



Town of Waynesville, NC

Board of Aldermen – Regular Meeting

Town Hall, 9 South Main Street, Waynesville, NC 28786

Date: **December 13, 2016** Time: **6:30 p.m.**

The agenda and all related documentation may be accessed electronically at www.waynesvillenc.gov.
Click on “**Government/Mayor & Board**” to download materials for town board meetings.

Consider the environment ♦ Conserve resources ♦ Print only when necessary

The Town of Waynesville provides accessible facilities, programs and services for all people, in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or accommodation for this meeting, please contact the Town Clerk at: **(828) 452-2491** aowens@waynesvillenc.gov

A. CALL TO ORDER - Mayor Gavin Brown

1. Welcome/Calendar/Announcements
2. Adoption of Minutes

Motion: To approve the minutes of the November 8, 2016 regular meeting, as presented [or as corrected].

B. REPORT/PRESENTATION

3. Fiscal Year 2015-2016 Annual Audit Report
 - Bruce Kingshill and Nancy Lux – Auditors; Ray, Bumgarner, Kingshill & Associates
 - Eddie Caldwell, Finance Director

C. PUBLIC HEARING

4. Public Hearing to consider the amendment of the Town of Waynesville Cemetery Ordinance
 - David Foster, Public Services Director

Motion: To approve the amendment of the Town of Waynesville Cemetery Ordinance as presented, with amendments to become effective January 1, 2017.

D. NEW BUSINESS

5. Approval of the 2017 Board of Aldermen Regular Meeting Schedule

Motion: To approve the 2017 Board of Aldermen Regular Meeting Schedule, as presented.

TOWN OF WAYNESVILLE – REGULAR SESSION AGENDA

December 13, 2016

- 2 -

E. COMMUNICATIONS FROM STAFF

6. Manager's Report –Town Manager Rob Hites
 - Development of Emergency Response Plan for providing water to Haywood County Municipalities
7. Attorney's Report – Town Attorney Woody Griffin

F. COMMUNICATIONS FROM THE MAYOR AND BOARD

8. WestNGN Update – Alderman Jon Feichter

G. CALL ON THE AUDIENCE

H. CLOSED SESSION

9. Enter into closed session for the purpose of discussion of property acquisition under North Carolina General Statute § 143.318.11(a)(5)

I. ADJOURN

**This is the only regular meeting scheduled for December 2016;
the next regular meeting will be on January 10, 2017**



TOWN OF WAYNESVILLE

PO Box 100
 16 South Main Street
 Waynesville, NC 28786
 Phone (828) 452-2491 • Fax (828) 456-2000
www.waynesvillenc.gov

CALENDAR

December 13, 2016

2016	
Fri, Dec 9 11:30 AM Waynesville Rec Center	Town of Waynesville Employee Appreciation Luncheon and Awards
Sat, Dec 10 5:00 PM Fire Station #1	Waynesville Fire Department Annual Holiday Family Dinner
Sat, Dec 10 6:00 – 9:00 PM Main Street, Downtown	A Night Before Christmas / Bethlehem Market Place – DWA & First Baptist Church
Tue, Dec 13 6:30 PM Board Room, Town Hall	Board of Aldermen Regular Meeting
Wed, Dec 14 11:30 AM Elevated Mountain Distilling Co	Haywood County Tourism Development Authority Holiday Luncheon
Wed, Dec 14 5:00 PM Laurel Ridge Country Club	Haywood County Chamber of Commerce Holiday Event – Snowflakes and Snowballs
Sat, Dec 17 6:00 PM Laurel Ridge Country Club	REACH Annual Holiday Gala
Fr-Tu, Dec 23, 26-27	Christmas Holiday Town Offices Closed
2017	
Mon, Jan 2	New Year Holiday Town Offices Closed
Mon, Jan 16	Martin Luther King Jr Holiday Town Offices Closed
Fri, April 14	Good Friday Town Offices Closed
Mon, May 29	Memorial Day Town Offices Closed
Tue, July 4	Independence Day Town Offices Closed

Mon, Sept 4	Labor Day Town Offices Closed
Fri, Nov 10	Veteran's Day Town Offices Closed
Thur & Fri, Nov 23-24	Thanksgiving Town Offices Closed
Mon – Wed, Dec 25-27	Christmas Town Offices Closed

Board and Commission Meetings – January 2017

ABC Board	ABC Office – 52 Dayco Drive	January 17 3 rd Tuesdays 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	January 3 1 st Tuesdays 5:30 PM
Downtown Waynesville Association	UCB Board Room – 165 North Main	January 26 4 th Thursdays 12 Noon
Firefighters Relief Fund Board	Fire Station 1 – 1022 N. Main Street	Meets as needed; <i>No meeting currently scheduled</i>
Historic Preservation Commission	Town Hall – 9 S. Main Street	January 4 1 st Wednesdays 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	January 16 (may change due to MLK, Jr. Day) 3 rd Mondays 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	January 12 2 nd Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	January 18 3 rd Wednesdays 5:30 PM
Waynesville Housing Authority	Waynesville Towers – 65 Church Street	January 18 3 rd Wednesdays 3:30 PM

BOARD/STAFF SCHEDULE

Tue – Fri, Jan 10 – 13, 2017	Assistant Town Manager	Municipal and County Administration Course Chapel Hill, NC
Tue – Fri, Feb 14 – 17, 2017	Assistant Town Manager	Municipal and County Administration Course Chapel Hill, NC
Tue – Fri, March 14 – 17, 2017	Assistant Town Manager	Municipal and County Administration Course Chapel Hill, NC
Tue – Fri, April 25 – 28, 2017	Assistant Town Manager	Municipal and County Administration Course Chapel Hill, NC

THE HAYWOOD COUNTY
TOURISM DEVELOPMENT
AUTHORITY STAFF
INVITE YOU TO JOIN US FOR

A HOLIDAY LUNCHEON

WHEN:

WEDNESDAY, DECEMBER 14TH
11:30 AM - 1:00 PM

WHERE:

ELEVATED MOUNTAIN
DISTILLING COMPANY
3732 SOCO ROAD
MAGGIE VALLEY, NC 28751

PLEASE RSVP BY

WEDNESDAY, DECEMBER 7TH
828.944.0761 OR
ASHLEY@VISITNCMOKIES.COM

**MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REGULAR MEETING
November 8, 2016**

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday, November 8, 2016 at 6:30 p.m. in the board room of Town Hall, 9 South Main Street, Waynesville, NC.

A. CALL TO ORDER

Mayor Gavin Brown called the meeting to order at 6:30 p.m. with the following members present:

Mayor Gavin Brown
Alderman Gary Caldwell
Alderman Jon Feichter
Alderman Julia Freeman
Alderman LeRoy Roberson

The following staff members were present:

Rob Hites, Town Manager
Woody Griffin, Town Attorney
Amie Owens, Assistant Town Manager/Town Clerk
Elizabeth Teague, Development Services Director
David Foster, Public Services Director
Eddie Caldwell, Finance Director

The following media representatives were present:

Allison Richmond, the Mountaineer
Cory Vaillancourt, Smoky Mountain News

1. Welcome /Calendar/Announcements

Mayor Gavin Brown welcomed everyone to the meeting and noted the following calendar events including:

- November 11 – Veterans Day – Town offices will be closed
- November 17 – KARE Festival of Trees at Laurel Ridge Country Club. Town has two reserved tables.
- December 5 – Town of Waynesville Christmas Parade – begins at 6:00 p.m.
- December 9 – Employee Appreciation Luncheon to be held at the Waynesville Recreation Center from 11:30 a.m. until 2:00 p.m.

Mayor Brown noted that there would not be a second regular meeting in November as it falls during the week of Thanksgiving; however, should the need arise, a special called meeting could be held. He added that the Haywood County Council of Governments meeting was held on November 7 with special recognition for outgoing Board of County Commissioners Chairman Mark Swanger.

2. Adoption of Minutes

Alderman Caldwell made a motion, seconded by Alderman Feichter, to approve the minutes of the October 25, 2016 regular meeting, as presented. The motion carried unanimously.

B. REPORT/PRESENTATION

3. Annual Report from the Tourism Development Authority 1% Zip Code Committee and Request for Support of Potential Group Sales Event in 2017

Lynn Collins, Executive Director, Haywood County Tourism Development Authority (HCTDA) provided an update on the 1% zip code subcommittee for Waynesville. She noted that figures had rebounded since the economic downturn in 2008 noting that for Fiscal Year 2015-2016, Waynesville's actual collections were 18% more than projected equaling \$94,751. Ms. Collins explained that there were multiple projects funded during the year and that some cooperative marketing and advertising has been done that is essentially generic advertising for Waynesville as a destination.

Mayor Brown asked Ms. Collins to explain how the 1% zip code subcommittees were set up and their processes. Ms. Collins noted that the five HCTDA 1% Subcommittees receive, review and recommend funding allocations for all eligible applications received. Recommendations for funding are to be submitted to the HCTDA Executive Director for approval by the HCTDA Board of Directors and for inclusion in the HCTDA annual budget. The law states "based on recommendations from and in consultation with each of the five collection areas, the Authority shall use at least two thirds of the funds in each account to promote travel and tourism and the remainder for tourist related expenditures in each of the collection areas leaving 1/3 to be used for events and other offerings. The subcommittees review the applications for funds.

Alderman Roberson inquired if there had been an increase in the number of rooms to increase the collection amount? Ms. Collins answered that it was a combination of the number of visitors and the total room occupancy. She added that Waynesville could use some additional rooms which would always be beneficial. Ms. Collins continued noting that what would boost tourism would be a chain hotel, higher end or a boutique hotel. Mayor Brown interjected that Mark Clasby, Haywood County Economic Development Council has been working with individuals trying to get such investment here.

Ms. Collins mentioned an item that was not in the packet which was the ad value of publicity which was the amount of additional revenues generated based on print or online articles. There was approximately \$64,000 of ad value in the last fiscal year. Ms. Collins concluded by noting that the Tourism industry had had a great year in Haywood County and she hoped to report more of the same positive news in the future which provided a segue into the request for support for an upcoming event.

Ron Bower, Group Sales Director, HCTDA explained that he had received a call from Rally USA related to a vehicle scavenger hunt rally that runs from Tennessee to Georgia. This is the 10th year for the east coast event. The group specifically is looking for an overnight stop in the mountains and asked where would be a picturesque place to have a starting line. They thought of Waynesville. Mr. Bower noted that the dates would be July 12 & 13, 2017. Drivers would stop in Waynesville on the evening of July 12 and stay at the Waynesville Inn and the Best Western. Participants would then have the opportunity to shop and eat in Waynesville. The next morning line up would be at 7:00 a.m. with local

and regional media coverage. The group has requested an elected official to start the race for the day. All participants would be out of town before 9:00 a.m. Mr. Bower added that this event would be seen on the Velocity Channel and YouTube. Hendersonville hosted this event two years ago and was also bidding to be named as a start location. Mr. Bower concluded by noting that the only street closure needed would be from Church Street to Miller Street from 7:00 a.m. until 9:00 a.m. and that we definitely wanted this event in Haywood County.

The Mayor and Board agreed by consensus to allow this event and Alderman Feichter made a motion, seconded by Alderman Caldwell to close Main Street from Church Street to Miller Street on Thursday, July 13, 2017 from 7:00 a.m. until 9:00 a.m. to allow for the start of the race. The motion carried unanimously.

Mayor Brown thanked Ms. Collins and Mr. Bower for their continued efforts in building the tourism base for Haywood County and for their reports.

PUBLIC HEARINGS

4. Public Hearing to consider a request from Southern Concrete for rezoning of two properties to the Commercial-Industrial District

Elizabeth Teague, Development Services Director explained that Southern Concrete Materials had requested rezoning of two parcels they had obtained to Commercial-Industrial to better fit with their current operations. She provided a graphic outlining the two parcels and the abutting zoning districts and explained that the buffering requirements would be the most restrictive (Type A). Southern Concrete has gotten permission to move the railroad crossing to make the entrance to the site less dangerous. Ms. Teague noted that by changing the zoning in these locations, future use would be focused on industrial use.

Ms. Teague explained that hearings were held twice at the Planning Board level with no comments at either meeting and the Planning Board offered unanimous recommendation to approve this request. She noted that the requested rezoning would be consistent with the 2020 Land Use Plan map and because of its historic use as an industrial site and its limited access and separation from the Dayco site, should not perhaps have been included in the rezoning to Hyatt Creek Regional Center. Given the location and access to the site across the railroad racks, it is unlikely that this area would be desirable for commercial development that was not industrial in nature. This rezoning would actually align this property with the 2020 Land Use Map and would allow Southern Concrete to expand their operations at this location as well as to improve the sight. The rezoning for the lot on Railroad Street would move the residential district boundary over one lot, but would primarily be used as an improved driveway access. This action would actually increase the buffer area between the residential uses and the concrete operation.

Alderman Roberson asked about the change in driveway access. Ms. Teague explained that the curve would essentially be straightened out to allow for more direct access avoiding the existing hairpin turn; making the drive safer for trucks. Alderman Feichter clarified the buffering requirements for the property and whose responsibility it would be to move the railroad crossing and street. Ms. Teague answered that the buffer along the Railroad Street property was most extreme buffer, Type A. She also noted that it would be Southern Concrete's responsibility to get the road alignment and railroad

crossing completed. Ms. Teague added that representatives from Southern Concrete were present to answer any questions.

Town Attorney Woody Griffin called the public hearing to order at 7:06 p.m. and reminded those who wished to speak to raise their hand, be recognized and once at the podium provide their name and address for the minutes.

John Bryson, Vice President, Southern Concrete Materials addressed the board noting that the organization wants to continue to be good citizens to Waynesville. He explained that the purchase of the property on Vigoro Lane had been completed in 2007 and that the opportunity to purchase the property on Railroad Street would allow for possible expanded operation. Mr. Bryson commented that they are already operating a ready-mix station on the property on an as needed basis and have done so with no aggravation to the surrounding neighborhood.

Jeff Lamb, Southern Concrete, Corporate Compliance and Environmental, stated he felt like the investment for what Southern Concrete wished to do there and the plans made prove they are committed to making this a success. He added that in the future, movement of total operations to this site is the goal and they would sell the other office location on Boundary Street.

The public hearing was closed at 7:16 p.m.

Alderman Feichter asked why there were two hearings at the Planning Board level. Ms. Teague explained that staff realized that notifications had not been mailed properly and a second hearing was held and no one addressed the board.

Ms. Teague reminded the Board that there were two motions for consideration related to this rezoning.

Alderman Caldwell made a motion, seconded by Alderman Roberson to find the request for rezoning from Southern Concrete Materials consistent with the 2020 Land Development Plan by promoting the development and redevelopment of n historically industrial area. The motion carried unanimously.

Alderman Freeman made a motion, seconded by Alderman Roberson to recommend approval of the requested rezoning of the properties to Commercial-Industrial. The motion carried unanimously.

