

MINUTES OF A SPECIAL MEETING OF
THE BOARD OF COMMISSIONERS OF THE TOWN OF LAKE LURE
June 11, 1984

Pursuant to notice duly given a special meeting of the Board of Commissioners of the Town of Lake Lure was held in the Town Office, Monday, June 11, 1984, at 7:30 p.m. for the purpose of discussing the budget and a personnel matter.

Those present were: Mayor Hicks, Commissioners Frankie Queen, Woodrow Price, Sadye Gruver, and Ted Cashion, and Town Manager Peter F. Lydens.

The meeting was called to order by Mayor Hicks.

Motion was made by Commissioner Cashion, seconded by Commissioner Gruver to dispense with the reading of the minutes of the Regular Meeting of May 29, 1984. The vote was unanimous.

There was a brief discussion concerning the possible purchase of a new medium sized fire truck by the Lake Lure Fire Department. The Fire Chief, Ray Ruff, said that the department had investigated several possibilities, new and used, and that the truck that was favored was in Boiling Springs, SC and could be viewed at any time. Commissioner Cashion said that before any recommendation from the Board for monetary support could be given, he would like to inspect the proposed vehicle.

The discussion of the Budget began with comments from Mayor Hicks, and with Town Manager, Peter Lydens. Mr. Lydens gave a brief overview of the budget and after limited discussion it was agreed to continue the discussion at another time.

Motion was made by Commissioner Cashion, seconded by Commissioner Price to go into Executive Session to discuss a personnel matter. The vote was unanimous.

Motion was made by Commissioner Price, seconded by Commissioner Cashion to end Executive Session.

The meeting was reconvened and a motion was made by Commissioner Price, seconded by Commissioner Cashion, to recess the meeting until Tuesday, June 19, 1984 at 7:00 p.m. in the Town Office. The vote was unanimous.

The meeting was resumed at 7:30 p.m., June 19, 1984 in the Town Office.

Those present were Mayor Hicks, Commissioners Cashion, Price, Gruver, Queen, and Town Manager Peter Lydens.

There was a request by the Lake Lure Ski-Club, represented by George Bond, for funds to purchase a new ski boat. Mr. Bond stated that a new Ski-Nautique would cost \$18,000, but they could purchase a demo for \$11,000.

Commissioner Cashion made a motion, seconded by Commissioner Price to give \$6,000 to the Lake Lure Ski-Club toward the purchase of a new boat. Commissioner Gruver said she thought that \$6,000 was an excessive amount and would prefer to examine the recreation budget before making a decision. Commissioner Cashion withdrew his motion.

Motion was made by Commissioner Gruver to establish the 1984 tax rate at .50 per \$100 valuation. Motion was seconded by Commissioner Cashion and passed by unanimous vote.

The Council requested that Peter F. Lydens research a Privilege License schedule for January 1, 1985.

Motion was made by Commissioner Cashion, seconded by Commissioner Price that the Mayor's salary be set at \$3,000 a year, with an expense allowance of \$100 a month. The vote was unanimous.

Commissioner Cashion amended the motion to include \$2,700 a year for the Commissioner's salary with \$50 a month expenses. Commissioner Price seconded the motion and the vote was unanimous.

Motion was made by Commissioner Cashion, seconded by Commissioner Price to recess the meeting until Monday, June 25, 1984 at 6:00. The vote was unanimous.

* * * * *

The meeting was resumed at 6:00, June 25, 1984 in the Town Office.

Those present were Mayor Hicks, Commissioners Cashion, Price, Gruver, Queen, and Town Manager Peter Lydens.

Commissioner Price made the motion, seconded by Commissioner Gruver to draw up Contract Agreements between the Town of Lake Lure and the four local fire departments, Lake Lure VFD, Chimney Rock VFD, Fairfield Mountains VFD, and Bill's Creek VFD. The vote was unanimous.

Motion was made by Commissioner Queen, seconded by Commissioner Gruver, authorizing a Contract Agreement between the Town of Lake Lure and the Hickory Nut Gorge EMS for Emergency Medical Services. The vote was unanimous.

Motion was made by Commissioner Cashion, seconded by Commissioner Gruver to adopt a Resolution authorizing a Formal Mutual Aid Agreement with Rutherford County for the Lake Lure Police Department and Rutherford County Sheriff's Department.

Motion was made by Commissioner Cashion, seconded by Commissioner Price adopting a Resolution authorizing an Agreement with the Lake Lure VFD to hold Weekly Street Dances on Municipal Property. The vote was as follows:

Commissioners Price, Cashion and Gruver in favor
Commissioner Queen against

Motion was made by Commissioner Price, seconded by Commissioner Gruver to adopt a memorandum authorizing signatories to funds as follows:

Mayor Charles F. Hicks, one Councilperson, the Town Manager Peter F. Lydens, and the Town Clerk, Bonnie D. Nelon.

The vote was unanimous.

Motion was made by Commissioner Cashion, seconded by Commissioner Gruver to appoint as Tax Collector, Bonnie Nelon. The vote was unanimous.

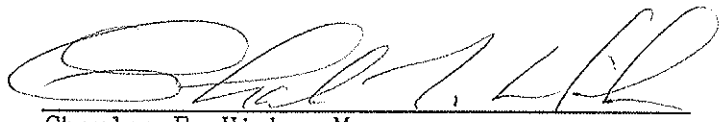
Motion was made by Commissioner Gruver, seconded by Commissioner Cashion to appoint Dotti Summerville as Finance Officer. The vote was unanimous.

Motion was made by Commissioner Cashion, seconded by Commissioner Gruver to set a bond for the Finance Officer. The motion was unanimous.


Motion was made by Commissioner Price, seconded by Commissioner Gruver, to appoint the Town Manager as Assistant Finance Officer. The vote was unanimous.

Motion was made by Commissioner Price, seconded by Commissioner Cashion to give \$3,000.00 to the Lake Lure Ski Club for the down payment on a ski boat. The vote was unanimous.

Motion was made by Commissioner Price, seconded by Commissioner Cashion to adjourn. The vote was unanimous.



Charles F. Hicks, Mayor



Bonnie D. Nelon, Clerk

Approved 26th day of June, 1984.

ORDINANCE AMENDING THE FY 83-84 ELECTRIC POWER FUND BUDGET

Be it ordained by the Town Council of Lake Lure that the Electric Power Fund of the FY 1983-1984 Budget be amended as follows:

<u>REVENUES</u>	<u>SOURCE</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
Increase	Interest Earned on Invest.	(329-00)	\$ 8,150	--
Increase	Charges for Power	(371-00)	<u>202,600</u>	<u>---</u>
	Totals		\$210,750	-0-

<u>EXPENDITURES</u>	<u>ACTIVITY</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
Increase	Administration	(31-410)	\$307,750	--
Increase	Legal	(31-415)	5,000	--
Decrease	Non-Departmental	(31-660)	<u>---</u>	<u>\$2,000</u>
	Totals		\$312,750	\$2,000

Adopted this 26th day of June, 1984.

