

Town of Montreat
Board of Commissioners Meeting – Public Forum
February 12, 2026 – 5:30 p.m.
Town Hall

I. Call to Order

- Welcome
- Moment of Silence

II. Agenda Adoption

III. Public Comments

IV. Adjournment

**Town of Montreat
Board of Commissioners
Town Council Meeting
February 12, 2026 – 6:00 p.m.
Town Hall**

I. Call to Order

- Pledge of Allegiance
- Moment of Silence

II. Agenda Adoption

III. Mayor's Communications

IV. Consent Agenda

A. Meeting Minutes Adoption

- January 8th Public Forum Meeting Minutes
- January 8th Town Council Meeting Minutes
- January 16th Special Meeting Minutes

All items on the Consent Agenda are considered routine, to be enacted by one motion with the adoption of the agenda and without discussion. If a member of the governing body requests discussion of an item, it will be removed from the Consent Agenda and considered separately.

V. Town Manager's Communications

- Consent Agenda Review
- Other Items

VI. Administrative Reports

- Administration
- Planning and Zoning
- Public Works and Water
- Sanitation
- Streets
- Finance
- Police
- Permitting/Inspection Data from Buncombe County

VII. Public Comment

Public comments will be heard during this period for any and all items.

VIII. Old Business

IX. New Business

A. Annual Stormwater Control Measure (SCM) Inspections Update -Pending

- **Presenter:**
- **See Agenda Materials**

B. Consideration of Proposed Text Amendments to Article II and Article VIII, Signage, of the Montreat Zoning Ordinance & Public Hearing

- **Presenter: Savannah Parrish**
- **See Agenda Materials Pages 31-58**
- **Suggested Motion: Move to open/close the Public Hearing**
- **Discussion**
- **Suggested Motion: Move to approve/amend/deny Proposed Text Amendments to Article II and Article VIII, Signage, of the Montreat Zoning Ordinance**

C. Consideration of Amendments to Article II, of the Solid Waste Disposal and Refuse Collection (Sanitation) in Chapter G of the Montreat Code of General Ordinances

- **Presenter: Savannah Parrish**
- **See Agenda Materials Pages 59-64**
- **Suggested Motion: Move to approve/amend/deny Amendments to Article II, Solid Waste Disposal and Refuse Collection (Sanitation)**

D. Resolution 26-02-0001 Designating Barry Creasman as Deputy Finance Officer

- **Presenter: Savannah Parrish**
- **See Agenda Materials Pages 65-66**
- **Suggested Motion: Move to designate Barry Creasman as Deputy Finance Officer**

E. SRF – Helene Water Resiliency Project Resolution

- **Presenter: Savannah Parrish**
- **See Agenda Materials Pages 67-68**
- **Suggested Motion: Move to approve/deny the Resolution as presented**

F. Budget Amendment #8

- **Presenter: Savannah Parrish**
- **See Agenda Materials Pages 69-70**

**Montreat Board of Commissioners
Town Council Meeting
February 12, 2026**

- **Suggested Motion: Move to approve Budget Amendment #8 as presented**

X. Public Comment

Public comments will be heard during this period for any and all items.

XI. Commissioner Communications

XII. Dates to Remember

- **Board of Adjustment, Thursday, February 26, 2026, at 5:00 pm in Town Hall with Zoom options**
- **Stone Bridge Advisory Committee, Monday, March 2, 2026, at 10:00 am in Town Hall**
- **Landcare, Wednesday, March 4, 2026, at 9:00 am in Town Hall with Zoom options**
- **Tree Board, Tuesday, March 10, 2026, at 9:00 am in Town Hall with Zoom options**
- **Town Council Meeting, Thursday, March 12, 2026, at 6:00 pm in Town Hall with Zoom options. The Public Forum will begin at 5:30 pm.**
- **Board of Adjustment, Thursday, March 26, 2026, at 5:00 pm in Town Hall with Zoom options**
- **Landcare, Wednesday, April 1, 2026, at 9:00 am in Town Hall with Zoom options**
- **Good Friday – Town Offices Closed – Friday, April 3, 2026**
- **Town Council Meeting, Thursday, April 9, 2026, at 6:00 pm in Town Hall with Zoom options. The Public Forum will begin at 5:30 pm.**
- **Landcare Festival, Saturday, April 11, 2026, from 10:00 am – 2:00 pm at Moore Center Field**

XIII. Adjournment

Board of Commissioners - Public Forum

January 8, 2026 – 5:30 p.m.
Meeting Minutes

Board of Commissioners in Attendance:

Commissioner Tom Widmer
Commissioner Jane Alexander
Mayor Pro Tem Kitty Fouche
Commissioner Mason Blake

Board of Commissioners Absent:

Mayor Tim Helms
Commissioner Grant Dasher

Town Staff in Attendance:

Savannah Parrish, Town Manager
Angie Murphy, Town Clerk
Brandon Freeman, Town Attorney
Marty Benson, Associate of Town Attorney

Members of the Public in Attendance:

Approximately 20 people

Call to Order

The meeting was called to order with a welcome by Mayor Pro Tem Kitty Fouche, followed by a moment of silence.

