10-24
Units	705		OCA(s)	
Notes	MOUNT GILEAD MUSEUM 9104391864 FRONT DOOR ALARM ZONE 1 ALID 7111 RCOLLINS 12/06/2025 07:36:55 E,F,L,R,O SEC CENTRAL UNABLE TO REACH KH AT THIS LOCATION LEFT MESSAGE. REF#1101690 OP 7347 RCOLLINS 12/06/2025 07:38:06 E,F,L,R,O ALARM CO UPDATED ON AUBLE ALARM. 705 ADV ALL DOORS AND WINDOWS SECURE RCOLLINS 12/06/2025 07:39:51 E,F,L,R,O CLEAR-10-24 - SEE NOTES			
202529565	12/06/2025 21:56:18	120 WILLIAMS ST, MT GILEAD	CARELESS & RECKLESS	CLEAR-10-24
Units	703		OCA(s)	
Notes	WHITE CAR C&R DRIVING ALL OVER THE ROAD UP AND DOWN THE STREET NOW SITTING IN A DRIVEWAY			
202529573	12/06/2025 23:18:58	535 PARKERTOWN RD, MT GILEAD	NOISE VIOLATION	UNABLE TO LOCATE-CONTACT-AREA CHECKED
Units	703		OCA(s)	
Notes	loud noise coming from this residence, req it checked			
202529609	12/07/2025 13:44:19	451 NORTHVIEW RD, MT GILEAD	ASSAULT (NO INJURIES)	WARRANTS ADVISED
Units	705		OCA(s)	
Notes	CALLER ADV SHE WAS ASSAULTED. NO FURTHER INFORMATION			
202529613	12/07/2025 14:29:06	400 E INGRAM ST, MT GILEAD	ALARM (NOT FIRE) RESIDENTIAL	CLEAR-10-24
Units	705		OCA(s)	
Notes	BURGLAR ALARM - ZONE 0 BSALAZAR 12/07/2025 14:29:06 E,F,L,R,O PHIL AND BILLY BRUTON RESIDENCE. BSALAZAR 12/07/2025 14:29:07 E,F,L,R,O PHIL AND BILLY BRUTON RESIDENCE. BSALAZAR 12/07/2025 14:29:17 E,F,L,R,O KEY HOLDER BILLY BRUTON 910.572.8573			
202529616	12/07/2025 14:44:57	N MAIN ST \ PLEASANT VALLEY RD	TRAFFIC STOP	VERBAL WARNING
Units	705		OCA(s)	
Notes				
202529617	12/07/2025 15:10:27	E ALLENTON ST \ MYRTLEWOOD DR	TRAFFIC STOP	CLEAR-10-24
Units	705		OCA(s)	

CFS #	Date/Time	Location	Call Type	Disposition
Notes GOLD LEXUS				
202529698	12/08/2025 15:53:51	451 NORTHVIEW RD, MT GILEAD	ASSAULT (NO INJURIES)	CLEAR-10-24
Units	706	OCA(s)		
Notes sister assaulted her and she needs a magistrate				
202529713	12/08/2025 19:52:25	103 E HAYWOOD LN, MT GILEAD	ESCORT	CANCELED-10-22
Units	702	OCA(s)		
Notes needs an escort to residence has a case she needs to initiate adv she is trying to get in contact with mom but the mom is not answering her SSIMPSON 12/08/2025 19:53:36 E,F,L,R,O sent clr name/number to 702 via p/s JWHITAKER 12/08/2025 19:56:20 E,F,L,R,O caller called back and adv she made contact everything is 10-4, adv leo can 10-22				
202529719	12/08/2025 21:36:28	FIRST UNITED METHODIST CHURCH MT. GILEAD 106 N MAIN ST, MT GILEAD	SUSPICIOUS PERSON/VEH/ACTIVITY	CLEAR-10-24
Units	702	OCA(s)		
Notes				
202529747	12/09/2025 12:16:19	403 W ALLENTON ST, MT GILEAD	WELFARE CHECK	CLEAR-10-24
Units	706	OCA(s)		
Notes 100year old f no veh key on carport side rear facing the carport large rock near outbuilding key under rock				
202529755	12/09/2025 14:37:44	WESTVIEW APTS 427 W ALLENTON ST, MT GILEAD	LARCENY	CLEAR-10-24
Units	706	OCA(s)		
Notes adv its 435 w allenton st stolen tag				
202529795	12/09/2025 23:30:20	102 W SECOND AVE, MT GILEAD	SUSPICIOUS PERSON/VEH/ACTIVITY	CLEAR-10-24
Units	702	OCA(s)		
Notes someone digging in her back door, wants leo to check the area				
202529797	12/10/2025 00:27:30	102 W SECOND AVE, MT GILEAD	SUSPICIOUS PERSON/VEH/ACTIVITY	CLEAR-10-24
Units	702	OCA(s)		
Notes messing with her back screen door, wants to spk to ofc				
202529832	12/10/2025 13:35:04	N MAIN ST \ WASHINGTON PARK RD	TRAFFIC ACCIDENTS (PD)	REPORT TAKEN
Units	704, 705	OCA(s) 12-25-133		
Notes 10-50 INTO TREE NO INJURIES RATKINSON 12/10/2025 13:36:46 E,F,L,R,O DRIVER ADV NO INJURIES.. AND SUBJ OUT OF VEH				
202529848	12/10/2025 16:59:27	451 NORTHVIEW RD, MT GILEAD	WELFARE CHECK	CLEAR-10-24
Units	704, 705	OCA(s)		
Notes DISCONNECTED ATT CR NO ANSWER RFO WFI FARE CHECK RATKINSON 12/10/2025 17:06:31 E,F,L,R,O 705 REQ EMS				
202529868	12/10/2025 21:49:08	ALL TRUSS 409 N MAIN ST, MT GILEAD	TRAFFIC ACCIDENTS (PD)	REPORT TAKEN
Units	703	OCA(s) 12-25-134		
Notes 10-50 w/ deer, no inj silver honda accord				
202529890	12/11/2025 06:55:14	109 S SCHOOL ST, MT GILEAD	DOMESTIC	UNABLE TO LOCATE-CONTACT-AREA

CFS #	Date/Time	Location	Call Type	Disposition
				CHECKED
Units 705			OCA(s)	
Notes	FEMALE ARGUING WITH A MALE IN THE BACKGROUND ESLAGLE 12/11/2025 06:56:02 E,F,L,R,O CALL CAME FROM 472-239-9004 RATKINSON 12/11/2025 07:00:21 E,F,L,R,O ADDTL CALL REF TO ARGUMENT WITH GARCIA THOMAS.. RATKINSON 12/11/2025 07:02:09 E,F,L,R,O ATT CALLER BACK TO STEP OUT.. WENT TO VM			
202529893	12/11/2025 07:15:29	105 S SCHOOL ST, MT GILEAD	DOMESTIC	CLEAR-10-24
Units 705			OCA(s)	
Notes	BESIDE BI W ACROSS FROM THE SCHOOL RATKINSON 12/11/2025 07:43:52 E,F,L,R,O SAME WAS BESIDE THE VFW			
202529941	12/11/2025 21:07:32	103 CIRCLE DR, MT GILEAD	911 HANG UP	CLEAR-10-24
Units 703			OCA(s)	
Notes	CHILD ON THE PHONE OPEN LINE UNABLE TO MAKE CONTACT WITH CHILD OR ANY ADULT SSIMPSON 12/11/2025 21:09:35 E,F,L,R,O PHONE DISCONNECTED. TRIED CALLING BACK AND IS GOING TO VM			
202529960	12/12/2025 02:09:56	111 S SCHOOL ST, MT GILEAD	SUSPICIOUS PERSON/VEH/ACTIVITY	CLEAR-10-24
Units 703			OCA(s)	
Notes	SOUNDS LIKE SOMEONE BEATING ON THE HOUSE OR WINDOWS SSIMPSON 12/12/2025 02:11:51 E,F,L,R,O REQ TO SPEAK TO LEO AFTER SAME CHECKS THE AREA			
202530009	12/12/2025 14:54:08	2400 CAROLINA AVE, MT GILEAD	ALARM (NOT FIRE) RESIDENTIAL	CANCELED-10-22
Units 706			OCA(s)	
Notes	front door			
202530026	12/12/2025 18:13:03	111 S SCHOOL ST, MT GILEAD	INFORMATION	MESSAGE DELIVERED
Units 702			OCA(s)	
Notes	heard something outside his house around 2am and now he's scared, req extra patrol tonight			
202530069	12/13/2025 10:50:16	MT GILEAD PD 123 N MAIN ST, MT GILEAD	INFORMATION	MESSAGE DELIVERED
Units 706			OCA(s)	
Notes	WANTS TO SPEAK TO OFFICER ABOUT NEIGHBOR BURNING, SUBJ ENROUTE TO PD			
202530113	12/13/2025 21:26:02	522 PARKERTOWN RD, MT GILEAD	ATTEMPT TO LOCATE	CLEAR-10-24
Units 702			OCA(s)	
Notes	CRAIG WOODARD LAST SEEN ABOUT 30 MINS AGO WALKED OUTSIDE LINK WHERE HE WENT SON SLATHAM 12/13/2025 21:31:53 E,F,L,R,O CLEAR-10-24 - CALLER CALLED BACK AND ADV SUBJ HAS BEEN LOCATED			
202530181	12/14/2025 19:51:14	ABC MT GILEAD 202 JULIUS CHAMBERS AVE, MT GILEAD	ALARM (NOT FIRE) COMMERCIAL	BUILDING SECURE
Units 702			OCA(s)	
Notes	ALARM FALARM JWHITAKER 12/14/2025 19:52:26 E,F,L,R,O sc-7084 adv perimeter windows, attempting			

CFS #	Date/Time	Location	Call Type	Disposition
202530192	12/14/2025 22:20:34	ABC MT GILEAD 202 JULIUS CHAMBERS AVE, MT GILEAD	ALARM (NOT FIRE) COMMERCIAL	BUILDING SECURE
Units 702			OCA(s)	
Notes	ALARM AT ARM BSALAZAR 12/14/2025 22:21:55 E,F,L,R,O SECURITY CENTRAL CALLED AND ADV SAME BSALAZAR 12/14/2025 22:22:11 E,F,L,R,O ALARM COMPANY ADV THEY WILL ATTEMPT TO MAKE CONTACT WITH KEY HOLDER AND REQ THEM TO RESPOND BSALAZAR 12/14/2025 22:25:56 E,F,L,R,O BUILDING SECURE - ALARM HAS RESET			
202530196	12/14/2025 23:51:34	ABC MT GILEAD 202 JULIUS CHAMBERS AVE, MT GILEAD	ALARM (NOT FIRE) COMMERCIAL	CLEAR-10-24
Units 702			OCA(s)	
Notes	audible going off 702 adv everything secure and 10-4 JWHITAKER 12/14/2025 23:54:20 E,F,L,R,O sc-7091 perimeter window, audible...adv her to have a kh respond if able to reach one			
202530211	12/15/2025 06:46:54	BASE 2 206 W ALLENTON ST, MT GILEAD	ASSIST MOTORIST	CLEAR-10-24
Units 703			OCA(s)	
Notes	AT THE 4 WAY VAN WITH ITS 4 WAYS FLASHERS ESLAGLE 12/15/2025 06:52:30 E,F,L,R,O CLEAR-10-24 - VEH MOVED			
202530212	12/15/2025 07:20:32	BURGER SHACK 100 S WADESBORO BLVD, MT GILEAD	CARELESS & RECKLESS	CLEAR-10-24
Units 703			OCA(s)	
Notes	WHT FORD TRK ON THE CAMPER F HAYWOOD ESLAGLE 12/15/2025 07:20:32 E,F,L,R,O PASSING PRIDE PLUMBING			
202530270	12/15/2025 18:35:53	MT GILEAD PD 123 N MAIN ST, MT GILEAD	CARELESS & RECKLESS	UNABLE TO LOCATE-CONTACT-AREA CHECKED
Units 705			OCA(s)	
Notes	DARK GRN HONDA C&R DRIVER			
202530280	12/15/2025 20:30:33	MT GILEAD MARKET 112 S MAIN ST, MT GILEAD	ASSIST MOTORIST	CLEAR-10-24
Units 705			OCA(s)	
Notes	SIGNAL 2, BLUISH/GREY HONDA			
202530324	12/16/2025 11:05:58	NC HWY 109 S \ MASKE RD	CARELESS & RECKLESS	UNABLE TO LOCATE-CONTACT-AREA CHECKED
Units 704			OCA(s)	
Notes	LOGGING TRUCK COMING INTO MT GILEAD ESLAGLE 12/16/2025 11:06:12 E,F,L,R,O PASSING W HAYWOOD ESLAGLE 12/16/2025 11:07:13 E,F,L,R,O PASSING W INGRAM ST; ALMOST RAN ANOTHER VEH OFF THE RDWAY ESLAGLE 12/16/2025 11:07:18 E,F,L,R,O DOLLAR GENERAL ESLAGLE 12/16/2025 11:07:51 E,F,L,R,O WENT STRAIGHT AT THE STOPLIGHT ESLAGLE 12/16/2025 11:08:46 E,F,L,R,O			

CFS #	Date/Time	Location	Call Type	Disposition
THE CARELESS AND RECKLESS DRIVER IS THE BLUE CAB				
202530334	12/16/2025 13:59:52	PARKERTOWN RD \ WASHINGTON PARK RD	ROAD HAZARD	CLEAR-10-24
Units	704	OCA(s)		
Notes	VEH IN RDWY			
202530355	12/16/2025 18:06:44	CRUMP LAW OFFICES 104 N SCHOOL ST, MT GILEAD	FIGHT	CLEAR-10-24
Units	705	OCA(s)		
Notes	CLR IS 3RD PARTY, OWNS THE FITNESS CENTER, PEOPLE IN AN ALTERCATION. 2-3 PEOPLE, ONE IS WHITE AND UNK THE OTHER. UNK WEAPONS			
202530394	12/17/2025 08:11:07	251 MYRTLEWOOD DR, MT GILEAD	WELFARE CHECK	CLEAR-10-24
Units	706	OCA(s)		
Notes	delivering packages and her doors are open in her veh with groceries MHUSSEY 12/17/2025 08:26:11 E,F,L,R,O SUBJ 10-4			
202530416	12/17/2025 12:55:21	BURGER SHACK 100 S WADESBORO BLVD, MT GILEAD	MAN WITH A GUN	UNABLE TO LOCATE-CONTACT-AREA CHECKED
Units	706	OCA(s)		
Notes	man and woman arguing woman pulled out a gun			
202530439	12/17/2025 16:40:02	JESS CRATE INC 104 INDUSTRY AVE, MT GILEAD	ALARM (NOT FIRE) COMMERCIAL	BUILDING SECURE
Units	706	OCA(s)		
Notes	OFFICE DOOR; NO KEY HOLDER			
202530504	12/18/2025 10:36:08	125 WASHINGTON PARK RD, MT GILEAD	SERVE PAPER	CLEAR-10-24
Units	706	OCA(s)		
Notes				
202530539	12/18/2025 16:45:51	VFW - MT GILEAD 105 S SCHOOL ST, MT GILEAD	INFORMATION	CLEAR-10-24
Units	706	OCA(s)		
Notes	has weapons stored at the pd			
202530568	12/18/2025 23:06:47	406 S WADESBORO BLVD, MT GILEAD	ASSAULT (NO INJURIES)	WARRANTS ADVISED
Units	702	OCA(s)		
Notes	callers sister in law jessia mccauley hit her in her eye, occ at 531 parkertown			
202530575	12/19/2025 02:37:28	531 PARKERTOWN RD, MT GILEAD	CIVIL	CLEAR-10-24
Units	702	OCA(s)		
Notes	clr is mad because her brothers girlfriend Avana reported her assaulting her and wants to speak to leo SSIMPSON 12/19/2025 02:37:39 E,F,L,R,O same in ref to CFS 202530568 SSIMPSON 12/19/2025 02:39:06 E,F,L,R,O sent clr name and number to 702 via p/s			
202530635	12/19/2025 13:28:30	107 W SECOND AVE, MT GILEAD	B-E	CLEAR-10-24
Units	703	OCA(s)		
Notes	REF TO POSS			
202530823	12/21/2025 19:34:10	207 E SECOND AVE, MT GILEAD	ILLEGAL BURN	UNABLE TO LOCATE-CONTACT-AREA

CFS #	Date/Time	Location	Call Type	Disposition
				CHECKED
Units 705			OCA(s)	
Notes	CALLER ADV SUBJ ARE BURNING OUTSIDE. ADV SAME APPEARS TO BE PLASTIC, TRASH, AND RUBBER.			
202530896	12/22/2025 15:14:44	317 NORTHVIEW RD, MT GILEAD	DAMAGE TO PROPERTY	WARRANTS ADVISED
Units 706			OCA(s)	
Notes	roberto mcintyre is hitting house with rocks and the veh clr is down the street in black lexus			
202530913	12/22/2025 19:17:54	182 WASHINGTON PARK RD, MT GILEAD	911 HANG UP	CLEAR-10-24
Units 702			OCA(s)	
Notes	someone answered twice and hung up, now sending to vm			
202530968	12/23/2025 11:58:14	210 MASKE RD, MT GILEAD	DOMESTIC	CLEAR-10-24
Units 701, 706			OCA(s)	
Notes	randy latham f is screaming several guns unk if they are out TLAWING 12/23/2025 11:58:36 E,F,L,R,O 9 year old juv inside TLAWING 12/23/2025 11:59:07 E,F,L,R,O no alcohol no drugs per clr TLAWING 12/23/2025 12:00:50 E,F,L,R,O gave via ps due to latham having a radio			
202531019	12/23/2025 15:24:11	210 MASKE RD, MT GILEAD	ESCORT	CLEAR-10-24
Units 706			OCA(s)	
Notes	REQ LEO TO HELP OBTAIN PROPERTY; GREEN DODGE SUV			
202531039	12/23/2025 18:16:54	PARKERTOWN RD \ N MAIN ST	INTOXICATED SUBJECT(s)	UNABLE TO LOCATE-CONTACT-AREA CHECKED
Units 702			OCA(s)	
Notes	subj laying in rd drunk, adv she almost hit him but couldn't give an actual location or description of subj			
202531141	12/24/2025 20:23:09	JULIUS CHAMBERS AVE \ HOFFMAN DR	TRAFFIC STOP	VERBAL WARNING
Units 705			OCA(s)	
Notes	1 OCCUP			
202531144	12/24/2025 20:37:27	W INGRAM ST \ N MAIN ST	TRAFFIC STOP	CITATION(S) ISSUED
Units 705			OCA(s)	
Notes	RED CADDY X1 OCC			
202531152	12/24/2025 21:37:12	NC HWY 73 W \ MEDFORD PL	TRAFFIC STOP	CITATION(S) ISSUED
Units 705			OCA(s)	
Notes	WHITE FIAT OCCX1			
202531235	12/25/2025 23:08:29	NC HWY 109 S \ NC HWY 24-27 W	CHASE VEH	ARREST(s)
Units 705			OCA(s)	
Notes	SSIMPSON 12/25/2025 23:08:36 E,F,L,R,O SAUNDERS RD SSIMPSON 12/25/2025 23:08:50 E,F,L,R,O 100 IN 55 AND PASSING ON DOUBLE YELLOW SSIMPSON 12/25/2025 23:09:58 E,F,L,R,O			