Attest:

Mayor

Bonnie D. Nelson
Town Clerk

Approved as to Form

Town Attorney

ORDINANCE AMENDING THE FY 83-84 WATER AND SEWER FUND BUDGET

Be it ordained by the Town Council of Lake Lure that the Water and Sewer Fund of the FY 1983-1984 Budget be awarded.


<u>REVENUES</u>	<u>SOURCES</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
Increase	Int. Earned on Investments	(329-00)	\$ 1,200	---
Increase	Miscellaneous Revenues	(335-00)	175	---
Decrease	Charge for Water	(371-00)	---	\$ 1,900
Decrease	Charge for Sewer	(371-01)	---	3,000
Decrease	Tap/Connection - Water	(371-02)	---	500
Increase	Tap/Connection - Sewer	(371-03)	100	---
Even	Reconnection Fees	(375-00)	---	---
Decrease	Water Meters	(375-02)	---	650
Decrease	Pressure-Reducer Valve	(375-02)	---	965
Decrease	Cont. from Gen. Rev. Sharing Fund	(397-00)	---	4,212
Increase	Contribution from General Fund	(397-02)	\$43,592	---
			<u>\$45,067</u>	<u>\$12,227</u>

<u>EXPENDITURES</u>	<u>ACTIVITY</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
	Administration	30-420	---	325
	Operations/Construction	30-810	\$59,300	---
	Wastewater Treatment	30-820	---	\$23,775
Decrease	Non-Departmental	30-660	---	2,360
			<u>\$59,300</u>	<u>\$26,460</u>

Adopted this 26th day of June, 1984


Mayor

Attest:


Town Clerk

Approved as to Form

Town Attorney

AN ORDINANCE ADOPTING AN INTERIM BUDGET ORDINANCE FOR FY 84-85

Be it ordained by the Town Council of Lake Lure that an Interim Budget Ordinance be adopted for Fiscal Year 1984-1985 at the same level of revenues and expenditures adopted for Fiscal Year 1983-1984 with provision that the Electric Power Fund Budget will be for a period of 12 months, and that salary and other required expenses are authorized for the Town Manager's Office.

And be it further ordained that this ordinance be automatically recinded at such time as the regular budget ordinance for FY 1984-1985 is adopted.

Adopted this 26th day of June, 1984.

ATTEST:

Bonnie D. Helton
Town Clerk

[Signature]
Mayor

Approved as to Form

Town Attorney

ORDINANCE AMENDING THE FY 83-84 GENERAL FUND BUDGET

Be it ordained by the Town Council of Lake Lure that the General Fund of the FY 1983-1984 budget be amended as follows:

<u>REVENUES</u>	<u>SOURCE</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
Increase	Taxes, Current Year	(301-00)	\$ 10,290	\$ --
Decrease	Taxes, Last Year	(301-01)	--	5,000
Decrease	Taxes, Prior Years	(301-02)	--	8,500
Decrease	Taxes, Penalties/Int.	(317-00)	--	1,700
Increase	Interest Earned on Investments	(329-00)	2,980	--
Decrease	Rents	(331-00)	--	1,600
Increase	Miscellaneous Revenues	(335-00)	1,200	--
Decrease	Utilities Franchise Tax	(337-00)	--	4,250
Decrease	NC Intangibles Tax	(339-00)	720	--
Decrease	NC Beer and Wine Tax	(341-00)	--	160
Decrease	Beer and Wine Permits	(341-01)	--	20
Decrease	Powell Bill	(343-00)	--	105
Increase	Sales Tax-Local	(345-00)	12,525	--
Decrease	Gasoline Tax Refund	(345-01)	--	885
Increase	Zoning Permits	(355-01)	400	--
Decrease	Golf Course-Cart Fees	(365-00)	--	4,800
Decrease	Golf course - Green Fees	(365-01)	--	7,800
Increase	Lake-Boating/Fishing	(365-02)	6,300	--
Decrease	Golf Course - Members Fees	(365-04)	--	200
Increase	Beach House Fees	(365-03)	16,355	--
Decrease	Golf Course Tax	(365-06)	--	350
Increase	Tax Refunds	(367-00)	375	--
Increase	Cont. From Gen. Rev. Sharing Fund	(397-00)	4,325	--
			<u>\$ 55,470</u>	<u>\$35,370</u>

<u>EXPENDITURES</u>	<u>ACTIVITY</u>	<u>CODE</u>	<u>INCREASE</u>	<u>DECREASE</u>
Add	Town Manager Salary	10-415	1,500	--
Increase	Governing Body	10-410	\$ 1,575	\$ --
Increase	Administrative	10-420	35,575	--
Increase	Legal	10-470	100	--
Decrease	Police	10-510	--	7,300
Even	Fire/EMS	10-530	--	--
Increase	Streets	10-560	4,200	--
Even	Refuse Collection	10-580	--	--
Decrease	Recreation - Golf	10-620	--	6,200
Decrease	Recreation - Lake	10-621	--	15,000
Increase	Recreation - Beach	10-622	1,000	--
Increase	Recreation - Comm. Bldg.	10-623	1,050	--
Increase	Non-Departmental	10-660	3,600	--
	TOTALS		<u>\$48,600</u>	<u>\$28,500</u>

Adopted this 26th day of June, 1984.

Attest:

Bonnie D. Tulin
Town Clerk


Mayor

Approved as to Form:

Town Attorney

CHARLES HICKS
MAYOR

VIGILAT UT
QUIESCANT

LAKE LURE
POLICE DEPARTMENT

P. O. BOX 255
LAKE LURE, N.C. 28746

TED CASHION
POLICE COMMISSIONER

BILL INGRAM
CHIEF OF POLICE

704-625-9396

20 June 84

C O M M E N D A T I O N

TO: ROGER MAXWELL, PATROLMAN LLPD
FROM: BILL INGRAM, CHIEF OF POLICE
SUBJ: LETTER OF COMMENDATION

1. You are hereby commended for the fast response in two different situations that involved decisions usually made by supervisors in large departments. By making these decisions, you have shown superior leadership qualities that are not always present in the average patrolman.

INCIDENT #1

THIS INCIDENT OCCURRED ON THURSDAY 7 JUNE 1984 AFTER A MR. WILLIAM RHAN OF SNUG HARBOR HAD FALLEN INTO LAKE LURE OFF AN EMBANKMENT NEAR HIS RESIDENCE. BY OFFICER MAXWELLS QUICK RESPONSE, MR. RHAN SUFFERED NO SERIOUS BODILY INJURY. OFFICER MAXWELL ACTED IN A MANNER THAT WAS A CREDIT BOTH TO HIMSELF, AND TO THE TOWN OF LAKE LURE.