Agenda Adoption

Motion to approve the agenda was made by Commissioner Tom Widmer, seconded by Commissioner Jane Alexander, and passed unanimously.

Public Comments

Jean Norris, 192 Mississippi Rd, from the Flat Creek Crossing Steering Committee informed the Board that they were preparing a grant proposal due by January 30th for the Helene Recovery Fund (2025-2026). The committee had recently walked the site and identified significant bank damage that requires repair, restoration, and rebuilding. The damage extends beyond their original scope, particularly near the town maintenance facility and on the Mountain Retreat Association (MRA) side where a tree is hanging with exposed roots. Ms. Norris explained they would be working with Town Manager Savannah Parrish, Public Works Director Barry Creasman, MRA representatives, and their attorney to prepare the proposal, though they didn't yet know the amount they would be requesting. The grant would require a 1:1 match. The application would be submitted to

the North Carolina State Parks and Recreation Trust Fund's Helene Recovery Fund, which follows PARTF rules with some modifications for hurricane recovery.

Letta Jean Taylor, 386 Oklahoma Rd, addressed the Board regarding the conditional use permit being considered later in the meeting. She reminded the commissioners that ordinances should not be rubber-stamped or changed to suit one or two people and emphasized that decisions are about properties rather than people, setting precedents that will affect many in the future. Mrs. Taylor also noted that the Buncombe County living wage for 2025 was \$23.15 (up from \$22.10 in 2024), and that it was expected to rise to approximately \$25.00 in 2026. She encouraged the Board to keep this in mind during budget planning. Town Manager Savannah Parrish responded that all full-time town employees currently make at least the Buncombe County living wage of \$23.15 per hour.

Adjournment

Motion to adjourn the Public Forum was made by Commissioner Mason Blake, seconded by Commissioner Jane Alexander, and passed unanimously.

The forum adjourned at 5:39 PM until the regular meeting at 6:00 PM.

Mayor Pro Tem Kitty Fouche

Town Clerk Angie Murphy

Board of Commissioners – Town Council

January 8, 2026, at 6:00 PM
Meeting Minutes

Board of Commissioners in Attendance:

Commissioner Tom Widmer
Commissioner Jane Alexander
Mayor Pro Tem Kitty Fouche
Commissioner Mason Blake

Board of Commissioners Absent:

Mayor Tim Helms
Commissioner Grant Dasher

Town Staff in Attendance:

Savannah Parrish, Town Manager
Angie Murphy, Town Clerk
Brandon Freeman, Town Attorney
Marty Benson, Associate of Town Attorney
Barry Creasman, Public Works Director
Rachel Eddings, Finance Officer
Jeff Eaton, Police Chief

Members of the Public in Attendance:

Approximately 15 to 20

Call to Order

Mayor Pro Tem Kitty Fouche opened the meeting at 6:00 PM following the public forum. The Pledge of Allegiance was recited, followed by a moment of silence.

Agenda Approval

Motion to approve the agenda was made by Commissioner Jane Alexander, seconded by Commissioner Tom Widmer, and passed unanimously.

Mayor's Communications

Acting Chair/Mayor Pro Tem Kitty Fouche announced that Mayor Helms was feeling under the weather and unable to attend.

Consent Agenda

The consent agenda consisted of the minutes from the December 11th public forum and town council meeting.

Town Manager Savannah Parrish noted that the town office would be closed on January 19th for Martin Luther King Jr. Day and reported receipt of \$24,842.24 in FEMA reimbursements. She also announced that the previously scheduled Montreat Police Department gathering had been rescheduled from January 15th to January 16th at the Hamilton residence.

Public Comment

No comments were made during this period.

New Business

Conditional Zoning Request - Wade and Susie Burns

A public hearing was opened regarding the conditional zoning request submitted by Wade and Susie Burns. Mr. Burns, an architect with 60 years of experience, presented his application and emphasized that his background in town planning informed his approach to developing the property. He discussed the challenges posed by the site's unique circumstances, including an ephemeral stream running through the property that necessitated innovative stormwater management solutions. The existing stormwater management system includes a basement structure designed to collect rainwater from the roof, two 1500-gallon retention tanks, catch basins, and a sanitary stormwater basin. Mr. Burns explained that these measures were required due to the property's constraints, including the need for an 82-foot setback from a septic field, which exceeds typical setback requirements.

Mr. Burns highlighted three key setback issues: (1) a reduction in the rear setback from 30 feet to 19 feet, (2) a side yard setback of 15 feet, except for a 2-foot chimney extension, and (3) a 34-foot setback on another side to protect the ephemeral stream. He emphasized that the stormwater management system had proven effective, particularly during Hurricane Helene, preventing damage to neighboring properties.