5. Public Hearing to consider the Amendment of the Town of Waynesville Cemetery Ordinance

David Foster, Public Services Director, informed the board that these revisions have been in the works for several years. The need to update is to clarify policies and procedures in the cemetery, standardize what can be placed in the cemetery, outline what is grandfathered in and provide for continued maintenance and upkeep of the cemetery.

Mr. Foster noted that revisions were made to ensure consistency with state law, liability standards and board standards related to the purchase of lots. Additional provisions to the ordinance will help to preserve the cemetery into the future by creating operational procedures and some latitude related to trimming and removal of plants.

Alderman Roberson asked about section 18-6 – Right of Town to Repurchase Columbarium Niche and why there was a deduction of \$250.00. Mr. Foster explained that the door to the columbarium unit would have to be replaced prior to resale.

Mayor Brown added that this was in no way meant to discourage individuals from memorializing their loved ones; it was a way to ensure that all individuals were able to remain safe during their visit to the cemetery. Mr. Foster provided an example of a safety hazard of glass jars placed on gravesites or memorials and wind scattering them or breaking them. If a mower hits that glass and it is strewn over several feet, someone visiting a gravesite is in danger of getting cut; also cemetery caretakers could be injured by shards of glass.

Attorney Griffin opened the public hearing at 7:30 p.m. and reminded those who wished to speak to raise their hand, be recognized and once at the podium provide their name and address for the minutes.

No one addressed the board.

Mayor Brown noted that due to the number of amendments to this particular ordinance and to give the public as well as the board the opportunity to more thoroughly consider the changes, he requested that the public hearing be recessed until the December 13, 2016 regular meeting. The board members agreed by consensus.

The Public Hearing was recessed at 7:32 p.m. to be reconvened at the December 13, 2016 regular meeting.

D. NEW BUSINESS

6. Request approval of Connect NC Bond Grant Program Application for an Inclusive Playground

Rhett Langston, Recreation and Parks Director requested permission to pursue the Connect NC Bond Grant in order to build a universal inclusive playground. He provided the board members with justification for the proposed playground noting the need for such a playground is supported by many statistics. There is an excellent opportunity to build an inclusive playground at Recreation Park, making it the first of its kind in the area. The idea is to build this inclusive playground including a rubberized surface for greater access and mobility for all children to enjoy. Mr. Langston added that the grant is a 4:1 match with funds of approximately \$22,575 required from the Town.

Alderman Caldwell thanked Mr. Langston for his pursuit of such a grant and expressed that this was a much needed addition to the parks and recreation amenities. Mr. Langston clarified that the entire amount for building the playground would be fronted by the Town and reimbursement of \$90,000 would be through the grant program.

Alderman Feichter asked if the existing structures currently on that site would be torn down. Mr. Langston answered that at this point, it was unsure. He did allude to the fact that the restrooms in the area would be upgraded and made ADA accessible with sidewalks and connecting paths made to the greenways.

Mayor Brown thanked Mr. Langston and his staff for wanting to be inclusive and for looking for opportunities such as the Connect NC Bond Grant.

Alderman Caldwell made a motion, seconded by Alderman Roberson to approve the application for the Connect NC Bond Grant Program to include potential matching funds from the Town of up to \$22,575.00, as presented. The motion carried unanimously.

7. Request Approval of Installment Financing Agreement for Vehicles and Related Equipment totaling \$543,200

Eddie Caldwell, Finance Director, explained that included in the fiscal year budget for 2016-2017 was an option to buy nine (9) vehicles. Requests for Proposals were sent to ten financial institutions. There were six (6) proposals returned; one was late and was not considered. Mr. Caldwell noted that First Citizens was the lowest responsive, responsible bidder with a five-year term at 1.69% interest with no prepayment penalty and an annual payment amount of \$114,209.58; this is well within the approved budget.

Alderman Roberson made a motion, seconded by Alderman Feichter to approve the proposal presented by First Citizens for installment financing with a term of five (5) years, at 1.69% interest, and an annual payment of \$114,209.58, as the lowest total financing costs for purchase of vehicles and related equipment, as presented. The motion carried unanimously.

8. Request for Rolling Street Closure for 2nd Annual Mountaineer 2-miler Run/Walk – Saturday, March 18th, 2017; requested by Waynesville Middle School PTA

Regan Wyatt, representing the Waynesville Middle School PTA, explained that this was the second annual 2-miler and that there were 60 participants last year. The route is a 2 mile course starting at the school and winding through Hazelwood. The rolling closure should only take approximately one hour. Ms. Wyatt added that monies raised will go toward academic and athletic purposes at Waynesville Middle School.

Alderman Caldwell made a motion, seconded by Alderman Freeman to approve the rolling street closure for the Mountaineer 2-Miler Run/Walk in the Hazelwood area on Saturday, March 18, 2017 beginning at 10:00 a.m., as presented. The motion carried unanimously.

E. CONTINUED BUSINESS

9. Hazelwood Parking Lot

Town Manager Rob Hites explained that he was asked to meet with Aldermen Feichter and Freeman and Chris Forga to discuss the proposed Hazelwood Parking Lot. This meeting occurred on October 28th and discussion centered on the 9% escalator every five years and the initial \$5,400.00 charge. During these discussions, it was noted that there were no public restrooms in Hazelwood. As part of the upgrades to the site, it was determined that restrooms should be added as a service to those in Hazelwood. An updated rendering was completed to include restrooms.

Manager Hites noted that the goal is to rough out the parking lot and try to get things rolling and put in electric lines during the slower winter months. In the spring, complete the grading and forming and curbing to allow for ease in paving once the asphalt plant begins operations in March or April. Manager Hites reminded the board that with the addition of the restrooms, there is additional improvement costs. He noted that the new project budget is \$175,000.

Alderman Feichter commented that in an article in the Smoky Mountain News, a business owner specifically mentioned that there was no public restroom in Hazelwood. Alderman Feichter has had conversations with business owners there and all are excited about this addition.

Alderman Freeman added that the addition of the restrooms was an easy decision. With the additional parking available and the increased traffic to the area, it seems the most logical way to move.

Mayor Brown explained that the parking lot improvements would triple the number of existing spaces and provide a potential economic development benefit for new businesses.

Both Manager Hites and Attorney Griffin agreed that specific language related to the restrooms should be added to the lease agreement.

Alderman Feichter made a motion, seconded by Alderman Freeman to approve the lease agreement between the Town of Waynesville and property owners, the Forgas, and to move forward with parking lot improvements as outlined in the lease. The motion carried unanimously.

10. Budget Amendment FY 2016/17 for Hazelwood Parking Lot Improvements

Mr. Caldwell noted that the information for the increased cost to the Hazelwood Parking Lot Improvements had been shared across the General and Enterprise funds and totaled \$175,000.

Alderman Roberson made a motion, seconded by Alderman Feichter to approve an amendment to the Fiscal Year 2016-2017 Budget Ordinance for the purpose of improvements to the Hazelwood Parking Lot, as presented. The motion carried unanimously.

F. COMMUNICATION FROM STAFF

11. Manager's Report – Town Manager Rob Hites

a. Renegotiation of Sharp Copier Contract through June 2018

Amie Owens, Assistant Town Manager, noted that she had successfully renegotiated the remainder of the Sharp contract thru June 2018 to reflect a monthly savings \$166, resulting in a total savings of \$2,988 for the remainder of the contract. Ms. Owens noted that the number of the black copies was adjusted down and the number of color copies increased to eliminate any overages in the number of copies.

b. Water shortage response plan

Manager Hites noted that the existing Water Shortage Response Plan is excellent. He added that the Mayor is authorized to enact a conservation plan. There are varying levels of restriction based on water levels. The first level of water conservation occurs when the water level is at 72" below normal level and restrictions increase in magnitude as the water level goes down.

c. Burning ban in the region

Manager Hites explained that a region-wide burn ban had been issued and is indicative of the drought conditions and the concerns about water shortages.

8. Attorney's Report – Town Attorney Woody Griffin

Town Attorney Griffin had nothing to report.

G. COMMUNICATION FROM THE MAYOR AND BOARD

No board members had any items to report on or to discuss.

H. CALL ON THE AUDIENCE

No one addressed the board.

I. ADJOURN

There being no further business to discuss, Alderman Caldwell made a motion, seconded by Alderman Roberson to adjourn the meeting at 6:46 p.m. The motion carried unanimously.