INCIDENT #2

THIS INCIDENT OCCURRED ON MONDAY 18 JUNE 1984. ACTING ON INFORMATION RECEIVED FROM A CONFIDENTIAL INFORMANT, AND REALIZING THAT THE SUSPECTS RESIDENCE HAD BEEN SOLD TO DUKE POWER COMPANY, OFFICER MAXWELL IN THE COMPANY OF SHERIFFS DEPUTIES, RAIDED A RESIDENCE AND CONFISCATED OVER 300 MARIJUANA PLANTS, SOME COCAINE, AND VARIOUS ITEMS OF DRUG PARAPHERNALIA. BY HIS QUICK RESPONSE OFFICER MAXWELL PREVENTED THE POSSIBLE RELOCATION OF THE PLANTS, AND ACTED IN A MANNER THAT WAS A CREDIT BOTH TO HIMSELF, AND TO THE TOWN OF LAKE LURE.

2. A copy of this commendation will be placed in your file.


Bill Ingram, Chief

ORDINANCE ADOPTING FY 1984-1985 ANNUAL BUDGET
FOR THE TOWN OF LAKE LURE

Be it ordained by the Town Council of the Town of Lake Lure that:

A. A tax rate of \$.45 per \$100.00 of property tax valuation is established on a \$42,000,000 total tax base valuation; with anticipation that the collection ratio shall be at least 95%.

B. General Fund Revenues are estimated as follows:

Property Taxes - Current Year	\$180,000
Property Taxes - Prior Year	3,000
Property Taxes - Other Years	2,000
Property Taxes - Penalties and Interest	1,200
Rents, Community Center Bldg	800
Beer and Wine Permits	260
Zoning Permits/Administration	800
Golf Course-Cart Fees	13,000
Golf Course-Green Fees	10,000
Golf Course - Memberships	7,000
Lake-Boating/Fishing Licenses	18,000
Beach House Fees	50,000
Interest Earned on Investments	15,400
Miscellaneous Revenues	3,500
Sale of Materials	100
Sale of Equipment	500
Golf Course Sales Tax	200
Contributions from Gen. Rev. Shar. Fund	16,000
Contributions from Electric Power Fund	430,118
NC Utilities Franchise Tax	25,000
NC Intangibles Tax	6,600
NC Beer and Wine Tax	2,100
NC Gasoline Tax (Powell Bill)	28,000
NC Sales Tax Refund	1,000
NC Gasoline Tax Refund	1,000
Rutherford County Sales Tax	44,000
Rutherford County Court Costs	200
Grant from Z. Smith Reynolds Fund	25,000
Appropriation From Fund Balance	<u>7,830</u>
	\$892,448

C. General Fund Expenditures are projected at:

Mayor and Council	\$ 29,300
Town Manager	31,300
Finance	60,577
Town Hall	97,750
Planning	1,000
Police	85,776
Fire/EMS	50,000
Public Works-Garage	6,700
Public Works-Administration	2,500
Public Works-Building	20,700
Public Works - Street	165,745
Public Works - Street Lighting	4,000
Public Works-Refuse Collection	28,800
Recreation-Golf-Course	61,500
Recreation-Lake	4,000
Recreation-Beach	35,000
Recreation-Comm. Center	23,700
Library	50,000
General Fund-Non-Departmental	<u>134,100</u>

Total \$892,448

D. Water and Sewer Fund Revenues are Estimated at:

Interest Earned on Investments	\$ 3,000
Miscellaneous Revenues	300
Charges for Utilities- Water	27,000
Charges for Utilities-Sewer	18,000
Tap and Connection-Water	500
Tap and Connection-Sewer	500
Reconnection Fees	200
Water Meters	200
Pressure Reducers	100
Contrib. from Electric Power Fund	<u>108,840</u>

Total \$158,640

E. Water and Sewer Expenditures are projected at:

Wastewater Treatment	\$ 15,475
Water Sources	34,175
W/S Installation/Maintenance	49,440
W/S Fund-Non-Departmental	<u>54,550</u>

Total \$158,640

F. Electric Power fund Revenues are estimated

Interest Earned on Investments	\$ 10,000
Charges for Utilities-Electricity	555,793
Appropriation from Elect. Power Fund Balance	<u>114,400</u>

Total \$680,193

G. Electric Power Fund Expenditures are projected at:

Electric Power Operations	\$117,365
Electric Power Fund-Non-Departmental	<u>562,824</u>

Total \$680,193

H. General Revenue Sharing Fund Revenues are estimated at:

Interest Earned on Investments	\$ 750
Federal Governmental Grant	<u>15,600</u>

Total \$ 16,350

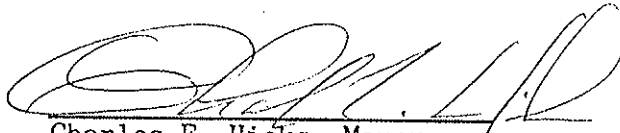
I. General Revenue Sharing Fund Expenditures are projected at:

Contributions to General Fund	<u>\$ 16,350</u>
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Total \$ 16,350

This ordinance will become effective upon adoption.

Adopted this 17th day of July, 1984.


Charles F. Hicks, Mayor

Attest:


Bonnie Nelson, Town Clerk

Approved as to Form:

Jervis Arledge, Town Attorney

RESOLUTION CALLING FOR A PUBLIC HEARING
ON THE QUESTION OF AMENDING THE TOWN OF
LAKE LURE ZONING ORDINANCE

WHEREAS, the Town of Lake Lure Zoning and Planning Board, pursuant to the provisions of Section 1300 of the Town of Lake Lure Zoning Ordinance, has proposed certain amendments to the Zoning Ordinance as follows:

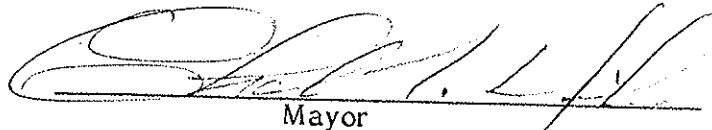
Section 1. To add an Article XVII entitled "Signs and Billboards" to the present Zoning Ordinance which shall be known as the Lake Lure Sign Ordinance, which new article will rescind certain sections and paragraphs of the existing Ordinance regulating the posting, displaying, erection, use, and maintenance of signs and adopting in lieu thereof new regulations for the posting, displaying, erection, use, and maintenance of signs, a copy of which proposed amendment is attached hereto as Exhibit A.