CFS #	Date/Time	Location	Call Type	Disposition
		PEKIN RD, RED DODGE CHARGER. 102 MPH		
	SSIMPSON 12/25/2025 23:10:13	E,F,L,R,O		
		120 ADV 402 RESPOND WITH STICKS		
	SSIMPSON 12/25/2025 23:10:29	E,F,L,R,O		
		123 ADV SITTING @ CHICKEN FARM RD		
	SSIMPSON 12/25/2025 23:10:46	E,F,L,R,O		
		TROY-CANDOR RD		
	SSIMPSON 12/25/2025 23:11:18	E,F,L,R,O		
		121 ADV TOOK TROY CANDOR RD EXIT		
	SSIMPSON 12/25/2025 23:11:43	E,F,L,R,O		
		BACK ON 24-27 E BOUND PER 121		
	JWHITAKER 12/25/2025 23:12:24	E,F,L,R,O		
		uturn wb on 24-27 from page st		
	JWHITAKER 12/25/2025 23:12:31	E,F,L,R,O		
		troy-candor		
	JWHITAKER 12/25/2025 23:12:58	E,F,L,R,O		
		110mph		
	JWHITAKER 12/25/2025 23:13:23	E,F,L,R,O		
		pekin rd		
	JWHITAKER 12/25/2025 23:14:31	E,F,L,R,O		
		turned on pekin, passed saunders		
	SSIMPSON 12/25/2025 23:15:10	E,F,L,R,O		
		BETSY DR		
	SSIMPSON 12/25/2025 23:15:58	E,F,L,R,O		
		HICKS RD, SPEED 65		
	SSIMPSON 12/25/2025 23:17:06	E,F,L,R,O		
		121 ADV IF THEY RUN HE WILL TAKE DRIVER.. ADV NOW PASSED CHIP RD, 65 MPH LKV3781		
	SSIMPSON 12/25/2025 23:18:00	E,F,L,R,O		
		ONVIL RD		
	JWHITAKER 12/25/2025 23:18:01	E,F,L,R,O		
		onvil rd		
	JWHITAKER 12/25/2025 23:18:43	E,F,L,R,O		
		boyd rd		
	JWHITAKER 12/25/2025 23:19:20	E,F,L,R,O		
		hazel ln		
	SSIMPSON 12/25/2025 23:19:27	E,F,L,R,O		
		HAZEL LN 65 MPH		
	SSIMPSON 12/25/2025 23:20:04	E,F,L,R,O		
		HARRIS CEMETERY RD, 65 MPH		
	SSIMPSON 12/25/2025 23:21:38	E,F,L,R,O		
		ADA DR ON PEKIN RD, A FEW ON THE GROUND PER 120		
	SSIMPSON 12/25/2025 23:24:29	E,F,L,R,O		
		123 ADV 121 IS DEEP IN WOODS		
	SSIMPSON 12/25/2025 23:24:44	E,F,L,R,O		
		705 ADV HE IS 2 MIN OUT		
	SSIMPSON 12/25/2025 23:27:38	E,F,L,R,O		
		123 ADV DO NOT HAVE EYES ON RUNNER, BUT CAN HEAR HIM.. 120 BRINGING OUT K9, 121 AND 123 STOPPING SO K9 CAN TRACK		
	SSIMPSON 12/25/2025 23:29:00	E,F,L,R,O		
		123 ADV SUBJ IS CRAWLING		

CFS #	Date/Time	Location	Call Type	Disposition
SSIMPSON 12/25/2025 23:36:11 E,F,L,R,O 120 ADV K9 LOCATED SUSPECT				
SSIMPSON 12/25/2025 23:36:52 E,F,L,R,O 120 10-72 W/1				
SSIMPSON 12/25/2025 23:40:07 E,F,L,R,O 120 REQ EMS, UNK MEDICAL FOR 121				
SSIMPSON 12/25/2025 23:40:20 E,F,L,R,O SAME WILL BE AT PEKIN AND ADA				
SSIMPSON 12/25/2025 23:42:20 E,F,L,R,O 120 ADV SHP HAS X2 10-72. COUNTY UNITS ARE WALKING THE DRIVER OUT OF THE WOODS NOW 10-72				
SSIMPSON 12/25/2025 23:42:38 E,F,L,R,O SHP ADV THEY HAVE X4				
SSIMPSON 12/26/2025 02:13:48 E,F,L,R,O JACKSON'S HAS VEH PER 103				
202531325	12/26/2025 20:33:04	251 MYRTLEWOOD DR, MT GILEAD	LIFELINE	PATIENT REFUSED
Units	702	OCA(s)		
Notes	med alarm 92vo fm no voice contact 910-439-8007 JWHITAKER 12/26/2025 20:33:13 E,F,L,R,O joan teddar JWHITAKER 12/26/2025 20:33:34 E,F,L,R,O key is under thermometer on back door wall JWHITAKER 12/26/2025 20:34:25 E 92-year-old, Female, Consciousness unknown, Breathing status unknown. JWHITAKER 12/26/2025 20:34:35 E 92-year-old, Female, Consciousness unknown, Breathing status unknown. Chief Complaint: Unknown Problem (Person Down) Dispatch Level: 32B02 Response: Bravo CADCode: 32B02 JWHITAKER 12/26/2025 20:45:54 E,F,L,R,O 372 adv accidental activation			
202531326	12/26/2025 20:56:16	CHIPS 302 JULIUS CHAMBERS AVE, MT GILEAD	ESCORT	CLEAR-10-24
Units	702	OCA(s)		
Notes	needs escort to chips JWHITAKER 12/26/2025 20:57:37 E,F,L,R,O sent name and ps# to 702			
202531328	12/26/2025 21:27:45	301 CLINTON ST, MT GILEAD	ALARM (NOT FIRE) RESIDENTIAL	BUILDING SECURE
Units	702	OCA(s)		
Notes	calvin rushing res, downstairs motion, no contact			
202531334	12/26/2025 22:25:02	136 WILLIAMS ST, MT GILEAD	WELFARE CHECK	CLEAR-10-24
Units	702	OCA(s)		
Notes	18yo nephews dad vonte adams sr, put an empty gun to his head and pulled the trigger, put him outside, dad is drunk...307-310-0834 or nephews #704-396-9859, clr is in charlotte and wants ofc to call			
202531338	12/26/2025 23:09:11	290 THOMASVILLE CHURCH RD, MT GILEAD	CIVIL DISTURBANCE	CLEAR-10-24
Units	702	OCA(s)		
Notes	wants brother joseph lily off her property, adv he does live there but they've been arguing and she wants him removed			
202531396	12/27/2025 16:51:13	106 NATIONAL ST, MT GILEAD	ALARM (NOT FIRE) COMMERCIAL	CLEAR-10-24

CFS #	Date/Time	Location	Call Type	Disposition
Units 706			OCA(s)	
Notes	general motion no zone golf cart shop TLAWING 12/27/2025 16:51:27 E,F,L,R,O 5 min gray dodge ram			
202531411	12/27/2025 20:17:12	C'S - FOOD CENTER 101 JULIUS CHAMBERS AVE, MT GILEAD	INTOXICATED SUBJECT(s)	CLEAR-10-24
Units 702			OCA(s)	
Notes	crazy people are drunk and talking too much, bm, blk leather jacket			
202531427	12/28/2025 00:46:55	311 E SECOND AVE, MT GILEAD	SUSPICIOUS PERSON/VEH/ACTIVITY	CLEAR-10-24
Units 702			OCA(s)	
Notes	someone just banged on her door, hasn't looked outside, wants ofc to come out and check around her house, clr does have a pistol			

Total: 76

Montgomery County Communications
199 South Liberty St Troy , NC 27371

CFS By Department/Unit/Date
12/01/2025 - 12/28/2025

MT GILEAD POLICE DEPT

701			
DOMESTIC		1	1.22%
	Unit Total	1	
702			
911 HANG UP		1	1.22%
ALARM (NOT FIRE) COMMERCIAL		4	4.88%
ALARM (NOT FIRE) RESIDENTIAL		1	1.22%
ASSAULT (NO INJURIES)		1	1.22%
ATTEMPT TO LOCATE		1	1.22%
CIVIL		1	1.22%
CIVIL DISTURBANCE		1	1.22%
ESCORT		2	2.44%
INFORMATION		1	1.22%
INTOXICATED SUBJECT(s)		2	2.44%
LIFELINE		1	1.22%
SUSPICIOUS PERSON/VEH/ACTIVITY		4	4.88%
WELFARE CHECK		1	1.22%
	Unit Total	21	
703			
911 HANG UP		1	1.22%
ASSIST MOTORIST		2	2.44%
B-E		2	2.44%
CARELESS & RECKLESS		2	2.44%
NOISE VIOLATION		1	1.22%
SUSPICIOUS PERSON/VEH/ACTIVITY		1	1.22%
TRAFFIC ACCIDENTS (PD)		1	1.22%
TRANSPORTATION PI		1	1.22%
TRESPASSING		1	1.22%
	Unit Total	12	
704			
ASSAULT (NO INJURIES)		1	1.22%
CARELESS & RECKLESS		1	1.22%
FOLLOWUP INVESTIGATION		2	2.44%
INTOXICATED SUBJECT(s)		1	1.22%
ROAD HAZARD		1	1.22%
TRAFFIC ACCIDENTS (PD)		1	1.22%
WELFARE CHECK		1	1.22%
	Unit Total	8	
705			
ALARM (NOT FIRE) COMMERCIAL		1	1.22%

MT GILEAD POLICE DEPT

705		
ALARM (NOT FIRE) RESIDENTIAL	2	2.44%
ASSAULT (NO INJURIES)	1	1.22%
ASSIST MOTORIST	2	2.44%
CARELESS & RECKLESS	1	1.22%
CHASE VEH	1	1.22%
DOMESTIC	2	2.44%
FIGHT	1	1.22%
FOLLOWUP INVESTIGATION	1	1.22%
ILLEGAL BURN	1	1.22%
INTOXICATED SUBJECT(s)	1	1.22%
TRAFFIC ACCIDENTS (PD)	1	1.22%
TRAFFIC STOP	5	6.10%
WELFARE CHECK	1	1.22%
	Unit Total	21
706		
ALARM (NOT FIRE) COMMERCIAL	3	3.66%
ALARM (NOT FIRE) RESIDENTIAL	1	1.22%
ASSAULT (NO INJURIES)	2	2.44%
DAMAGE TO PROPERTY	1	1.22%
DOMESTIC	1	1.22%
ESCORT	1	1.22%
FOLLOWUP INVESTIGATION	1	1.22%
INFORMATION	3	3.66%
LARCENY	1	1.22%
MAN WITH A GUN	1	1.22%
SERVE PAPER	1	1.22%
WANTED PERSON	1	1.22%
WELFARE CHECK	2	2.44%
	Unit Total	19
	Department Total	82 100.00%

Montgomery County Communications
199 South Liberty St Troy , NC 27371

CFS By Department - Select Department By Date
 For MT GILEAD POLICE DEPT 12/01/2025 00:00 - 12/28/2025 23:59

MT GILEAD POLICE DEPT	Count	Percent
911 HANG UP	2	2.63%
ALARM (NOT FIRE) COMMERCIAL	8	10.53%
ALARM (NOT FIRE) RESIDENTIAL	4	5.26%
ASSAULT (NO INJURIES)	4	5.26%
ASSIST MOTORIST	4	5.26%
ATTEMPT TO LOCATE	1	1.32%
B-E	2	2.63%
CARELESS & RECKLESS	4	5.26%
CHASE VEH	1	1.32%
CIVIL	1	1.32%
CIVIL DISTURBANCE	1	1.32%
DAMAGE TO PROPERTY	1	1.32%
DOMESTIC	3	3.95%
ESCORT	3	3.95%
FIGHT	1	1.32%
FOLLOWUP INVESTIGATION	3	3.95%
ILLEGAL BURN	1	1.32%
INFORMATION	4	5.26%
INTOXICATED SUBJECT(s)	3	3.95%
LARCENY	1	1.32%
LIFELINE	1	1.32%
MAN WITH A GUN	1	1.32%
NOISE VIOLATION	1	1.32%
ROAD HAZARD	1	1.32%
SERVE PAPER	1	1.32%
SUSPICIOUS PERSON/VEH/ACTIVITY	5	6.58%
TRAFFIC ACCIDENTS (PD)	2	2.63%
TRAFFIC STOP	5	6.58%
TRANSPORTATION PI	1	1.32%
TRESPASSING	1	1.32%
WANTED PERSON	1	1.32%
WELFARE CHECK	4	5.26%
Total Records For MT GILEAD POLICE DEPT	76	Group/Total 100.00%
Total Records	76	

Case Number	Violation Address	Owner or Occupant	Status or Conditions
PUBLIC NUISANCE VIOLATIONS			
PN-25-12	510 Julius Chambers Avenue @ Emaline Street	Leon & Dorsey Turner	very large number of tires openly stored on the property, various forms of debris, and one or more junked/nuisance vehicles. Pending notice.
PN-25-13	120 William Street	Richard A Powell & Elizabeth Powell	various forms of junk, debris, boxes, totes, clothing, and other similar items stored in the yard and on the front porch. Pending notice.
MINIMUM HOUSING			
HC-25-01	500 West Allenton Street	Phillip L Kearns & Mildred M Lassiter (Deceased)	Substandard housing conditions, possible abandoned dwelling. Research was unable to find a valid address for the owners. Hearing notice issued by posting and publication. Hearing conducted on 11-20-25 with no parties in interest in attendance. Findings of Fact and Order issued by posting and publication. Order to Repair or Demolish by 02-24-26.

HC-25-03	156 Washington Park Road	Carrie J Little	Abandoned and dilapidated housing conditions. Yard completely overgrown. Inspection scheduled for 12-11-25 @ 10:00, with notice issued by First Class mail and posting on the property. Owner did not show for inspection. To be rescheduled with an Administrative Inspection Warrant.
JUNKED/NUISANCE VEHICLE			
MVO-24-01	VL on East Allenton Street	Curtis Speakman	Inspection appointment scheduled for 08-27-24. Received call from owner's attorney. Researching prior documentation from 2020 concerning the matter. Some documentation has been found. Conversation with attorney to schedule site visit seem to be delayed. Pending other enforcement actions.

MVO-24-02	202 East Allenton Street	Curtis Speakman	Inspection appointment scheduled for 08-27-24. Received call from owner's attorney. Researching prior documentation from 2020 concerning the matter. Some documentation has been found. Conversation with attorney to schedule site visit seem to be delayed. Pending other enforcement actions.
MVO-25-02	125 Washington Park Road	Tracey A Lemonds	one or more junked/nuisance vehicles. Notice issued with deadline of 12-03-25. Spoke with the property owner and met on site with the resident. Extended the deadline and will follow up again soon.
MVO-25-03	100 Highland Avenue	Cynthia Sue Byrd Haithcock and others	multiple junked/nuisance vehicles. Pending notice.
DEVELOPMENT ORDINANCE VIOLATIONS			

Budget vs Actual (Summary)

Town of Mount Gilead
12/30/2025 12:47:43 PM

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Period Ending 6/30/2026

96 96-ALBERT JOHNSON POCKET PARK						
Description	Budget	Encumbranc	YTD	Variance	Percent	
Revenues						
	115,000	0.00	12,500.00	(102,500.00)	11%	
Revenues Totals:	115,000	0.00	12,500.00	(102,500.00)	11%	
Expenses						
ASSETS	0	0.00	0.00	0.00		
ADMINISTRATION	115,000	0.00	7,500.00	107,500.00	7%	
Expenses Totals:	115,000	0.00	7,500.00	107,500.00	7%	
96 96-ALBERT JOHNSON Totals: POCKET PARK			5,000.00			

Budget vs Actual (Summary)

Town of Mount Gilead
12/30/2025 12:38:36 PM

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Period Ending 6/30/2026

10 GENERAL FUND					
Description	Budget	Encumbranc	YTD	Variance	Percent
Revenues					
	1,867,850	0.00	746,581.77	(1,121,268.23)	40%
Revenues Totals:	1,867,850	0.00	746,581.77	(1,121,268.23)	40%
Expenses					
ADMINISTRATION	277,600	1,000.00	127,935.60	148,664.40	46%
STREETS AND GROUNDS	182,250	0.00	55,863.07	126,386.93	31%
PLANNING & ZONING	43,000	0.00	13,701.81	29,298.19	32%
SOLID WASTE	122,000	0.00	50,722.81	71,277.19	42%
IT INFRASTRUCTURE, TECHNOLOGY, MONITORING	32,000	0.00	5,974.54	26,025.46	19%
PARKS AND RECREATION	161,000	0.00	63,956.62	97,043.38	40%
POLICE DEPARTMENT	702,400	1,310.07	288,535.17	412,554.76	41%
FIRE DEPARTMENT	139,650	0.00	34,113.70	105,536.30	24%
REDEVELOPMENT CORP.	30,750	0.00	1,398.22	29,351.78	5%
FITNESS CENTER	0	0.00	0.00	0.00	
POWELL BILL	100,000	0.00	0.00	100,000.00	
HIGHLAND COMM. CT.GRANT	0	0.00	0.00	0.00	
CEMETERY	5,000	0.00	70.51	4,929.49	1%
GOVERNING BODY	53,300	0.00	22,420.10	30,879.90	42%
LIBRARY	18,900	0.00	12,743.36	6,156.64	67%
DEBT SERVICE	0	0.00	0.00	0.00	
	0	0.00	0.00	0.00	
Expenses Totals:	1,867,850	2,310.07	677,435.51	1,188,104.42	36%
10 GENERAL FUND Totals:			69,146.26		

Budget vs Actual (Summary)

Town of Mount Gilead
12/30/2025 12:38:36 PM

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Period Ending 6/30/2026

20 ENTERPRISE FUND						
Description	Budget	Encumbranc	YTD	Variance	Percent	
Revenues						
	1,846,478	0.00	992,099.48	(854,378.52)	54%	
Revenues Totals:	1,846,478	0.00	992,099.48	(854,378.52)	54%	
Expenses						
ADMINISTRATION	330,398	1,000.00	138,733.47	190,664.53	42%	
WATER OPERATIONS	387,739	3,808.15	201,237.31	182,693.54	53%	
WASTE WATER COLLECTION	480,950	0.00	192,827.69	288,122.31	40%	
WASTE WATER PLANT	376,095	6,122.22	114,314.71	255,658.07	32%	
SOLID WASTE	0	0.00	0.00	0.00		
IT INFRASTRUCTURE, TECHNOLOGY, MONITORING	32,000	0.00	5,974.53	26,025.47	19%	
GOVERNING BODY	0	0.00	0.00	0.00		
LIBRARY	0	0.00	0.00	0.00		
	0	0.00	0.00	0.00		
DEBT SERVICE	239,296	0.00	0.00	239,296.00		
	0	0.00	0.00	0.00		
Expenses Totals:	1,846,478	10,930.37	653,087.71	1,182,459.92	36%	
20 ENTERPRISE FUND Totals:			339,011.77			

Budget vs Actual (Summary)

Town of Mount Gilead
12/30/2025 1:01:22 PM

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Period Ending 6/30/2027

**71 71-LILLY'S BRIDGE ROAD FORCE MAIN IMP
PROJECT**

Description	Budget	Encumbranc	YTD	Variance	Percent
Revenues					
	7,880,000	0.00	958,775.88	(6,921,224.12)	12%
Revenues Totals:	7,880,000	0.00	958,775.88	(6,921,224.12)	12%
Expenses					
ADMINISTRATION	7,880,000	0.00	854,255.94	7,025,744.06	11%
Expenses Totals:	7,880,000	0.00	854,255.94	7,025,744.06	11%
71 71-LILLY'S BRIDGE ROAD FORCE MAIN IMP PROJECT Totals:			104,519.94		

Budget vs Actual (Summary)

Town of Mount Gilead
 12/30/2025 1:02:37 PM

Period Ending 3/31/2033

90 90-SANITARY SEWER SYSTEM IMPROVEMENTS						
Description	Budget	Encumbranc	YTD	Variance	Percent	
Revenues						
	3,500,000	0.00	905,742.21	(2,594,257.79)	26%	
Revenues Totals:	3,500,000	0.00	905,742.21	(2,594,257.79)	26%	
Expenses						
ADMINISTRATION	3,500,000	0.00	905,763.21	2,594,236.79	26%	
Expenses Totals:	3,500,000	0.00	905,763.21	2,594,236.79	26%	
90 90-SANITARY SEWER SYSTEM IMPROVEMENTS Totals:			(21.00)			

Budget vs Actual (Summary)

Period Ending 6/30/2026

24 24-STANBACK PARK DRAINAGE IMPROVEMENTS PROJECT						
Description	Budget	Encumbranc	YTD	Variance	Percent	
Revenues						
	1,807,000	0.00	143,450.00	(1,663,550.00)	8%	
Revenues Totals:	1,807,000	0.00	143,450.00	(1,663,550.00)	8%	
Expenses						
ADMINISTRATION	1,807,000	0.00	143,450.00	1,663,550.00	8%	
Expenses Totals:	1,807,000	0.00	143,450.00	1,663,550.00	8%	
24 24-STANBACK PARK DRAINAGE IMPROVEMENTS PROJECT Totals:			0.00			

Budget vs Actual (Summary)

Period Ending 6/30/2026

87 87-STORMWATER AIA						
Description	Budget	Encumbranc	YTD	Variance	Percent	
Revenues						
	350,000	0.00	189,750.00	(160,250.00)	54%	
Revenues Totals:	350,000	0.00	189,750.00	(160,250.00)	54%	
Expenses						
ADMINISTRATION	350,000	0.00	161,500.00	188,500.00	46%	
Expenses Totals:	350,000	0.00	161,500.00	188,500.00	46%	
87 87-STORMWATER AIA Totals:			28,250.00			

Budget vs Actual (Summary)

Town of Mount Gilead
 12/30/2025 12:46:24 PM

Period Ending 6/30/2026

97 97-STRAP						
	Description	Budget	Encumbranc	YTD	Variance	Percent
Revenues						
		85,000	0.00	0.00	(85,000.00)	
	Revenues Totals:	85,000	0.00	0.00	(85,000.00)	
Expenses						
ASSETS						
		85,000	0.00	0.00	85,000.00	
	Expenses Totals:	85,000	0.00	0.00	85,000.00	
	97 97-STRAP Totals:			0.00		



TOWN OF MOUNT GILEAD

Parks and Rec

The Board met on December 17 to discuss several agenda items. During the meeting, the Board reviewed the ball field rental policy. It was agreed that the policy is currently being drafted and reviewed and will be presented to the Board for approval once it is finalized.