Jacob McLean, a professional engineer and certified floodplain manager, testified as an expert witness. He stated that Mr. Burns had done an "excellent job" of managing stormwater and emphasized the system's environmental sensitivity and resilience. Mr. McLean mentioned that both gravel and paved driveways are considered impervious surfaces, and the paved driveway could be more effective in preventing erosion and safely conveying water.

Attorney TC Morphis, representing the Burns family, addressed the permitting history of the property and noted that the paving of a previously graveled driveway had been approved by the former zoning administrator. He acknowledged that the conditional zoning application should have shown the driveway as paved rather than gravel and suggested that if the Board approved the request, they could conditionally require updated site plans. Mr. Morphis addressed legal concerns raised by the neighbors and argued that they did not impact the Board's zoning authority.

William Hamilton, representing his parents, Jim and Christina Hamilton, who own neighboring property, opposed the request on environmental and legal grounds. He contended that the Burns construction violated the 30-foot stream setback requirement and listed stormwater measures that he argued had turned the stream into a storm drain for polluted water. Mr. Hamilton presented visuals detailing how stormwater from the Burns property allegedly directed polluted water onto Hamilton's property, constituting what he called an unlawful trespass. He proposed a compromise that involved piping the 26 feet of stream on the Burns property and then covering the pipe. This would prevent polluted stormwater from entering the stream. The compromise also included addressing any trespass onto Hamilton's property, as well as removing gravel and paved driveways within 30 feet of the stream.

Jim Hamilton joined by Zoom to restate legal arguments against the request, stating that if approved, the conditional zoning request would authorize an unlawful trespass and might constitute illegal spot zoning. He emphasized that the approval would violate North Carolina court rulings and also the statutory powers of the council, suggesting that the motion would be *ultra vires*. He addressed the concern about "spot zoning," arguing that the property is owned by a single entity since North Carolina law identifies joint ownership by spouses as single ownership for the purpose of zoning laws. Mr. Hamilton argued that rezoning the property to benefit a single owner at the expense of others could be seen as illegal spot zoning.

Mr. Hamilton addressed the issue of stormwater trespass, pointing out that the construction on the Burns property has allegedly diverted stormwater onto his property, stating that this constitutes an ongoing trespass every time it rains. He contended that such actions are, and would remain, illegal regardless of zoning changes and warned that authorizing the conditional zoning request would, effectively, endorse this ongoing trespass. Moreover, Mr. Hamilton highlighted the expectation that such approval could expose the town to legal challenges.

After thorough and complex discussions, including a variety of detailed legal arguments from both sides, an agreement was reached for further exploration of a compromise, to be facilitated by stormwater engineering experts. This compromise aims to resolve outstanding concerns while preserving the interests of both property owners and reducing potential environmental impacts.

The motion to continue the public hearing to April 9, 2026, was made by Commissioner Mason Blake, seconded by Commissioner Jane Alexander, and passed unanimously.

2026 Town Council Meeting Schedule

Town Manager Parrish presented the proposed 2026 meeting schedule, maintaining the second Thursday of each month pattern and including an Audit Committee meeting on December 3, 2026, before the December 10 Town Council meeting.

Motion to approve the 2026 Town Council meeting schedule was made by Commissioner Tom Widmer, seconded by Commissioner Mason Blake, and passed unanimously.

Appointment of Landcare Committee Members

Commissioner Tom Widmer recommended the reappointment of Kathy Putnam and Jean Norris as town representatives to the Landcare Committee.

Motion to reappoint Kathy Putnam and Jean Norris as town representatives to the Landcare Committee for a two-year term expiring on January 31, 2028, was made by Commissioner Tom Widmer, seconded by Commissioner Jane Alexander, and passed unanimously.

Sanitation Ordinance Review

Commissioner Mason Blake noted that while staff had done excellent work on the ordinance and it was very close to completion, there were still minor adjustments needed.

Motion to continue the Sanitation Ordinance review to the February meeting was made by Commissioner Mason Blake, seconded by Commissioner Tom Widmer, and passed unanimously.

Budget Amendment #6

Town Manager Parrish presented a budget amendment to add the \$24,842 FEMA reimbursement to Fund 29 (Helene Fund).

Motion to approve Budget Amendment #6 was made by Commissioner Jane Alexander, seconded by Commissioner Mason Blake, and passed unanimously.

Wildlife Feeding Ordinance

The ordinance is part of the town's broader effort to manage the bear problem, establishing a test period from April 1, 2026, to March 31, 2027. During this period, residents would be asked to refrain from feeding birds and other wildlife. Town Manager Savannah Parrish emphasized the ordinance's aim to reduce bear interactions by removing easy food sources, noting that the test period gives the community a chance to evaluate its effectiveness before making it a permanent regulation. The ordinance specifies that it does not impact planted materials that might incidentally attract wildlife.