AND WHEREAS, the Board of Commissioners desire to give consideration to the proposal of the Zoning and Planning Board to amend such Ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Lake Lure that Section 1, in accordance with the provisions of Chapter 160A-364 of the General Statutes of North Carolina, and the provisions of Section 1300 of the Zoning Ordinance, as amended, a public hearing will be held at the Community Building in Lake Lure, North Carolina, on the 24th day of July, 1984, at 7:30 P.M. for the purpose of considering proposed amendments to the Town Zoning Ordinance to add an Article XVII entitled "Signs and Billboards".

Section 2. The Town Clerk is hereby directed to publish notice of the said public hearing in The Rutherford County News, a newspaper having a general circulation in the Town of Lake Lure, once a week for two successive calendar weeks, which notice shall be published the first time not less than 10 days nor more than 25 days before the date fixed for the public hearing. The Town Clerk is also directed to secure Publisher's Affidavit that publication of such notice was duly made.

This the 26th day of June, 1984.


Mayor

ATTEST:


Town Clerk

AN ORDINANCE AMENDING THE
ZONING ORDINANCE AND MAP OF
THE TOWN OF LAKE LURE

BE IT ORDAINED by the Board of Commissioners of the Town of Lake Lure.

Section 1. That a new Article XVII entitled "Signs and Billboards" be and the same is hereby added to the Zoning Ordinance of the Town of Lake Lure, North Carolina, which Article XVII reads as follows:

ARTICLE XVII
SIGNS AND BILLBOARDS

Section 1701. Title

This article shall be known as the Lake Lure Sign Ordinance.

Section 1702. Purpose

It shall be the purpose of this article to promote the safety, health, peace, dignity and general welfare of the Town in a manner consistent with the natural beauty of the area through the regulation of the posting, displaying, erection, use and maintenance of signs.

1702. Rescission

This article rescinds all references to signs, expressed or implied, in the Zoning Ordinance of the Town of Lake Lure, N.C. and specifically the following sections and paragraphs:

- a. Section 701.2 paragraphs 4,5.
- b. Section 701.3 paragraph 2 from "provided" to end.
- c. Section 702.2 paragraphs 4,5.
- d. Section 702.3 paragraph 2 from "provided" to end.
- e. Section 703.2 paragraph 5 from "provided" to end.
- f. Section 703.2 paragraphs 6,7
- g. Section 704.2 paragraph 6 from "provided" to end.
- h. Section 704.2 paragraphs 7,8.
- i. Section 705.2 paragraphs 3, 4.
- j. Section 703.2 paragraphs 4, 5.
- k. Section 703.3 paragraph 2 from "provided" to end.
- l. Section 907
- m. Section 1400 paragraphs 21-28.

Section 1703. Definitions

Certain words and terms in this article are defined for the purpose thereof as follows:

(1) Banner: A sign having the characteristics, letters, illustrations or ornamentations applied to cloth, paper or fabric of any kind with only such material for a backing. Banner shall include any animated, rotating and/or fluttering devices designated to attract attention for special events. (Refer to definition #38.)

(2) Canopy: A structure constructed of rigid materials including, but not limited to, metal, wood, concrete, plastic or glass, which

is attached to and supported by a building or by columns, poles or braces extended to the ground.

(3) Canopy sign: A sign which is suspended, attached to or supported from, or from part of, a canopy.

(4) Changeable copy sign: A sign on which message copy is changed manually in the field, through the utilization of attachable letters, numbers, symbols and other similar characters or changeable pictorial panels.

(5) Commercial or industrial center: Two or more separate occupancies located within the same or adjacent building or buildings on the same non-residentially zoned plot.

(6) Directional sign: a sign permanently erected or permitted in the public right-of-way or private property by the Town of Lake Lure, Rutherford County, the State of North Carolina or other governmental agency to denote the name of any thoroughfare, the route to any city, town, village, educational institution, public building, historic place, shrine or hospital, to direct and regulate traffic, to denote any bridge or other transportation or transmission company for the direction or safety of the public.

An on-premises sign which contains information regarding the time and place of regular meetings of civic or religious groups.

(7) Directory sign: A sign listing only the names and/or use or location of more than one business, activity or professional office conducted within a building, group of buildings or commercial center.

(8) Double faced sign: A sign with two faces which are usually, but not necessarily, parallel.

(9) Electrical sign: A self-illuminated sign or sign structure in which the electrical wiring, connections or fixtures are used as part of the sign proper.

(10) Facade: The entire building wall, including wall face, parapet facia, windows, doors, canopy and roof on any complete elevation.

(11) Fixed projecting sign: A sign, other than a parallel sign, which extends out for more than six (6) inches from the facade of any building and is rigidly affixed thereto.

(12) Flat sign: A sign erected parallel to and extending out not more than twelve (12) inches from the facade of any building to which it is attached and supported throughout its entire length by the facade and not extending above the building.

(13) Freestanding sign: a sign supported by a sign structure secured in the ground and which is wholly independent of any building, fence, vehicle or object other than the sign structure for support.

(14) Frontage: The length of the property line on any one (1) premises serving as a public right-of-way line.

(15) Frontage wall face: The building facade, excluding parapet, facia, soffit, mansard and roof, which faces a frontage of the premises.

(16) Height of sign: The vertical distance measured from the adjacent average crown of the road to the top of the sign face or

sign structure, whichever is greater.

(17) Ingress/egress sign: A sign which designates only the ingress or egress of a parking area or driveway, such as "in", "out", "one-way".

(18) Occupancy: any one business activity or professional office.

(19) Off-premise sign: A sign identifying, advertising or directing the public to a business, merchandise, service, institution, residential area; entertainment or activity which is located, sold, rented, based, produced, manufactured, furnished or taking place at a location other than the property on which the sign is located.

(20) Painted wall sign: A sign painted directly on any exterior building wall or door surface, exclusive of window or door glass areas.

(21) Panel: The primary surface of a sign upon which the message of the sign is carried.

(22) Parapet: A vertical false front or wall extension above a roof line.

(23) Perimeter: The contour of the face of the sign.

(24) Person: Any individual, partnership, association, corporation or other entity.

(25) Political sign: A sign erected by a political candidate, group or agent thereof for the purpose of advertising a candidate or stating a position regarding an issue upon which the voters of the town shall vote.

(26) Project sign: Any sign erected and maintained on the premises temporarily while undergoing construction by an architect, contractor, developer, finance organization, sub-contractor or materials vendor upon which property the individual is furnishing labor, services or materials.

(27) Public right-of-way line: the line where the property meets the public right-of-way at a public street or public waterway, provided that this definition shall not include alleys, easements or other similar dedicated uses.