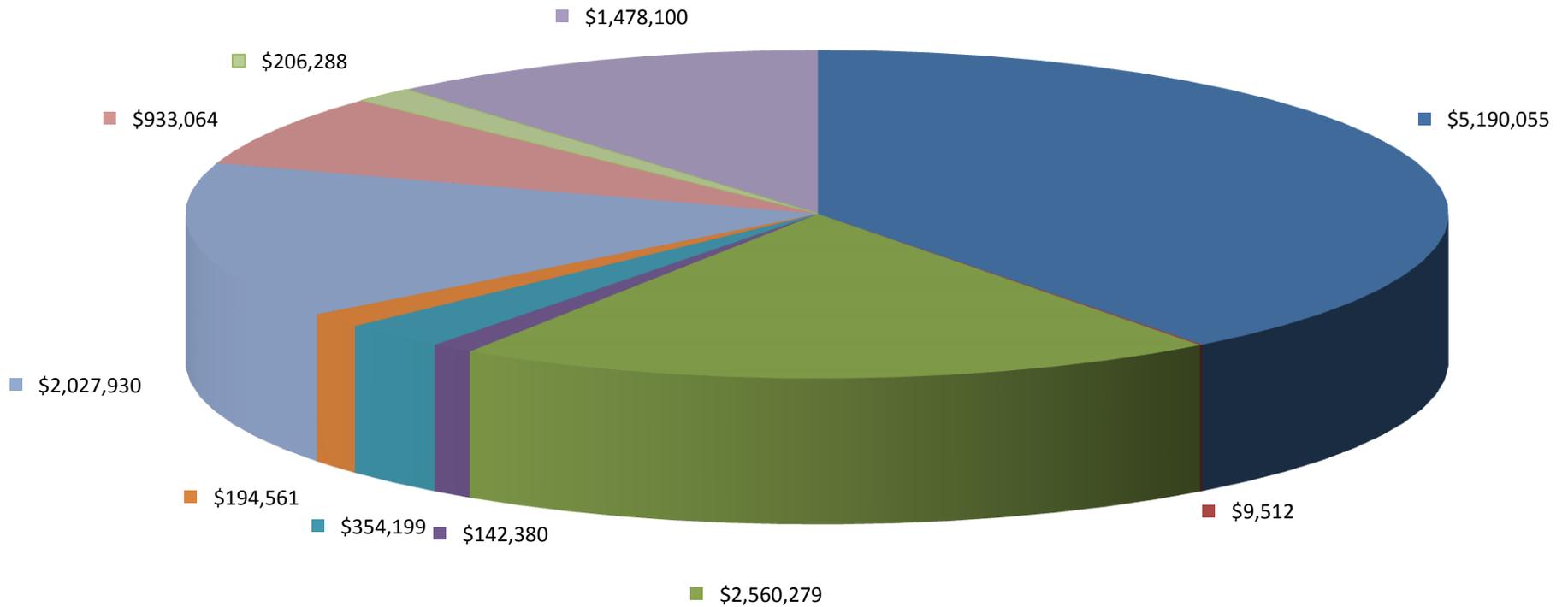
ATTEST

Gavin A. Brown, Mayor

Robert W. Hites, Jr., Town Manager

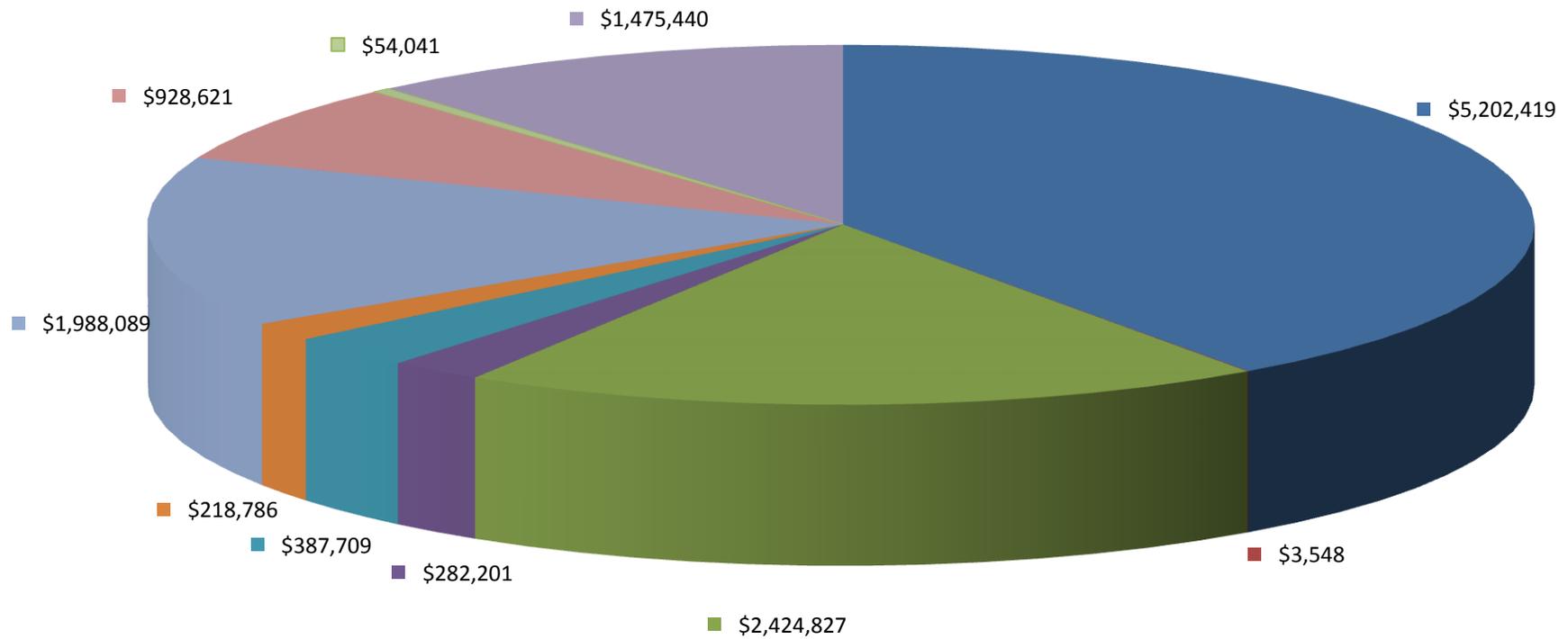
Amanda W. Owens, Town Clerk

GENERAL FUND REVENUES - CURRENT YEAR



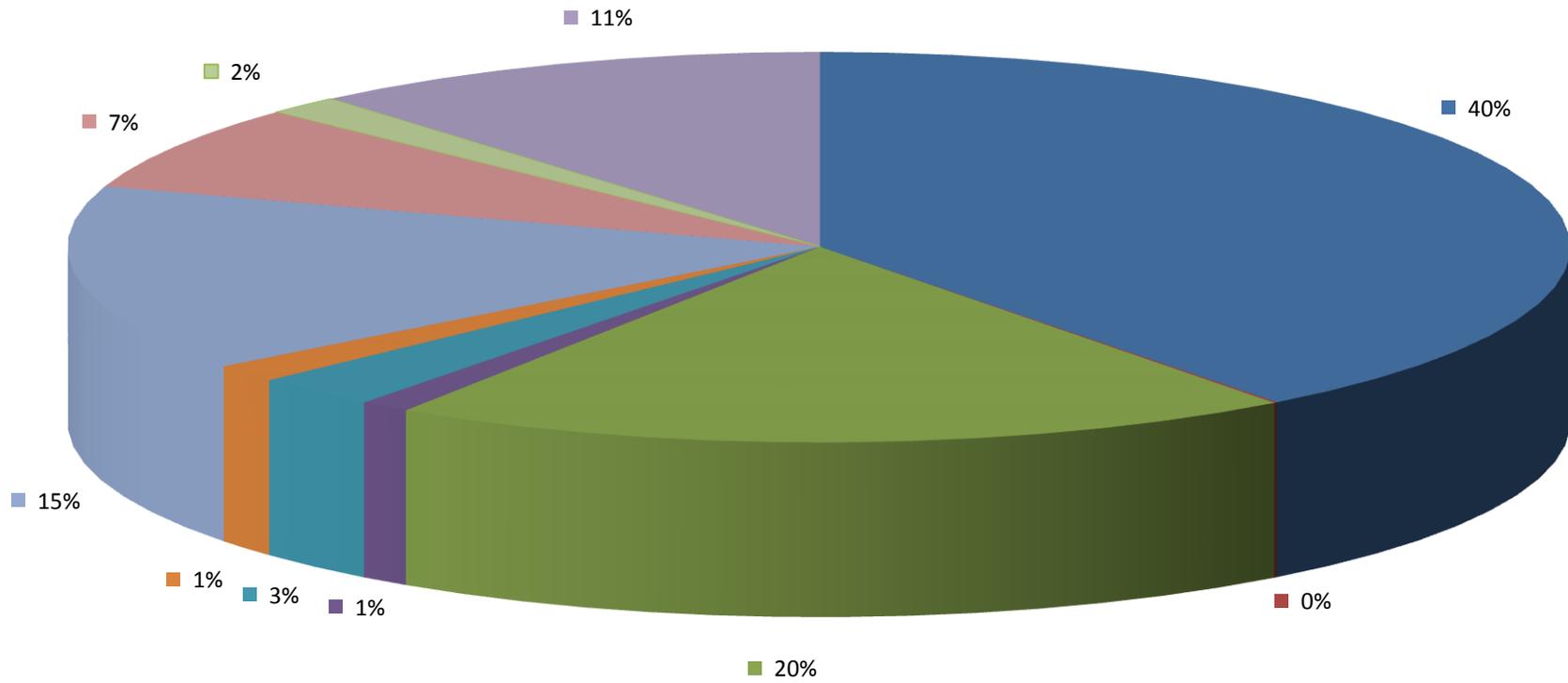
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|------------------------------|-----------------------|--------------------------|--------------------------------|
| ■ Ad valorem taxes | ■ Investment earnings | ■ Local option sales tax | ■ Other taxes & licenses |
| ■ Restricted intergovernment | ■ Permits & fees | ■ Sales & services | ■ Unrestricted intergovernment |
| ■ Miscellaneous | ■ Operating transfers | | |

GENERAL FUND REVENUES - PRIOR YEAR



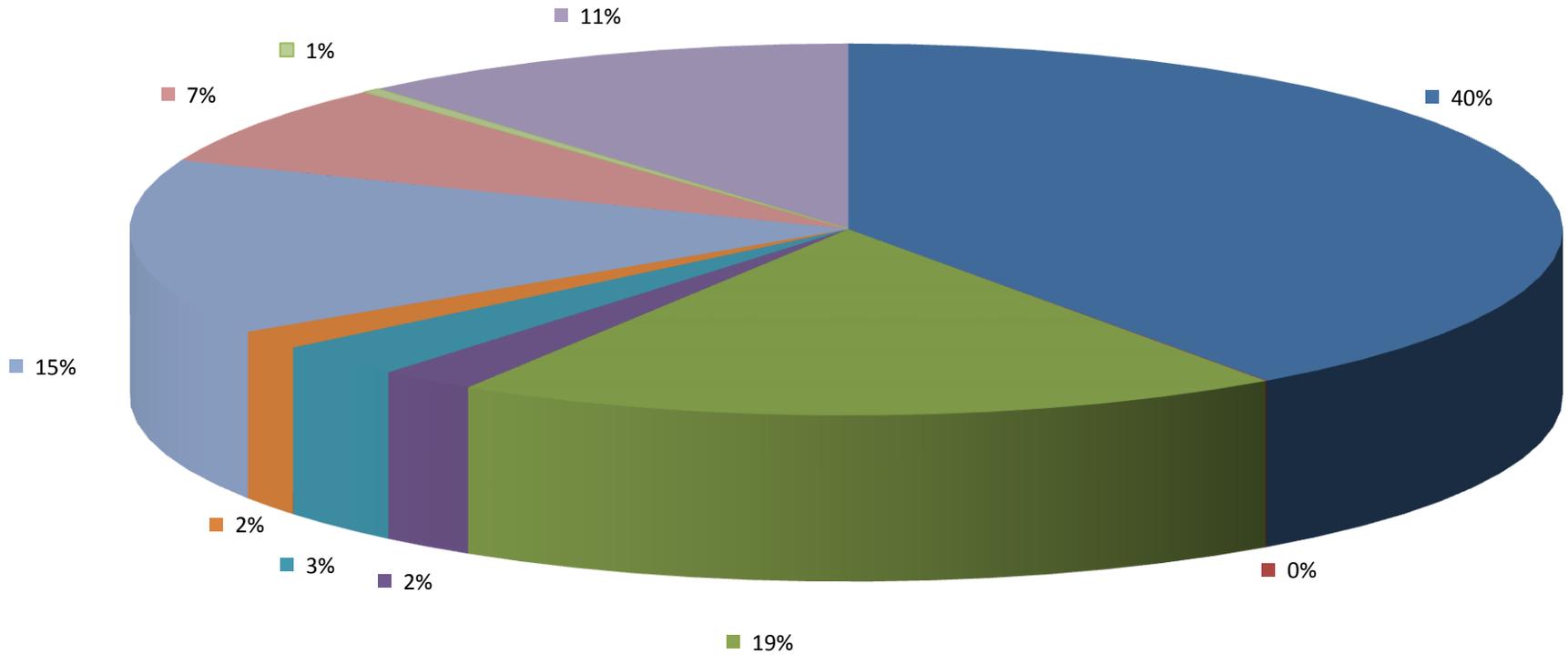
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GENERAL FUND REVENUES - CURRENT YEAR



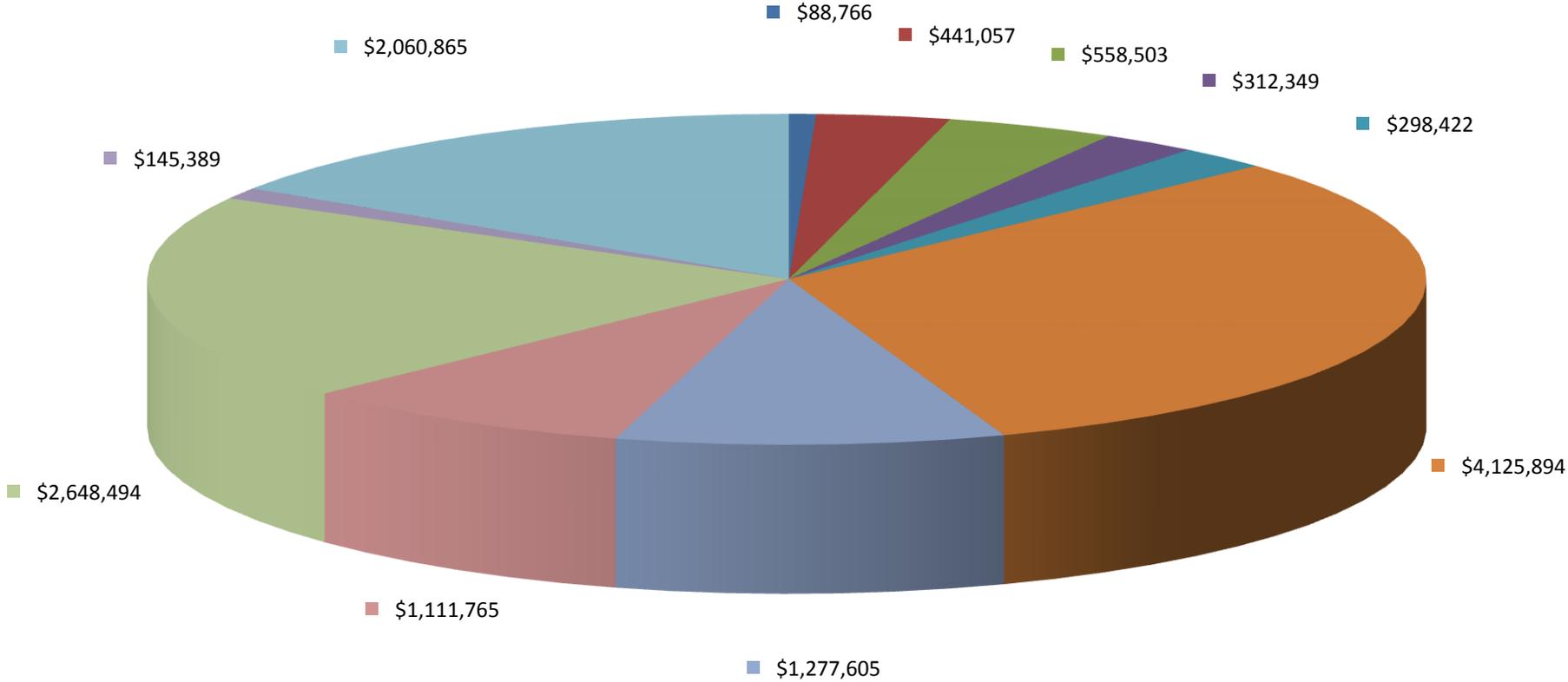
- Ad valorem taxes
- Restricted intergovernment
- Miscellaneous
- Investment earnings
- Permits & fees
- Operating transfers
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- Sales & services
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- Unrestricted intergovernment

GENERAL FUND REVENUES - PRIOR YEAR



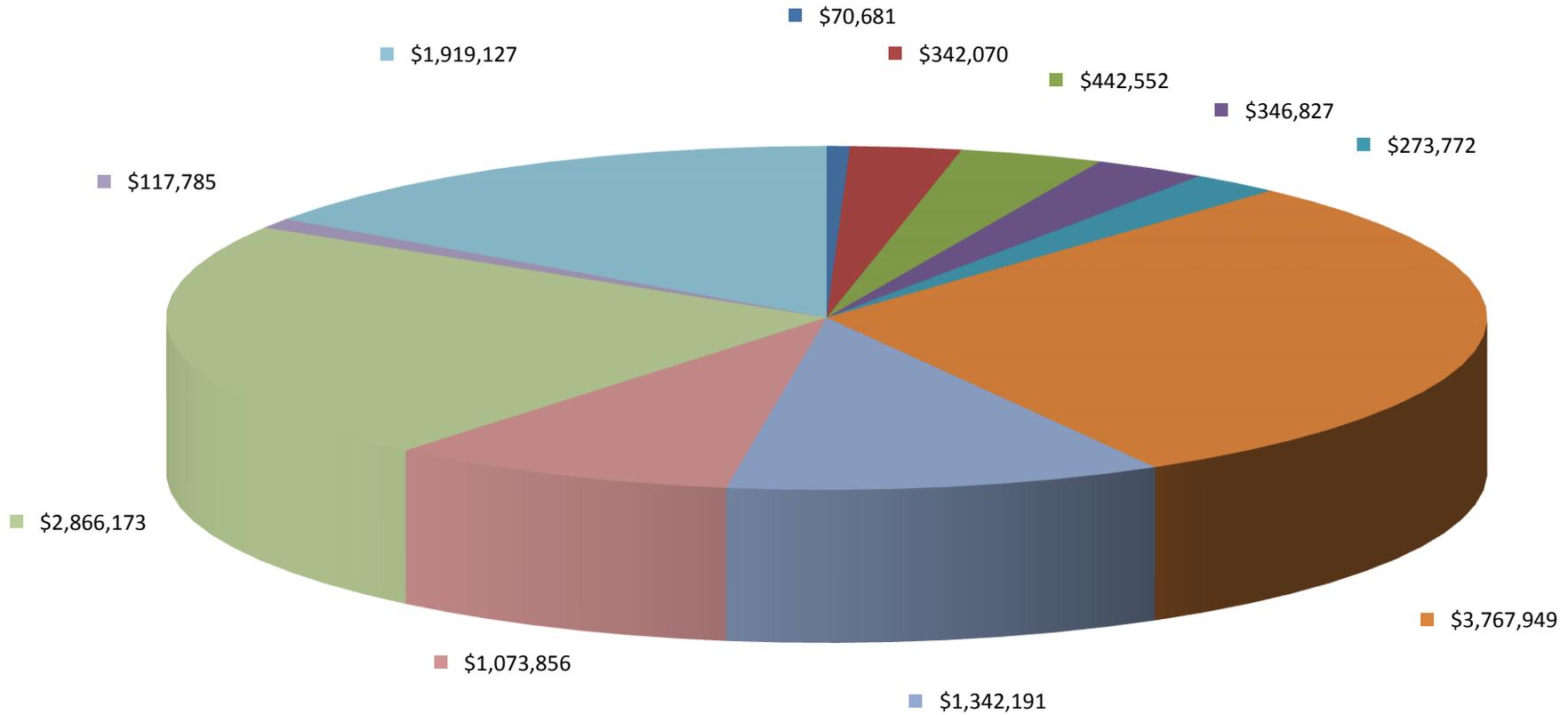
- Ad valorem taxes
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- Permits & fees
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- Unrestricted intergovernment
- Miscellaneous
- Operating transfers