Additionally, the Board discussed the importance of beginning preparations early for the Fall Festival. Initial planning ideas were shared, and members agreed that starting early will allow for better organization and a more successful event.

Meeting Date: 1/6/2025	Agenda Item Number: III. A.
Submitted By: Barrett Brown	Department: Administration
Attachments: Public Comments	
Topic: Reading of Rules for Public Comment	

Staff Summary: It is the practice of the Town Board that the Rules for Public Comment be read aloud prior to the opening of the Public Comment period.

Direct Cost:	Line Item Utilized:
Amount Remaining after Action:	In Current Budget:
Plans if Not in Current Budget:	

Staff Recommendation:

Examples of Motions:

TOWN OF MOUNT GILEAD

Post Office Box 325
110 West Allenton Street
Mount Gilead, North Carolina 27306
Incorporated 1899
Phone (910) 439-5111 – Fax (910) 439-1336

Mayor
Sheldon Morley

Mayor Pro Tem
Tim McAuley

Commissioners
Vera Richardson
Paula Covington
Mary Lucas

Town Manager
Barrett Brown

Town Clerk
Lessie Jackson

Rules for Public Comment

Meeting of the Town Board of Mount Gilead always include a Public Comment period. The purpose of this time is for members of the community and the general public to make their views known directly to the Town Board. To ensure a fair proceeding for all who wish to speak, please be aware of the following rules that were unanimously adopted in December 2016, that will be observed during all public meetings:

1. All persons wishing to speak shall do so from the podium to ensure an accurate record of testimony. Each person requesting to speak shall do so by signing their name, phone number on the Public Comment sign up sheet and must provide a phone number, address, and/or email address in order. No one is permitted to speak from the audience or interact and/or question the person speaking. This is a public comment session and not a public debate. Open Meetings laws for the State of North Carolina, section 197, pg. 87., and section 239, pg. 105, agree that a Mayor nor the Board of Commissioners are allowed to respond to public comment or debate with a citizen during this time. If a response is necessary, a separate meeting can be called to discuss the issue at hand or if the answer is readily available it will be answered during Department Reports by the Town Manager.
2. Each person who has signed up to speak shall have one opportunity to speak for a period not to exceed 3 minutes in duration. The speaker will not be permitted to speak again once they leave the podium, or their 3 minutes expire.
3. The Board requests that a group be represented by a spokesperson in order to keep repetitive testimony at a minimum. If this spokesperson is representing a group of more than 5 citizens, he/she is afforded the opportunity to speak for a period not to exceed 5 minutes.
4. Town staff will note all comments and provide answers directly to citizens or make information available town-wide during department reports or at the next meeting.
5. Inflammatory or immaterial testimony will not be allowed.
6. In addition to the comment period during the public meeting, individuals can provide written comments to the Town Board of Commissioners by submitting them in writing to the Town Clerk. This can be addressed by email to clerk@mtgileadnc.com or via USPS at PO Box 325, Mt. Gilead, NC 27306.

ORDINANCE NUMBER _____

**AN ORDINANCE CONCERNING THE AMENDMENT OF
CHAPTER 90, ABANDONED AND JUNKED VEHICLES
THE CODE OF ORDINANCES OF THE TOWN OF MOUNT GILEAD**

WHEREAS, Article 8 of Chapter 160A of the North Carolina General Statutes, N.C.G.S. 160A-174, et seq., delegates to municipalities the authority to exercise the general police power; and

WHEREAS, Article 15 of Chapter 160A of the North Carolina General Statutes, N.C.G.S. 160A-303, et seq., authorizes municipalities to regulate, remove and dispose of Abandoned and Junked Vehicles;

WHEREAS, N.C.G.S. 160A-193 authorizes municipalities to summarily remedy, abate or remove public health nuisances; and

WHEREAS, the Town of Mount Gilead Board of Commissioners finds that it is in the public interest to amend the Town’s Code of Ordinances to provide more specificity as it pertains to regulating Abandoned, Junked and Nuisance vehicles; and

WHEREAS, the Town of Mount Gilead Board of Commissioners, after due notice, conducted a public hearing on the _____ day of _____, 2025, upon the question of amending the Town Ordinance in this respect.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS, THE TOWN OF MOUNT GILEAD, NORTH CAROLINA:

PART ONE. That Chapter 90, Abandoned and Junked Vehicles, of the Town of Mount Gilead, North Carolina, is hereby amended as follows:

“CHAPTER 90. ABANDONED AND JUNKED VEHICLES

§ 90.01 AUTHORITY AND PURPOSE.

- (A) The Board of Commissioners is authorized by G.S. 160A-193, 160A-303, 160A-303.2 to regulate, restrain, or prohibit abandoned, junked, and nuisance motor vehicles on public and private property within the town’s corporate limits.
- (B) The Board finds it necessary and desirable to promote and enhance:
 - (1) The quality of urban attractiveness and aesthetic appearance of the town;
 - (2) The protection of property values throughout the town;
 - (3) The preservation of the livability and attractiveness of the neighborhoods;
 - (4) The promotion of tourism, conventions, and other opportunities for economic development for the town;
 - (5) The attractiveness of the town’s thoroughfares and commercial roads which present the primary, public visibility to visitors and passersby of the town; and

- (6) The promotion of the comfort, happiness, and emotional stability of occupants of property in the vicinity of junked motor vehicles.

§ 90.02 DEFINITIONS.

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

ABANDONED MOTOR VEHICLE. As authorized and defined in G.S. § 160A-303, an ABANDONED MOTOR VEHICLE is one that:

- (1) Is left upon a public street or highway in violation of a law or ordinance prohibiting parking;
- (2) Is left on a public street or highway for longer than seven days; or is determined by Law Enforcement to be a hazard to the motoring public.
- (3) Is left on property owned or operated by the town for longer than 24 hours; or
- (4) Is left on private property without the consent of the owner, occupant or lessee thereof for longer than two hours.

AUTHORIZING OFFICIAL. The supervisory employee of the Police Department or the Code Administrator, respectively, designated to authorize the removal of vehicles under this chapter.

JUNK MOTOR VEHICLE. Authorized and defined in G.S. § 160A-303.2, the term JUNK MOTOR VEHICLE means a vehicle that does not display a current license plate lawfully upon that vehicle and that:

- (1) Is partially dismantled or wrecked;
- (2) Cannot be self-propelled or moved in the manner in which it was originally intended to move; or
- (3) Is more than five years old and appears to be worth less than \$500.00.

MOTOR VEHICLE OR VEHICLE. All machines designed or intended to travel over land or water by self-propulsion or while attached to any self-propelled vehicle.

NUISANCE VEHICLE. A vehicle on public or private property that is determined and declared to be a health or safety hazard, a public nuisance and unlawful, including a vehicle found to be any one or more of the following:

- (1) A breeding ground or harbor for mosquitoes, other insects, rats or other pests;
- (2) A point of heavy growth of weeds or other noxious vegetation over eight inches in height;
- (3) A point of collection of pools or ponds of water;
- (4) A point of concentration of quantities of gasoline, oil or other flammable or explosive materials as evidenced by odor;
- (5) One which has areas of confinement which cannot be operated from the inside, such as trunks, hoods and the like;

- (6) So situated or located that there is a danger of it falling or turning over;
- (7) One which is a point of collection of garbage, food waste, animal waste or other rotten matter of any kind;
- (8) One which has sharp parts thereof which are jagged or contain sharp edges of metal or glass; and/or
- (9) Any other vehicle specifically declared a health and safety hazard and public nuisance by the Board of Commissioners.

§ 90.04 ADMINISTRATION.

- (A) The Police Department and the Code Administrator shall be responsible for the administration and enforcement of this chapter. The Police Department shall be responsible for administering the removal and disposition of vehicles determined to be abandoned on the public streets and highways within the town and on property owned by the town. The Code Administrator shall be responsible for administering the removal and disposition of abandoned, nuisance or junked motor vehicles located on private property within the town.
- (B) The town may contract with private tow operators or towing businesses to remove, store and dispose of abandoned vehicles, nuisance vehicles and junked motor vehicles in compliance with this chapter and applicable state laws. Nothing in this chapter shall be construed to limit the legal authority or powers of the officers of the Police Department and Fire Department in enforcing other laws or in otherwise carrying out their duties.

§90.05 PROTECTION AGAINST LIABILITY

No person shall be held to answer in any civil or criminal action to any owner or other person legally entitled to the possession of an abandoned, nuisance, or junked motor vehicle, for disposing of such vehicle as provided in this chapter.

REMOVAL AND DISPOSITION OF VEHICLES

§90.06 ABANDONED VEHICLE UNLAWFUL; REMOVAL AUTHORIZED.

- (A) It shall be unlawful for the registered owner or person entitled to possession of a vehicle to cause or allow the vehicle to be abandoned.
- (B) Upon investigation, proper authorizing officials of the town may determine that a vehicle is an abandoned vehicle and order the vehicle removed.

§90.07 NUISANCE UNLAWFUL; REMOVAL AUTHORIZED.

- (A) It shall be unlawful for the registered owner or person entitled to possession of a motor vehicle, or for the owner, lessee or occupant of the real property upon which the vehicle is located, to leave or allow the vehicle to remain on the property after it has been declared a nuisance vehicle.

- (B) Upon investigation, the town's Code Administrator may determine and declare that a vehicle is a health or safety hazard and a nuisance vehicle, as defined above, and order the vehicle removed.

§ 90.08 JUNKED VEHICLE REGULATIONS; REMOVAL; AUTHORIZED.

- (A) It shall be unlawful for the registered owner or person entitled to the possession of a junked motor vehicle, or for the owner, lessee or occupant of the real property upon which a junked motor vehicle is located, to leave or allow the vehicle to remain on the property after the vehicle has been ordered removed.
- (B) It shall be unlawful to have more than one junked motor vehicle on the premises of public or private property. A single permitted junked motor vehicle must strictly comply with the location and concealment requirements of this chapter.
- (C) It shall be unlawful for any owner, persons entitled to the possession of a junked motor vehicle, or for the owner, lessee or occupant of the real property upon which a junked motor vehicle is located, to fail to comply with the locational requirements or concealment requirements of this chapter.
- (D) Subject to the provisions of § 90.09, upon investigation, the town's Code Administrator may order the removal of a junked motor vehicle as defined in this chapter after finding in writing that the aesthetic benefits of removing the vehicle outweigh the burdens imposed on the private property owner. Such findings shall be based on the balancing of the monetary loss of the apparent owner against the corresponding gain to the public by promoting or enhancing community, neighborhood or area appearance. The following among other relevant factors may be considered:
 - (1) Protection of property values;
 - (2) Promotion of tourism and other economic development opportunities;
 - (3) Indirect protection of public health and safety;
 - (4) Preservation of the character and integrity of the community; and
 - (5) Promotion of the comfort, happiness and emotional stability of area residents.

§ 90.09 PERMITTED CONCEALMENT OR ENCLOSURE OF JUNKED MOTOR VEHICLE

- (A) One junked motor vehicle, in its entirety, can be located in the rear yard, as defined by the town's zoning ordinance if the junked motor vehicle is entirely concealed from public view from a public street and from abutting premises by an acceptable covering.
- (B) The town's Code Administrator has the authority to determine whether any junked motor vehicle is adequately concealed as required by this provision. The covering must remain in good repair and must not be allowed to deteriorate. The covering or enclosure must be compatible with the preamble hereof and the zoning ordinance.
- (C) Any junked motor vehicle must be kept in a garage or building structure that provides a complete enclosure so that the junked motor vehicle cannot be seen from a public street or abutting property. A garage or building structure means either a lawful,

nonconforming use or a lawful structure erected pursuant to the lawful issuance of a building permit and which has been constructed in accordance with all zoning and building code regulations.

Section 90.10 Penalties.

- (A) An act constituting a violation of the provisions of this chapter or a failure to comply with any of its requirements shall subject the offender to a civil penalty of FIFTY DOLLARS (\$50.00), which includes administrative fees. Each day any single violation continues shall be a separate violation. A violation of this ordinance shall not constitute a misdemeanor pursuant to N.C.G.S. 14-4. If the offender fails to correct this violation by the prescribed deadline after being notified of said violation, the penalty may be recovered in a civil action in the nature of a debt.
- (B) In addition to the civil penalties set out above, any provision of this ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction. In such case, the General Court of Justice shall have jurisdiction to issue such orders as may be appropriate, and it shall not be a defense to the application of the Town for equitable relief that there is an adequate remedy at law.
- (C) In addition to the civil penalties set out above, the provisions of this ordinance may be enforced by injunction and order of abatement by the General Court of Justice. When a violation of these provisions occurs, the Town may apply to the appropriate division of the General Court of Justice for a mandatory or prohibitory injunction and/or order of abatement commanding the defendant to correct the unlawful condition upon or cease the unlawful use of the property. The action shall be governed in all respects by the laws and rules governing civil proceedings, including the Rules of Civil Procedure in general and Rule 65, in particular.
- (D) Upon failure of the violator to obey the Notice of Violation/Warning Citation, a Notice of Civil Citation may be issued by the enforcement official, either served directly on the violator, his duly designated agent, or registered agent if a corporation, either in person or posted in the United States mail service by first class mail addressed to the last known address of the violator as contained in the records of the County or obtained from the violator at the time of issuance of the Notice of Violation/Warning Citation. The violator shall be deemed to have been served upon the mailing of said Notice of Civil Citation. The Notice of Civil Citation shall direct the violator to appear in person at the Town Hall to pay the penalty within (15) fifteen days of the date of the Civil Citation, or alternatively to pay the citation by mail. The violation for which the penalty is issued must have been corrected by the time the penalty is paid, otherwise further penalties shall accrue. Penalties accrue from the date initially imposed in the Notice of Civil Citation and will continue without further notice, for each day the offense continues, until the prohibited activity is corrected, ceased or abated. The Town may institute a civil action in the North Carolina General Court of Justice for the collection of the penalty, attorney fees, interest, court costs, and other such relief as permitted by law.”

PART TWO. That all ordinances in conflict with the provisions of this Chapter are hereby repealed to the extent of such conflict.

PART THREE. That this Ordinance shall become effective upon its adoption by the Board of Commissioners of the Town of Mount Gilead, North Carolina.

Adopted this _____ day of _____, 2025.

Sheldon P. Morley, Mayor

ATTEST:

Approved as to form:

Lessie D. Jackson, Town Clerk

_____, Town Attorney

ORDINANCE NUMBER _____

**AN ORDINANCE CONCERNING GENERAL PENALTIES
AMENDING CHAPTER 10, SECTION 10.99
THE CODE OF ORDINANCES OF THE TOWN OF MOUNT GILEAD**

WHEREAS, Article 8 of Chapter 160A of the North Carolina General Statutes, N.C.G.S. 160A-174, 160A-175, et seq., delegates to municipalities the authority to exercise the general police power; and

WHEREAS, the Board of Commissioners of the Town of Mount Gilead finds that it is in the public interest to amend Chapter 10, Section 10.99 of the Town’s Code of Ordinances to provide more specificity as to the methods for enforcing such ordinances; and

WHEREAS, the Board of Commissioners of the Town of Mount Gilead, after due notice, conducted a public hearing on the _____ day of _____, 2025, upon the question of amending the Town Code in this respect.

THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF MOUNT GILEAD, NORTH CAROLINA:

PART ONE. Subject to the requirements stated herein, Chapter 10, Section 10.99 of the Code of Ordinances of the Town of Mount Gilead, entitled “General Penalty”, is hereby amended. To the extent that the provisions of this section are the same in substance as the previously adopted provisions they amend, they shall be considered as continuations thereof and not as new enactments. Particularly, the enactment of this Ordinance shall in no way affect, be deemed to render null or impair in any way any existing enforcement actions or existing violations of the Code of Ordinances.

PART TWO. Section 10.99 of the Code of Ordinances of the Town of Mount Gilead, North Carolina entitled “General Penalty”, is hereby amended as follows:

“§ 10.99 GENERAL PENALTY.

- (A) Unless an alternative amount is specified in a chapter or appendix, an act constituting a violation of the provisions of this Code or a failure to comply with any of its requirements shall subject the offender to a civil penalty of Fifty Dollars (\$50.00), which includes administrative fees. Each day any single violation continues shall be a separate violation. Unless expressly stated otherwise in a chapter or appendix, a violation of this Code shall not constitute a misdemeanor pursuant to N.C.G.S. 14-4. If the offender fails to correct a violation by the prescribed deadline after being notified of said violation, a civil penalty may be incurred and the penalty may be recovered in a civil action in the nature of a debt.

- (B) Despite the provisions of division (A) above, violation of any provision of the Code of Ordinances regulating the operation of any vehicle shall constitute an infraction, subject to the penalty provisions of G.S. §§ 14-3.1 and 14-4.
- (C) Unless otherwise provided by a specific provision of any Town ordinance, upon determination of a violation of any section of a Town ordinance, the enforcement official of the Town of Mount Gilead shall cause a warning citation to be issued to the violator. Such warning citation shall be issued either in person or posted in the United States mail service by first class mail addressed to the last known address of the violator as contained in the records of the Town or County. Such warning citation shall set out the nature of the violation, the section violated, the date of the violation, and shall contain an order to immediately cease the violation. If the violation is in the nature of an infraction for which an order of abatement would be appropriate in a civil proceeding, a reasonable period of time must be stated in which the violation must be abated. The warning citation shall specify that a second citation shall incur a civil penalty, together with costs, and attorney fees.
- (D) Upon failure of the violator to obey the warning citation, a civil citation may be issued by the enforcement official, either served directly on the violator, his duly designated agent, or registered agent if a corporation, either in person or posted in the United States mail service by first class mail addressed to the last known address of the violator as contained in the records of the Town, the County, or obtained from the violator at the time of issuance of the warning citation. The violator shall be deemed to have been served upon the mailing of said citation. The Notice of Civil Citation shall direct the violator to appear in person at the Town Hall to pay the penalty within (15) fifteen days of the date of the Notice of Civil Citation, or alternatively to pay the citation by mail. The violation for which the penalty is issued must have been corrected by the time the penalty is paid, otherwise further penalties shall accrue. Penalties accrue from the date initially imposed in the Notice of Civil Citation and will continue without further notice, for each day the offense continues, until the prohibited activity is corrected, ceased or abated.
- (E) If the violator fails to respond to a citation within fifteen days of its issuance, and pay the penalty prescribed therein, the Town of Mount Gilead may institute a civil action in the nature of debt in the appropriate division of the North Carolina General Court of Justice for the collection of the penalty, costs, attorney fees, and such other relief as permitted by law.
- (F) A provision of this code may provide that it may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction. In such case, the general court of justice shall have jurisdiction to issue such orders as may be appropriate, and it shall not be a defense to the application of the town for equitable relief that there is an adequate remedy at law.