(28) Real estate sign: A sign erected by the owner, or his agent, advertising real property upon which the sign is located for rent, for lease or for sale.

(29) Roof: The exterior covering of a building.

(30) Roof sign: A sign erected over or on, and wholly supported by or partially dependent upon the roof of any building for support, or attached to the roof in any way.

(31) Seasonal/Holiday sign: A sign used for the celebration of an historic American holiday which is erected for a limited period of time.

(32) Sidewalk or sandwich sign: A moveable sign not secured or attached to the ground or any building or structure.

(33) Sign: Any device or representation for visual communication which is used for the purpose of bringing the subject thereof to the attention of others which is affixed or attached to premises,

real property, fixtures on real property or vehicles.

(34) Sign, area of: The square foot area enclosed by the perimeter of the sign face with each face contributing to the aggregate area. With respect to signs which are composed of individual symbols, letters, figures, illustrations, messages, forms or panels, sign area is the sum of the individual areas of the smallest contiguous rectangle, each capable of containing such symbol(s), letter(s), figure(s), illustration(s), message(s), form(s), or panel(s).

(35) Sign face: The part of the sign that is or can be used to identify, advertise, communicate information or for visual representation which attracts the attention of the public for any purpose. Sign face includes any background material, panel, trim, color and direct self-illumination used that differentiates the sign from the building, structure, backdrop surface or object against which or upon which it is placed. The sign structure shall not be included as a portion of the sign face provided that no message, symbol or any aforementioned sign face criteria are displayed on or designed as part of the sign structure.

(36) Sign structure: A supporting structure erected or intended for the purpose of identification, with or without a sign thereon, situated upon or attached to the premises upon which any sign may be fastened, affixed, displayed or applied, provided however, said definition shall not include a building or fence.

(37) Snipe sign: A sign which is tacked, nailed, pasted, glued, or otherwise attached to trees, poles, stakes, or fences, or to other objects, and the advertising matter appearing thereon is not applicable to the present use of the premises upon which such sign is located.

(38) Special event sign: A sign which carries a message regarding a special event or function which is of general interest to the community.

(39) Special event directional sign: A sign which directs the public to a special event at a place other than the premises upon which the sign is located.

(40) Swinging projection sign: A sign projecting from the outside walls of any building which is supported only by one (1) rigid support.

(41) Subdivision or mobile home park entrance sign: An entrance sign which designates the name of a subdivision, or a residential district, or of a mobile home park and is located at or near the main entrance.

(42) Town: The Town of Lake Lure.

(43) Traffic Direction/safety sign: A sign which is on-premises and is designed and erected solely for the purpose of vehicular or pedestrian traffic direction or safety.

(44) Vehicle sign: A permanent or temporary sign affixed to or placed upon any parked vehicle, parked trailer, or other parking device capable of being towed, the primary purpose of which is to attract the traveling public, provided that this definition does not

include a single sign placed on a single vehicle or trailer at a residence of an individual which sign identifies the vehicle or trailer as being for sale.

(45) Window sign: Any sign which is painted on, applied to, attached to or projected upon or within the exterior or interior of a building glass area, including doors, whose identification, message, symbol, insignia, visual representation, logotype, or any other form which communicates information, can be read from off-premises, contiguous property or public right-of-way.

(46) Window sign, temporary: A window sign of a temporary nature use to direct attention to the sale of merchandise or a change in the status of the business, including but not limited to, signs for sales, specials, going out of business, and grand openings.

Section 1704. Permits and licenses required

1704.1 No sign or sign structure shall hereinafter be erected, altered, displayed, changed, except exempt signs, as provided herein, until after a permit and license has been issued by the Building Inspector and a fee paid to the Town of Lake Lure.

1704.2 A sign hereinafter erected, altered, displayed or changed without a permit is an illegal sign and shall be subject to the penalties set forth herein.

1704.3 Exemptions from permit and license requirements. The following types of signs shall be exempt from the requirement of obtaining a permit or license subject to the terms and conditions herein.

- a. Flags: The flying of individual national, state or town flags attached to freestanding poles mounted on the ground, limited to a total of three (3) in number provided that such flags shall not be used to attract the attention of the public for commercial purposes.
- b. Banner: Two flag banners shall be permitted per model home or model apartment, at the time that the model home or model apartment is open for inspection, provided that each banner shall not exceed twelve(12) square feet.
- c. Directional signs.
- d. One (1) non-illuminated single-family residential identification sign, not exceeding three (3) square feet in sign faces and not exceeding four (4) feet in height if the sign is a fence or freestanding sign, provided, however, that duplexes are permitted one sign per unit pursuant to this section.
- e. Real Estate signs which are designed and installed pursuant to Section 1706.1a.

- f. Any temporary window sign or combination of temporary window signs, the area of which does not exceed 25% of the window area, including door windows, if any, on which signs are located. However, pursuant to Section 1707.5, permanent window signs shall require a special permit.
- g. Seasonal holiday signs, provided that their erection shall not occur prior to thirty (30) days before the holiday and their removal shall take place no more than thirty (30) days after the holiday.

1704.4 Application and issuance of permits.

The town shall provide forms for application for sign permits. which forms shall require the following information:

- a. Name, address, telephone number, and signature of the owner of the premises granting permission for the construction, operation, maintenance, or displaying of the sign or sign structure.
- b. Name, address, telephone number, and signature of sign contractor, if any.
- c. Legal description and street address of premises or property upon which the sign is located.
- d. The approximate value of the sign to be installed, including the installation cost.
- e. Type of sign for which permit is being sought.
- f. Two (2) copies of a sketch, blueprint, blueline print or similar presentation drawn to scale and dimensioned, showing elevations of the sign as proposed on a building, facade, awning or canopy, provided, further, the relationship to other adjacent signs shall also be shown. In the case of a freestanding sign, said sketches shall include a site plan showing the sign location and any existing or proposed landscaping which is affected by such sign.
- g. Such other information as the Building Inspector may require to insure conformity with all applicable codes in the Zoning Ordinance of the town of Lake Lure,

1704.5 Upon satisfactory compliance with the requirements hereunder, a sign permit shall be issued to the applicant which shall be valid for a period of ninety (90) days.

1704.6 Failure to obtain a final satisfactory inspection within the permit period shall render the permit invalid and the applicant shall be required to reapply for a permit or remove the sign or sign structure.

1704.7 Contents of permit.

Upon compliance with the provisions of this article the Building Inspector shall issue a permit for such sign or sign structure. Permits shall be numbered and shall

and shall contain the following information.

- a. The type of sign as defined in this article.
- b. The street address of the property upon which said sign is proposed to be located and the proposed location of the sign on said property; in the absence of a street address, an acceptable method of location shall be used.
- c. The amount of the fee paid.
- d. The date of issuance.
- e. In the case of a temporary sign, the date of expiration of the permit.