GENERAL FUND EXPENDITURES - CURRENT YEAR



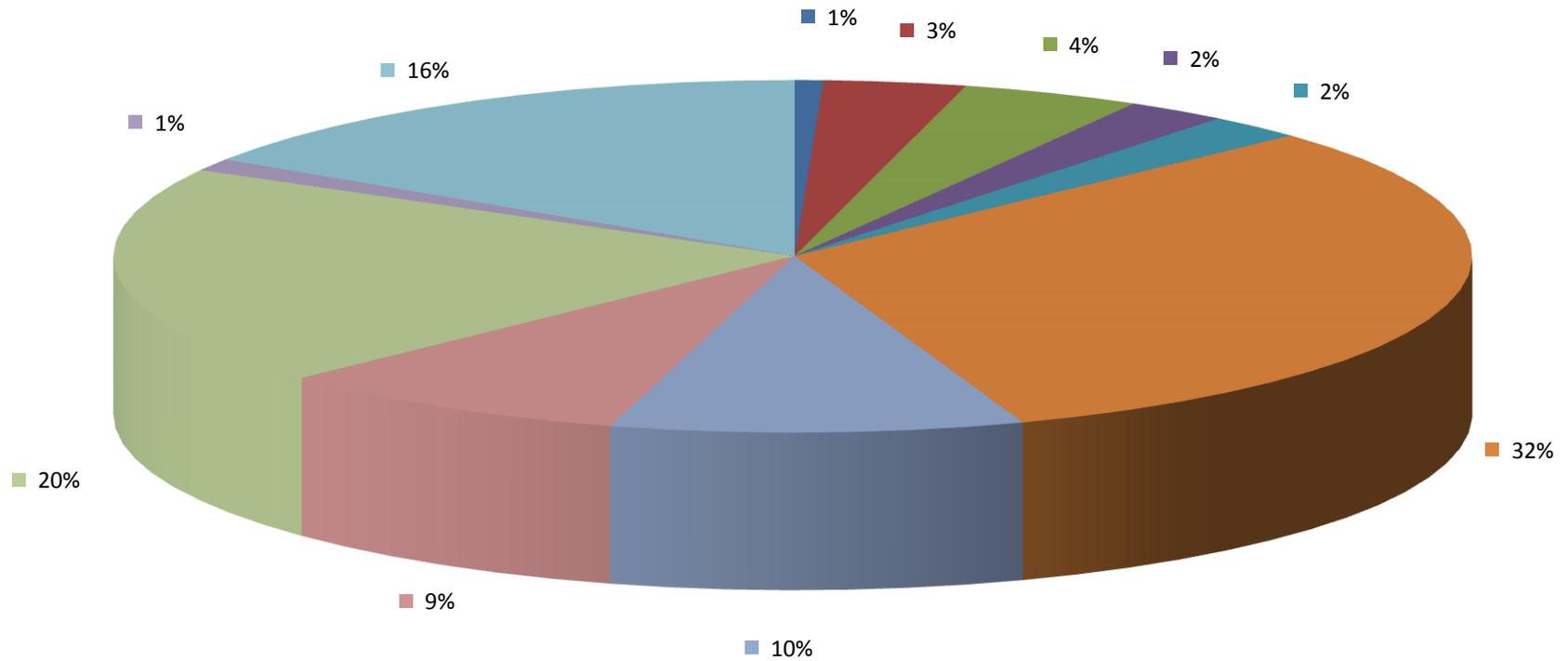
- Governing body
- Administration
- Planning & code enforcement
- Finance
- Special appropriations
- Police
- Debt service
- Fire
- Street & sanitation
- Cemetery
- Parks & recreation

GENERAL FUND EXPENDITURES - PRIOR YEAR



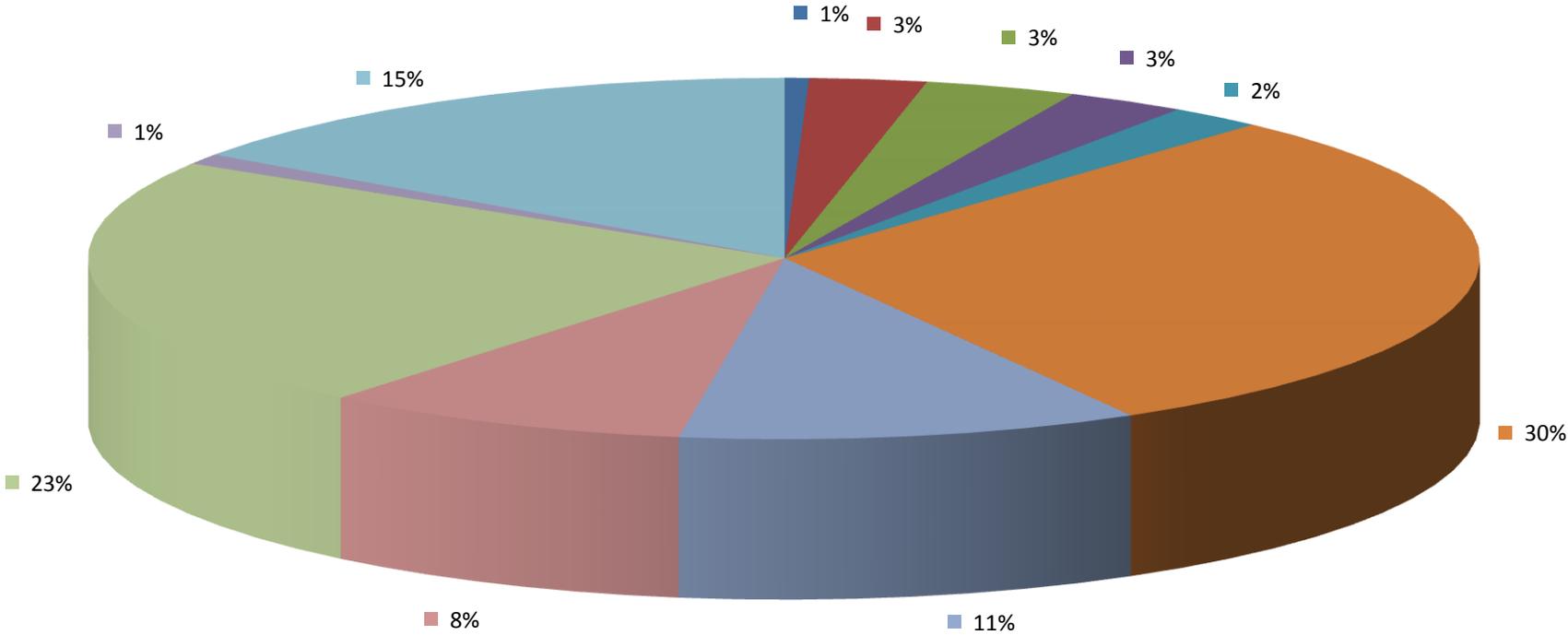
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GENERAL FUND EXPENDITURES - CURRENT YEAR



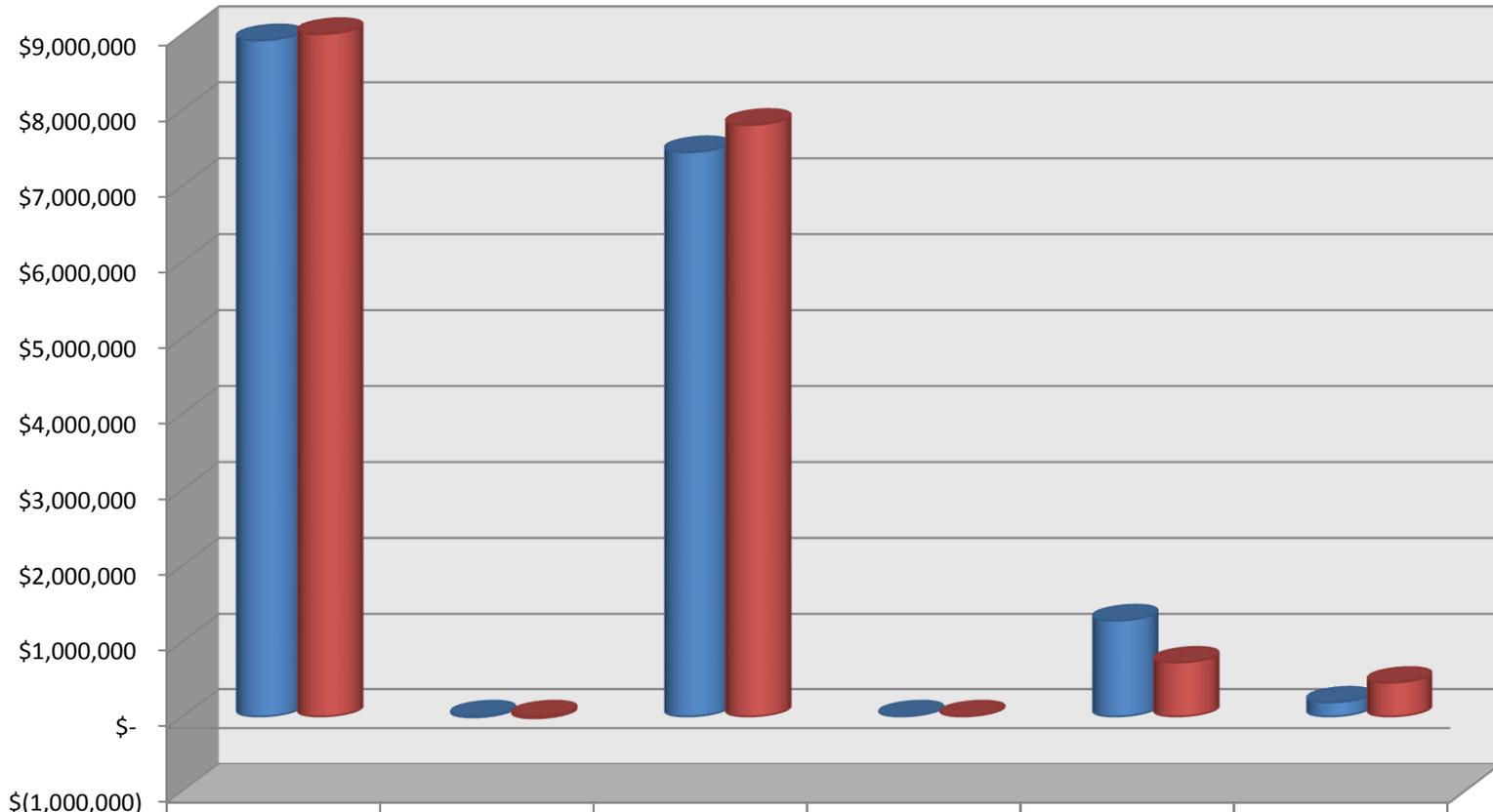
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GENERAL FUND EXPENDITURES - PRIOR YEAR



- Governing body
- Administration
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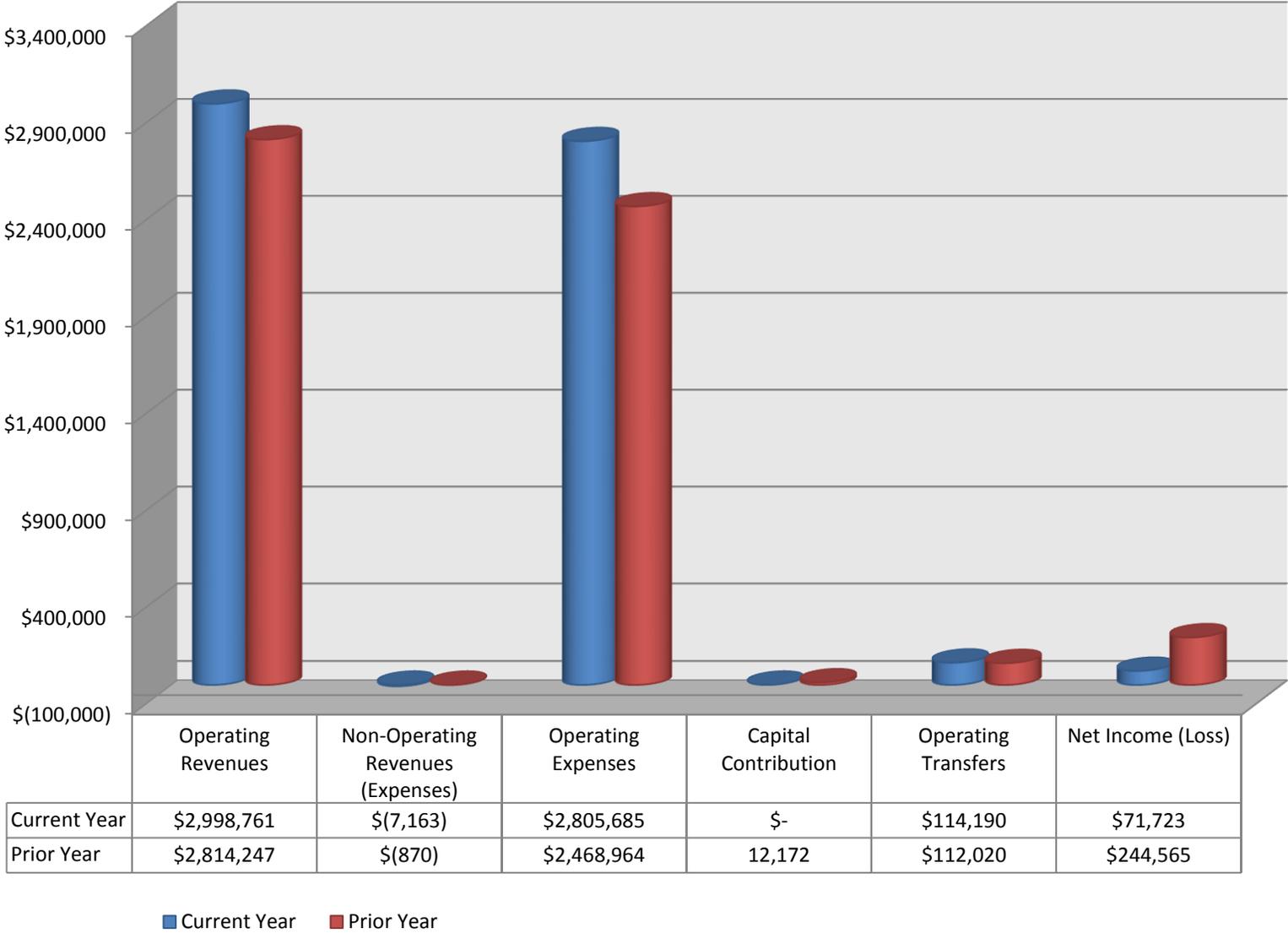
ELECTRIC FUND