During the discussion, Commissioner Tom Widmer expressed reservations, stressing that implementing two new regulations simultaneously—this ordinance and the mandatory bear-resistant containers in the upcoming sanitation ordinance—could make it hard to assess which measure effectively addresses the bear issue. He suggested waiting a year and evaluating the impact of the bear-resistant containers before enacting a bird-feeding ban. He noted an important scientific principle: changing multiple variables simultaneously makes it

difficult to determine which change brought about a result. If the containers successfully deter bears, the additional restriction of the wildlife feeding ordinance might be unnecessary.

Commissioner Widmer highlighted that defining enforcement measures for the wildlife feeding ordinance is complicated and questioned whether the town has the resources necessary for such monitoring.

Commissioner Jane Alexander agreed with Commissioner Widmer's ideas, pointing out that the new bear-resistant containers should serve as a significant deterrent to bears. Additionally, she mentioned that enforcing the bird-feeding ban would present challenges, raising questions about whether the ordinance's benefits outweighed its regulatory complexity.

Commissioner Mason Blake voiced understanding of both sides and recounted his experience with bears, mentioning that after discontinuing bird feeding, he had observed a decrease in bear visits to his property. He acknowledged the enforcement challenges but underscored the reality of the bear problem, recounting an incident where a bear was killed after breaking into a home for bird food.

Mayor Pro Tem Fouche shared a contrasting experience, noting that removing her bird feeder had not curtailed bear activity in her yard, questioning if the ordinance would achieve its desired effect. She articulated concerns about removing an enjoyable aspect of life in Montreat, asking whether such a tradeoff was necessary without conclusive evidence of its impact.

Motion to approve the Wildlife Feeding Ordinance was made by Commissioner Mason Blake but failed for lack of a second, indicating a consensus that further deliberation, potentially separating it from the sanitation initiative, was needed before moving forward.

Audit Committee's Recommendation

Hugh Alexander, Chair of the Audit Committee, reported that they had reviewed the audited financial statements for the period ending June 30, 2025. The audit was clean with three minor compliance findings that had been addressed. The auditors gave an unmodified opinion that the town's financial statements present fairly the financial position of the town. The general fund increased by over \$700,000 during the year.

Motion to approve the audited financial statements for fiscal year 2024-2025 was made by Commissioner Mason Blake, seconded by Commissioner Tom Widmer, and passed unanimously.

Public Comment

Letta Jean Taylor, 386 Oklahoma Road, commented that her yard is full of acorns, and bears eat those rather than her birdseed.

Commissioner Communications

Commissioner Mason Blake announced that Montreat resident John Ellington had written a book titled "If Bears Could Talk," written from the perspective of a young bear in Montreat. The book addresses bear-proof containers and bird feeders. The book is available for purchase at the Montreat store and is being promoted by the Landcare Committee.

Commissioner Tom Widmer expressed appreciation for Finance Officer Rachel Eddings' financial management, noting that the audit committee was impressed by the auditor's comments about the clean audit and high-quality work that had kept the town financially stable despite a year with higher expenses.

Adjournment

Motion to adjourn was made by Commissioner Tom Widmer, seconded by multiple commissioners, and passed unanimously.

The meeting was adjourned at 7:46 p.m.

Mayor Pro Tem Kitty Fouche

Town Clerk Angie Murphy

Town Council

January 16, 2026, at 9:00 AM

Special Meeting Minutes

Board of Commissioners in Attendance:

Commissioner Tom Widmer
Commissioner Jane Alexander
Mayor Tim Helms
Commissioner Mason Blake
Commissioner Grant Dasher

Board of Commissioners Absent:

Mayor Pro Tem Kitty Fouche

Town Staff in Attendance:

Savannah Parrish, Town Manager
Angie Murphy, Town Clerk
Justyn Whitson, Police Officer

Members of the Public in Attendance:

0

Call to Order

Mayor Tim Helms opened the meeting at 9:00 AM.

Agenda Adoption

Motion to adopt the agenda was made by Commissioner Jane Alexander, seconded by Commissioner Grant Dasher, and passed unanimously.

Consideration of Debt Financing Resolution for Kubota Tractor

Town Manager Savannah Parrish reviewed the purpose of the Debt Financing Resolution. There were no questions and very little discussion.

Commissioner Mason Blake moved to approve the Debt Financing Resolution for Kubota Tractor as presented. Commissioner Grant Dasher seconded, and the motion passed unanimously.

Budget Amendment for Kubota Tractor Purchase

Town Manager Savannah Parrish presented the proposed budget amendment. There were no questions and very little discussion.

Commissioner Tom Widmer moved to approve the budget amendment as presented. Commissioner Jane Alexander seconded the motion, and it passed unanimously.

Adjournment

Motion to adjourn was made by Commissioner Grant Dasher, seconded by Commissioner Tom Widmer, and passed unanimously.

The meeting was adjourned at 9:03 a.m.