1704.8 Fees for permits.

At the time of submission of an application for a permit for a sign, a non-refundable fee of \$10.00 shall be paid.

1704.9 Maintenance of signs.

Each sign which has been erected with a permit and for which a final inspection has been made shall be maintained in substantially the same condition as when the final inspection was made. Failure to so maintain the sign shall constitute a violation of this ordinance.

1705. Certain signs or sign structures prohibited.

From and after the effective date of this article it shall be unlawful for any person to erect, place or use within the Town of Lake Lure the following signs or sign structures.

- (1) A swinging projecting sign.
- (2) A snipe sign.
- (3) Sidewalk or sandwich signs.
- (4) Banners, except as permitted in Section 1704.3b.
- (5) Off premises signs.
- (6) A sign which involves motion or rotation of any part of the sign structure or sign face using intermittent lights or animation, or automatically changing copy or design, except a time-temperature unit which is part of a permitted sign.
- (7) Political signs.
- (8) Vehicle signs.
- (9) Any sign illumination, except as permitted and approved by the Building Inspector.
- (10) Any sign which emits a sound, odor or visible matter.
- (11) Any sign which obstructs the free ingress to or egress from a required door, window, fire escape or other required exit way.
- (12) Any sign and/or sign structure which obstructs the view of, may be confused with or purports to be a governmental or traffic direction/safety sign.
- (13) Any sign or sign structure other than freestanding and vertical wall extension, any portion of which extends above the parapet, building roof line, or canopy against which the sign is located.
- (14) Any other type of sign which does not comply with the terms, conditions, and provisions contained in this article and ordinances amendatory thereof and supplemental thereto.

Section 1706. Signs permitted and regulated.

1706.1 Residential.

a. All residential districts.

- (1) One real estate sign, not exceeding three (3) square feet per sign face area and six (6) square feet in total area, and, if freestanding, not exceeding four (4) feet in height shall be permitted. Property with two or more on-premises frontages shall be permitted one additional sign.
- (2) Two (2) additional real estate signs, each not exceeding one (1) square foot in sign face area and two (2) square feet in total area, provided however, that the signs may convey only a message regarding the features of the home, stating that the property is sold, or announcing that the house is open for inspection.

b. R-1, R-1a and R-1b districts.

- (1) On plots containing permitted public utility buildings or home occupations or uses, other than accessory, one non-illuminated sign not exceeding three (3) square feet in area.

c. R-2 and R-3 districts.

- (1) One flat sign or painted wall sign, not to exceed twelve (12) square feet, identifying the premises of or on which permitted non-residential uses are located.
- (2) One freestanding sign identifying the premises may be permitted in lieu of a flat sign, provided, however, it does not exceed twelve (12) square feet per sign face and an aggregate area of twenty-four (24) square feet, does not exceed seven (7) feet in height and is not closer than ten (10) feet to the public right-of-way.
- (3) Churches are permitted to erect on the premises a freestanding sign, either non-illuminated or illuminated, no closer than ten (10) feet to the right of way, not to exceed twelve (12) square feet per sign face area and an aggregate of twenty-four (24) square feet and not exceeding seven (7) square feet in height, provided that such sign is so shielded that the source of light is not visible from any abutting residence.

1706.2. Business, commercial and industrial.

- a. As this subsection is applied to commercial centers, only the name of the center shall be considered the

- main use and only one (1) freestanding sign shall be permitted in any center.
- b. A real estate sign shall be permitted on the premises for sale, rent or lease. Such sign shall be non-illuminated, not to exceed twelve (12) square feet in area. A double faced real estate sign is permitted, provided that it shall not exceed twelve (12) square feet per sign face and an aggregate area of twenty-four (24) square feet and, if freestanding, it shall not exceed seven (7) feet in height.
 - c. For those signs whose sign faces are generally perpendicular to an on-premises frontage, only one (1) of the following categories of signs or sign structures is permitted:
 - (1) One (1) freestanding sign identifying the premises located at least ten (10) feet from the right-of-way and not exceeding twelve (12) square feet.
 - (2) One (1) fixed projecting sign identifying the occupancy and not exceeding twelve (12) square feet per sign face and an aggregate area of twenty-four (24) square feet.
 - (3) One flat sign or painted wall sign on any side of a building identifying the occupancy and not exceeding twelve (12) square feet.
 - d..A commercial center shall be permitted one (1) canopy sign per occupancy, not to exceed six (6) feet in length and twelve (12) inches in height, placed entirely under the canopy (marquee) directly in front of said location identifying the occupancy. The sign must be perpendicular to the building wall face and a minimum of seven (7) feet above the sidewalk.

1707. Special sign

The following special signs are permitted, subject to the provisions of this section and other applicable provisions of this article:

1707.1 Temporary development signs. One non-illuminated sign may be permitted on the premises subject to the following conditions:

- a. The sign shall not exceed twelve (12) square feet with a maximum sign area of twenty-four (24) square feet.
- b. The sign shall not be erected prior to fifteen (15) days from the date of the beginning of actual construction and must be removed when a certificate of occupancy is issued; provided however, if the sign is erected as permitted hereunder and if construction is not commenced within thirty (30) days after the permit is issued or if construction is not continually progressed to completion, the

sign shall be removed by the owner or be subject to removal pursuant to this article.

- c. The signs shall be located on the premises being developed and shall be located in accordance with requirements contained in this section of this article relating to the specific zoned area.

- 1707.2 Ingress and Egress signs. One (1) sign, for directional purposes, shall be permitted at each point of ingress and/or egress to a parking area: provided however, that the signs shall not exceed four (4) square feet per sign face and a sign area of eight (8) square feet, and shall not exceed five (5) feet in height.
- 1707.3 Rear entrance sign. When a building has a rear entrance or remote parking area on premises, one (1) flat sign per occupancy, not exceeding twelve (12) square feet in sign area shall be permitted at the rear building entrance.
- 1707.4 Directory sign. A directory sign may be attached to a freestanding sign permitted by this article: the total sign area shall be included in the free-standing sign allowable area.
- 1707.5 Window sign. A sign painted on a window shall be permitted which identifies the business or activity by name or symbol, subject to the following provisions:
 - a. The sign shall not exceed an aggregate area equal to 25% of the window and/or glass area on which it is located.
 - b. The sign area for a window shall be included in the flat sign allowable area for the particular occupancy or activity utilizing such sign.
 - c. One(1) window sign may be permitted for each occupancy for each building which is permitted a flat sign by this article.
- 1707.6 Subdivision or residential complex sign. A subdivision or residential complex sign is permitted, provided, that it is either freestanding or placed on the face of an entrance wall to said sub-division or residential complex and provided further that the sign shall not exceed an area of twelve (12) square feet per sign face and a sign area of twenty-four (24) square feet and, if freestanding, the sign shall not exceed a height of seven (7) feet.
- 1707.7 Changeable copy sign.
 - a. A freestanding changeable copy sign is permitted for the purpose of advertising, provided, however, that the sign shall not exceed a total area of twelve (12) square feet per sign face and an aggregate area of twenty-four (24) square feet. The sign area of any name logotype, message, etc. which identifies

the business activity or commercial center and is part of or attached to the changeable copy sign shall be included in said allowable area of the changeable copy sign. The sign shall not be permitted if another changeable copy sign or a freestanding sign is on the premises.

b. Gasoline pricing signs.