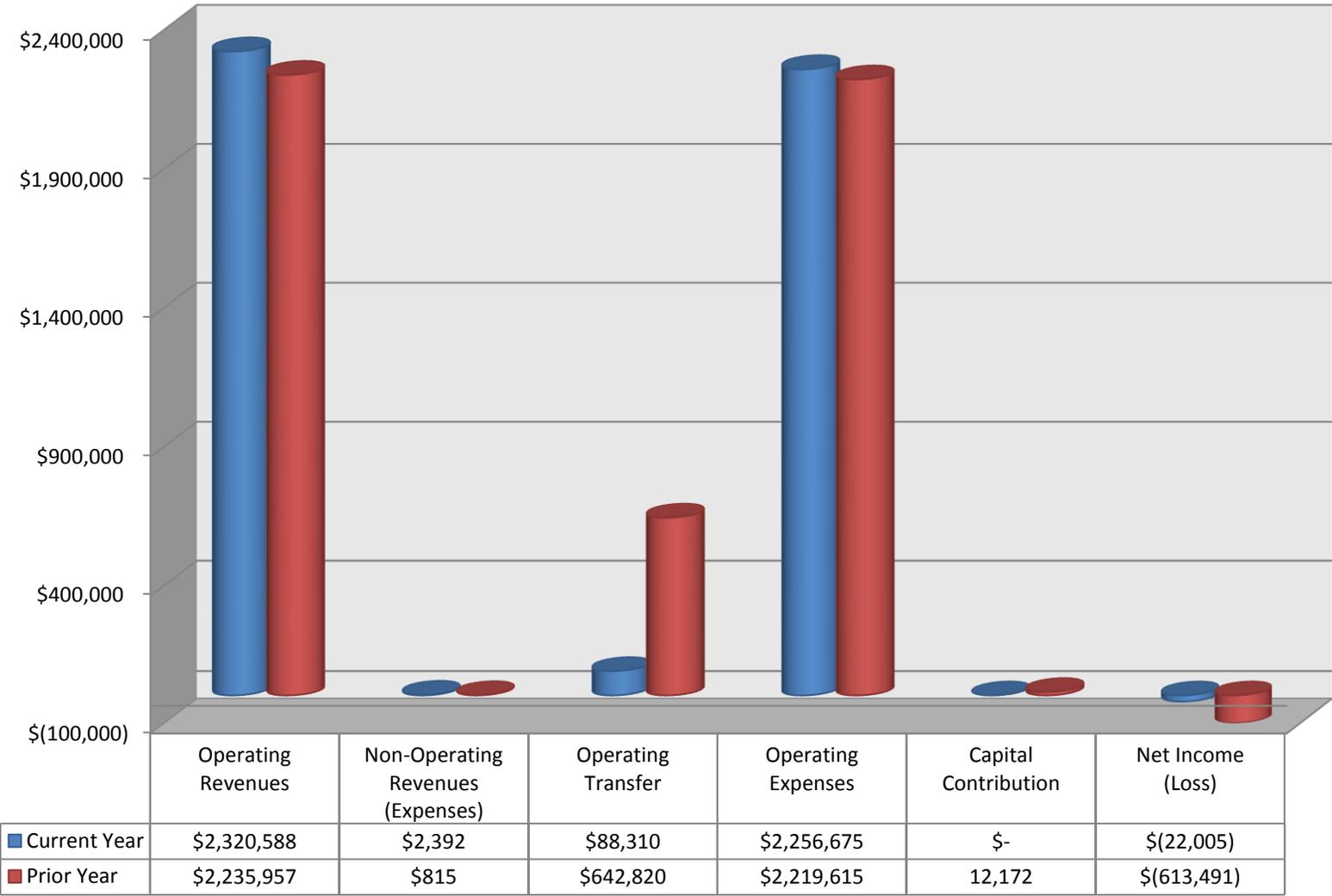
	Operating Revenues	Non-Operating Revenues (Expenses)	Operating Expenses	Capital Contribution	Operating Transfers	Net Income (Loss)
Current Year	\$8,916,695	\$(12,100)	\$7,443,033	0	\$1,275,600	\$185,962
Prior Year	\$8,998,730	\$(25,116)	\$7,802,544	0	\$720,600	\$450,470

■ Current Year ■ Prior Year

WATER FUND



SEWER FUND



■ Current Year ■ Prior Year

Town of Waynesville, North Carolina
Statement of Net Asset Fluctuation Analysis
June 30, 2016

	Governmental Activities		increase/ (decrease)		Business-type Activities		increase/ (decrease)	
	2016	2015			2016	2015		
ASSETS								
Current assets:								
Cash and cash equivalents	\$ 6,602,987	\$ 6,801,010	\$ (198,023)	AA	\$ 4,171,356	\$ 3,886,578	\$ 284,778	AA-1
Taxes receivables (net)	512,845	477,445	35,400		-	-	-	
Accrued interest receivable on taxes	113,839	104,614	9,225		-	-	-	
Other receivables	16,700	12,646	4,054		1,910	562	1,348	
Accounts receivable (net)	102,088	99,726	2,362		1,392,836	1,200,063	192,773	BB-1
Due from other governments	1,159,312	1,206,226	(46,914)		-	-	-	
Due from component units	15,474	13,056	2,418		-	-	-	
Internal balances	(84,090)	1,798	(85,888)		84,090	(1,798)	85,888	
Inventories	60,266	65,950	(5,684)		573,199	568,482	4,717	
Prepaid items	135,413	16,726	118,687	CC	-	-	-	
Restricted cash-Powell Bill/loan\$/cd	386,985	493,015	(106,030)	DD	544,542	348,889	195,653	DD-1
Total current assets	<u>9,021,819</u>	<u>9,292,212</u>			<u>6,767,933</u>	<u>6,002,776</u>		
Noncurrent assets:								
Net pension asset	-	527,524	(527,524)	EE	-	135,056	(135,056)	EE
Accounts receivable (net)	52,038	51,170	868		-	-	-	
Capital assets:								
Land, non-depreciable improvements and construction in progress	2,070,891	1,968,410	102,481	FF	1,902,770	1,826,920	75,850	FF-1
Other capital assets, net of depreciation	20,198,593	21,446,556	(1,247,963)	FF	22,653,367	23,374,659	(721,292)	FF-1
Total capital assets	<u>22,269,484</u>	<u>23,414,966</u>			<u>24,556,137</u>	<u>25,201,579</u>	<u>645,442</u>	
Total noncurrent assets	<u>22,321,522</u>	<u>23,993,660</u>			<u>24,556,137</u>	<u>25,336,635</u>		
Total assets	<u>\$ 31,343,341</u>	<u>\$ 33,285,872</u>			<u>\$ 31,324,070</u>	<u>\$ 31,339,411</u>		
Deferred Outflows-pension deferrals	20,694		20,694	EE	5,368		5,368	EE
Contributions to pension plan in CY	398,808	371,155	27,653	EE	103,440	95,024	8,416	EE
LIABILITIES								
Current liabilities:								
Accounts payable	\$ 416,887	\$ 768,448	(351,561)	GG	\$ 577,122	\$ 601,314	(24,192)	
Accrued interest payable	100,087	106,333	(6,246)		34,335	44,222	(9,887)	
Customer deposits	18,764	18,760	4		202,699	192,551	10,148	
Note Payable	310,450	664,696	(354,246)	HH	211,500	-	211,500	HH
Current portion of long-term liabilities	1,282,447	1,079,088	203,359	II	487,834	483,055	4,779	II-1
Payable from restricted assets	-	-			-	-		
Long-term liabilities:								
Net pension liability	421,256	-	421,256	EE	109,263		109,263	EE
Due in more than one year	7,532,980	7,891,018	(358,038)	II-1	2,598,868	2,951,217	(352,349)	II-1
Total liabilities	<u>\$ 10,082,871</u>	<u>\$ 10,528,343</u>			<u>\$ 4,221,621</u>	<u>\$ 4,272,359</u>		
Prepaid taxes	18,181	26,293	(8,112)					
Other deferred	120,162	77,889	42,273					
Deferred Inflows of Resources	219,095	1,285,899	(1,066,804)	EE	56,828	329,215	(272,387)	EE
NET POSITION								
Net investment in capital assets	15,942,518	17,022,705			21,955,809	22,181,641		
Restricted for:								
Cemetery Perpetual Care	395,661	344,815						
Stabilization by State Statute	1,393,621	1,488,081						
Transportation	364,805	467,864			-	-		
Public safety	22,180	-			-	-		
Working Capital	-	-			-	-		
Unrestricted	<u>3,203,749</u>	<u>2,415,138</u>			<u>5,198,620</u>	<u>4,651,220</u>		
Total net assets	<u>\$ 21,322,534</u>	<u>\$ 21,738,603</u>			<u>\$ 27,154,429</u>	<u>\$ 26,832,861</u>		

AA Cash fluctuations are the result of a variety of timing differences of payments received and payments made.

AA-1 Cash fluctuations are a result of a variety of timing differences, but all business type funds had positive cash flow from operations. All three main business type funds made cash transfers to the general fund. The electric fund and water fund are paying down debt while the sewer fund is debt free. The water fund received proceeds from a loan as they were in the process of financing some asset purchases, mainly vehicles.

BB - 1 Utility accounts receivable have increased from the prior year primarily as a result of timing differences on collections from year to year. While utility rates have increased in water, there were also three large utility bills normally paid in June that were not paid until July. Junaluska Sanitary (2bills) and Junaluska Assembly. These bills were paid in July.

CC The increase in prepaid items is due to making the monthly health insurance premium payment at the end of June for July compared to the prior period where the payment was made in July.

DD Restricted cash in the general activities has decreased due to the Town spending down the Powell Bill funds in the CY.

DD -1 Increase in business type funds restricted cash is mainly due to loan proceeds of 212K in escrow in the CY. The remaining restricted cash are utility deposits.

EE - The adoption of GASB 68 in the prior year has created a net pension liability and deferred outflows and inflow of resources. These balances account for the net difference between projected and actual earnings on pension plan investments and other timing differences that are all related to the NC LGERS pension plan.

FF/FF-1 Increase in CIP of 102K in governmental type funds is due to engineering the ASM building remodeling. The CIP increase of 76K in the business type funds is mainly due to a dump truck in the process of having a bed added plus improvements on the spillway.

FF/FF-1 Net decrease in fixed assets is the result of depreciation expense in excess of fixed asset additions in the current year.

GG The decrease in accounts payable is due to timing differences and also the result of a large bill for sidewalk repair on Sulfur Springs Rd totaling \$100K in the PY.

HH - In the current year, the Town was in the process of closing on a loan for vehicles in the general and water funds (310K and 212K, respectively) or 522K in total. The PY note payable was also for vehicles totaling 664,696.

II/II-1 There is one new loan during the current year and it was from the vehicle note payable in the prior year closing into installment purchases. Overall, the Town's debt is decreasing, causing an increase in the current portion of L/T liabilities and a decrease in those due in more than one year as debt is paid down.

Town of Waynesville, North Carolina
Statement of Activities Fluctuation Analysis
June 30, 2016

Program Revenues

Functions/Programs	Expenses			Charges for Services	Charges for Services	Operating Grants and Contributions			Capital Grants and Contributions				
	2016	2015	increase/(decrease)			2016	2015	increase/(decrease)	2016	2015	increase/(decrease)		
Primary government:													
Governmental Activities:													
General government	\$ 1,753,229	\$ 1,483,831	\$ 269,398	A	\$ 150,174	\$ 128,707	\$ 21,467	\$ -	\$ -	\$ -	\$ -	\$ -	
Public safety	5,609,066	5,117,768	\$ 491,298	B	506,485	456,163	\$ 50,322	40,936	21,611	\$ 19,325	-	\$ -	
Transportation	3,746,153	3,648,878	\$ 97,275	C	813,591	854,282	\$ (40,691)	340,382	347,498	\$ (7,116)	-	4,000	\$ (4,000)
Economic and physical development	-	-	\$ -		-	-	\$ -	-	-	\$ -	-	-	\$ -
Environmental protection	147,349	118,702	\$ 28,647		76,100	64,400	\$ 11,700	-	-	\$ -	-	-	\$ -
Cultural and recreation	2,115,786	1,956,916	\$ 158,870	D	726,341	744,323	\$ (17,982)	5,000	25,000	\$ (20,000)	-	-	\$ -
Interest on long-term debt	234,158	261,055	\$ (26,897)		-	-	\$ -	-	-	\$ -	-	-	\$ -
Business-type activities:													
Electric	7,475,158	7,847,211	\$ (372,053)	E	8,937,308	9,014,460	\$ (77,152)	E	-	\$ -	-	-	\$ -
Water	2,824,543	2,489,451	\$ 335,092	F	2,998,761	2,844,247	\$ 154,514	F	-	\$ -	-	12,172	\$ (12,172)
Sewer	2,256,675	2,220,086	\$ 36,589		2,385,863	2,262,850	\$ 123,013	G	-	\$ -	-	12,172	\$ (12,172)

A The increase in general government is primarily due to salary increases in the Administrative and Planning and Code enforcement departments (140K and 90K, respectively) plus an increase in expenses of 35K related to the GASB 68 pension entries.

B Public Safety increases are mainly the result of salary increases as career track was implemented for police and fire. Also, due to highway construction on I-40, there was a significant amount of part-time work paid for officers helping with traffic control. Further, the GASB 68 pension entries account for nearly 95K recorded in this function in the current year.

C Increases in transportation are primarily the result of salary increases in the transportation function.

D Increases in Cultural and Recreation are primarily the result of salary increases and GASB 68 pension entries in the current year.

E The Town's electric rates did not change during the year. However, the Town's largest customer, spending approx 17K a month, decreased their usage. The overall decrease is attributed mainly to this large customer reducing usage during the year. As for a decrease in spending, the primary factor in the decrease is a decrease in cost of power purchased. The Town not only renegotiated rates with Duke (eff. 1/1/16) but there was also a reduction in the fuel charge as gas prices have declined. As in other departments, salaries increased 47K and consulting fees (UTEC) were up 225K; however these increases were more than offset by the decreases in purchased power.

F Water rates increased by 5% in the current year, accounting for the increase in water revenues. The primary reason for the increase in water fund expenses is an increase in salaries of approx. 295K. In addition to a 1% COLA and career track adjustment, many vacant positions were filled.

G Sewer rates did not increase during the year; however there was increased usage amongst customers included in Cycle 15, Junaluska Sanitary District, Junaluska Assembly and Evergreen Packaging. The increase in usage accounts for the majority of the increased revenues.