(G) A provision of this code that makes unlawful a condition existing upon or use made of real property may be enforced by injunction and order of abatement, and the general court of justice shall have jurisdiction to issue such orders. When a violation of such an ordinance occurs, the town may apply to the appropriate division of the general court of justice for a mandatory or prohibitory injunction and order of abatement commanding the defendant to correct the unlawful condition upon or cease the unlawful use of the property. The action shall be governed by civil proceedings, including the Rules of Civil Procedure in general and Rule 65 in particular. In addition to an injunction, the court may enter an order of abatement as a part of the judgment in the cause. An order of abatement may direct that the building or other structures on the property be closed, demolished, or removed; that fixtures, furniture, or other movable property be removed from buildings on the property; that grass and weeds be cut; that improvements or repairs be made; or that any other actions be taken that is necessary to bring the property into compliance with the ordinance. If the defendant fails or refuses to comply with an injunction or with an order of abatement within the time allowed by the court, he or she may be cited for contempt, and the town may execute the order of abatement. The town shall have a lien on the property for the cost of executing an order of abatement in the nature of a mechanic's and material man's lien. The defendant may secure cancellation of an order of abatement by paying all costs of the proceedings and posting a bond for compliance with the order. The bond shall be given with sureties approved by the Clerk of Superior Court in an amount approved by the judge before whom the matter is heard and shall be conditioned on the defendant's full compliance with the term of abatement within a time fixed by the judge. Cancellation of an order of abatement shall not suspend or cancel an injunction issued in conjunction therewith.

(H) Subject to the express terms thereof, a provision of this code may be enforced by any one, all, or a combination of the remedies authorized and prescribed by this section.

(I) Except as otherwise provided in this code or in any ordinance of the town, each day any violation of such code or ordinance shall continue shall constitute a separate and distinct offense.

PART THREE. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

PART FOUR. If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

PART FIVE. The enactment of this ordinance shall in no way affect the running of any amortization provisions or enforcement actions or otherwise cure any existing violations.

PART SIX. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this _____ day of _____, 2025.

Sheldon P. Morley, Mayor

ATTEST:

Approved as to form:

Lessie D. Jackson, Town Clerk

_____, Town Attorney

ORDINANCE NUMBER _____

**AN ORDINANCE CONCERNING THE AMENDMENT OF
THE TOWN OF MOUNT GILEAD
MINIMUM HOUSING STANDARDS**

WHEREAS, Article 8 of Chapter 160A of the North Carolina General Statutes, N.C.G.S. 160A-174, et seq., delegates to municipalities the authority to exercise the general police power; and

WHEREAS, Article 12 of Chapter 160D of the North Carolina General Statutes, N.C.G.S. 160D-1201 et seq., authorizes municipalities to provide for the repair, closing or demolition of dwellings, buildings or structures used or intended for human habitation;

WHEREAS, N.C.G.S. 160A-193 authorizes municipalities to summarily remedy, abate or remove public health nuisances; and

WHEREAS, the Town of Mount Gilead Board of Commissioners finds that it is in the public interest to amend the Town's Ordinances to provide more specificity as to the requirements for regulating dwellings, buildings or structures used or intended for human habitation; and

WHEREAS, the Town of Mount Gilead Board of Commissioners, after due notice, conducted a public hearing on the _____ day of _____, 2025, upon the question of amending the Town Ordinance in this respect.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS,
THE TOWN OF MOUNT GILEAD, NORTH CAROLINA:**

PART ONE. That the Minimum Housing Standards of the Code of Ordinances of the Town of Mount Gilead, North Carolina, is hereby amended in its entirety and written to read as follows:

"CHAPTER 151, MINIMUM HOUSING STANDARDS

Section 151.01 Findings; Purpose; Authority.

Pursuant to Section 160D-1201, of the General Statutes of North Carolina, it is hereby found and declared that there exist in the Town's Corporate limits dwellings which are unfit for human habitation due to dilapidation, defects increasing the hazards of fire, accidents and other calamities, lack of ventilation, light and sanitary facilities, and due to other conditions rendering such dwellings unsafe and unsanitary, and dangerous and detrimental to the health, safety and morals, and otherwise inimical to the welfare of the residents of the Town of Mount Gilead.

In order to protect the health, safety and welfare of the residents of the Town and its planning and development regulation jurisdiction, as authorized by Chapter 160D, Article 12 of the General Statutes of North Carolina, it is the purpose of this Ordinance to establish minimum standards of fitness for the initial and continued occupancy of all buildings used for human habitation, as expressly authorized by Section 160D-1201 of the General Statutes of North Carolina.

In addition, it is hereby found and declared, under the authority of North Carolina General Statutes 160A-174, that there exist in the Town dwellings which, although not meeting the

classification as unfit for human habitation, fail to fully comply with all the minimum standards for housing fitness as established herein and therefore have present one or more conditions which are inimical to the public health, safety and general welfare. Such conditions, if not corrected can lead to deterioration and dilapidation of dwellings which render them unfit for human habitation.

Section 151.02. Scope.

- (a) This Chapter is hereby declared to be remedial and shall be construed to secure the beneficial interests and purposes thereof which are public safety, health and general welfare through structural strength, stability, sanitation, adequate light and ventilation and safety to life and property from fire and other hazards incident to the construction, alteration, repair, removal, demolition, use and occupancy of dwellings, apartment houses, rooming houses or buildings, structures or premises used or intended for use as such.
- (b) The provisions of this Chapter shall apply to all existing housing and to all housing hereafter constructed within the Town's Corporate limits as now or hereafter established. Portable, mobile or demountable buildings or structures, including trailers, manufactured homes and mobile homes when used or intended for use for housing within the jurisdiction, shall be subject to the applicable provisions of this Chapter. This Chapter establishes minimum requirements for the initial and continued occupancy of all buildings used for human habitation and does not replace or modify requirements otherwise established for the construction, repair, alteration or use of buildings, equipment, or facilities except as provided in this Chapter.
- (c) The provisions of this Chapter shall also apply, as authorized by G.S. § 160D-1201(b), to abandoned structures which are found by the Board of Commissioners to be a health or safety hazard as a result of the attraction of insects or rodents, conditions creating a fire hazard, dangerous conditions constituting a threat to children or frequent use by vagrants as living quarters in the absence of sanitary conditions.

Section 151.03. Definitions.

The following definitions shall apply in the interpretation and enforcement of this Chapter:

Abandoned Structure. Any structure, whether designed and intended for residential or other uses, which has been vacant or not in active use, regardless of purpose or reason, for the past two-year period and which is determined by the Housing Inspector to be unfit for human habitation or occupancy based upon the standards as set forth in this Chapter.

Basement. A portion of a building which is located partly underground, having access to light and air from windows located above the level of the adjoining ground.

Cellar. A portion of a building located partly or wholly underground having inadequate access to light and air from windows located partly or wholly below the level of the adjoining ground.

Deteriorated Dwelling. A dwelling that is unfit for human habitation and can be repaired, altered or improved to comply with all of the minimum standards established by this Chapter, *at a cost not in excess of fifty percent of its value*, as determined by finding of the Housing Inspector.

Dilapidated Dwelling. A dwelling that is unfit for human habitation and cannot be repaired, altered or improved to comply with all of the minimum standards established by this Chapter, *at a cost not in excess of fifty percent of its value*, as determined by finding of the Housing Inspector.

Dwelling. Any building, structure, manufactured home or mobile home, or part thereof, used and occupied for human habitation or intended to be so used, and includes any accessory buildings and structures and appurtenances belonging thereto or usually enjoyed therewith, except that it does not include any manufactured home or mobile home, which is used solely for a seasonal vacation purpose.

Dwelling Unit. Any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.

Extermination. The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping or by any other recognized and legal pest elimination methods approved by the Housing Inspector.

Garbage. The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

Habitable room. A room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, heater rooms, foyers or communicating corridors, closets and storage spaces.

Housing Inspector. The person, Public Officer or Officers, appointed by the Board of Commissioners to carry out the administration and enforcement of this Chapter.

Infestation. The presence, within or around a dwelling, of any insects, rodents or other pests in such number as to constitute a menace to the health, safety or welfare of the occupants or to the public.

Manufactured Home (Mobile Home). A structure as defined in G.S. 143-145(7).

Multiple Dwelling. Any dwelling containing more than two dwelling units.

Occupant. Any person over one year of age living, sleeping, cooking or eating in, or having actual possession of a dwelling, dwelling unit or rooming unit.

Operator. Any person who has charge, care or control of a building or part thereof, in which dwelling units or rooming units are let.

Owner. The holder of the title in fee simple and every mortgagee of record.

Parties in Interest. All individuals, associations and corporations who have interests of record in a dwelling and any who are in possession thereof.

Public Authority. Any housing authority or any officer who is in charge of any department or branch of the government of the Town, County, or State relating to health, fire, building regulations, or other activities concerning dwellings in the Town.

Rooming House. Any dwelling, or that part of any dwelling containing one or more rooming units, in which space is let by the owner or operator to three or more persons who are not husband and wife, son or daughter, mother or father or sister or brother of the owner or operator.

Rooming Unit. Any room or group or rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

Rubbish. Combustible and noncombustible waste materials except garbage and ashes, and the term shall include, but not be limited to, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass crockery and dust.

Supplied. Paid for, furnished or provided by, or under the control of, the owner or operator.

Tenant. Any natural person or entity who is a named party or signatory to a lease or rental agreement, and who occupies, resides in, or has a legal right to possess and use an individual rental unit.

Whenever the words "dwelling", "dwelling unit", "rooming house", "rooming unit" or "premises" are used in this Chapter, they shall be construed as though they were followed by the words "or any part thereof".

Section 151.04. Office of Housing Inspector Created; Powers and Duties.

For the purposes of administering and enforcing the provisions of this Chapter, the office of Housing Inspector is hereby created. The Housing Inspector shall be appointed by the Board of Commissioners, and shall have such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this Chapter, including, without limiting the generality of the foregoing, in addition to others herein granted, the following powers:

(a) Investigations

To investigate the dwelling and building conditions in the Town in order to determine which dwellings therein are unfit for human habitation and dangerous, being guided in such examination of dwellings and buildings by the requirements set forth in this Chapter.

(b) Oaths, witnesses, etc.

To administer oaths and affirmations and to examine witnesses and receive evidence.

(c) Right of Entry

To enter upon and within premises and dwellings for the purpose of making examinations and investigations; provided, that such entries shall be made in such a manner as to cause the least possible inconvenience to the persons in possession. If entry upon the premises for purposes of investigation is necessary, such entry shall be made pursuant to a duly issued administrative

search warrant in accordance with G.S. 15-27.2 or with permission of the owner, the owner's agent, a tenant, or other person legally in possession of the premises.

(d) Warrants; Citations, etc.

To swear criminal warrants, issue civil citations and to take such other actions as may be necessary to carry out the enforcement procedures of this Chapter.

(e) Delegation of functions, etc.

To delegate any of his functions and powers under this Chapter to such officers and agents as he may designate.

Section 151.05. Inspections.

For the purpose of carrying out the intent of this Chapter, the Housing Inspector, upon proper identification, is hereby authorized to enter, examine and survey at all reasonable times all dwellings, dwelling units, rooming houses, rooming units and premises, including abandoned structures. The owners or occupants of every dwelling, dwelling unit, rooming unit, or rooming house, or the person in charge thereof, shall give the Housing Inspector free access to such dwelling, dwelling unit, rooming house or rooming unit, and its premises, at all reasonable times for the purposes of such inspection, examination and survey. Every occupant of a dwelling or dwelling unit shall give the owner thereof, or his agent or employee, access to any part of such dwelling or dwelling unit, and its premises, at all reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this Chapter or with any lawful order issued pursuant to the provisions of this Chapter.

Section 151.06. Preliminary Investigations; Notices; Hearings.

Whenever a petition is filed with the Housing Inspector by a public authority or by at least five (5) residents of the Town charging that any dwelling is unfit for human habitation or whenever it appears to the Housing Inspector (on his own motion) that any dwelling is unfit for human habitation, the Housing Inspector shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner and parties in interest in such dwellings a complaint stating the charges in that respect and containing a notice that a hearing will be held before the Housing Inspector (or his designated agent) at a place within the Town therein fixed not less than 10 days nor more than 30 days after the serving of the complaint; that the owner and parties in interest shall be given the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint; and that the rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the Housing Inspector.

In accordance with N.C.G.S. 1-120.2, Upon the issuance of a complaint and notice of hearing pursuant to this Section, the Inspector may cause the filing of a notice of Lis Pendens, with a copy of the complaint and notice of hearing attached thereto, in the Office of the Clerk of Superior Court of Montgomery County, to be indexed and cross-indexed in accordance with the indexing procedures of the North Carolina General Statutes 1-117. The Inspector shall cause a copy of the notice of Lis Pendens to be served upon the owners and parties in interest in the dwelling at the time of filing as applicable. From the date and time of indexing, the complaint and notice of hearing or order shall be binding upon the successors and assigns of the owners of and parties in interest in the building or dwelling. The notice of Lis Pendens shall remain in full force and effect until cancelled. Upon compliance with the requirements of any order issued

based upon such complaint and hearing, the Inspector shall direct the Clerk of Superior Court to cancel the notice of Lis Pendens.

Section 151.07. Dwelling Unfit for Human Habitation.

The Housing Inspector shall determine that a dwelling is unfit for human habitation if he finds that any one of the following conditions exist in such dwelling:

- (A) Interior walls or vertical studs which seriously list, lean or buckle to such an extent as to render the dwelling unsafe.
- (B) Supporting member or members which show thirty-three (33) percent or more damage or deterioration, or non-supporting, enclosing or outside walls or covering which shows fifty (50) percent or more of damage or deterioration.
- (C) Floors or roofs which have improperly distributed loads, which are overloaded or which have insufficient strength to be reasonably safe for the purpose used.
- (D) Such damage by fire, wind or other causes as to render the dwelling unsafe.
- (E) Dilapidation, decay, unsanitary conditions or disrepair which is dangerous to the health, safety or welfare of the occupants or other people in the Town.
- (F) Inadequate facilities for egress in case of fire or panic.
- (G) Defects significantly increasing the hazards of fire, accident or other calamities.
- (H) 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 other residents of the Town.
- (I) Lack of proper electrical, heating, or plumbing facilities required by this Chapter which constitutes a definite health or safety hazard.
- (J) Lack of connection to a potable water supply and/or to the public sewer or other approved sewage disposal system, the lack of either one of which renders a dwelling unfit for human habitation. For the purposes of this standard, a dwelling is not connected to a potable water supply if the water supply has been "cut off" because of nonpayment of the water bill or otherwise or if the system for any reason is not receiving a flow of potable water to the tap.

Section 151.08. Dwelling Fitness, Standards.

In addition to the ten (10) conditions stated above, any one of which renders a dwelling unfit for human habitation, the Housing Inspector shall determine that a dwelling is unfit for human habitation if he finds that a dwelling fails to fully comply with seven (7) or more of the following enumerated standards of dwelling fitness:

STRUCTURAL STANDARDS

Structural Integrity

- (1) Walls, partitions, supporting members, sills, joists, rafters or other structural members shall not list, lean or buckle, shall not be rotted, deteriorated or damaged, and shall not have holes or cracks which might admit rodents.

Supports

- (2) Floors or roofs shall have adequate supporting members and strength to be reasonably safe for the purpose used.

Foundations

- (3) Foundations, foundation walls, piers or other foundation supports shall not be deteriorated or damaged.

Steps

- (4) Steps, stairs, landings, porches or other parts or appurtenances shall be maintained in such condition that they will not fail or collapse.

Egress

- (5) Adequate facilities for egress in case of fire or panic shall be provided.

Interior Materials

- (6) Interior walls and ceilings of all rooms, closets and hallways shall be furnished of suitable materials which will, by use of reasonable household methods, promote sanitation and cleanliness, and shall be maintained in such a manner so as to enable the occupants to maintain reasonable privacy between various spaces.

Weatherization

- (7) The roof, flashings, exterior walls, basement walls, floors and all doors and windows exposed to the weather shall be constructed and maintained so as to be weather and watertight.

Chimneys

- (8) There shall be no chimneys or parts thereof which are defective, deteriorated or in danger of falling, or in such condition or location as to constitute a fire hazard.

Floors

- (9) There shall be no use of the ground for floors, or wood floors on the ground.

PLUMBING STANDARDS

Facilities

- (10) Each dwelling unit shall contain not less than a kitchen sink, lavatory, tub or shower, water closet, and an adequate supply of both cold water and hot water. All water shall be supplied through an approved pipe distribution system connected to a potable water supply. Each dwelling shall be connected to the public sewer or other approved sewage disposal system. For the purposes of this standard, a dwelling is not connected to a potable water supply if the water supply has been "cut off" because of non-payment of the water bill or otherwise or if the system for any reason is not receiving a flow of potable water to the tap.

Maintenance

- (11) All plumbing fixtures shall meet the standards of the Plumbing Code and shall be maintained in a state of good repair and in good working order.

Accessible

- (12) All required plumbing fixtures shall be located within the dwelling and be accessible to the occupants of the same. The water closet and tub or shower shall be located in a room or rooms affording privacy to the user.

HEATING STANDARDS

Generally

- (13) Every dwelling shall have facilities for providing heat in accordance with either paragraph (a) or (b) below. Such facilities shall be maintained in a state of good repair and good working order.
- (a) Central and electrical heating systems. Every central or electric heating system shall be of sufficient capacity so as to heat all habitable rooms, bathrooms and water closet compartments in every dwelling to which it is connected with a minimum temperature of sixty-eight (68) degrees Fahrenheit measured at a point three (3) feet above the floor during average winter conditions.
 - (b) Other heating facilities. Where a central or electric heating system is not provided, each dwelling shall be provided with sufficient electrical receptacles, fireplaces, chimneys, flues or gas vents whereby heating appliances may be connected so as to heat all habitable rooms, bathrooms and water closet compartments with a minimum temperature of sixty-eight (68) degrees Fahrenheit measured three (3) feet above the floor during average winter conditions.

ELECTRICAL STANDARDS

Wiring

- (14) Every dwelling shall be wired for electric lights and convenience receptacles. Every habitable room shall contain at least two floor or wall type electrical convenience receptacles, connected in such manner as determined by the Electrical Code. There shall be installed in every bathroom, water closet room, laundry room and furnace room at least one supplied ceiling or wall type electric light fixture. In the event wall or ceiling light fixtures are not provided in any habitable room, then each such habitable room shall contain at least three floor or wall type electric convenience receptacles.

Hall Lights

- (15) Every public hall and stairway in every multiple dwelling shall be adequately lighted by electric lights at all times when natural light is not sufficient.

Maintenance

- (16) All fixtures, receptacles, equipment and wiring shall be maintained in a state of good repair, safe, capable of being used, and installed in accordance with the Electrical Code.

VENTILATION STANDARDS

Generally

- (17) Every habitable room shall have at least one window or skylight facing directly to the outdoors. The minimum total window area, measured between stops, for every habitable room shall be ten percent of the floor area of such room. Whenever walls or other portions of structures face a window of any such room and such light obstructions are located less than five feet from the window and extend to a level above that of the ceiling of the room, such a window shall not be deemed to face directly to the outdoors and shall not be included as contributing to the required minimum total window area. Whenever the only window in a room is a skylight type window in the top of such a room, the total window area of such skylight shall equal at least fifteen percent of the total floor area of such room.