Mayor Tim Helms

Town Clerk Angie Murphy



TOWN OF MONTREAT

P. O. Box 423, Montreat, NC 28757
Tel: (828) 669-8002 | Fax: (828) 669-3810
www.townofmontreat.org

ADMINISTRATIVE REPORTS: ADMINISTRATION

Town Administration report for the month of January 2026

Monthly Statistics	2025	2026
Public Meetings	4	9
Public Records Requests Processed	3	1
Water Bills Processed & Mailed	647	626
Water Bills Processed & Emailed	53	87
Leak Adjustments	5	1
Sunshine List Messages	22	23
Website Posts	22	23
Social Media Posts	22	23

Upcoming Events and Schedule Changes

0

Comments

N/A

Staff Communications

0



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ADMINISTRATIVE REPORTS: STREETS

Streets Department report for the month of January 2026

Monthly Statistics	2025	2026
Public Trees Removed	7	0
Sand Applied to Roads (tons)	34	0/130,000 lbs
Ice Melt Applied to Roads (pounds)	0	10,000 lbs
Road Closures	4	2

Comments

We had two winter events.

Staff Communications:

0



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ADMINISTRATIVE REPORTS: WATER AND PUBLIC WORKS

Water and Public Works report for the month of January 2026

Monthly Statistics	2025	2026
Calls for Service	42	25
Water Leaks Repaired	7	0
New Water Lines Installed	0	0
Water Meter Replacements	2	0
Gallons of Water Produced	4,802,706	3,383,050
Hours Pumped (11 wells combined)	3,100	1,979
Water Samples Taken	1	1

Comments

0



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ADMINISTRATIVE REPORTS: SANITATION

Sanitation Department report for the month of January 2026

Monthly Statistics	2025	2026
Tons of Curbside Trash Collected	19.51	7.58
Tons of Curbside Recycling Collected	3.07	8.76
Unique Curbside Sanitation Stops	1680	1680
Special Pickup Stops	1	4
Bagged Leaf Pickup	277	146
Brush Pickup (cubic yards)	4 Loads	4 Loads
Hauling Fees	4696.55	5483.35
Tipping Fees	2079.66	1369.7
Dumpster Rental Fees	0	450.52
Convenience Center Usage-Trash	8.9 tons	8.76 tons
Convenience Center Usage-Recycle	2.26 tons	1.64 tons

Comments:

0



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**ADMINISTRATIVE REPORTS:
ZONING ADMINISTRATION**

Zoning Administration report for the month of January 2026

Monthly Statistics	2025	2026
Approved Zoning Permits	3	2
Denied Zoning Permits	0	0
Pending Zoning Permits	1	7
Variance/Interpretation Granted	0	1
Special Use Permits Granted	0	0
Permit Extensions Granted	0	0
Notice of Violations	0	0

Comments

0



TOWN OF
MONTREAT
NORTH CAROLINA

FINANCIAL REPORT

JANUARY 2026 - MONTH 7 OF FISCAL YEAR 2025-2026

REVENUES

Fund	Fund #	Original		YTD Projected		YTD Projected		
		Budget	Current Budget	Budget Amount	Budget Percentage	YTD Collected	YTD Actual Percentage	Difference
GENERAL FUND	10	2,077,915.00	2,251,971.94	1,313,650.30	58.33%	1,587,463.13	70.49%	273,812.83
WATER FUND	30	424,900.00	501,511.13	292,548.16	58.33%	326,421.81	65.09%	33,873.65
TOTAL REVENUES GENERAL & WATER FUNDS		2,502,815.00	2,753,483.07	1,606,198.46	58.33%	1,913,884.94	69.51%	307,686.48

EXPENSES

Dept Name	Fund #	Original		YTD Projected		YTD Projected		
		Budget	Current Budget	Budget Amount	Budget Percentage	YTD Exp	YTD Actual Percentage	Difference
GOVERNING BODY	10	53,222.00	53,222.00	31,046.17	58.33%	32,213.57	60.53%	(1,167.40)
ADMINISTRATION	10	560,714.00	560,714.00	327,083.17	58.33%	356,901.72	63.65%	(29,818.55)
PUBLIC BUILDINGS	10	128,097.00	128,097.00	74,723.25	58.33%	37,402.89	29.20%	37,320.36
POLICE	10	539,521.00	539,521.00	314,720.58	58.33%	276,809.51	51.31%	37,911.07
BUILDING AND ZONING	10	99,900.00	99,900.00	58,275.00	58.33%	41,029.36	41.07%	17,245.64
PUBLIC WORKS	10	152,142.00	152,142.00	88,749.50	58.33%	76,263.14	50.13%	12,486.36
STREET	10	313,369.00	487,425.94	284,331.80	58.33%	328,365.61	67.37%	(44,033.81)
SANITATION	10	208,900.00	208,900.00	121,858.33	58.33%	133,715.84	64.01%	(11,857.51)
ENVIRON,CONS,REC	10	22,050.00	22,050.00	12,862.50	58.33%	9,676.57	43.88%	3,185.93
TOTAL EXPENSES GENERAL FUND		2,077,915.00	2,251,971.94	1,313,650.30	58.33%	1,292,378.21	57.39%	21,272.09
Dept Name	Fund #	Original		YTD Projected		YTD Projected		
		Budget	Current Budget	Budget Amount	Budget Percentage	YTD Exp	YTD Actual Percentage	Difference
WATER	30	424,900.00	501,511.13	292,548.16	58.33%	263,337.99	52.51%	29,210.17
TOTAL EXPENSES WATER FUND		424,900.00	501,511.13	292,548.16	58.33%	263,337.99	52.51%	29,210.17
TOTAL EXPENSES GENERAL & WATER FUNDS		\$2,753,483.07	\$1,606,198.46	58.33%	\$1,555,716.20	56.50%	\$50,482.26	
GENERAL FUND INCOME/LOSS - YTD					\$295,084.92			
WATER FUND INCOME/LOSS - YTD					\$63,083.82			
NET INCOME - YTD 2026					\$358,168.74			