Town of Waynesville
General Revenues Fluctuation Analysis
June 30, 2016

	<u>Governmental</u>	<u>Governmental</u>		<u>Business-Type</u>	<u>Business-Type</u>	
	2016	2015		2016	2015	
General revenues:			increase/ (decrease)			increase/ (decrease)
Taxes:						
Property taxes, levied for general purpose	5,234,680	5,249,710	15,030	-	-	
Other taxes	2,702,659	2,707,028	4,369	-	-	
			-			
Grants and contributions not restricted to specific programs	933,064	928,621	(4,443)	-	-	
Unrestricted investment earnings	10,158	3,548	(6,610)	7,156	2,868	(4,288)
Miscellaneous	172,002	43,870	(128,132) ^A	26,956	37,586	10,630
Transfers	1,478,100	1,475,440	(2,660)	(1,478,100)	(1,475,440)	2,660

- ^A Miscellaneous in the current year consists of:
Asset sales of nearly 80K
Other misc. police grants of nearly 32K compared to 5K in the prior year
Unspent capital lease proceeds of 25K in the CY

Town Of Waynesville
Monthly Cash Balances after year end Adjustments
For Month Ending June 30, 2016

Month	Totals	General	Water	Sewer	Electric	Asset Mgmt.	Garage	Playground Fund	Public Building Capital Projects	Water Line Replacements Capital Projects	Bond Money	Perpetual Care		
6/30/2014	9,650,510.74	5,141,312.35	0.00	769,216.82	1,822,575.52	1,237,949.93	56,999.63	45,035.75	7,390.11	0.00	247,719.37	0.00	18,756.50	303,554.76
7/31/2014	8,671,846.09	4,118,250.61	0.00	1,112,688.93	1,812,113.16	899,650.50	117,475.41	33,246.74	7,390.11	0.00	247,719.37	0.00	18,756.50	304,554.76
8/31/2014	8,806,500.97	4,095,736.77	0.00	1,220,701.68	1,862,394.27	841,642.58	158,838.45	48,766.48	7,390.11	0.00	247,719.37	0.00	18,756.50	304,554.76
9/30/2014	9,341,403.13	4,480,000.11	0.00	1,314,617.39	1,846,244.22	836,368.03	219,274.79	61,476.91	7,390.11	0.00	247,719.37	0.00	18,757.44	309,554.76
10/31/2014	9,527,298.69	4,569,655.27	0.00	1,392,045.62	1,882,216.93	891,250.96	131,595.96	75,112.27	7,390.11	0.00	247,719.37	0.00	18,757.44	311,554.76
11/30/2014	9,771,569.58	4,727,180.25	0.00	1,444,868.61	1,913,883.54	1,049,787.15	9,042.13	33,886.22	7,390.11	0.00	247,719.37	0.00	18,757.44	319,054.76
12/31/2014	11,328,339.93	6,130,598.38	0.00	1,295,822.63	1,855,625.84	1,102,340.42	246,436.32	99,993.71	7,390.11	0.00	247,719.37	0.00	18,758.39	323,654.76
1/31/2015	11,214,259.83	6,062,335.01	0.00	1,285,191.12	1,859,375.95	1,006,772.76	285,488.04	113,774.32	7,390.11	0.00	247,719.37	0.00	18,758.39	327,454.76
2/28/2015	11,179,731.90	6,015,968.49	0.00	1,303,025.09	1,896,318.29	887,111.02	336,883.57	138,102.81	7,390.11	0.00	247,719.37	0.00	18,758.39	328,454.76
3/31/2015	11,764,347.21	6,287,051.06	0.00	1,398,658.00	1,926,071.13	1,027,864.46	351,314.68	170,064.33	7,390.11	0.00	247,719.37	0.00	18,759.31	329,454.76
4/30/2015	11,316,460.15	5,921,061.33	0.00	1,315,441.54	1,895,086.07	1,071,197.59	345,108.09	164,641.98	7,390.11	0.00	247,719.37	0.00	18,759.31	330,054.76
5/31/2015	10,795,509.66	5,651,522.30	0.00	1,266,399.13	1,773,320.21	928,782.29	386,482.41	182,079.77	7,390.11	0.00	247,719.37	0.00	18,759.31	333,054.76
6/30/2015	10,703,578.52	5,661,588.62	0.00	1,352,216.63	1,301,657.88	1,581,591.98	155,769.97	39,502.16	0.00	0.00	247,719.37	0.00	18,760.25	344,771.66
7/31/2015	9,154,681.69	4,438,867.82	0.00	1,359,381.75	1,285,840.87	1,272,871.68	145,376.33	34,091.96	0.00	0.00	247,719.37	0.00	18,760.25	351,771.66
8/31/2015	8,217,303.28	3,515,842.63	0.00	1,346,761.64	1,282,407.09	1,246,839.19	147,174.54	58,026.91	0.00	0.00	247,719.37	0.00	18,760.25	353,771.66
9/30/2015	8,725,636.48	4,104,013.34	0.00	1,395,212.05	1,270,799.94	1,057,745.73	181,957.67	85,055.52	0.00	0.00	247,719.37	0.00	18,761.20	364,371.66
10/31/2015	9,943,189.06	5,162,202.14	0.00	1,366,150.71	1,346,680.37	1,241,507.71	105,711.90	82,084.00	0.00	0.00	247,719.37	0.00	18,761.20	372,371.66
11/30/2015	10,985,932.10	5,840,161.66	0.00	1,470,324.66	1,382,819.99	1,281,398.98	256,766.94	115,607.64	0.00	0.00	247,719.37	0.00	18,761.20	372,371.66
12/31/2015	12,402,378.97	7,219,260.35	0.00	1,494,518.68	1,349,987.05	1,353,100.18	228,059.74	113,599.80	0.00	0.00	247,719.37	0.00	18,762.14	377,371.66
1/31/2016	12,287,156.19	7,370,288.36	0.00	1,500,767.57	1,377,388.37	1,037,406.37	213,875.71	142,576.64	0.00	0.00	247,719.37	0.00	18,762.14	378,371.66
2/29/2016	12,446,553.84	7,113,875.95	0.00	1,493,474.39	1,485,341.74	1,300,753.70	251,431.40	151,823.49	0.00	0.00	247,719.37	0.00	18,762.14	383,371.66
3/31/2016	12,342,026.23	6,916,797.00	0.00	1,432,505.64	1,469,015.35	1,418,299.61	291,404.78	164,149.75	0.00	0.00	247,719.37	0.00	18,763.07	383,371.66
4/30/2016	11,878,510.19	6,367,810.90	0.00	1,389,631.28	1,485,145.75	1,524,994.21	290,178.36	161,295.59	0.00	0.00	247,719.37	0.00	18,763.07	392,971.66
5/31/2016	11,520,380.15	5,993,012.04	0.00	1,388,096.07	1,450,736.50	1,566,824.69	301,898.93	158,357.82	0.00	0.00	247,719.37	0.00	18,763.07	394,971.66
6/30/2016	11,183,768.23	5,862,521.78	0.00	1,359,870.17	1,446,524.35	1,697,941.83	110,095.90	44,843.20	0.00	0.00	247,719.37	0.00	18,764.01	395,487.62
Notes:														
***Total Cash Balance will not change because of year-end adjustments, however, year-end adjustments will change Cash Balances within each fund.														
(Not included in above figures.)														
The town's escrow for the Police, Streets and Water Maint. vehicles has \$521,950.00 in unspent loan proceeds and \$150.53 in earned interest income.														
The town has spent \$288,270.48 on General Fund purchases and \$64,403.11 on Water Fund purchases that should be paid by escrow.														
The town's has a NCDNR loan equal to \$0.00.														
The town has spent \$0.00 on purchases that should be paid back by the loan.														
*****MONTHLY BALANCES ARE BEFORE YEAR END ADJUSTMENTS WHICH MEANS FINAL AUDITED NUMBERS WILL SHOW DIFFERENCES WITHIN EACH FUND.														
*****AMOUNTS OWED TO US OR DUE TO US ARE NOT REFLECTED IN ABOVE BALANCES.														

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN
FOR BOARD INFORMATION
Meeting Date: December 13, 2016**

SUBJECT: Public Hearing for amendment of the Town of Waynesville Cemetery Ordinance

AGENDA INFORMATION:

Agenda Location: Public Hearings
Item Number: 4-C
Department: Administrative Services, Public Services, Asset Services
Contact: Amie Owens, Assistant Town Manager
Presenter: David Foster, Public Services Director

BRIEF SUMMARY: A project to update the existing Cemetery ordinance was undertaken in late 2010/early 2011 but was not presented to the Board of Aldermen. Since that time, several changes in legislation have occurred. With the assistance of local funeral home representatives and town staff, the existing ordinance was reviewed and suggested amendments noted.

As with all ordinance amendments, a public hearing is required in order to obtain citizen input on the proposed changes. The call for public hearing was made at the October 25, 2016 meeting. A public hearing was held on November 8, 2016 and was continued to the December 13, 2016.

MOTION FOR CONSIDERATION: To approve the amendment of the Town of Waynesville Cemetery Ordinance, as presented.

FUNDING SOURCE/IMPACT: No new expenditures expected - included in the operating costs for the Greenhill Cemetery.

ATTACHMENTS:

- Proposed Revised Ordinance

MANAGER'S COMMENTS AND RECOMMENDATIONS: This is the second of two public hearings on this item to allow for citizen input.

Chapter 18 CEMETERIES*

*Cross references: Streets, sidewalks and other public places, ch. 46.

State law references: Authority to regulate cemeteries, G.S. 160A-341--160A-348, An act authorizing the county of Haywood and the town of Waynesville to jointly establish, improve, and maintain a memorial cemetery for the burial of United States war veterans, S.L. 1949-140.

Sec. 18-1. Definitions. NEW

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Cemetery means a burial park for earth interments and columbarium inurnments.

Columbarium means a freestanding structure containing niches for the inurnment of cremated remains.

Cremation Burial Space means a land area ~~two (2) feet wide and one (1) foot in length~~ designated for the burial of cremated human remains ~~contained in an urn.~~

Interment means the disposition of human remains by burial in the earth.

Inurnment means the permanent placement of cremated remains which are contained in an urn in a columbarium or by burial in the earth.

Lot means the numbered divisions as shown on the recorded plat, which consists of 10 spaces.

Niche means a recessed compartment in a columbarium designed to hold urns.

Owner means the owner of record with the town of a specific lot or in a specific columbarium niche.

Section means the numbered divisions as shown on the recorded plat, consisting of multiple lots.

Space means a land area four (4) feet wide and ten (10) feet in length designated for the burial of human remains.

Town means the Town of Waynesville, North Carolina.

Urn Garden means a land area two (2) feet wide and two (2) feet in length designed for the burial of cremated human remains contained in an urn.

Sec. 18-2. Burial permitted only in cemetery; notification of superintendent

CURRENT 18-1; last sentence is NEW

No person shall bury or cause to be buried any dead body in any place within the town except in a cemetery. The town shall have the right to disinter any such body which may have been illegally buried and have the body removed to a cemetery. Prior to any burial in town cemeteries, the cemetery superintendent shall be notified. No remains except those of human beings shall be interred in any town cemetery.

Sec. 18-3. Scheduling of interments and inurnments.

NEW

Committal services requiring staff support may be held any day except New ~~Years~~Year's Day, Easter Sunday, Thanksgiving Day and Christmas Day. On days when inclement weather is such that a burial or placement of an urn would not be feasible, the town cemetery superintendent, in consultation with the funeral director, shall have the right to delay burials and the placement of urns. It will be the responsibility of the Town of Waynesville to supply up to date contact information for staff to the local funeral directors in order to effectively communicate related to scheduling.

Sec. 18-4. Sale of cemetery spaces and columbarium niches.

CURRENT 18-2 and NEW (b)

(a) The town shall sell cemetery spaces to those persons desiring lots at such price as may be determined by the board of aldermen; however, one person may not purchase more than ten (10) individual spaces or niches in a columbarium, except upon special permission from the board of aldermen. Columbarium niches and burial spaces cannot be purchased for commercial resale, and will not be sold to funeral homes, churches, or corporations.

(b) Upon purchase of a burial space, the owner will be issued a cemetery deed that shall identify the purchaser and the specific space to which the certificate applies. Cemetery deeds should be recorded at the Haywood County Register of Deeds Office. Upon purchase of a columbarium niche, the purchaser will be issued a certificate granting them the right to use the niche for the inurnment of human remains.

Sec. 18-5. Owner's name to appear on records of town.

NEW

No person will be recognized by the town as owner or part owner of any lot unless his name appears on the records of the town as owner or part owner thereof. Notice of any transfer of any lot, portion of lot, single space, or columbarium niche must be made in writing to the town clerk or cemetery superintendent. Transfers of lots or burial spaces must also be recorded at the Haywood County Register of Deeds Office. If a plot owner dies and a will indicates the passing of the cemetery plot(s), a copy of the will is required for transfer. If a plot owner dies intestate, the rights of the plot pass to the heirs in the same manner that personal property passes in the absence of a will and proper documentation may be requested to show proof of ownership.

Sec. 18-6. Right of town to repurchase columbarium niche.

NEW

The town may repurchase any unused columbarium niches from the owner at at the original purchase price set by the board minus a \$250.00 fee for replacement of ~~aldermen~~ the niche door and administrative fee, upon written request of said owner.

Sec. 18-7. Restrictions on rights of owners.

NEW

Owners of lots or single spaces and purchasers of columbarium niches in any cemetery owned by the town are subject to the rules and regulations of the town now or hereafter adopted. The town reserves the right to amend at any time and without notice its rules and regulations.

Sec. 18-8. Identification of remains.

NEW

All caskets and all cremation urns shall contain some means of identifying the remains of the deceased contained within the casket or urn. This identification shall be either within or on the casket or urn following state law and in conformance with generally accepted practices of the funeral home industry and per North Carolina General Statutes.

Sec. 18-9. Veterans Memorial Section Regulations.

NEW

Upon recommendation from the Veterans of Foreign Wars of the United States, the cemetery superintendent may authorize the burial of a veteran in the Veterans Memorial Section of Green Hill cemetery, which is in accordance with Board approved regulations. The Veterans Memorial Section is reserved for the interment of veterans discharged from active military service under conditions other than dishonorable, and does not include space for spouses, children, or other family members. Spaces for traditional burial and inurnment are assigned in sequential order by the cemetery superintendent. A full copy of the approved regulations are available in the Public Services Department.

Sec. 18-10. County Section.

Only those individuals for whom the Haywood County Health and Human Agency serves as a Guardian or for whom funeral pre-arrangements have been made through the Health and Human Services Agency on their behalf, or who qualify under~~Upon recommendation from the funeral home director,~~ the North Carolina General Statutes 130A-415 through 420 for unclaimed bodies, may be interred in the County Section of Green Hill Cemetery. the cemetery superintendent shall authorize the burial of a pauper in the County Section of Green Hill cemetery. Only markers flush with the ground are allowed in the County Section of Green Hill cemetery.

Sec. 18-11. Space and niche specifications.

NEW

(a) Caskets or urns in burial spaces

(1) All graves for the burial of a ~~coffin~~casket shall be ~~a minimum of 72 inches in depth, in accordance with all applicable North Carolina General Statutes contained in Chapter 65 – Cemeteries, and all laws, regulations and requirements therein.~~

(2) Concrete liners or steel vaults are required for the burial of all caskets. **Current 18-3(e)**

(3) Not more than one body shall be interred in one space except in the case of a mother and newborn baby, unless such space was purchased with the written agreement that more than one body or the remains of more than one body may be interred, and provided proper identification is made of such interment by the marker.

(4) Not more than two urns may be buried in one traditional burial space, and urns may not contain more than two cremated remains. Cremated remains may be inurned on top of existing graves provided that the space dug for burial is a minimum of 24 inches in depth.

(b) *Cremation burial space.* ~~All cremation~~Means a land area designated for the burial spaces shall be one (1) foot by two (2) feet of cremated human remains and is a minimum of 24 inches in depth.

(c) *Columbarium inurnment.* Up to two cremated remains are permitted in a single columbarium niche. Owners must give notice of the number of cremated remains to be placed in a niche at time of purchase. Additional costs will be incurred by the owner if the number of cremated remains to be placed changes after the door engraving has been completed.

(d) *Urn specifications for both in-ground and columbarium inurnment*

(1) No cremation urn shall contain the cremated remains of more than two individuals. Funeral directors shall assist family members in selecting an urn that is appropriately sized to fit within the burial space ~~or columbarium niche~~.

~~(1)~~ (2) The addition of cremated remains to an urn shall be done by the funeral director, not by town personnel. If any memorabilia are to be placed with the cremated remains, it shall be done before the container is sealed by the undertaker. Town employees are not permitted to open any urn under any circumstances.