Habitable rooms

- (18) Every habitable room shall have at least one window or skylight which can easily be opened, or such other device as will adequately ventilate the room. The total openable window area in every habitable room, shall be equal to at least forty-five percent of the minimum window area size or minimum skylight type window size as required, or shall have other approved equivalent ventilation.

Bathroom and water closet room

- (19) Every bathroom equipped with more than one water closet compartment shall comply with the light and ventilation requirements for habitable rooms.

SPACE, USE AND LOCATION STANDARDS

Ceiling Height

- (20) At least one-half of the floor area of every habitable room shall have a ceiling height of not less than seven feet and six inches.

Cellar

- (21) No cellar shall be used for living purposes unless:
- (a) the floor and walls are substantially watertight;
 - (b) the total window area, total openable window area and ceiling height are equal to those required for a habitable room;
 - (c) the required minimum window area of every habitable room is entirely above the grade adjoining such window area, except where the windows face a stairwell, window well or access way.

SAFE AND SANITARY MAINTENANCE STANDARDS

Exterior foundation, walls and roofs

- (22) Every foundation wall, exterior wall and exterior roof shall be substantially weather tight and rodent proof; shall be kept in sound condition and good repair; shall be capable of affording privacy; shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon. Every exterior wall shall be protected with paint or other protective covering to prevent the entrance or penetration of moisture or the weather.

Interior floors, walls and ceilings

- (23) Every floor, interior wall and ceiling shall be substantially rodent proof; shall be kept in sound condition and good repair; and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.

Windows and doors

- (24) Every window, exterior door, basement or cellar door and hatchway shall be substantially weather tight, water tight and rodent proof; and shall be kept in sound working condition and good repair.

Stairs porches and appurtenances

- (25) Every inside and outside stair, porch and any appurtenances thereto shall be safe to use

and capable of supporting the load that normal use may cause to be placed thereon; and shall be kept in sound condition and good repair.

Bathroom and kitchen floors

- (26) Every bathroom and kitchen floor surface and water closet compartment floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit such floor to be easily kept in sound condition and good repair.

Supplied facilities

- (27) Every supplied facility, piece of equipment or utility which is required under this Ordinance shall be so constructed or installed that it will function safely and effectively and shall be maintained in satisfactory working condition. Food preparation surfaces shall be impervious to water and free of defects which could trap food or liquid. Shelving, cabinets or drawers for the storage of food and cooking and eating utensils, shall be supplied and shall maintained in good repair.

Drainage

- (28) Every yard shall be properly graded so as to obtain thorough drainage and so as to prevent the accumulation of stagnant water.

Smoke Detector Systems

- (29) Every dwelling shall be equipped with smoke detectors installed to protect occupants in all sleeping areas. Operable smoke alarms, shall be either battery-operated or electrical, having an Underwriters' Laboratories, Inc. listing or other equivalent national testing laboratory approval, and installed in accordance with either the standards of the National Fire Protection Association or the minimum protection designated in the manufacturer's instructions.
- (30) Every dwelling shall have a minimum of one operable carbon monoxide alarm per rental unit per level, either battery-operated or electrical, that is listed by a nationally recognized testing laboratory that is OSHA-approved to test and certify to American National Standards Institute/Underwriters Laboratories Standards ANSI/UL2034 or ANSI/UL2075, and install the carbon monoxide alarms in accordance with either the standards of the National Fire Protection Association or the minimum protection designated in the manufacturer's instructions.
- (31) A carbon monoxide alarm may be combined with smoke alarms if the combined alarm does both of the following:
- (1) complies with ANSI/UL2034 or ANSI/UL2075 for carbon monoxide alarms and ANSI/UL217 for smoke alarms; and
 - (2) emits an alarm in a manner that clearly differentiates between detecting the presence of carbon monoxide and the presence of smoke.
- (32) The requirements in subsections (30) and (31) above apply only to dwelling units having a fossil-fuel burning heater, appliance, or fireplace, and in any dwelling unit having an attached garage.

INSECT, RODENT, AND INFESTATION CONTROL STANDARDS

Screens

- (33) For protection against mosquitoes, flies and other insects every dwelling shall have:
- (a) Supplied and installed screens on every door opening leading directly from the dwelling to outdoor space. Except, that sliding doors, doors with self closing devices, doors on mobile homes with self closing devices and doors that open into rooms of living spaces that are artificially ventilated or air conditioned are exempt from this provision.
 - (b) Supplied and installed screens on every window or other device with an opening to outdoor space, except that this requirement shall not apply for any room or rooms of a dwelling that are ventilated year round with an operable and installed heating and air conditioning system.

Rodent control

- (34) Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents, shall be supplied with screens installed or such other approved device as will effectively prevent their entrance.

Infestation

- (35) Every dwelling shall be maintained in a manner to be free of any infestations of insects, rodents or other pests. Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents or other pests therein or on the premises; and every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for such extermination whenever his dwelling unit is the only one infested. Whenever infestation exists in two or more of the dwelling units in any dwelling or in the shared or public parts of any dwelling containing two or more dwelling units, extermination shall be the responsibility of the owner.

Rubbish storage and disposal.

- (36) Every dwelling shall be supplied with approved containers and covers for storage of rubbish as required by Town ordinances, and the owner, operator or agent in control of such dwelling or dwelling unit shall be responsible for the removal of rubbish.

Garbage storage and disposal

- (37) Every dwelling shall be supplied with an approved outside garbage container as required by Town ordinances.

Section 151.09. Rooming House Standards

All of the provisions of this Chapter, and all of the minimum standards and requirements of this Chapter, shall be applicable to rooming houses, and to every person who operates a rooming house or who occupies or lets to another for occupancy any rooming unit in any rooming house, except as provided in the following Subsections:

Water closet, hand lavatory and bath facilities

- (38) At least one water closet, lavatory basin and bathtub or shower, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each four rooms within a rooming house wherever such facilities are shared. All such facilities shall be located within the residence building served, shall be directly accessible from a common hall or passageway and shall not be more than one story removed from any of the persons sharing such facilities. Every lavatory basin and bathtub or shower shall be supplied with hot and cold water at all times. Such required facilities shall not be located in a cellar.

Sanitary conditions

- (39) The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors and ceilings, and for the sanitary maintenance of every other part of the rooming house; and shall be further responsible for the sanitary maintenance of the entire premises where the entire structure or building within which the rooming house is contained, is leased or occupied by the operator.

Sanitary facilities

- (40) Every water closet, flush urinal, lavatory basin and bathtub or shower required by Subsection (38) of this Section shall be located within the rooming house and within a room or rooms which afford privacy and are separate from the habitable rooms, and which are accessible from a common hall and without going outside the rooming house or through any other room therein.

[Note: Full compliance with a standard means that if any part of the stated standard is not complied with by a particular dwelling, then that dwelling has failed to fully comply with the enumerated standard. For example, in regard to standard #10, if all standards are met in a dwelling except that a supply of hot water is not provided then the dwelling fails to fully comply with standard #10.]

Section 151.10. Dwellings Not in Compliance but Not Unfit for Human Habitation.

In any case where the Housing Inspector determines that a dwelling fails to fully comply with one or more but less than seven (7) of the above enumerated standards of dwelling fitness, such dwelling shall not be found to be unfit for human habitation and shall not be subject to the procedures and remedies as provided for in this Chapter for dwellings unfit for human habitation. Each such failure or noncompliance, however, shall constitute a violation of the terms of this Chapter and shall subject the violator to the penalties and enforcement procedures of Section 15, General Penalty. In making the determination as described in this Section, the Housing Inspector shall not be required to make notice and hold the hearing as called for in Section 6, but the Housing Inspector may do so if the determination of the severity and classification of dwelling fitness is not clear to the Housing Inspector upon preliminary investigation.

Section 151.11. Procedure After Hearing; Order.

If, after notice and hearing, the Housing Inspector determines that the dwelling under consideration is unfit for human habitation in accordance with the standards set forth above, he shall state in writing his findings of fact in support of that determination and shall issue and cause to be served upon the owner thereof an order:

- (a) If the repair, alteration or improvement of the dwelling can be made at a cost of less than fifty (50) percent of the value of the dwelling, requiring the owner, within the time specified, to repair, alter or improve the dwelling in order to render it fit for human habitation or to vacate and close the dwelling as a human habitation, based upon the Housing Inspector's standards for closing dwellings;
- (b) If the repair, alteration or improvement of the dwelling cannot be made at a cost of less than fifty (50) percent of the value of the dwelling, requiring the owner, within the time specified in the order, to repair, alter or improve the dwelling in order to render it fit for human habitation or to remove or demolish such dwelling.

If, after notice and hearing the Housing Inspector determines that the dwelling under consideration is not unfit for human habitation but is not in full compliance with one or more standards of dwelling fitness as set forth above, he may cause a warning citation to be issued to the owner, either in person or posted in the United States mail service by first class mail addressed to the last known address of the owner as contained in the records of the County. Such warning citation shall set out the nature of the violation, the section violated, the date of the violation, and shall contain an order to bring the dwelling into compliance with this Chapter, providing for a reasonable period of time in which the violation must be corrected.

Whenever a determination is made pursuant to Subsections (a) or (b) of this Section that a dwelling must be vacated and closed, or removed or demolished, under the provisions of this Chapter, notice of the order shall be given by first-class mail to any organization involved in providing or restoring dwellings for affordable housing that has filed a written request for such notices. A minimum period of forty-five (45) days from the mailing of such notice shall be given before removal or demolition by action of the Inspector, to allow the opportunity for any organization to negotiate with the owner to make repairs, lease, or purchase the property for the purpose of providing affordable housing. The Inspector shall certify the mailing of the notices, and the certifications shall be conclusive in the absence of fraud. Only an organization that has filed a written request for such notices may raise the issue of failure to mail such notices, and the sole remedy shall be an order requiring the Inspector to wait forty-five (45) days before causing removal or demolition.

Section 151.12. Failure to Comply with Order.

- (a) If the owner fails to comply with an order to repair, alter or improve or to vacate and close the dwelling, the Housing Inspector may:
 - (1) Cause the dwelling to be repaired, altered or improved or to be vacated and closed.
 - (2) Cause to be posted on the main entrance of any such dwelling, a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." Occupation of a building so posted shall constitute a violation of this Chapter.
- (b) If the owner fails to comply with an order to repair, alter or improve or to remove or demolish the dwelling, the Housing Inspector may:
 - (1) Cause such dwelling to be vacated and removed or demolished.

- (2) Cause to be posted on the main entrance of any such dwelling, a placard with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." Occupation of a building so posted shall constitute a violation of this Chapter.
- (c) The duties of the Housing Inspector set forth in Subsections (a) and (b) shall not be exercised until the Board of Commissioners shall have by Ordinance ordered the Housing Inspector to proceed to effectuate the purpose of this Chapter with respect to the particular property or properties which the Housing Inspector shall have found to be unfit for human habitation and which property or properties shall be described in the Ordinance. No such Ordinance shall be adopted to require demolition of a dwelling until the owner has first been given a reasonable opportunity to bring it into conformity with the Housing Standards. For the purposes of this subsection, a period of ninety (90) days following the date of the Housing Inspector's order shall constitute a reasonable opportunity. The Ordinance shall be recorded in the Office of the Register of Deeds in the county wherein the property or properties are located and shall be indexed in the name of the property owner in the grantor index.
- (d) The amount of the cost of repairs, alterations or improvements, or vacating and closing, or removal or demolition by the Housing Inspector shall be a lien against the real property upon which the cost was incurred, which lien shall be filed, have the same priority, and be collected as the lien for special assessment provided in Article 10 of Chapter 160A of the General Statutes of North Carolina. If the dwelling is removed or demolished by the Housing Inspector, he shall sell the materials of the dwelling, and any personal property, fixture or appurtenances found in or attached to the dwelling, and shall credit the proceeds of the sale against the cost of the removal or demolition and any balance remaining shall be deposited in the Superior Court by the Housing Inspector, 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 of the decree of the Court.
- (e) If any occupant fails to comply with an order to vacate a dwelling, the Housing Inspector may file a civil action in the name of the Town to remove such occupant. The action to vacate the dwelling shall be in the nature of summary ejectment and shall be commenced by filing a complaint naming as parties-defendant any persons occupying such dwelling. The Clerk of Superior Court shall issue a summons requiring the defendant to appear before a magistrate at a certain time, date and place not to exceed 10 days from the issuance of the summons to answer the complaint. The summons and complaint shall be served as provided in G.S. 42-29. The summons shall be returned according to its tenor, and if on its return it appears to have been duly served, and if at the hearing the Housing Inspector produces the certified copy of an Ordinance adopted by the Board of Commissioners pursuant to Subsection (c) authorizing the Housing Inspector to proceed to vacate the occupied dwelling, the magistrate shall enter judgment ordering that the premises be vacated and that all persons be removed. The judgement ordering that the dwelling be vacated shall be enforced in the same manner as the judgment for summary ejectment entered under G.S. 42-30. An appeal from any judgment entered hereunder by the magistrate may be taken as provided in G.S. 7A-228, and the execution of such judgement may be stayed as provided in G.S. 7A-227. An action to remove an occupant of a dwelling who is a tenant of the owner may not be in the nature of a summary ejectment proceeding pursuant to this paragraph unless such occupant was served with notice at least 30 days before the filing of the summary ejectment proceeding that the

Board of Commissioners has ordered the Housing Inspector to proceed to exercise his duties under Subsections (a), (b) and (c) of this Section to vacate and close or remove and demolish the dwelling.

- (f) If the Board of Commissioners shall have adopted an Ordinance, or the Housing Inspector shall have issued an order, ordering a dwelling to be repaired or vacated and closed, as provided in Section 9, and if the owner has vacated and closed such dwelling and kept such dwelling vacated and closed for a period of one year pursuant to the Ordinance or order, then if the Board of Commissioners shall find that the owner has abandoned the intent and purpose to repair, alter, or improve the dwelling in order to render it fit for human habitation and that the continuation of the dwelling in its vacated and closed status would be inimical to the health, safety, moral, and welfare of the Town in that the dwelling would continue to deteriorate, would create a fire and safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, would cause or contribute to blight and the deterioration of property values in the area, and would render unavailable property and a dwelling which might otherwise have been made available to ease the persistent shortage of decent and affordable housing in the Town, then in such circumstances, the Board of Commissioners may, after the expiration of such one year period, enact an Ordinance and serve such Ordinance on the owner, setting forth the following:
- (a) If it is determined that the repair of the dwelling to render it fit for human habitation can be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling, the Ordinance shall require that the owner either repair or demolish and remove the dwelling within 90 days; or
 - (b) If it is determined that the repair of the dwelling to render it fit for human habitation cannot be made at a cost not exceeding fifty percent (50%) of the then current value of the dwelling, the Ordinance shall require the owner to demolish and remove the dwelling within 90 days.

This Ordinance shall be recorded in the Office of the Register of Deeds in the county wherein the property or properties are located and shall be indexed in the name of the property owner in the grantor index as provided by G.S, 160D-1203(4). If the owner fails to comply with this Ordinance, the Housing Inspector shall effect the purpose of the Ordinance.

Section 151.13. Service of Complaints and Orders.

Complaints or Orders issued by the Housing Inspector shall be served upon persons either personally or by certified mail. When service is made by certified mail, a copy of the complaint or order may also be sent by regular mail. Service shall be deemed sufficient if the certified mail is unclaimed or refused, but the regular mail is not returned by the post office within ten (10) days after the mailing. If regular mail is used, a notice of the pending proceedings shall be posted in a conspicuous place on the premises affected.

If the identities of any owners or the whereabouts of persons are unknown and cannot be ascertained by the inspector in the exercise of reasonable diligence, or, if the owners are known but have refused to accept service by certified mail, and the inspector makes an affidavit to that effect, then the serving of the complaint or order upon the owners or other persons may be made by publication in a newspaper having general circulation in the Town at least not later than the time at which personal service would be required under the provisions of this Chapter. When

service is made by publication, a notice of the pending proceedings shall be posted in a conspicuous place on the premises thereby affected.

Section 151.14. Appeals.

- (a) The Board of Adjustment is hereby appointed as the Housing Appeals Board to which appeals from any decision or order of the Housing Inspector may be taken. Except where this Chapter provides for different rules or procedures, the Board of Adjustment acting as the Housing Appeals Board shall follow its rules of procedure, which may be amended to provide specifically for this function.
- (b) An appeal from any decision or order of the Housing Inspector may be taken by any person aggrieved thereby or by any officer, board or commission of the Town. Any appeal from the Housing Inspector shall be taken within ten days from the rendering of the decision or service of the order by filing with the Housing Inspector and with the Board of Adjustment a notice of appeal which shall specify the grounds upon which the appeal is based. Upon the filing of any notice of appeal, the Housing Inspector shall forthwith transmit to the Board all the papers constituting the record upon which the decision appealed from was made. When an appeal is from a decision of the Housing Inspector refusing to allow the person aggrieved thereby to do any such act, his decision shall remain in force until modified or reversed. When any appeal is from a decision of the Housing Inspector requiring the person aggrieved to do any act, the appeal shall have the effect of suspending the requirement until the hearing by the Board, unless the Housing Inspector certifies to the Board after the notice of appeal is filed with him, that because of facts stated in the certificate (a copy of which shall be furnished the appellant), a suspension of his requirement would cause imminent peril to life or property. In that case the requirement shall not be suspended except by a restraining order, which may be granted for due cause shown upon not less than one day's written notice to the Housing Inspector, by the Board, or by a court of record upon petition made pursuant to Subsection (e) of this Section.
- (c) The Board shall fix a reasonable time for hearing appeals, shall give due notice to the parties, and shall render its decision within a reasonable time. Any party may appear in person or by agent or attorney. The Board may reverse or affirm, wholly or partly, or may modify the decision or order appealed from, and may make any decision and order that in its opinion ought to be made in the matter, and to that end it shall have all the powers of the Housing Inspector, but the concurring vote of four-fifths of the members of the Board shall be necessary to reverse or modify any decision or order of the Housing Inspector. The Board shall have power also in passing upon appeals, when practical difficulties or unnecessary hardships would result from carrying out the strict letter of the Ordinance, to adapt the application of the Ordinance to the necessities of the case to the end that the spirit of the Ordinance shall be observed, public safety and welfare secured, and substantial justice done.
- (d) Every decision of the Board shall be subject to review by proceedings in the nature of certiorari instituted within 15 days of the decision of the Board, but not otherwise.
- (e) Any person aggrieved by an order issued by the Housing Inspector, or a decision rendered by the Board may petition the Superior Court for an injunction, restraining the Housing Inspector from carrying out the order or decision and the Court may, upon such

petition, issue a temporary injunction restraining the Housing Inspector pending a final disposition of the cause. The petition shall be filed within 30 days after issuance of the order or rendering of the decision. Hearings shall be had by the Court on a petition within 20 days and shall be given preference over other matters on the Court's calendar. The Court shall hear and determine the issues raised and shall enter such final order or decree as law and justice may require. It shall not be necessary to file bond in any amount before obtaining a temporary injunction under this Subsection.

Section 151.15. General Penalties.

1. An act constituting a violation of the provisions of this Chapter or a failure to comply with any of its requirements shall subject the offender to a civil penalty of ONE HUNDRED DOLLARS (\$100.00), which includes administrative fees. Each day any single violation continues shall be a separate violation. A violation of this Chapter shall not constitute a misdemeanor pursuant to N.C.G.S. 14-4. If the offender fails to correct this violation by the prescribed deadline after being notified of said violation, the penalty may be recovered in a civil action in the nature of a debt.

2. In addition to the civil penalties set out above, any provision of this ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction. In such case, the General Court of Justice shall have jurisdiction to issue such orders as may be appropriate, and it shall not be a defense to the application of the Town for equitable relief that there is an adequate remedy at law.

3. In addition to the civil penalties set out above, the provisions of this ordinance may be enforced by injunction and order of abatement by the General Court of Justice. When a violation of these provisions occurs, the Town may apply to the appropriate division of the General Court of Justice for a mandatory or prohibitory injunction and/or order of abatement commanding the defendant to correct the unlawful condition upon or cease the unlawful use of the property. The action shall be governed in all respects by the laws and rules governing civil proceedings, including the Rules of Civil Procedure in general and Rule 65, in particular.