- (1) A sign advertising the price of gasoline is permitted, provided that it shall not exceed twelve (12) square feet per sign face and an aggregate area of twenty-four (24) square feet. If freestanding, the sign shall not exceed five (5) feet in height. One (1) sign shall be permitted per on-premises frontage, provided however, that a maximum of two signs are allowed. In the event that such a sign is attached to as a part of a permanent freestanding sign, then the sign shall be subject to the provisions contained herein regarding division of area between principal and amplifying sign.
- (2) Signs which are placed on gasoline pumps in order to provide required information to the public regarding price per gallon or liter, type of fuel and octane rating are permitted, provided however, that such signs may not exceed three (3) square feet in surface area and six (6) square feet in total area.

1707.8 Special event sign and special event directory sign.

- a. One (1) sign directing the attention of the public to a special event or function shall be permitted on the premises of said event for a period not to exceed fifteen (15) consecutive days, shall not exceed twelve (12) square feet per sign face and an aggregate area of twenty-four (24) square feet and shall not exceed seven (7) feet in height.
- b. Special event directional signs are permitted provided that a temporary permit is obtained from the building Inspector. The signs shall be located at points specified by permittee for a period not to exceed fifteen (15) consecutive days, shall not exceed four (4) square feet per sign face and an aggregate area of eight (8) square feet and shall not exceed four (4) feet in height, if freestanding.

1707.9 Town of Lake Lure Directory signs.

The Town of Lake Lure may erect or approve and permit to be erected signs, at or near the town limits, for the benefit of visitors, on which may be listed institutional names, churches and points of interest. Civic organizations and churches may be permitted to place their insignia thereon.

1708. Removal of signs upon discontinuance of business.

When a business or service is discontinued, all signs and sign structures relating to this business or service shall be removed within ten (10) days from the date of discontinuance. Failure to so remove a sign shall subject the sign to removal and disposition pursuant to the provisions of this article.

1709. Removal and disposition of certain signs.

It shall be unlawful to erect, use or maintain a sign or sign structure when it does not comply with the requirements of this article. The Town is authorized to remove unlawful signs and sign structures pursuant to the provisions of this section.

1709.1 Banners, project signs, real estate signs, sidewalk signs, sandwich signs, snipe signs and special event signs are subject to removal pursuant to this subsection.

a. The Town Council finds that, in view of the inexpensive nature of these signs and the administrative burden which would be imposed by elaborate administrative procedures prior to removal, any procedure other than summary removal of these signs when unlawfully erected and maintained would defeat the purpose of regulating such signs. Therefore, the Building Inspector is hereby authorized summarily to remove such signs when unlawfully erected and maintained, subject to the provisions contained in subsection b.

b. After summary removal of a sign pursuant to this section, the Building Inspector shall notify, either in person or by first class postage, prepaid, the occupant of the property from which the sign was removed, and if the sign identifies a party other than the occupant of the property, the party so identified. The notice shall advise that the sign has been removed and shall state that the sign may be retrieved within thirty (30) days of the date of notice, and that if the sign is not retrieved within thirty (30) days, it will be destroyed by the Town. If the sign is removed from public property the party, if any, identified on the sign shall be notified. If no party is identified on the sign, then no notice prior to disposition is required. The Town shall dispose of all unclaimed signs after the expiration of the thirty (30) day period.

1710. Non-conforming signs.

A sign or sign structure made non-conforming by this ordinance which is not governed by the adopted provisions of subsection 1709.1 shall be governed by the following regulations:

1710.1 A sign or sign structure existing within the Town of Lake Lure which, because of its height, square foot area, location or other characteristic, does not conform to the provisions of this ordinance is hereby declared to be non-conforming.

a. A non-conforming sign under this subsection must

- be removed on or before the expiration of one (1) year from the effective date of this ordinance.
- b. Failure to so remove a non-conforming sign under this subsection within the time set forth in subparagraph a. shall cause the sign to be declared an illegal sign, subject to disposition pursuant to Section 1709.

1711. Conforming, non-conforming signs prohibited for the same occupancy.

No conforming sign or sign structure shall be permitted to be erected for the same occupancy with an existing non-conforming sign until the non-conforming sign has been removed or made conforming.

1712. Variances from requirements.

Recognizing that the strict application of the requirements of this article may work an undue hardship on certain applicants, variances from the strict application of the provisions of this article may be granted by the Board of Adjustment in accordance with the provisions of Section 1204.2 of the Zoning Ordinance.

1713. Penalties.

Any person violating any provision of this article shall be subject to the penalties contained in this article, other applicable provisions of Section 1600 of the Zoning Ordinance and all such remedies available at law or equity to the Town.

1714. Legal Status.

If any part of this article is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said article without such unconstitutional portion, and the remainder of said article shall be deemed and held to be valid as if such portion had not been included. If said article or any provision thereof, is held to be inapplicable to any person, group of persons, property, kind of property, circumstances or set of circumstances, such holding shall not affect the applicability hereon to any other persons, property or circumstances.

1715. Codification

Codification of this article in the Zoning Ordinance of the Town of Lake Lure is hereby authorized and directed.

1716. This article shall take effect immediately upon adoption.

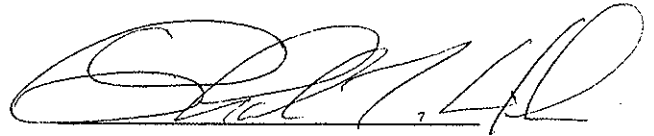
A RESOLUTION AUTHORIZING A CONTRACT AGREEMENT WITH THE HICKORY
NUT GORGE EMERGENCY MEDICAL SERVICE

Be it resolved by the Town Council of the Town of Lake Lure that a contract agreement between the Town of Lake Lure and the Hickory Nut Gorge Emergency Medical Service be approved, and.