SPECIAL PROJECTS								
Project	Fund #		Budget	This Month Actual	Amount Spent To Date	Balance Remaining		% Spent
LANDCARE	26		121,487.08		7,038.57	114,448.51		5.79%
Hurricane Helene - Prof. Services	29		362,527.03	0.00	105,316.45	257,210.58		
Helene Materials	29		106,406.32	6,203.53	49,219.54	57,186.78		
Helene Consultants	29		65,000.00	7,075.70	62,752.03	2,247.97		
Helene - Professional SVCS - WithersRavenel Eng. Contract	29		111,000.00	5,371.00	101,649.00	9,351.00		
TOTAL SPECIAL PROJECTS			\$ 590,420.43	\$ 6,203.53	\$ 325,975.59	\$ 440,444.84		55.21%

Contracted - not available



Tax Receipts



TOWN OF MONTREAT AGENDA ITEM SUMMARY

SUBMITTER: Justyn Whitson

MEETING DATE: 02/12/2026

AGENDA SECTION: NEW BUSINESS

DEPARTMENT: Police

TITLE OF ITEM: Monthly Police Statistics

SUMMARY:

These are the police statistics for the month of January 2026.

MONTREAT POLICE DEPARTMENT

MONTHLY STATISTICS - JANUARY 2026



# OF CALLS	CALL NATURE
23	ADMIN / MAINTENANCE
1	ALARM
1	ASSIST EOC
0	ASSIST MOTORIST
5	ASSIST OTHER AGENCY
3	COMMUNITY OUTREACH
4	CONTACT PUBLIC
2	DEBRIS BLOCKING ROADWAY
0	DIRECT TRAFFIC
0	DOMESTIC ANIMAL PROBLEM
0	DOMESTIC DISTURBANCE
1	FOLLOW UP INVESTIGATION
0	FOOT PATROL
1	IMPROPER PARKING
2	INVESTIGATE
0	LOUD NOISE
0	MOTOR VEHICLE CRASH
136	PROPERTY CHECK
3	SUSPICIOUS PERSON
4	SUSPICIOUS VEHICLE
1	TRAFFIC ENFORCEMENT
25	TRAFFIC STOP
0	WELFARE CHECK
1	WILDLIFE

213

TOTAL # OF CALLS

Building Permits Issued and Inspections Performed by Buncombe County

- The following information includes all Montreat Permits issued by Buncombe County for the Town of Montreat.
- The information includes all inspections performed on permits issued by Buncombe County.
- The information does not include inspections that Buncombe County performed on previous Town of Montreat issued permits. This was something that I learned this month.
- Next month I will start to provide data for the inspections that Buncombe County performs for Town of Montreat issued permits.

Montreat Permits Issued

From noreply@buncombenc.gov <noreply@buncombenc.gov>

Date Mon 1/5/2026 4:45 PM

To Angela Murphy <amurphy@townofmontreat.org>; Savannah Parrish <sparrish@townofmontreat.org>

**Building Permits Issued
Between 12/22/2025 and 1/4/2026
for Montreat City**

Case#	Case Type	Application Name	PIN	Issued Date
CBO2025-03193	Residential Combo Permit	Wilson	071066534100000	12/29/2025
BLD2025-03608	Residential Solar - Roof-mounted	FOSCUE/ROOF MOUNTED SOLAR	071053889600000	12/22/2025
CBO2025-03157	Commercial Combo Permit	Montreat College Boiler Replacements	071096841400000	12/22/2025
ELE2025-01854	Electrical Permit	KENDRA READE-200 amp service riser replacement	071097011000000	12/22/2025

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Print Date: 1/5/2026

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 Outlook

Montreat Inspections

From noreply@buncombenc.gov <noreply@buncombenc.gov>

Date Mon 1/5/2026 4:50 PM

To Angela Murphy <amurphy@townofmontreat.org>; Savannah Parrish <sparrish@townofmontreat.org>