4. Upon failure of the violator to obey the Notice of Violation/Warning Citation, a Notice of Civil Citation may be issued by the enforcement official, either served directly on the violator, his duly designated agent, or registered agent if a corporation, either in person or posted in the United States mail service by first class mail addressed to the last known address of the violator as contained in the records of the County or obtained from the violator at the time of issuance of the Notice of Violation/Warning Citation. The violator shall be deemed to have been served upon the mailing of said Notice of Civil Citation. The Notice of Civil Citation shall direct the violator to appear in person at the Town Hall to pay the penalty within (15) fifteen days of the date of the Civil Citation, or alternatively to pay the citation by mail. The violation for which the penalty is issued must have been corrected by the time the penalty is paid, otherwise further penalties shall accrue. Penalties accrue from the date initially imposed in the Notice of Civil Citation and will continue without further notice, for each day the offense continues, until the prohibited activity is corrected, ceased or abated. The Town may institute a civil action in the North Carolina General Court of Justice for the collection of the penalty, attorney fees, interest, court costs, and other such relief as permitted by law.

Section 151.16. Alternative Remedies.

Nothing in this Chapter nor any of its provisions shall be construed to impair or limit in any way the power of the Town to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise nor shall enforcement of one remedy provided herein prevent the enforcement of any other remedy or remedies provided herein or in other Chapters or laws. In addition to the remedies provided for herein, any violation of the terms of this Chapter shall subject the violator to the penalties and remedies, as set forth in the Section 15.

No dwelling shall be hereafter erected, altered, moved, or changed in occupancy without a Certificate of Occupancy. In any case where the Housing Inspector, after notice and hearing as required herein, finds that a dwelling or dwelling unit is unfit for human habitation, he shall withhold issuance of a Certificate of Occupancy for such dwelling or dwelling unit: until such time that he determines that it is fit for human habitation. In addition, in any case where the Housing Inspector, after preliminary investigation as provided for herein, concludes, based upon that investigation, that a dwelling or dwelling unit is unfit for human habitation and believes that the occupancy of such dwelling or dwelling unit could cause imminent peril to life or property from fire or other hazards, he shall withhold issuance of a Certificate of Occupancy for such dwelling or dwelling unit until such time that he determines that it is fit for human habitation.

If any dwelling is erected, constructed, altered, repaired, converted, maintained, or used in violation of this Chapter or of any valid order or decision of the Housing Inspector or Board made pursuant to any ordinance adopted under authority of this Chapter, the Housing Inspector may institute any appropriate action or proceedings to prevent the unlawful erection, construction, reconstruction, alteration or occupancy, to restrain, correct or abate the violation, to prevent the occupancy of the dwellings, or to prevent any illegal act, conduct or use in or about the premises of the dwelling.

Section 151.17. Conflict with Other Provisions.

In the event any provision, standard or requirement of this Chapter is found to be in conflict with any provision of any other ordinance or code of the Town, the provision which establishes the higher standard or more stringent requirement for the promotion and protection of the health and safety of the residents of the Town's jurisdiction shall prevail. The North Carolina Building Code, current edition, shall serve as the standard for all alterations, repairs, additions, removals, demolitions and other acts of building made or required pursuant to this Ordinance.

Section 151.18. Violations.

In addition to the conditions, acts or failures to act that constitute violations specified in this Chapter above, it shall be unlawful for the owner of any dwelling or dwelling unit to fail, neglect or refuse to repair, alter or improve the same, or to vacate and close or vacate and remove or demolish the same, upon order of the Inspector duly made and served as herein provided, within the time specified in such order. It shall be unlawful for the owner of any dwelling, with respect to which an order has been issued pursuant to Section 11, to occupy or permit the occupancy of the same after the time prescribed in such order for its repair, alteration or improvement or its vacation and closing, or vacation and removal or demolition.

Section 151.19. Validity.

If any section, subsection, sentence, clause, or phrase of this Chapter is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Chapter. The

Board of Commissioners hereby declares that it would have passed this Chapter and each section, subsection, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid."

PART TWO. That all ordinances in conflict with the provisions of this Chapter are hereby repealed to the extent of such conflict.

PART THREE. That this Ordinance shall become effective upon its adoption by the Board of Commissioners of the Town of Mount Gilead, North Carolina.

Adopted this _____ day of _____, 2025.

Sheldon P. Morley, Mayor

ATTEST:

Approved as to form:

Lessie D. Jackson, Town Clerk

_____, Town Attorney

ORDINANCE NUMBER _____

**AN ORDINANCE CONCERNING NON-RESIDENTIAL BUILDINGS
OR STRUCTURES STANDARDS; CHAPTER 152,
THE CODE OF ORDINANCES OF THE TOWN OF MOUNT GILEAD**

WHEREAS, Article 8 of Chapter 160A of the North Carolina General Statutes, N.C.G.S. 160A-174, et seq., delegates to municipalities the authority to exercise the general police power; and

WHEREAS, Article 11 of the North Carolina General Statutes, N.C.G.S. 160D-1129, authorizes municipalities to provide for the repair, closing or demolition of Non-Residential buildings or structures;

WHEREAS, N.C.G.S. 160A-193 authorizes municipalities to summarily remedy, abate or remove public health nuisances; and

WHEREAS, the Town of Mount Gilead Board of Commissioners finds that it is in the public interest to amend the Town's Code of Ordinances to provide more specificity as to the requirements for regulating Non-Residential Buildings or Structures; and

WHEREAS, the Town of Mount Gilead Board of Commissioners, after due notice, conducted a public hearing on the _____ day of _____, 2025, upon the question of amending the Town Code in this respect.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS, THE TOWN OF MOUNT GILEAD, NORTH CAROLINA:

PART ONE. That Chapter 152, Non-Residential Maintenance and Safety Code is hereby rewritten and amended. The Code of Ordinances, Town of Mount Gilead, North Carolina, is therefore amended to read as follows:

**"CHAPTER 152, NON-RESIDENTIAL BUILDINGS
OR STRUCTURES STANDARDS**

Section 152.01 Title.

This Chapter shall be known as the "Non-Residential Buildings or Structures Standards" for the Town of Mount Gilead, and may be cited as such, and will be referred to hereinafter as "this Chapter."

Section 152.02 Purpose.

It is the purpose of the provisions of this Chapter to provide a just, equitable and practicable method to evaluate whether non-residential buildings or structures fail to meet minimum standards of maintenance, sanitation, and safety established by the Town. The minimum standards address

conditions that are dangerous and injurious to public health, safety, and welfare and identify circumstances under which a public necessity exists for the repair, closing, or demolition of such buildings or structures. The provisions of this Chapter are cumulative with and in addition to any other remedy provided by law including the current editions of standard codes adopted by the Town of Mount Gilead.

Section 152.03 Findings; Authority.

Pursuant to Chapter 160D-1129 of the General Statutes of North Carolina, it is hereby found and declared that there exist in the Town, and its planning and development regulation jurisdiction, non-residential buildings or structures which are unsafe and especially dangerous to life because of liability to fire or because of bad conditions of walls, overloaded floors, defective construction, decay, unsafe wiring or heating systems, inadequate means of egress and other causes.

In addition, it is hereby found and declared, that there exist in the Town non-residential buildings or structures which, although not meeting the classification of unsafe and especially dangerous to life, fail to fully comply with all the minimum standards for non-residential buildings or structures fitness as established herein and, therefore, have present one or more conditions which are inimical to the public health, safety and general welfare. Such conditions, if not corrected, can lead to deterioration and dilapidation of non-residential buildings or structures which render them unsafe and especially dangerous to life.

Section 152.04 Scope; Jurisdiction.

The provisions of this Chapter shall apply to all existing non-residential buildings or structures and to all non-residential buildings or structures hereafter constructed within the Town' Corporate limits, as now or hereafter established.

Section 152.05 General Definitions and Interpretations.

Unless specifically defined in herein, words used in the Non-Residential Buildings or Structures Standards shall have their respective customary dictionary definitions. For the purpose of these regulations, certain words, terms or phrases used herein are interpreted and defined as follows:

Words used in the present tense shall include the future tense.

Words used in the singular shall include the plural and words used in the plural shall include the singular.

The words "shall" and "will" always indicate MANDATORY. The words "should" and "may" always indicate OPTIONAL.

The word "lot" includes the words "plot" and/or "parcel".

The word "building" includes the word "structure".

The word "person" includes a "firm, association, organization, partnership, trust, company, corporation and/or individual".

The word "use" includes the terms "arranged, designed, and/or intended" for a use, activity and/or purpose.

The term "Board of Adjustment" shall always indicate the Board of Adjustment of The Town of Mount Gilead, North Carolina as created and appointed by the Board of Commissioners of the Town of Mount Gilead, North Carolina.

The term "Board of Commissioners" shall always indicate the Board of Commissioners of The Town of Mount Gilead, North Carolina.

Section 152.06 Special Definitions and Interpretations.

The following definitions shall apply in the interpretation and enforcement of this Chapter:

Building: Any covered structure intended for shelter, housing or enclosure of persons, animals, facilities, equipment or chattels; the term Building shall be construed to include the term Structure; furthermore, it shall be construed as if followed by the term or part thereof.

Building, Accessory: A detached subordinate building located on a lot, parcel or tract whose use is incidental to that of the principal building. A building cannot be considered accessory unless it accompanies a principal building on the same lot, parcel or tract.

Building, Principal: A building in which the principal use of the lot, parcel or tract is conducted.

Building Code: The North Carolina State Building Code.

Deterioration: The condition of a building or part thereof, characterized by holes, breaks, rot, crumbling, rusting, peeling paint or other evidence of physical decay or loss of structural integrity.

Fire Hazard: (see also **Nuisance**) Any thing or act which increases, or may cause an increase of, the hazard, likelihood or menace of fire to a greater degree than reasonable for the conduct of the non-residential use on the premises, or which may unreasonably obstruct, delay, or hinder, or may unreasonably become the cause of an obstruction, a delay, a hazard or an unreasonable hindrance to the prevention, suppression or extinguishment of fire.

Garbage: The animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

Infestation: The haunting or overrunning by rats, snakes, birds, insects or other destructive vermin or animals that endanger the public health and safety.

Landowner or owner: The holder of the title in fee simple. Absent evidence to the contrary, a local government may rely on the county tax records to determine who is a landowner. The landowner may authorize a person holding a valid option, lease, or contract to purchase to act as his or her agent or representative for the purpose of making applications for development approvals.

Non-Residential Buildings or Structures Standards Inspector: The person delegated as such by the Board of Commissioners of the Town of Mount Gilead. (Hereinafter referred to as "the Inspector".)

Nuisance:

- 1) Any public nuisance known as common law or in equity jurisprudence, or as provided by the statutes of the State of North Carolina, or the ordinances of the Town of Mount Gilead; or.
- 2) Any condition including an attractive nuisance which may prove detrimental to human health or safety whether in a building, on the premises of a building, or part of a building or upon an occupied lot; or.
- 3) Physical conditions dangerous to human life or detrimental to health of persons in, on or near the premises where the condition exists; or
- 4) Unsanitary conditions or conditions that are dangerous to public health, well-being or the general welfare; or
- 5) Fire hazards or other safety hazards.

Occupant: Any person who has charge, care or control of a non-residential building or structure or a part thereof, whether with or without the knowledge and consent of the owner, or any person, individually or jointly, entitled to possession regardless of whether the building or structure is actually occupied or not.

Owner: The holder of the title in fee simple and every mortgagee of record of a property.

Parties In Interest: All individuals, associations, and corporations who have interests of record in a nonresidential building or structure and any who are in possession thereof.

Physical Valuation: The estimated cost to replace a building in kind.

Plumbing: All of the following supplies, facilities and equipment: gas pipes, gas burning equipment, water pipes, water heaters, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, vents and other similar fixtures, together with all connections to water, sewer or gas lines, and water pipes and lines utilized in conjunction with HVAC equipment.

Premises: A lot, plot or parcel of land including the buildings or structures thereon, under control by the same owner or occupant, devoted to or zoned for non-residential use.

Public Sanitary Sewer: Any sanitary sewer owned, operated and maintained by the County or the Town of Mount Gilead and available for public use for the disposal of sewage.

Rubbish: Combustible and non-combustible waste materials, except garbage and ashes, including, but not limited to, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass crockery and dust.

Sewage: Waste from a flush toilet, bathtub, sink, lavatory, dishwashing or laundry machine, or water-carried waste from any other fixture, equipment or machine.

Structurally Sound: Substantially free from flaw, defect, decay or deterioration to the extent that such structure or structural member is capable of adequately or safely accomplishing the purpose for which it was intended or designed.

Structure: Anything constructed or erected which requires location on the ground. (Refer to the definition of "building" herein.)

Supplied: Paid for, furnished or provided by, or under control of, the owner or occupant.

Vacant Industrial Warehouse: Any building or structure designed for the storage of goods or equipment in connection with manufacturing processes, which has not been used for that purpose for at least one year and has not been converted to another use.

Vacant Manufacturing Facility: Any building or structure previously used for the lawful production or manufacturing of goods, which has not been used for that purpose for at least one year and has not been converted to another use.

Section 152.07 Office of Non-Residential Buildings or Structures Standards Inspector Created; Powers and Duties.

(a) For the purposes of administering and enforcing the provisions of this Chapter the office of Non-Residential Buildings or Structures Standards Inspector, (herein called "Inspector"), is hereby created.

(b) The Inspector shall be appointed by the Board of Commissioners and shall have such powers as may be necessary or convenient to carry out and effectuate the purposes and provision of this Ordinance, including without limiting the generality of the foregoing, in addition to others herein granted, the following powers:

(1) To investigate the non-residential building conditions in the jurisdiction in order to determine which buildings therein are unsafe, being guided in such examinations of buildings by the requirements set forth in this Chapter and for the purpose of carrying out the objectives of this Chapter with respect to such non-residential buildings or structures.

(2) To administer oaths and affirmations and to examine witnesses and receive evidence.

(3) To enter upon and within premises and buildings for the purpose of making examinations and investigations; provided, that such entries shall be made at reasonable hours in such a manner as to cause the least possible inconvenience to the persons in possession.

(4) To delegate any of his functions and powers under this Chapter to such officers and agents as he may designate.

Section 152.08 Duties and Responsibilities of the Owner.

It shall be the duty and responsibility of the owner to maintain all non-residential buildings or structures in accordance with all standards for non-residential buildings or structures fitness as stated in this Chapter.

Section 152.09 Duties and Responsibilities of the Occupant.

It shall be the duty and responsibility of the occupant to ensure that:

1) All parts of the premises under the control of the occupant shall be kept in a safe, clean and sanitary condition consistent with the non-residential use and the occupant shall refrain from performing any acts which would render any part of the building or premises unsafe or unsanitary or which would obstruct any adjacent owner/occupant from performing any duty required, or from maintaining his building or premises in a safe and sanitary condition.

2) Every occupant shall be responsible for the elimination of infestation in and on the premises, subject to his control.

3) Every occupant shall maintain all supplied plumbing fixtures in a safe and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation of same.

4) No garbage or solid waste shall be stored or allowed by the occupant to accumulate on the premises unless contained in a trash receptacle(s) which is in accordance with the Ordinances of the Town of Mount Gilead.

5) Damage to public sidewalks and/or curb and gutter located in the public right-of-way shall be repaired or replaced at no expense to the Town when such damage is caused by vehicles making deliveries to the non-residential use under the control of the occupant.

6) Where the owner would not otherwise know of a defect of any facility, utility or equipment required to be furnished hereunder and the same is found to be defective or inoperable, the occupant affected thereby shall, upon learning of such defect, provide notice to the owner.

Section 152.10 Relationship of Duties and Responsibilities to Occupancy.

The provisions of this Chapter that apply to the exterior or exterior components of a structure or building or to the premises shall be complied with whether the structure or building or premises is occupied or vacant. All unoccupied or vacant structures or buildings shall be secured by their

owners to prevent the entry of unauthorized persons or the formation of nuisance conditions such as infestation.

Section 152.11 Validity.

If any section, subsection, sentence, clause, or phrase of this Chapter is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Chapter. The Board of Commissioners hereby declares that it would have passed this Ordinance and each section, subsection, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections sentences, clauses or phrases be declared invalid.

Section 152.12 Conflict with Other Provisions.

In the event any provision, standard or requirement of this Chapter is found to be in conflict with any provision of any other ordinance or code of the Town, the provision which establishes the higher standard or more stringent requirement for the promotion and protection of the health and safety of the residents of the jurisdiction shall prevail. The North Carolina State Building Code, current edition, shall serve as the standard for all alterations, repairs, additions, removals, demolitions and other acts of building made or required pursuant to this Ordinance.

Section 152.13 Amendments.

The Board of Commissioners may, from time to time amend, supplement, or change the provisions and requirements of this Chapter. Any such amendment shall be by ordinance of the Board of Commissioners.

Section 152.14 Unlawful to own unsafe buildings and structures.

(A) It shall be unlawful for any firm, person or corporation to own a building or a structure situated in the jurisdiction of the Town of Mount Gilead which is in such a defective or hazardous condition that it is unsafe and especially dangerous to life. The Board of Commissioners has determined that unsafe and especially dangerous buildings and structures are detrimental to the health, safety and welfare of the citizens of Mount Gilead, that such unsafe and especially dangerous buildings and structures shall be condemned, and that the owners of such unsafe and especially dangerous buildings and structures shall immediately remedy the unsafe, dangerous, hazardous or unlawful conditions or demolish such buildings or structures.

(B) A building or structure shall be found to be especially dangerous to life and held unsafe by the Inspector if the Inspector finds that any one (1) of the following conditions exists in such building or structure:

- (1) Interior walls or vertical studs which seriously list, lean or buckle to an extent as to render the building unsafe.

- (2) Supporting member or members which show thirty-three (33) percent or more damage or deterioration, or non-supporting, enclosing or outside walls or covering which shows fifty (50) percent or more of damage or deterioration.
 - (3) Floors or roofs which have improperly distributed loads, which are overloaded or which have insufficient strength to be reasonably safe for the purpose used.
 - (4) Such damage by fire, wind or other causes as to render the building unsafe.
 - (5) Dilapidation, decay, unsanitary conditions or disrepair which is dangerous to the health, safety or welfare of the occupants or other people of the jurisdiction.
 - (6) Inadequate facilities for egress in case of fire or panic.
 - (7) Defects significantly increasing the hazards of fire, accident or other calamities.
 - (8) 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 other residents of the jurisdiction.
 - (9) Lack of proper electrical, heating or plumbing facilities required by this Chapter which constitutes a health or a definite safety hazard.
 - (10) For any building whose occupancy classification requires it, lack of connection to a potable water supply and/or to the public sanitary sewer or other approved sewage disposal system. For the purposes of this standard, a building is not connected to a potable water supply if the water supply has been "cut off" because of nonpayment of the water bill or otherwise or if the system for any reason is not receiving a flow of potable water to the tap.
 - (11) Any violation of the State Fire Prevention Code which constitutes a condition which is unsafe and especially dangerous to life.
 - (12) Any abandoned non-residential building or structure which is found to be a health or safety hazard by the Inspector as a result of the attraction of insects or rodents, conditions creating a fire hazard, dangerous conditions constituting a threat to children, or frequent use by vagrants as living quarters in the absence of sanitary facilities.
- (C) In addition to conditions 1-12 enumerated in (B) above, any one of which renders a building or structure unsafe, the Inspector shall determine that a non-residential building or structure is unsafe if he finds that a building or structure fails to fully comply with any five (5) or more of the following enumerated standards of building and premises fitness. Full compliance with a standard means that if any part of the stated standard is not complied with by a particular building and premises, then that building, and premises has failed to fully comply with the enumerated standard.