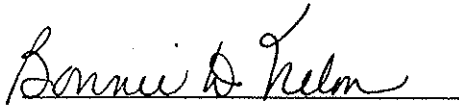
Be it further resolved that the Mayor and Town Clerk are hereby authorized and directed to execute such contract agreement on behalf of the Town.

Adopted this 25th day of June 1984

Attest:



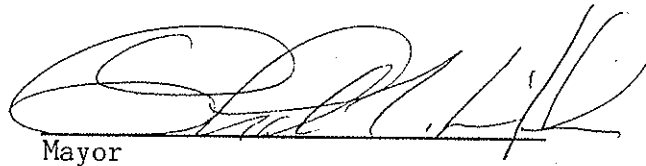
Mayor


Town Clerk

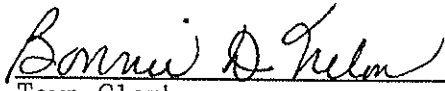
RESOLUTION AUTHORIZING A FORMAL MUTUAL AID AGREEMENT
RUTHERFORD COUNTY FOR THE LAKE LURE POLICE DEPARTMENT AND
RUTHERFORD COUNTY SHERIFF'S DEPARTMENT.

Be it resolved by the Town Council of Lake Lure that a mutual aid agreement between the Town of Lake Lure and Rutherford County Sheriff's Department be authorized, and

Be it further resolved that at such time as the mutual aid agreement is prepared, that it be brought to the Town Council for final approval.


Mayor

Attest:


Town Clerk

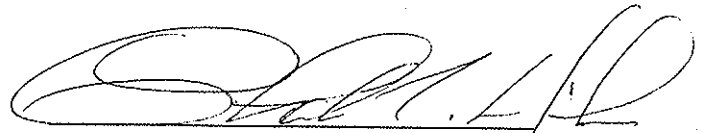
17

RESOLUTION AUTHORIZING AN AGREEMENT WITH THE LAKE LURE
VOLUNTEER FIRE DEPARTMENT CONCERNING HOLDING WEEKLY
STREET DANCES AT THE TOWN COMMUNITY CENTER

Be it resolved by the Town Council of the Town of Lake Lure that a contract agreement between the Town of Lake Lure and the Lake Lure Volunteer Fire Department with regard to the use of the Town Community Center property for the holding of weekly street dances be approved, and

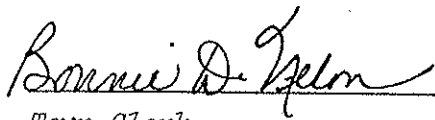
Be it further resolved that the Mayor and Town Clerk are hereby authorized and directed to execute the subject contract agreement on behalf of the Town.

Adopted this 25th day of June, 1984



Mayor

Attest:

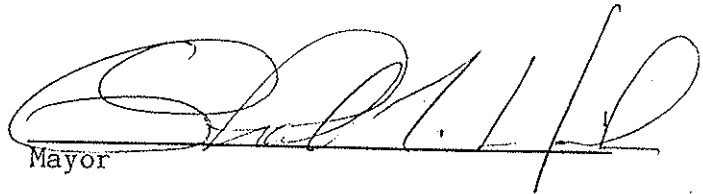

Town Clerk

A RESOLUTION AUTHORIZING A CONTRACT AGREEMENT
WITH THE LAKE LURE VOLUNTEER FIRE DPEARTMENT

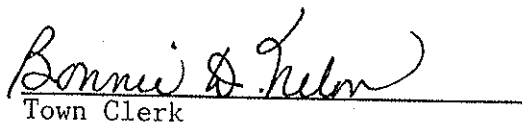
Be it resolved by the Town Council of the Town of Lake Lure
that a contract agreement between the Town of Lake Lure and the
Lake Lure Volunteer Fire Department be approved, and

Be it further resolved that the Mayor and Town Clerk are hereby
authorized and directed to execute such contract agreement on
behalf of the Town.

Adopted this 25th day of June, 1984.


Mayor

Attest:

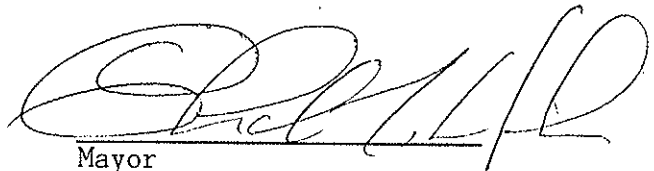

Town Clerk

A RESOLUTION AUTHORIZING A CONTRACT AGREEMENT WITH THE
CHIMNEY ROCK VOLUNTEER FIRE DEPARTMENT

Be it resolved by the Town Council of the Town of Lake Lure that a contract agreement between the Town of Lake Lure and the Chimney Rock Volunteer Fire Department be approved, and

Be it further resolved that the Mayor and Town Clerk are hereby authorized and directed to execute such contract agreement on behalf of the Town.

Adopted this 25th day of June, 1984.



Mayor

Attest:



Town Clerk

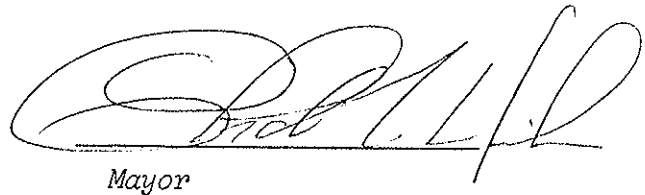
A RESOLUTION AUTHORIZING A CONTRACT AGREEMENT WITH THE 'FAIRFIELD
MOUNTAINS VOLUNTEER FIRE DEPARTMENT

Be it resolved by the Town Council of the Town of Lake Lure that a contract agreement between the Town of Lake Lure and the Fairfield Mountains Volunteer Fire Department be approved, and

Be it further resolved that the Mayor and Town Clerk are hereby authorized and directed to execute such contract agreement on behalf of the Town.

Adopted this 25th day of June 1984

Attest:



Mayor

Bonnie D. Tilton
Town Clerk

1-1

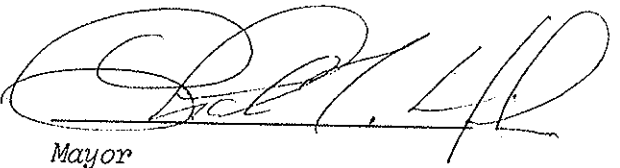
A RESOLUTION AUTHORIZING A CONTRACT AGREEMENT WITH 'THE BILL'S
CREEK VOLUNTEER FIRE DEPARTMENT


Be it resolved by the Town Council of the Town of Lake Lure that a contract agreement between the Town of Lake Lure and the Bill's Creek Volunteer Fire Department be approved, and

Be it further resolved that the Mayor and Town Clerk are hereby authorized and directed to execute such contract agreement on behalf of the Town.

Adopted this 25th day of June 1984

Attest:


Mayor


Town Clerk