(3) Cremated remains to be placed in a columbarium niche ~~shall~~ are recommended to be

(2) enclosed in a rigid, permanent, rustproof, waterproof, sealed container. Cardboard or plastic urns are only permitted for in-ground inurnment. The Town will not sell urns for cremated remains.

Sec. 18-12. Opening and closing of spaces and columbarium niches. NEW

(a) Interments or inurnments will only be made after the cemetery superintendent has received the authorization of the owner of the space or columbarium niche, and the opening and closing fees due to the Town have been paid in full.

(b) For traditional burials in spaces, the funeral homes will be responsible for the openings and closings of spaces, and to see that the vault is properly set and sealed.

(c) For burials in columbarium units or for the in ground placement of cremation urns, the Town will be responsible for the openings and closings. In opening and closing spaces for the burial of cremation urns or in opening columbarium niches for the placement of urns, care shall be taken to avoid damages to monuments, stones, markers and other structures on other lots in the cemetery. Should damages occur, the Town shall be responsible to see that corrections are made, either through repair or replacement.

Sec. 18-13. Funeral home opening/closing responsibilities. NEW

All funeral directors and their work crews employed in opening and filling spaces shall be subject to rules and regulations covered in this chapter. It is the responsibility of the funeral director to obtain permission for burial from the cemetery superintendent. Any person failing to conform with such rules and regulations will not afterwards be permitted to work in the cemetery. Extreme or continuous violation of rules and regulations may be cause to bar that funeral home from further burials in the town cemetery.

(a) If other spaces sink due to the weight of the equipment used to open and close a space, or there are damages to drives, trees, sod, monuments, stones, markers and other structures in the cemetery, the funeral home shall be responsible to see that corrections are made, either through repair or replacement.

(b) When work performed pursuant to this chapter is completed, the lots/spaces and surroundings must be left in a clean and acceptable condition. All materials, tools, ground covers, lowering devices, dirt, litter, trash, etc., must be immediately removed by the party in charge of the work.

(c) Ropes or other guides are not to be tied to any tree or other object. No post or anchors will be sunk into any occupied space.

(d) No material, tools, ground covers, lowering devices, etc., shall be left in the cemetery. Such items must be removed immediately after funeral service is completed.

Sec. 18-14. Liability insurance. -NEW

Any firm that performs a service of any type in any town owned cemetery such as installing vaults, installing monuments, mausoleums, or grave markers, setting up or taking down tents; directing funerals, or other work and services shall furnish the cemetery supervisor a current certificate of insurance for the following types of insurance coverage:

(a) Workers compensation as required by law;

(b) Comprehensive automobile liability insurance coverage with a combined single limit of not less than five hundred thousand dollars (\$500,000.00) per accident for bodily injury and property damage;

(c) Standard comprehensive general liability insurance providing coverage for operations, products and completed operations coverage with a combined single limit of not less than one million dollars (\$1,000,000.00) at any town owned cemetery.

Firms may name the Town of Waynesville as an additional insured on their existing policies.

(e)

Sec. 18-15. Markers.

No person shall place any marker without first gaining approval of the cemetery supervisor. **Current 18-4**

(a) *Burial markers*-**Current 18-4 is 1st sentence; remainder NEW**. For traditional spaces, only one upright family marker shall be permitted for each respective space, and all other markers that may be placed on the space shall be flush with the surface of the ground. Family markers must be placed at either the head or foot of the space.

1. Spaces located in the County Section, on the south side of Golden Drive and in Sections 9, 10, and 11 of the Shook B Survey, and Shook Sections C, D, E and subsequent other surveys shall only feature markers flush with the surface of the ground; no upright family markers are permitted in these sections.

2. For cremated remains in any location other than a columbarium unit, markers shall be flush with the surface of the ground. All flat grave markers shall be placed in such a manner in a row of graves that they shall be in complete alignment.

(b) *Columbarium markers*-**NEW** The exterior of every columbarium niche is covered by a door made of a thin granite material, provided by the town. Information on the granite doors will be limited to the full name of the deceased whose remains are within the niche, and the year of birth and the year of death. The information for every niche will be cut in the same font style and appropriate font size. The Town will make arrangements for this work to be done at the time of purchase. Following the death of an individual and the placement of the urn in the niche, the Town will be responsible for seeing that any missing information is engraved onto the door. If an

owner sells an unused niche, or there is an addition or removal of a name from the door of a niche, the current owner shall be responsible for payment for a replacement door.

Sec. 18-16. Repair of monuments. NEW

If any monument or marker becomes unsafe or in need of repair or resetting, the town, after attempting to give notice to the owner of record of such condition and upon the failure of the owner to correct the condition within ninety (90) days after receiving the notice, reserves the right to correct or remove the same at the expense of the owner.

Sec. 18-17. Improvements and other work.

(a) All works and improvements shall be done under the control of the ~~director of public works/town engineer~~Public Services Department. All permanent planting and removal of trees or shrubs, and sowing of grass within the cemetery grounds shall be the sole right and duty of the town. **1st sentence: Current 18-5(c); 2nd is NEW**

(b) Any person entering the cemetery for the purpose of working in any space belonging to another shall first present to the ~~director of public works/town engineer or his designee~~Public Services Department a written order from the owner or his agent. Work on any lot must not interfere in any manner with the walk, decorations or general arrangement of the cemetery. **CURRENT 18-5(a)**

(c) Neither the respective owners of cemetery lots or spaces nor any other person shall change the contour of any cemetery lot or plot, construct any curb on or around the lots or spaces, or plant or transplant any tree or shrubbery of any kind of the lots or spaces. **CURRENT 18-5(b)**

(Code 1987, § 93.05)

Sec. 18-18. Permission required for excavations. CURRENT 18-6

No person shall excavate any earth or stone in the cemetery or remove earth or stones except by the consent and under the direction of the ~~cemetery superintendent~~Public Services Department. No person shall exhume any remains without first notifying the cemetery superintendent. In no case shall any remains be disinterred without following the requirements of the State of North Carolina for exhumations.

Sec. 18-19. Removal of trees, plants, shrubs. CURRENT 18-7

~~When any tree, plant or shrub standing in the cemetery shall injure any monument or decoration in any adjoining lot or the lot on which it stands by the drip of its leaves or otherwise, complaint may be made to the director of public works/town engineer. If the director of public works/town engineer~~ The Public Services Department reserves the right to remove trees, plants or shrubs in the maintenance of all cemetery property at the sole discretion of the Public Services Director or his designees.

(Code 1987, § 93.07)

Cross references: Vegetation, ch. 62.

Sec. 18-20. Placing articles on lots generally. NEW

(a) It shall be unlawful for any person to place anything, including trinkets, toys, shells, glass vases, jars, tin cans, sand, or other artificial material on any marker, lot, space, or columbarium unit with the exception of ~~a marker placed in accordance with the rules and regulations of this chapter~~, cut flowers or artificial flowers, and approved flags on spaces of soldiers, sailors or marines. ~~When the items interfere with routine cemetery maintenance they shall be immediately removed without notice by town employees.~~

(b) No floral arrangement or any type decoration or other sort of ornamentation or picture may be attached to a columbarium unit. All floral ground pieces, wreaths, or funeral sprays may only be placed at the end of the columbarium unit or in another area designated for this purpose by the cemetery superintendent. No more than one piece per niche or urn space is permitted.

~~(c) No trinkets, toys, shells, glass vases, jars, tin cans, sand, artificial material or anything which, in the opinion of the cemetery superintendent, will interfere with routine cemetery maintenance, will be allowed on any lot, single space, or on or around any columbarium unit. All such articles will be removed without notice and the town shall not be responsible for their loss or destruction. Items placed on the headstone are acceptable, as long as they do not interfere with routine cemetery maintenance.~~

~~(d)~~(c) Solar powered or other artificial light sources are not allowed or permitted on any space.

~~(e)~~(d) Benches and settees are not permitted on any space, ~~except where the cemetery superintendent directs in writing. They will generally be placed at the head or foot of the space, aligned so as to not interfere with routine cemetery maintenance.~~ *Those benches already in place prior to January 1, 2017 are considered grandfathered as part of this ordinance and will not be removed.

~~(f)~~(e) No border, fence, railing, trellis, coping, hedge, shrubs, trees or any other bounding or enclosing object or material shall be constructed or planted in or around any lot or space.

(f) The Town, at its discretion, will conduct an annual clean up of the Green Hill cemetery and will advertise such clean up in the local newspaper, on its website and post signage in the cemetery.

(g) Items that are removed from lots or columbarium will be stored for sixty (60) days. Following the end of the sixty (60) days, items will be disposed of if not retrieved.

Sec. 18-21. Prohibited acts.

(a) No person shall disturb the quiet and good order of the cemetery by a noise of any kind or by other improper conduct. **CURRENT 18-8(a)**

(b) No person shall destroy, mutilate, deface, injure or remove in any way from where it is placed any tomb, monument, gravestone or other structure placed in the town cemetery or any plank or fence or part of a fence, railing or other structure within the cemetery or from the fence surrounding the cemetery, which is placed for the protection or ornament of the cemetery or any tomb, monument, gravestone or space. Any person who shall destroy, cut down, break, remove or injure any space, tree, shrub, plant or flower that may have been planted or that may be growing in the cemetery or commit any other trespass in the cemetery shall be guilty of a misdemeanor. **CURRENT 18-8(b)**

(c) It shall be unlawful for any person to use the cemetery as a playground. **CURRENT 18-8(c)**

(d) It shall be unlawful for any person to sell or offer for sale any article of merchandise, any fruit, drink or beverage, or anything of value within the limits of any town cemetery. **CURRENT 18-8(d)**

~~(e)~~ (e) It shall be unlawful for any person to bring a dog or other animal into the cemetery except ~~seeing-eye dogs or other disability-assisting dogs.~~ **CURRENT 18-8(e)** for service animals. Per the Haywood County Animal Services Ordinance definition, a service animal is any guide dog, signal dog, or other animal individually trained to work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.

~~(f)~~ (f) The scattering of cremated remains anywhere within the bounds of any town cemetery is expressly prohibited. **NEW**

(Code 1987, § 93.08)

Sec. 18-22. Hunting in cemetery restricted. CURRENT 18-9

No person shall hunt, kill or trap any bird or animal in the cemetery.

(Code 1987, § 93.09)

Cross references: Animals, ch. 6.

Sec. 18-23. Speed limit in cemetery. CURRENT 18-10

No person shall drive or ride any vehicle in the cemetery in the town at a speed greater ~~speed~~ than 2010 miles per hour.

(Code 1987, § 93.10)

Cross references: Traffic and vehicles, ch. 54.

(Code 1987, § 93.04)

Sec. 18-24. Use of cemetery as thoroughfare prohibited.

No person shall use the cemetery as a common thoroughfare or public walk; and all traveling through or across the cemetery, except in connection with cemetery purposes or for the purposes of visiting a burial lot, is forbidden.

(Code 1987, § 93.11)

Sec. 18-25. Perpetual care. NEW

The town shall provide perpetual care in and for all cemeteries owned and maintained by the town. The term “perpetual care” shall be deemed to include the maintenance and care of all grounds, roadways, entrances, gates, fences, and columbarium constructed by the town, but shall not include the maintenance, care, refurbishing, repair or replacement of any monument, vault, headstone, marker or any other structure of a like nature used in the interment or inurnment of human remains.

Chapter 18 CEMETERIES*

*Cross references: Streets, sidewalks and other public places, ch. 46.

State law references: Authority to regulate cemeteries, G.S. 160A-341--160A-348, An act authorizing the county of Haywood and the town of Waynesville to jointly establish, improve, and maintain a memorial cemetery for the burial of United States war veterans, S.L. 1949-140.

Sec. 18-1. Definitions. NEW

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Cemetery means a burial park for earth interments and columbarium inurnments.

Columbarium means a freestanding structure containing niches for the inurnment of cremated remains.

Cremation Burial Space means a land area designated for the burial of cremated human remains.

Interment means the disposition of human remains by burial in the earth.

Inurnment means the permanent placement of cremated remains which are contained in an urn in a columbarium or by burial in the earth.

Lot means the numbered divisions as shown on the recorded plat, which consists of 10 spaces.

Niche means a recessed compartment in a columbarium designed to hold urns.

Owner means the owner of record with the town of a specific lot or in a specific columbarium niche.

Section means the numbered divisions as shown on the recorded plat, consisting of multiple lots.

Space means a land area four (4) feet wide and ten (10) feet in length designated for the burial of human remains.

Town means the Town of Waynesville, North Carolina.

Urn Garden means a land area two (2) feet wide and two (2) feet in length designed for the burial of cremated human remains contained in an urn.

Sec. 18-2. Burial permitted only in cemetery; notification of superintendent

CURRENT 18-1; last sentence is NEW

No person shall bury or cause to be buried any dead body in any place within the town except in a cemetery. The town shall have the right to disinter any such body which may have been illegally buried and have the body removed to a cemetery. Prior to any burial in town cemeteries, the cemetery superintendent shall be notified. No remains except those of human beings shall be interred in any town cemetery.

Sec. 18-3. Scheduling of interments and inurnments.

NEW

Committal services requiring staff support may be held any day except New Year's Day, Easter Sunday, Thanksgiving Day and Christmas Day. On days when inclement weather is such that a burial or placement of an urn would not be feasible, the town cemetery superintendent, in consultation with the funeral director, shall have the right to delay burials and the placement of urns. It will be the responsibility of the Town of Waynesville to supply up to date contact information for staff to the local funeral directors in order to effectively communicate related to scheduling.

Sec. 18-4. Sale of cemetery spaces and columbarium niches.

CURRENT 18-2 and NEW (b)

(a) The town shall sell cemetery spaces to those persons desiring lots at such price as may be determined by the board of aldermen; however, one person may not purchase more than ten (10) individual spaces or niches in a columbarium, except upon special permission from the board of aldermen. Columbarium niches and burial spaces cannot be purchased for commercial resale, and will not be sold to funeral homes, churches, or corporations.

(b) Upon purchase of a burial space, the owner will be issued a cemetery deed that shall identify the purchaser and the specific space to which the certificate applies. Cemetery deeds should be recorded at the Haywood County Register of Deeds Office. Upon purchase of a columbarium niche, the purchaser will be issued a certificate granting them the right to use the niche for the inurnment of human remains.

Sec. 18-5. Owner's name to appear on records of town.

NEW

No person will be recognized by the town as owner or part owner of any lot unless his name appears on the records of the town as owner or part owner thereof. Notice of any transfer of any lot, portion of lot, single space, or columbarium niche must be made in writing to the town clerk or cemetery superintendent. Transfers of lots or burial spaces must also be recorded at the Haywood County Register of Deeds Office. If a plot owner dies and a will indicates the passing of the cemetery plot(s), a copy of the will is required for transfer. If a plot owner dies intestate, the rights of the plot pass to the heirs in the same manner that personal property passes in the absence of a will and proper documentation may be requested to show proof of ownership.

Sec. 18-6. Right of town to repurchase columbarium niche.

NEW

The town may repurchase any unused columbarium niches from the owner at the original purchase price minus a \$250.00 fee for replacement of the niche door and administrative fee, upon written request of said owner.