**Building Inspections
Between 12/22/2025 and 1/4/2026
for Montreat City**

Case#	Inspection	Inspector	Result	Inspection Dt	Result Comment
CBO2025-03153	Electrical Final	Grover Clark	Pass	1/2/2026	EXISTING POWER
CBO2025-03153	Mechanical Final	Grover Clark	Pass	1/2/2026	premise #5204729035
ELE2025-01854	Electrical Final	Grover Clark	Pass	1/2/2026	
BLD2025-03349	Building Frame	Grover Clark	Pass	12/31/2025	
BLD2025-03349	Plumbing Rough	Grover Clark	Pass	12/31/2025	
CBO2025-02382	Mechanical Final	Grover Clark	Fail	12/31/2025	NO TEST ON NEW GAS LINE RAN TO GENERATOR
CBO2025-02382	Electrical Final	Grover Clark	Pass	12/31/2025	EXISTING POWER
BLD2025-03133	Plumbing Rough	James Lewis	Fail	12/30/2025	water lines not tested, drain ok need to seal floor/plates penetrations, plumbing will need to be boxed in and insulated to protect from freezing
CBO2025-03193	Electrical Final	James Lewis	Pass	12/30/2025	
CBO2025-03193	Plumbing Final	James Lewis	Pass	12/30/2025	
CBO2025-03157	Electrical Final	James Lewis	Pass	12/29/2025	need to verify CO protection compliance, combustion air requirements not met,
CBO2025-03157	Mechanical Final	James Lewis	Fail	12/29/2025	new gas piping must be leak tested, provide gas piping sizing calculations
BLD2025-02865	Plumbing Other	Grover Clark	Pass	12/29/2025	SHOWER PAN IN MASTER BATHROOM--TEST GOOD
BLD2025-03075	Electrical Rough	Grover Clark	Pass	12/29/2025	KITCHEN, LIVING ROOM AND BATHROOM AREAS
BLD2025-03349	Building Slab	David Elkins	Pass	12/23/2025	PATCH WORK ONLY.
BLD2025-03349	Building Frame	David Elkins	Fail	12/23/2025	COMPLETE PLUMBING ROUGH IN AND SCHEDULE PLUMBING INSPECTION. FIRE BLOCK AREAS DISCUSSED AT CEILING LEVEL.
BLD2025-03349	Electrical Rough	David Elkins	Pass	12/23/2025	HOOD EXHAUST IN ORIGINAL LOCATION. BATH EXHAUST NEW. OWNER SAYS NEW STACK UNIT WASHER AND DRYER WILL REPLACE EXISTING UNITS IN FRONT OF ELECTRICAL PANEL.

BLD2025-03349	Mechanical Rough	David Elkins	Pass	12/23/2025	HOOD EXHAUST IN ORIGINAL LOCATION. BATH EXHAUST NEW. OWNER SAYS NEW STACK UNIT WASHER AND DRYER WILL REPLACE EXISTING UNITS IN FRONT OF ELECTRICAL PANEL.
PLM2025-00682	Plumbing Final	Grover Clark	Pass	12/22/2025	SEWER LINE--EMBEDDED, CLEAN OUT AND TRACER WIRE
BLD2025-03262	Plumbing Rough	Grover Clark	Pass	12/22/2025	1ST AND 2ND FLOORS--DRAIN TEST GOOD 5 PSI. WATER ON WATER LINES TEST GOOD

Print Date: 1/5/2026

Page 1 of 1

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Montreat Permits CO and COC Issued

From noreply@buncombenc.gov <noreply@buncombenc.gov>
Date Mon 1/5/2026 4:55 PM
To Angela Murphy <amurphy@townofmontreat.org>; Savannah Parrish <sparrish@townofmontreat.org>

**Building Permit CO's and COC's Issued
Between 12/22/2025 and 1/4/2026
for Montreat City**

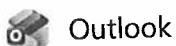
Case#	Case Type	Application Name	PIN	Issued Date
		No CO/COC's issued during timeframe		

Print Date: 1/5/2026

Page 1 of 1

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Montreat Permits Issued

From noreply@buncombenc.gov <noreply@buncombenc.gov>

Date Mon 1/19/2026 4:45 PM

To Angela Murphy <amurphy@townofmontreat.org>; Savannah Parrish <sparrish@townofmontreat.org>

Building Permits Issued Between 1/5/2026 and 1/18/2026 for Montreat City

Case#	Case Type	Application Name	PIN	Issued Date
ELE2026-00060	Electrical Permit	Shaw	072027254500000	1/15/2026
CBO2026-00087	Residential Combo Permit	BROWN MCCALLUM	072018010600000	1/12/2026
CBO2026-00090	Residential Combo Permit	ALLEN PEACE	072019235300000	1/12/2026
BLD2026-00025	Residential Renovation or Remodel	GILLILAND/BATHROOM RENO- ADDING LAUNDRY HOOK UP	071076208800000	1/6/2026
BLD2025-03632	Residential Renovation or Remodel	DANIEL ZORN-Bath/bedroom remodel	071054358300000	1/5/2026