GENERAL

- (1) Buildings and premises shall be kept clear of accumulations of garbage, trash, or rubbish which create health and sanitation problems. All garbage and solid waste shall be in approved containers or stored in a safe and sanitary way.
- (2) Flammable, combustible, explosive or other dangerous or hazardous materials shall be stored in a manner approved for such materials and consistent with the State Fire Prevention Code.
- (3) Buildings and premises shall be kept free of loose and insufficiently anchored overhanging objects which constitute a danger of falling on persons or property.
- (4) The premises shall be kept free of insufficiently protected holes, excavations, breaks, projections, obstructions and other such dangerous impediments on and around fences, walls, walks, driveways, parking lots and other areas which are accessible to and generally used by persons on the premises.
- (5) Building and premise surfaces shall be kept clear of 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 shall be maintained in such material or treated in such a manner as to prevent deterioration.
- (6) Buildings and premises shall be kept free of objects and elements protruding from building walls, roof or premises which are unsafe or not properly secured or which can create a hazard such as abandoned electrical boxes and conduits, wires, sign brackets and other brackets, and similar objects.

APPURTENANCES

- (7) All chimneys, flues and vent attachments thereto shall be maintained structurally sound. Chimneys, flues, gas vents or other draft-producing equipment which are in use shall provide sufficient draft to develop the rated output of the connected equipment, shall be structurally safe, durable, smoke-tight and capable of withstanding the action of flue gases.
- (8) All exterior porches, landings, balconies, stairs and fire escapes shall be provided with banisters or railings properly designed and maintained to minimize the hazard of falling, and the same shall be kept structurally sound, in good repair, and free of defects.
- (9) All cornices shall be made structurally sound. Rotten or weakened portions shall be removed and/or replaced. All exposed wood shall be treated or painted.
- (10) Gutters and down spouts shall be replaced or repaired as necessary and shall be appropriately located and securely installed so as not to cause a hazard to pedestrians, vehicular traffic or property.
- (11) Attached and unattached accessory structures shall be maintained in a state of good repair.

(12) Advertising sign structures, attached or freestanding, awnings, marquees and their supporting members and other similar attachments and structures shall be maintained in good repair and shall not cause a nuisance or safety hazard.

STRUCTURAL

(13) Walls, partitions, supporting members, sills, joists, rafters or other structural members shall not list, lean or buckle, shall not be rotted, deteriorated or damaged, and shall not have holes or cracks which might admit rodents.

(14) Floors or roofs shall have adequate supporting members and strength to be reasonably safe for the purpose used.

(15) Foundations, foundation walls, piers or other foundation supports shall not be deteriorated or damaged.

(16) Interior and exterior steps, railings, landings, porches or other parts or appurtenances shall be maintained in such condition that they will not fall or collapse.

(17) Where a wall of a building has become exposed as a result of demolition of an adjacent building said wall must have all doors, windows, vents or other similar openings closed with material of the type comprising the wall unless such doors, windows, vents or other similar openings are to be maintained in accordance with the provisions of this Chapter. No protrusions or loose material shall be in the wall. The exposed wall shall be painted, stuccoed or bricked and weatherproofed if necessary to prevent deterioration of the wall.

PLUMBING, ELECTRICAL AND SUPPLIED FACILITIES

(18) All plumbing fixtures and pipes shall meet the standards of the State Plumbing Code and shall be maintained in a state of good repair and in good working order.

(19) All electrical fixtures, receptacles, equipment and wiring shall be maintained in a state of good repair, safe, capable of being used, and installed in accordance with the State Electric Code.

(20) Every supplied facility, piece of equipment or utility which is required under this Chapter or the State Building Code for occupancy or use shall be so constructed or installed that it will function safely and effectively and shall be maintained in satisfactory working condition.

EGRESS

(21) Facilities for egress in case of fire or panic shall be adequate and shall remain clear for such purposes.

(22) 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.

(23) All windows shall be maintained free of broken glass that could be dangerous to the public, invitees or third parties ordinarily expected to use the premises, from falling or shattering.

(24) All openings originally designed as windows shall be maintained as windows, unless specifically approved by the Inspector for enclosure. All broken and missing windows shall be replaced with glass, Plexiglass or similar material approved by the Non-Residential Buildings or Structures Standards Inspector and the North Carolina Building Code.

DRAINAGE

(25) All yards and premises shall be properly graded and maintained so as to obtain thorough drainage and so as to prevent the accumulation of stagnant water.

Section 152.15 Buildings and Premises Not Declared Unsafe But Which Are Not in Compliance With All Standards.

In any case where the Inspector determines that a non-residential building or structure fails to fully comply with one or more but less than five of the standards of non-residential buildings or structures fitness set forth in 152.14 (C), such building or structure shall not be found to be unsafe and shall not be subject to the procedures and remedies as provided for in this Chapter for unsafe buildings and premises. Each such failure of non-compliance, however, shall constitute a violation of the terms of this Chapter and shall subject the violator to the penalties and enforcement procedures of Section 152.29. In such case the Inspector shall not be required to notify the owner as provided for in Section 152.17.

Section 152.16 Investigation.

Whenever it appears to the Inspector that any nonresidential building or structure has not been properly maintained so that the safety or health of its occupants or members of the general public are jeopardized for failure of the property to meet the minimum standards established by the Board of Commissioners, the Inspector shall undertake a preliminary investigation. If entry upon the premises for purposes of investigation is necessary, such entry shall be made pursuant to a duly issued administrative search warrant in accordance with G.S. 15-27.2 or with permission of the owner, the owner's agent, a tenant, or other person legally in possession of the premises.

Section 152.17 Complaint and Notice of Hearing.

If the preliminary investigation discloses evidence of a violation of the minimum standards, the Inspector shall issue and cause to be served upon the owner of and parties in interest in the nonresidential building or structure a complaint. The complaint shall state the charges and contain a notice that a hearing will be held before the Inspector (or his or her designated agent) at a place within the Town, scheduled not less than 10 days nor more than 30 days after the serving of the

complaint; that the owner and parties in interest shall be given the right to answer the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint; and that the rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the Inspector.

Section 152.18 Order to take corrective action; contents; issuance.

If, after notice and hearing, the Inspector determines that the nonresidential building or structure 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 as established by the Board of Commissioners, the Inspector shall state in writing the findings of fact in support of that determination and shall issue and cause to be served upon the owner thereof an order. The order may require the owner to take remedial action, within a reasonable time specified, subject to the procedures and limitations herein.

(A) An order may require the owner to repair, alter, or improve the nonresidential building or structure in order to bring it into compliance with the minimum standards established by the Board of Commissioners or to vacate and close the nonresidential building or structure for any use.

(B) An order may require the owner to remove or demolish the nonresidential building or structure if the cost of repair, alteration, or improvement of the building or structure would exceed fifty percent (50%) of its then current value. Notwithstanding any other provision of law, if the nonresidential building or structure is designated as a local historic landmark, listed in the National Register of Historic Places, or located in a locally designated historic district or in a historic district listed in the National Register of Historic Places and the Board of Commissioners determines, after a public hearing as provided by ordinance, that the nonresidential building or structure is of individual significance or contributes to maintaining the character of the district, and the nonresidential building or structure has not been condemned as unsafe, the order may require that the nonresidential building or structure be vacated and closed until it is brought into compliance with the minimum standards established by this ordinance.

(C) An order **may not** require repairs, alterations, or improvements to be made to vacant manufacturing facilities or vacant industrial warehouse facilities to preserve the original use. The order may require such building or structure to be vacated and closed, but repairs may be required only when necessary to maintain structural integrity or to abate a health or safety hazard that cannot be remedied by ordering the building or structure closed for any use.

Section 152.19 Service of Complaints and Orders of Inspector.

Complaints or orders issued by the Inspector pursuant to this ordinance shall be served upon persons either personally or by certified mail so long as the means used are reasonably designed to achieve actual notice. When service is made by certified mail, a copy of the complaint or order may also be sent by regular mail. Service shall be deemed sufficient if the certified mail is refused, but the regular mail is not returned by the post office within 10 days after the mailing. If regular mail is used, a notice of the pending proceedings shall be posted in a conspicuous place on the premises affected. If the identities of any owners or the whereabouts of persons are unknown and cannot be ascertained by

the Inspector in the exercise of reasonable diligence, and the Inspector makes an affidavit to that effect, the serving of the complaint or order upon the owners or other persons may be made by publication in a newspaper having general circulation in the Town at least once no later than the time that personal service would be required under this section. When service is made by publication, a notice of the pending proceedings shall be posted in a conspicuous place on the premises affected.

Section 152.20 Appeal of Order of Inspector; finality if not appealed.

Any owner who has received an order under Section 152.19 may appeal from the order to the Town Board of Adjustment by giving notice of appeal in writing to the Inspector and to the Town Clerk within ten (10) days following issuance of the order. In the absence of an appeal to the Board of Adjustment within the prescribed time, the order of the Inspector shall be final. The Board of Adjustment shall hear appeals within a reasonable time after receipt of the notice of appeal and it may modify and affirm or revoke the order. Any person aggrieved by a decision or order of the Inspector shall have the remedies provided in G.S. 160D-1208.

Section 152.21 Failure to comply with Order of Inspector.

(A) If the owner fails to comply with an order to repair, alter, or improve or to vacate and close the nonresidential building or structure, the Board of Commissioners may adopt an ordinance ordering the Inspector to proceed to effectuate the purpose of this section with respect to the particular property or properties that the Inspector found to be jeopardizing the health or safety of its occupants or members of the general public. The property or properties shall be described in the ordinance. The ordinance shall be recorded in the Office of the Register of Deeds and shall be indexed in the name of the property owner or owners in the grantor index. Following adoption of an ordinance, the Inspector may cause the building or structure to be repaired, altered, or improved or to be vacated and closed. The Inspector may cause to be posted on the main entrance of any nonresidential building or structure so closed a placard with the following words: "This building is unfit for any use; the use or occupation of this building for any purpose is prohibited and unlawful." Any person who occupies or knowingly allows the occupancy of a building or structure so posted shall be guilty of a misdemeanor.

(B) If the owner fails to comply with an order to remove or demolish the nonresidential building or structure, the Board of Commissioners may adopt an ordinance ordering the Inspector to proceed to effectuate the purpose of this section with respect to the particular property or properties that the Inspector found to be jeopardizing the health or safety of its occupants or members of the general public. No ordinance shall be adopted to require demolition of a nonresidential building or structure until the owner has first been given a reasonable opportunity to bring it into conformity with the minimum standards established by the Board of Commissioners. For the purposes of this subsection, a period of ninety (90) days following the date of the Inspector's order shall constitute a reasonable opportunity. The property or properties shall be described in the ordinance. The ordinance shall be recorded in the Office of the Register of Deeds and shall be indexed in the name of the property owner or owners in the grantor index. Following adoption of an ordinance, the Inspector may cause the building or structure to be removed or demolished.

Section 152.22 Remedies; lien for cost of demolition and removal.

(A) The amount of the cost of repairs, alterations, or improvements, or vacating and closing, or removal or demolition by the Inspector shall be a lien against the real property upon which the cost was incurred, which lien shall be filed, have the same priority, and be collected as the lien for special assessment provided in Article 10 of Chapter 160A of the General Statutes.

(B) The amount of the costs is also a lien on any other real property of the owner located within the Town limits except for the owner's primary residence. The additional lien provided in this subdivision is inferior to all prior liens and shall be collected as a money judgment.

(C) If the nonresidential building or structure is removed or demolished by the Inspector, he or she shall offer for sale the recoverable materials of the building or structure and any personal property, fixtures, or appurtenances found in or attached to the building or structure and shall credit the proceeds of the sale, if any, against the cost of the removal or demolition, and any balance remaining shall be deposited in the superior court by the Inspector, 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. Nothing in this section shall be construed to impair or limit in any way the power of the Board of Commissioners to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise.

Section 152.23 Failure of occupant to comply with order to vacate.

If any occupant fails to comply with an order to vacate a nonresidential building or structure, the Inspector may file a civil action in the name of the Town to remove the occupant. The action to vacate shall be in the nature of summary ejectment and shall be commenced by filing a complaint naming as parties-defendant any person occupying the nonresidential building or structure. The clerk of superior court shall issue a summons requiring the defendant to appear before a magistrate at a certain time, date, and place not to exceed 10 days from the issuance of the summons to answer the complaint. The summons and complaint shall be served as provided in G.S. 42-29. The summons shall be returned according to its tenor, and if on its return it appears to have been duly served and if at the hearing the Inspector produces a certified copy of an ordinance adopted by the Board of Commissioners pursuant to Section 152.21 of this Chapter to vacate the occupied nonresidential building or structure, the magistrate shall enter judgment ordering that the premises be vacated and all persons be removed. The judgment ordering that the nonresidential building or structure be vacated shall be enforced in the same manner as the judgment for summary ejectment entered under G.S. 42-30. An appeal from any judgment entered under this subsection by the magistrate may be taken as provided in G.S. 7A-228, and the execution of the judgment may be stayed as provided in G.S. 7A-227. An action to remove an occupant of a nonresidential building or structure who is a tenant of the owner may not be in the nature of a summary ejectment proceeding pursuant to this subsection unless the occupant was served with notice, at least 30 days before the filing of the summary ejectment proceeding, that the governing body has ordered the Inspector to proceed to exercise his duties under Section 152.21 of this Chapter to vacate and close or remove and demolish the nonresidential building or structure.

Section 152.24 Action by Board of Commissioners Upon Abandonment of Intent to Repair.

(A) If the Board of Commissioners has adopted an ordinance or the Inspector has issued an order requiring the building or structure to be repaired or vacated and closed and the building or structure has been vacated and closed for a period of **two years** pursuant to the ordinance or order, the Board of Commissioners may make findings that the owner has abandoned the intent and purpose to repair, alter, or improve the building or structure and that the continuation of the building or structure in its vacated and closed status would be inimical to the health, safety, and welfare of the municipality in that it would continue to deteriorate, would create a fire or safety hazard, would be a threat to children and vagrants, would attract persons intent on criminal activities, or would cause or contribute to blight and the deterioration of property values in the area. Upon such findings, the Board of Commissioners may, after the expiration of the **two year** period, enact an ordinance and serve such ordinance on the owner, setting forth the following:

- (1) If the cost to repair the nonresidential building or structure to bring it into compliance with the minimum standards is less than or equal to fifty percent (50%) of its then current value, the ordinance shall require that the owner either repair or demolish and remove the building or structure within 90 days; or
- (2) If the cost to repair the nonresidential building or structure to bring it into compliance with the minimum standards exceeds fifty percent (50%) of its then current value, the ordinance shall require the owner to demolish and remove the building or structure within 90 days.

(B) In the case of vacant manufacturing facilities or vacant industrial warehouse facilities, the building or structure must have been vacated and closed pursuant to an order or ordinance for a period of **five years** before the Board of Commissioners may take action under this subsection. The ordinance shall be recorded in the office of the register of deeds in the county wherein the property or properties are located and shall be indexed in the name of the property owner in the grantor index. If the owner fails to comply with the ordinance, the Inspector shall effectuate the purpose of the ordinance.

Section 152.25 Demolition of Non-Residential Buildings or Structures by Owner.

Where a non-residential building or structure is under the jurisdiction of this Chapter, the building may be demolished by the owner provided that the following requirements are met:

- (1) The owner shall obtain a demolition permit from the Building Inspections Department.
- (2) All sewer, gas, water and similar taps or connections shall be properly closed and disconnected.
- (3) All debris from the building shall be removed from the site. This requirement is for the removal of all debris that is above the street level of the building.
- (4) The lot shall be graded to a smooth, even, finished grade, free from building material, debris, holes, and/or depressions. Where building debris remains on the site below street

level, the owner must back fill the lot with twelve (12) inches of clean fill which shall be graded to a smooth, even finished grade.

(5) Where walls of adjacent buildings become exposed as a result of the demolition, said walls must have all doors, windows, vents or other similar openings closed with material of the type comprising the wall, unless such doors, windows, vents, or other similar openings are to be maintained in accordance with the provisions of this Chapter. No protrusions or loose material shall be in the wall. The exposed wall shall be painted, stuccoed or bricked and weatherproofed if necessary to prevent deterioration of the wall.

Section 152.26 Inspections.

(A) For the purpose of carrying out the intent of this Chapter, the Inspector is hereby authorized to enter, examine and survey at all reasonable times all non-residential buildings and premises, including abandoned structures. The owner or occupant of every non-residential building or the person in charge thereof, shall give the Inspector free access to such building and its premises, at all reasonable times for the purposes of such inspection, examination, and survey. Every occupant of a non-residential building shall give the owner thereof, or his agent or employee, access to any part of such building and its premises at all reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this Chapter or with any lawful order issued pursuant to the provisions of this Chapter.

(B) The Inspector may make periodic inspections for unsafe, unsanitary or otherwise hazardous and unlawful conditions in non-residential structures within the jurisdiction. In addition, he may make inspections when he has reason to believe that such conditions may exist in a particular structure or premises.

Section 152.27 Defects in buildings to be corrected.

When the Inspector finds any defects in a non-residential building, or finds that a building has not been constructed in accordance with applicable State and Town laws, or that a building because of its condition is dangerous or contains fire hazardous conditions, it shall be his duty to notify the owner or occupant of the building of its defects, hazardous conditions or failure to comply with law. The owner or occupant shall each immediately remedy the defects, hazardous conditions or violations of law in the property he owns. Failure to do so shall constitute a violation of this Chapter. Each day any violation of this Chapter shall continue shall constitute a separate offense.

Section 152.28 Violations.

In addition to the conditions, acts or failure to act that constitute violations specified in this Chapter, it shall be unlawful for the owner of any building or structure to fail, neglect or refuse to repair, alter or improve the same, or to vacate and close or vacate and remove or demolish the same, upon order of the Inspector duly made and served as herein provided, within the time specified in such order. It shall be unlawful for the owner of any building, with respect to which an order has been issued pursuant to Section 152.19, to occupy or permit the occupancy of the same after the time prescribed

in such order for its repair, alteration or improvement or its vacation and closing, or vacation and removal or demolition.

Section 152.29 General Penalties.

1. An act constituting a violation of the provisions of this ordinance or a failure to comply with any of its requirements shall subject the offender to a civil penalty of ONE HUNDRED DOLLARS (\$100.00), which includes administrative fees. Each day any single violation continues shall be a separate violation. A violation of this ordinance shall not constitute a misdemeanor pursuant to N.C.G.S. 14-4. If the offender fails to correct this violation by the prescribed deadline after being notified of said violation, the penalty may be recovered in a civil action in the nature of a debt.

2. In addition to the civil penalties set out above, any provision of this ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction. In such case, the General Court of Justice shall have jurisdiction to issue such orders as may be appropriate, and it shall not be a defense to the application of the Town for equitable relief that there is an adequate remedy at law.

3. In addition to the civil penalties set out above, the provisions of this ordinance may be enforced by injunction and order of abatement by the General Court of Justice. When a violation of these provisions occurs, the Town may apply to the appropriate division of the General Court of Justice for a mandatory or prohibitory injunction and/or order of abatement commanding the defendant to correct the unlawful condition upon or cease the unlawful use of the property. The action shall be governed in all respects by the laws and rules governing civil proceedings, including the Rules of Civil Procedure in general and Rule 65, in particular.

4. Upon failure of the owner/violator to obey the Notice of Violation/Warning Citation or written Order, a Notice of Civil Citation may be issued by the Inspector/enforcement official, either served directly on the violator, his duly designated agent, or registered agent if a corporation, either in person or posted in the United States mail service by first class mail addressed to the last known address of the violator as contained in the records of the County or obtained from the violator at the time of issuance of the Notice of Violation/Warning Citation. The violator shall be deemed to have been served upon the mailing of said Notice of Civil Citation. The Notice of Civil Citation shall direct the violator to appear in person at the Town Hall to pay the penalty within (15) fifteen days of the date of the Civil Citation, or alternatively to pay the citation by mail. The violation for which the penalty is issued must have been corrected by the time the penalty is paid, otherwise further penalties shall accrue. Penalties accrue from the date initially imposed in the Notice of Civil Citation and will continue without further notice, for each day the offense continues, until the prohibited activity is corrected, ceased or abated. The Town may institute a civil action in the North Carolina General Court of Justice for the collection of the penalty, attorney fees, interest, court costs, and other such relief as permitted by law.