Sec. 18-7. Restrictions on rights of owners.

NEW

Owners of lots or single spaces and purchasers of columbarium niches in any cemetery owned by the town are subject to the rules and regulations of the town now or hereafter adopted. The town reserves the right to amend at any time and without notice its rules and regulations.

Sec. 18-8. Identification of remains.

NEW

All caskets and all cremation urns shall contain some means of identifying the remains of the deceased contained within the casket or urn. This identification shall be either within or on the casket or urn following state law and in conformance with generally accepted practices of the funeral home industry and per North Carolina General Statutes.

Sec. 18-9. Veterans Memorial Section Regulations.

NEW

Upon recommendation from the Veterans of Foreign Wars of the United States, the cemetery superintendent may authorize the burial of a veteran in the Veterans Memorial Section of Green Hill cemetery in accordance with Board approved regulations. The Veterans Memorial Section is reserved for the interment of veterans discharged from active military service under conditions other than dishonorable, and does not include space for spouses, children, or other family members. Spaces for traditional burial and inurnment are assigned in sequential order by the cemetery superintendent. A full copy of the approved regulations are available in the Public Services Department.

Sec. 18-10. County Section.

Only those individuals for whom the Haywood County Health and Human Agency serves as a Guardian or for whom funeral pre-arrangements have been made through the Health and Human Services Agency on their behalf, or who qualify under the North Carolina General Statutes 130A-415 through 420 for unclaimed bodies, may be interred in the County Section of Green Hill Cemetery. Only markers flush with the ground are allowed in the County Section of Green Hill cemetery.

Sec. 18-11. Space and niche specifications.

NEW

(a) Caskets or urns in burial spaces

- (1) All graves for the burial of a casket shall be in accordance with all applicable North Carolina General Statutes contained in Chapter 65 – Cemeteries, and all laws, regulations and requirements therein.
- (2) Concrete liners or steel vaults are required for the burial of all caskets.
- (3) Not more than one body shall be interred in one space except in the case of a mother and newborn baby, unless such space was purchased with the written agreement that more than one body or the remains of more than one body may be interred, and provided proper identification is made of such interment by the marker.
- (4) Not more than two urns may be buried in one traditional burial space, and urns may not contain more than two cremated remains. Cremated remains may be inurned on top of existing graves provided that the space dug for burial is a minimum of 24 inches in depth.

(b) Cremation burial space. Means a land area designated for the burial of cremated human remains and is a minimum of 24 inches in depth.

(c) Columbarium inurnment. Up to two cremated remains are permitted in a single columbarium niche. Owners must give notice of the number of cremated remains to be placed in a niche at time of purchase. Additional costs will be incurred by the owner if the number of cremated remains to be placed changes after the door engraving has been completed.

(d) Urn specifications for both in-ground and columbarium inurnment

(1) No cremation urn shall contain the cremated remains of more than two individuals. Funeral directors shall assist family members in selecting an urn that is appropriately sized to fit within the burial space.

(2) The addition of cremated remains to an urn shall be done by the funeral director, not by town personnel. If any memorabilia are to be placed with the cremated remains, it shall be done before the container is sealed by the undertaker. Town employees are not permitted to open any urn under any circumstances.

(3) Cremated remains to be placed in a columbarium niche are recommended to be enclosed in a rigid, permanent, rustproof, waterproof, sealed container. Cardboard or plastic urns are only permitted for in-ground inurnment. The Town will not sell urns for cremated remains.

Sec. 18-12. Opening and closing of spaces and columbarium niches. NEW

(a) Interments or inurnments will only be made after the cemetery superintendent has received the authorization of the owner of the space or columbarium niche, and the opening and closing fees due to the Town have been paid in full.

(b) For traditional burials in spaces, the funeral homes will be responsible for the openings and closings of spaces, and to see that the vault is properly set and sealed.

(c) For burials in columbarium units or for the in ground placement of cremation urns, the Town will be responsible for the openings and closings. In opening and closing spaces for the burial of cremation urns or in opening columbarium niches for the placement of urns, care shall be taken to avoid damages to monuments, stones, markers and other structures on other lots in the cemetery. Should damages occur, the Town shall be responsible to see that corrections are made, either through repair or replacement.

Sec. 18-13. Funeral home opening/closing responsibilities. NEW

All funeral directors and their work crews employed in opening and filling spaces shall be subject to rules and regulations covered in this chapter. It is the responsibility of the funeral director to obtain permission for burial from the cemetery superintendent. Any person failing to conform with such rules and regulations will not afterwards be permitted to work in the cemetery. Extreme or continuous violation of rules and regulations may be cause to bar that funeral home from further burials in the town cemetery.

(a) If other spaces sink due to the weight of the equipment used to open and close a space, or there are damages to drives, trees, sod, monuments, stones, markers and other structures in the cemetery, the funeral home shall be responsible to see that corrections are made, either through repair or replacement.

(b) When work performed pursuant to this chapter is completed, the lots/spaces and surroundings must be left in a clean and acceptable condition. All materials, tools, ground covers, lowering devices, dirt, litter, trash, etc., must be immediately removed by the party in charge of the work.

(c) Ropes or other guides are not to be tied to any tree or other object. No post or anchors will be sunk into any occupied space.

(d) No material, tools, ground covers, lowering devices, etc., shall be left in the cemetery. Such items must be removed immediately after funeral service is completed.

Sec. 18-14. Liability insurance. NEW

Any firm that performs a service of any type in any town owned cemetery such as installing vaults, installing monuments, mausoleums, or grave markers, setting up or taking down tents;

directing funerals, or other work and services shall furnish the cemetery supervisor a current certificate of insurance for the following types of insurance coverage:

(a) Workers compensation as required by law;

(b) Comprehensive automobile liability insurance coverage with a combined single limit of not less than five hundred thousand dollars (\$500,000.00) per accident for bodily injury and property damage;

(c) Standard comprehensive general liability insurance providing coverage for operations, products and completed operations coverage with a combined single limit of not less than one million dollars (\$1,000,000.00) at any town owned cemetery.

Firms may name the Town of Waynesville as an additional insured on their existing policies.

Sec. 18-15. Markers.

No person shall place any marker without first gaining approval of the cemetery supervisor. **Current 18-4**

(a) *Burial markers* **Current 18-4 is 1st sentence; remainder NEW**. For traditional spaces, only one upright family marker shall be permitted for each respective space, and all other markers that may be placed on the space shall be flush with the surface of the ground. Family markers must be placed at either the head or foot of the space.

1. Spaces located in the County Section, on the south side of Golden Drive and in Sections 9, 10, and 11 of the Shook B Survey, and Shook Sections C, D, E and subsequent other surveys shall only feature markers flush with the surface of the ground; no upright family markers are permitted in these sections.

2. For cremated remains in any location other than a columbarium unit, markers shall be flush with the surface of the ground. All flat grave markers shall be placed in such a manner in a row of graves that they shall be in complete alignment.

(b) *Columbarium markers* **NEW** The exterior of every columbarium niche is covered by a door made of a thin granite material, provided by the town. Information on the granite doors will be limited to the full name of the deceased whose remains are within the niche, and the year of birth and the year of death. The information for every niche will be cut in the same font style and appropriate font size. The Town will make arrangements for this work to be done at the time of purchase. Following the death of an individual and the placement of the urn in the niche, the Town will be responsible for seeing that any missing information is engraved onto the door. If an owner sells an unused niche, or there is an addition or removal of a name from the door of a niche, the current owner shall be responsible for payment for a replacement door.

Sec. 18-16. Repair of monuments. NEW

If any monument or marker becomes unsafe or in need of repair or resetting, the town, after attempting to give notice to the owner of record of such condition and upon the failure of the owner to correct the condition within ninety (90) days after receiving the notice, reserves the right to correct or remove the same at the expense of the owner.

Sec. 18-17. Improvements and other work.

(a) All works and improvements shall be done under the control of the Public Services Department. All permanent planting and removal of trees or shrubs, and sowing of grass within the cemetery grounds shall be the sole right and duty of the town. **1st sentence: Current 18-5(c); 2nd is NEW**

(b) Any person entering the cemetery for the purpose of working in any space belonging to another shall first present to the Public Services Department a written order from the owner or his agent. Work on any lot must not interfere in any manner with the walk, decorations or general arrangement of the cemetery. **CURRENT 18-5(a)**

(c) Neither the respective owners of cemetery lots or spaces nor any other person shall change the contour of any cemetery lot or plot, construct any curb on or around the lots or spaces, or plant or transplant any tree or shrubbery of any kind of the lots or spaces. **CURRENT 18-5(b)**
(Code 1987, § 93.05)

Sec. 18-18. Permission required for excavations. CURRENT 18-6

No person shall excavate any earth or stone in the cemetery or remove earth or stones except by the consent and under the direction of the Public Services Department. No person shall exhume any remains without first notifying the cemetery superintendent. In no case shall any remains be disinterred without following the requirements of the State of North Carolina for exhumations.

Sec. 18-19. Removal of trees, plants, shrubs. CURRENT 18-7

The Public Services Department reserves the right to remove trees, plants or shrubs in the maintenance of all cemetery property at the sole discretion of the Public Services Director or his designees.

(Code 1987, § 93.07)

Cross references: Vegetation, ch. 62.

Sec. 18-20. Placing articles on lots generally. NEW

(a) It shall be unlawful for any person to place anything, including trinkets, toys, shells, glass vases, jars, tin cans, sand, or other artificial material on any marker, lot, space, or columbarium

unit with the exception of cut flowers or artificial flowers, and approved flags on spaces of soldiers, sailors or marines.

(b) No floral arrangement or any type decoration or other sort of ornamentation or picture may be attached to a columbarium unit. All floral ground pieces, wreaths, or funeral sprays may only be placed at the end of the columbarium unit or in another area designated for this purpose by the cemetery superintendent. No more than one piece per niche or urn space is permitted.

(c) Solar powered or other artificial light sources are not allowed or permitted on any space.

(d) Benches and settees are not permitted on any space. *Those benches already in place prior to January 1, 2017 are considered grandfathered as part of this ordinance and will not be removed.

(e) No border, fence, railing, trellis, coping, hedge, shrubs, trees or any other bounding or enclosing object or material shall be constructed or planted in or around any lot or space.

(f) The Town, at its discretion, will conduct an annual clean up of the Green Hill cemetery and will advertise such clean up in the local newspaper, on its website and post signage in the cemetery.

(g) Items that are removed from lots or columbarium will be stored for sixty (60) days. Following the end of the sixty (60) days, items will be disposed of if not retrieved.

Sec. 18-21. Prohibited acts.

(a) No person shall disturb the quiet and good order of the cemetery by a noise of any kind or by other improper conduct. **CURRENT 18-8(a)**

(b) No person shall destroy, mutilate, deface, injure or remove in any way from where it is placed any tomb, monument, gravestone or other structure placed in the town cemetery or any plank or fence or part of a fence, railing or other structure within the cemetery or from the fence surrounding the cemetery, which is placed for the protection or ornament of the cemetery or any tomb, monument, gravestone or space. Any person who shall destroy, cut down, break, remove or injure any space, tree, shrub, plant or flower that may have been planted or that may be growing in the cemetery or commit any other trespass in the cemetery shall be guilty of a misdemeanor. **CURRENT 18-8(b)**

(c) It shall be unlawful for any person to use the cemetery as a playground. **CURRENT 18-8(c)**

(d) It shall be unlawful for any person to sell or offer for sale any article of merchandise, any fruit, drink or beverage, or anything of value within the limits of any town cemetery.

CURRENT 18-8(d)

(e) It shall be unlawful for any person to bring a dog or other animal into the cemetery except **CURRENT 18-8(e)** for service animals. Per the Haywood County Animal Services Ordinance definition, a service animal is any guide dog, signal dog, or other animal individually trained to work or perform tasks for the benefit of an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.

(f) The scattering of cremated remains anywhere within the bounds of any town cemetery is expressly prohibited. **NEW**

(Code 1987, § 93.08)

Sec. 18-22. Hunting in cemetery restricted. CURRENT 18-9

No person shall hunt, kill or trap any bird or animal in the cemetery.

(Code 1987, § 93.09)

Cross references: Animals, ch. 6.

Sec. 18-23. Speed limit in cemetery. CURRENT 18-10

No person shall drive or ride any vehicle in the cemetery in the town at a speed greater than 10 miles per hour.

(Code 1987, § 93.10)

Cross references: Traffic and vehicles, ch. 54.

(Code 1987, § 93.04)

Sec. 18-24. Use of cemetery as thoroughfare prohibited.

No person shall use the cemetery as a common thoroughfare or public walk; and all traveling through or across the cemetery, except in connection with cemetery purposes or for the purposes of visiting a burial lot, is forbidden.

(Code 1987, § 93.11)

Sec. 18-25. Perpetual care. NEW

The town shall provide perpetual care in and for all cemeteries owned and maintained by the town. The term “perpetual care” shall be deemed to include the maintenance and care of all grounds, roadways, entrances, gates, fences, and columbarium constructed by the town, but shall not include the maintenance, care, refurbishing, repair or replacement of any monument, vault,

headstone, marker or any other structure of a like nature used in the interment or inurnment of human remains.



TOWN OF WAYNESVILLE

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PROPOSED REGULAR MEETING SCHEDULE FOR 2017

ALL MEETINGS TO START AT 6:30 P.M. IN THE BOARD ROOM LOCATED AT
 9 SOUTH MAIN STREET UNLESS OTHERWISE NOTED

2017	
Tues, January 10	Board of Aldermen Meeting – Regular Session
Tues, January 24	Board of Aldermen Meeting – Regular Session
Tues, February 14	Board of Aldermen Meeting – Regular Session
Tues, February 28	Board of Aldermen Meeting – Regular Session
Tues, March 14	Board of Aldermen Meeting – Regular Session
Tues, March 28	Board of Aldermen Meeting – Regular Session
Tues, April 11	Board of Aldermen Meeting – Regular Session
Tues, April 25	Board of Aldermen Meeting – Regular Session
Tues, May 9	Board of Aldermen Meeting – Regular Session
Tues, May 23	Board of Aldermen Meeting – Regular Session
Tues, June 13	Board of Aldermen Meeting – Regular Session
Tues, June 27	Board of Aldermen Meeting – Regular Session
Tues, July 11	Board of Aldermen Meeting – Regular Session
Tues, July 25	Board of Aldermen Meeting – Regular Session
Tues, August 8	Board of Aldermen Meeting – Regular Session
Tues, August 22	Board of Aldermen Meeting – Regular Session
Tues, September 12	Board of Aldermen Meeting – Regular Session
Tues, September 26	Board of Aldermen Meeting – Regular Session
Tues, October 10	Board of Aldermen Meeting – Regular Session
Tues, October 24	Board of Aldermen Meeting – Regular Session
Tues, November 14	Board of Aldermen Meeting – Regular Session
Tues, December 12	Board of Aldermen Meeting – Regular Session

**Additional meetings may be called for a Board Retreat in early 2017 and for
 Budget Development and Discussion in spring 2017**