Section 152.30 Procedure Is Alternative

Neither this chapter nor any of its provisions shall be construed to impair or limit in any way the power of the Town to define and declare nuisances and to cause their abatement by summary action or otherwise, and the enforcement of any remedy provided herein shall not prevent the enforcement of any other remedy or remedies provided herein or in other ordinance or laws.”

PART TWO. That all ordinances in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

PART THREE. That this Ordinance shall become effective upon its adoption by the Board of Commissioners of the Town of Mount Gilead, North Carolina.

Adopted this _____ day of _____, 2025.

Sheldon P. Morley, Mayor

ATTEST:

Approved as to form:

Lessie D. Jackson, Town Clerk

_____, Town Attorney

**AN ORDINANCE AMENDING
THE REGULATION OF PUBLIC NUISANCES
THE TOWN OF MOUNT GILEAD**

WHEREAS, Article 8 of Chapter 160A of the North Carolina General Statutes, N.C.G.S. 160A-174, et seq., delegates to municipalities the authority to exercise the general police power; and

WHEREAS, Article 8 of Chapter 160A of the North Carolina General Statutes, N.C.G.S. 160A-193, authorizes municipalities to summarily remedy, abate or remove public health nuisances; and

WHEREAS, the Board of Commissioners of the Town of Mount Gilead finds that it is in the public interest to amend the Weeds sections 94.15 through 94.22 as it pertains to regulating Public Nuisance conditions in the Town; and

WHEREAS, the Board of Commissioners of the Town of Mount Gilead, after due notice, conducted a public hearing on the ___ day of _____ 2025, upon the question of amending this ordinance in this respect.

THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF MOUNT GILEAD, NORTH CAROLINA:

PART ONE. That an Ordinance entitled Chapter 94: Nuisances, Sections 94.15 through 94.22 and Section 94.99, of the Code of Ordinances of the Town of Mount Gilead, North Carolina, is hereby amended in its entirety to read as follows:

" CHAPTER 94, NUISANCES

Section 94.15. Declaration of Public Nuisance.

The following enumerated and described conditions, or any combination thereof, are hereby found, deemed, and declared to constitute a detriment, danger and hazard to the health, safety, morals and general welfare of the inhabitants of the Town and are found, deemed and declared to be public nuisances wherever the conditions may exist and the creation, maintenance or failure to abate any nuisances is hereby declared unlawful:

1. Any weeds or other vegetation having an overall height of more than twelve (12) inches above the surrounding ground provided that the following shall not be considered to be a part of this condition: trees and ornamental shrubs; cultured plants; natural vegetation on undeveloped property that is not a threat to the character of surrounding properties; and flowers and growing and producing vegetable plants. It shall be the duty of every person occupying, owning or having control of property abutting on a street or highway that utilizes a portion of the unused street or highway right-of-way as a yard or any other use to maintain said right-of-way in the same character and manner as the abutting use.

2. Any accumulation of trash and/or garbage which is the result of the absence or of overflowing or improperly closed trash or garbage containers, that attracts or is likely to attract mice and rats, flies and mosquitoes or other pests.
3. An open or unsecured storage or collection place for chemicals, acids, oils, gasoline, flammable or combustible materials or flammable or combustible liquids, poisonous materials or other similar harmful or dangerous substances, gasses or vapors.
4. An open place of concentration of combustible items such as mattresses, boxes, paper, automobile tires and tubes, garbage, trash, refuse, brush, old clothes, rags, or any other combustible materials or objects of a like nature;
5. Any accumulation of garbage, rubbish, trash, or junk causing or threatening to cause a fire hazard, or causing or threatening to cause the accumulation of stagnant water, or causing or threatening to cause the inhabitation therein of rats, mice, snakes, mosquitoes, or vermin prejudicial to the public health.
6. Any accumulation of animal or vegetable matter that is offensive by virtue of odors or vapors or by the inhabitation therein of rats, mice, snakes, or vermin of any kind which is or may be dangerous or prejudicial to the public health.
7. The open storage of any discarded icebox, furniture, refrigerator, stove, glass, building materials, building rubbish or similar items. The use of carports, open porches, decks, open garages and other outdoor areas that are visible from the street as a storage or collection place for boxes, appliances, furniture (not typical outdoor or yard furniture), tools, equipment, junk, garbage, old worn out broken or discarded machinery and equipment, cans, containers, household goods or other similar condition that increase the likelihood of a fire; may conceal dangerous conditions; may be a breeding place or habitat for mice, rats or other pests; or, create an unattractive condition or visually blighted property.
8. Any building or other structure which has been burned, partially burned or otherwise partially destroyed and which is unsightly or hazardous to the safety of any person, is a continuing fire hazard or which is structurally unsound to the extent that the Board of Commissioners or their designee can reasonably determine that there is a likelihood of personal or property injury to any person or property entering the premises.
9. A collection place for lumber, bricks, blocks, old and broken concrete materials, nails, building hardware, roofing materials, scaffolding, masonry materials, electrical supplies or materials, plumbing supplies or materials, heating and air conditioning supplies or materials or any other type of old or unusable building supplies (especially those with nails, staples or sharp objects and edges) unless such conditions are temporary in nature and caused by a current construction project in progress pursuant to a lawfully issued building permit.
10. The placement, storage or use of upholstered sofas, couches, chairs or other indoor type furniture, appliances, seats removed from motor vehicles or other furniture not intended for outdoor use by the manufacturer, use on any open porch, carport, stoop, deck, veranda, terrace, patio, or other outdoor area that is visible from nearby streets and sidewalks.
11. A collection place, pool, or pond of stagnant or foul water or persistent dampness caused by overflowing septic tanks, manmade dams, open ditches, overflowing pipes, foundation trenches or other impoundments of any kind.

12. Barns or farm animal pens, pastures or enclosures for farm animals which are not kept sanitary and clean or otherwise become a collection place for animal waste and which because of the conditions associated therewith attract rats, mice, flies or other pests or emit foul odors that can be detected or noticed on adjacent properties or are otherwise not kept in a sanitary condition.
13. Dog lots, pens, pet enclosures of all kinds, outdoor areas where dogs or other pets are chained or kept or areas where dogs and cats are permitted to roam which become a collection place for dog, cat or pet waste and excrement and which attract flies or other pests, emit foul odors which can be detected or noticed on adjacent property or are not kept in a sanitary condition.
14. A collection place for sewage and sewage drainage or the seepage from septic tanks, broken or malfunctioning plumbing and sewer pipes or any other seepage of dangerous, hazardous or poisonous liquids.
15. A collection place for tree limbs, dried brush, dead vegetation, stumps or other decayed wood and materials or other similar rubbish.
16. Any discharge into or polluting of any public well or cistern, stream, creek, river or other body of water or the discharge of any dangerous substance or any other material likely to harm the water or any vegetation, fish or wildlife in or along the water or the storage of such harmful materials and substances in a manner so that it is likely that such streams, creeks, rivers or other bodies of water will become polluted or adversely affected in any manner.
17. Any condition which blocks, hinders, or obstructs in any way the natural flow of branches, streams, creeks, surface waters, ditches, or drains, to the extent that the premises is not free from standing water.
18. Any conditions or use of property, which results in the emission of pollutants and particles into the atmosphere or causes noxious odors, vapors and stenches to be discharged into the air.
19. Nuisance vehicle: A vehicle on public or private property that is determined and declared to be a health or safety hazard, a public nuisance, and unlawful, including a vehicle found to be:
 - (a) A breeding ground or harbor for mosquitoes, other insects, rats or other pests; or
 - (b) A point of heavy growth of weeds or other noxious vegetation which exceeds eight (8) inches in height ; or
 - (c) In a condition allowing the collection of pools or ponds of water; or
 - (d) A concentration of quantities of gasoline, oil, or other flammable or explosive materials as evidenced by odor; or
 - (e) An area of confinement which cannot be operated from the inside, such as, but not limited to, trunks or hoods; or
 - (f) So situated or located that there is a danger of it falling or turning over; or
 - (g) A collection of garbage, food waste, animal waste, or any other rotten or putrescent matter of any kind; or
 - (h) One which has sharp parts thereof which are jagged or contain sharp edges of metal or glass;
 - (i) Any other vehicle specifically declared a health and safety hazard and a public nuisance by the Board of Commissioners.

20. Any condition detrimental to the public health which violates the rules and regulations of the County Health Departments.

Section 94.16. Complaint; Investigation of Public Nuisance.

1. When any condition in violation of this ordinance is found to exist, the Code Administrator or such persons as may be designated by the Town Board of Commissioners shall give notice to the owner of the premises to abate or remove such conditions. Such notice shall be in writing, shall include a description of the premises sufficient for identification and shall set forth the violation and state that, if the violation is not corrected prior to a specified date, (no sooner than 10 calendar days after the notice is mailed and/or affixed to the property), the Town may proceed to correct the same as authorized by this ordinance. Service of such notice shall be by any one of the following methods.

(a) By delivery to any owner personally or by leaving the notice at the usual place of abode of the owner with a person who is over the age of sixteen (16) years and a member of the family of the owner.

(b) By depositing the notice in the United States Post Office addressed to the owner at his last known address with regular mail postage prepaid thereon.

(c) By posting and keeping posted, for ten (10) days, a copy of the notice, in placard form, in a conspicuous place on the premises on which the violation exists, when notice cannot be served by method (a) and (b).

2. Where the enforcement official of the Town determines that the period of time stated in the original warning citation is not sufficient for abatement based upon the work required or consent agreement, the enforcement official may amend the warning citation to provide for additional time.

Section 94.17. Chronic Violator

The town may notify a chronic violator of the town's public nuisance ordinance that, if the violator's property is found to be in violation of this chapter, the town shall, without further notice in the calendar year in which notice is given, take action to remedy the violation. The expense of such action shall become a lien upon the property and shall be collected as unpaid taxes. The notice shall be sent by registered or certified mail. When service is attempted by registered or certified mail, a copy of the notice may also be sent by regular mail. Service shall be deemed sufficient if the registered or certified mail is unclaimed or refused, but the regular mail is not returned by the post office within 10 days after the mailing. If service by regular mail is used, a copy of the notice shall be posted in a conspicuous place on the premises affected. A chronic violator is a person who owns property whereupon, in the previous calendar year, the town gave notice of violation at least three times under any provision of the public nuisance ordinance.

Section 94.18 Appeal from a Warning/Notice of Violation.

An appeal from a warning citation shall be taken within ten (10) days from the date of issue of said warning citation by filing with the Town Clerk and with the Board of Adjustment, a notice of appeal which shall specify the grounds upon which the appeal is based. The Board of Adjustment in considering appeals of warning citations shall have power only in the manner of administrative review and interpretation where it is alleged that the enforcement official has made an error in the application of this ordinance, in the factual situation as it relates to the application of an ordinance or both.

Section 94.19. Abatement by Town

1. If any person who has been ordered to abate a nuisance pursuant to this chapter, fails, neglects or refuses to abate or remove the condition constituting the nuisance within time allowed in the notice, the Town Manager shall cause the condition to be removed or otherwise remedied by having employees of the town or a private contractor designated by the Town Manager go upon the premises and remove or otherwise abate the nuisance under the supervision of the enforcement official designated by the Town Manager.
2. Any person who has been ordered to abate a nuisance may within the time allowed by this chapter request the town in writing to remove the condition, the cost of which shall be paid by the person making the request.

Section 94.20. Liability for Cost of Removal

1. The actual cost incurred by the town in removing or otherwise remedying a public nuisance shall be charged to the owner of the lot or parcel of land and it shall be the duty of the tax collector or other appropriate town official to mail a statement of the charges to the owner or other person in possession of the premises with instructions that the charges are due and payable within 30 days from receipt of the statement.
2. If charges for the removal or abatement of a public nuisance are not paid within 30 days after the receipt of a statement of charges as provided for in subsection 1, the charges shall become a lien on the land or premises where the nuisance occurred, shall include administrative fees, shall have the same priority and be collected as unpaid ad valorem taxes, as provided in G.S. § 160A-193(a).

Section 94.21. Procedure Is Alternative

The procedure set forth in this ordinance shall be in addition to any other remedies that may now or hereafter exist under law for the abatement of public nuisances.”

Section 94.22. Reserved.

Section 94.99 Penalties.

- (A) Any person who violates any provision of this chapter for which no other specific penalty applies shall be punished as set forth in section 10.99.

- (B) An act constituting a violation of the provisions of section 94.15 or a failure to comply with any of its requirements shall subject the offender to a civil penalty of FIFTY DOLLARS (\$50.00), which includes administrative fees. Each day any single violation continues shall be a separate violation. A violation of this ordinance shall not constitute a misdemeanor pursuant to N.C.G.S. 14-4. If the offender fails to correct this violation by the prescribed deadline after being notified of said violation, the penalty may be recovered in a civil action in the nature of a debt.
- (C) In addition to the civil penalties set out above, any provision of this ordinance may be enforced by an appropriate equitable remedy issuing from a court of competent jurisdiction. In such case, the General Court of Justice shall have jurisdiction to issue such orders as may be appropriate, and it shall not be a defense to the application of the Town for equitable relief that there is an adequate remedy at law.
- (D) In addition to the civil penalties set out above, the provisions of this ordinance may be enforced by injunction and order of abatement by the General Court of Justice. When a violation of these provisions occurs, the Town may apply to the appropriate division of the General Court of Justice for a mandatory or prohibitory injunction and/or order of abatement commanding the defendant to correct the unlawful condition upon or cease the unlawful use of the property. The action shall be governed in all respects by the laws and rules governing civil proceedings, including the Rules of Civil Procedure in general and Rule 65, in particular.
- (E) Upon failure of the violator to obey the Notice of Violation/Warning Citation, a Notice of Civil Citation may be issued by the enforcement official, either served directly on the violator, his duly designated agent, or registered agent if a corporation, either in person or posted in the United States mail service by first class mail addressed to the last known address of the violator as contained in the records of the County or obtained from the violator at the time of issuance of the Notice of Violation/Warning Citation. The violator shall be deemed to have been served upon the mailing of said Notice of Civil Citation. The Notice of Civil Citation shall direct the violator to appear in person at the Town Hall to pay the penalty within (15) fifteen days of the date of the Civil Citation, or alternatively to pay the citation by mail. The violation for which the penalty is issued must have been corrected by the time the penalty is paid, otherwise further penalties shall accrue. Penalties accrue from the date initially imposed in the Notice of Civil Citation and will continue without further notice, for each day the offense continues, until the prohibited activity is corrected, ceased or abated. The Town may institute a civil action in the North Carolina General Court of Justice for the collection of the penalty, attorney fees, interest, court costs, and other such relief as permitted by law.”

PART TWO. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

PART THREE. If any section, subsection, paragraph, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent

jurisdiction, such portion shall be deemed severable and such holding shall not affect the validity of the remaining portions hereof.

PART FOUR. The enactment of this ordinance shall in no way affect the running of any amortization provisions or enforcement actions or otherwise cure any existing violations.

PART FIVE. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this _____ day of _____, 2025.

Sheldon P. Morley, Mayor

ATTEST:

Approved as to form:

Lessie D. Jackson, Town Clerk

_____, Town Attorney



TOWN OF MOUNT GILEAD Garden

Gathering Garden Report – December Update

December brought colder weather, which limited the amount of time we could safely spend working in the garden. Even so, we stayed active when conditions allowed. We completed some weeding and laid down all the leaves that were donated. We can still use at least twice as many leaves to finish properly mulching and protecting the beds through the winter.

While the weather slowed outdoor work, we did not stay idle. We used this time to plan for the New Year and take inventory of what needs attention going into spring. Several irrigation lines need replacement, and we plan to address that work before planting begins. We also still need to install the orchard fencing. We have the materials on hand, and the project is ready to move forward as soon as we have enough able-bodied volunteers and the time to complete it.

As always, we appreciate the continued support of the community and everyone who helps make the Gathering Garden possible. Your time, donations, and encouragement allow us to keep moving forward, even during the slower winter months.

TOWN OF MOUNT GILEAD

Town Manager Monthly Report

Month of: January

Submitted: Tuesday January 6, 2026

Board of Commissioners: 7:00pm



PRIORITY ITEMS FOR THIS WEEK

Top Focus Areas: Fall Festival, Christmas Activities, Grant Deadlines, Communications

- Town Hall Renovations Update
- Discussion of Ordinance on Minimum Housing Standards
- Public Hearing for Code Enforcement HC-255-01 500 West Allenton
- Thanks to the Merchants Association for Christmas on the Square and the Parade
- Shop with a cop raised over \$10,000
- Holiday Schedule Town Hall closed on January 19th Martin Luther King Day Observed.
- Leaf Pick-up will resume first week of January

PERSONNEL MATTERS

Staffing Updates

- Sent an offer letter for Public Workers waiting for response to the offer
- Employee Merit Raises Recommended for the staff members on the supplemental list provided of 3%

Employee Relations

- **Policy Matters:** The Employee Policy Manual is under review by department heads. A revised edition of the manual will be submitted for approval to the board in February board meetings
-

EXTERNAL AGENCY UPDATES & GRANTS

Albert Johnson Park (Pocket Park)

Current Grants:

- Albert Johnson Park Partners meeting was held in December, and the next meeting will be held on January 26th at 3:00pm in the Mount Gilead Library. Michael Safey, Bob Dean, Lewis Dorsett, Jim Kiser, Dale Blankenship and Kathy Johnson were present

Current Initiatives:

- Staff Meetings:
 - Department Public Works Police Department (weekly)
 - Staff Meeting (3rd Wednesday of every month)
 - Communication Committee, Economic Development Corporation Meeting
 - Leadership Montgomery January 08, 2026, Business & Industry
-

MEETINGS & COMMITMENTS Schedule

- **Monday:** Briefing with Public Works Director in the morning and Police Chief in the afternoon
- **Tuesday:** Weekly meeting with Mayor – Tuesdays Noon
- **Wednesday:** Staff Meeting Every other Wednesday at 9:30am
- **Thursday:** Parks and Recs Committee – Thursdays 6pm As Needed
- **Friday:** - Open Office hours for residents *Note I will see residents whenever possible on a walk-in basis. If they would like to schedule a meeting, I try to leave Fridays open for residents.

EMPLOYEE NAME

ADMINISTRATION

BARRETT BROWN
LEE HAITHCOCK
ALLENA INGRAM
LESSIE JACKSON

PUBLIC WORKS

JAMES MCCORMICK
ELYSHAH LITTLE
RYAN FOERMAN
SAM STEWART

POLICE DEPARTMENT

TALMEDGE LEGRAND
ADAM LUCAS
AUSTEN MORTON
MICHAEL SWARD
TREVOR WOOD
JOSEPH LAWING

WWTP

JIMMY HAITHCOCK

TOWN OF MOUNT GILEAD
P.O. Box 176 • Mount Gilead, NC 27306
Phone: (910) 439-5111 **Website:** www.mtgileadnc.com

MEMORANDUM

To: Mayor and Board of Commissioners
From: Barrett Brown, Town Manager
Date: 12 December 2025
Subject: Proposed Ordinance Amendments Required by NCGS 160D-1129

The purpose of this memorandum is to provide you with drafts of proposed amendments to the Town of Mount Gilead’s ordinances. These updates are required following the North Carolina General Assembly’s adoption of **NCGS 160D-1129**, which necessitates revisions to portions of our regulatory ordinances.

In coordination with **John Ganus, Code Enforcement Officer**, I have prepared updates to the following chapters:

Chapter 152 – Non-Residential Buildings or Structures Standards

- Adds a penalties section, which is currently absent from the ordinance.

Chapter 151 – Minimum Housing Standards

- Expand coverage to include older buildings, commercial structures, vacant buildings, and abandoned buildings.
-

These amendments reflect the statutory changes under **NC Statute Article 8, Chapter 160A, pursuant to Section 160D-1201**, and will bring the Town’s ordinances into full compliance with state law.

Please review the attached drafts at your convenience. I am available to answer any questions or concerns you may have. **John Ganus**, the Town’s contracted Code Enforcement Officer, will also be present at the **January 6th Board of Commissioners’ meeting** to assist with discussion of these updates.