Page 1 of 1

Print Date: 1/19/2026

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To Angela Murphy <amurphy@townofmontreat.org>; Savannah Parrish <sparrish@townofmontreat.org>

Building Inspections Between 1/5/2026 and 1/18/2026 for Montreat City

Case#	Inspection	Inspector	Result	Inspection Dt	Result Comment
CBO2025-03157	Mechanical Final	Keynan Phillips	Fail	1/16/2026	None of the items on the previous inspection were corrected
BLD2025-03075	Building Frame	Grover Clark	Pass	1/13/2026	INTERIOR AND NEW DECK. AT BULDING FINAL WILL NEED TO ADD ONE MORE SCREW TO TOP AND BOTTOM OF LATERAL BRACING.
BLD2025-03075	Mechanical Rough	Grover Clark	Pass	1/13/2026	
BLD2025-03117	Plumbing Under	David Elkins	Fail	1/6/2026	SECTIONS INSPECTED WERE MENS BATHROOM AND TRAINER TREATMENT AREA. PRESSURE TEST OK AT BOTH LOCATIONS. DWV FOR MENS BATH HAS BEEN ALTERED FROM PLAN DESIGN AND WILL REQUIRE AN AMENDMENT FORM THE DESIGN PROFESSIONAL. THE TRAINING AREA IS PLUMBED PER PLAN DETAIL.

Page 1 of 1

Print Date: 1/19/2026

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**Building Permit CO's and COC's Issued
Between 1/5/2026 and 1/18/2026
for Montreat City**

Case#	Case Type	Application Name	PIN	Issued Date
No CO/COC's issued during timeframe				

Print Date: 1/19/2026

Page 1 of 1

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Montreat Permits Issued

From noreply@buncombenc.gov <noreply@buncombenc.gov>

Date Mon 2/2/2026 4:45 PM

To Angela Murphy <amurphy@townofmontreat.org>; Savannah Parrish <sparrish@townofmontreat.org>

**Building Permits Issued
Between 1/19/2026 and 2/1/2026
for Montreat City**

Case#	Case Type	Application Name	PIN	Issued Date
BLD2026-00132	Residential Renovation or Remodel	Jenkins-Residential Renovation	071065665200000	1/28/2026
BLD2026-00193	Residential Renovation or Remodel	ACKERMAN/BATHROOM RENOVATION	071066736700000	1/28/2026
PLM2026-00036	Plumbing Permit	Bach	071064121800000	1/27/2026
BLD2025-03644	Residential New Single Family Site Built Home	DANIEL ZORN-Motreat SFSB	071054358300000	1/21/2026

Page 1 of 1

Print Date: 2/2/2026

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Staff Report

Board of Commissioners Meeting Date: February 12, 2026

Subject: A request to consider proposed text amendments to Article II, Definitions, and Article VIII, Signage, of the Montreat Zoning Ordinance

Staff/Committee Resources: Sign Ordinance Subcommittee (Gayle Sawyer, Julie Schell, Clay Hamilton)
Alexis Baker, AICP, Interim Zoning Administrator

Action Requested: Adoption of text amendments to update Article II, Definitions, and Article VIII, Signage, of the Montreat Zoning Ordinance.

Background:

- The Sign Ordinance Subcommittee, comprised of three members from the Planning and Zoning Commission, reviewed the current sign regulations. The goals of the review included better aligning the Town's sign regulations with state and federal law, making the ordinance more clear, and suggesting changes that meet the needs of the Town, its residents, and institutions.
- Representatives from Montreat College and the Mountain Retreat Association (MRA) attended the December 11, 2025, Sign Ordinance Subcommittee meeting and offered important feedback on the Subcommittee's working text amendment drafts. Feedback was also offered by Town Staff including Town Manager Savannah Parrish, Interim Zoning Administrator Alexis Baker, and Town Attorney Brandon Freeman.
- On December 11, 2025, the Sign Ordinance Subcommittee moved to forward their draft text amendments to the Planning and Zoning Commission for their recommendation to the Board of Commissioners
- On January 15, 2026, the Planning and Zoning Commission moved to forward their recommendation for approval to the Board of Commissioners.

Committee(s): Planning and Zoning Commission, January 15, 2026 – Approved the comprehensive plan consistency statement and recommended approval to Board of Commissioners – Approved 6 to 0

Sign Ordinance Subcommittee, December 11, 2025 – Approved 3 to 0.

Suggested Motion:

- Move that the Board of Commissioners find that the proposed amendments are reasonable/not reasonable, are/are not in the public interest, are consistent/not consistent with the City's comprehensive plan, and meet the needs/does not meet the needs of the

community in that the amendments 1) align/do not align Town regulations with state and federal requirements, 2) comply/ do not comply with the General Provisions of the Zoning Ordinance and, therefore, the Board approves/denies the adoption of the proposed text amendments to Article II, Definitions, and Article VIII, Signage, of the Montreat Zoning Ordinance.

Attachments:

1. Recommendation of the Town of Montreat Planning and Zoning Commission
2. Sign Ordinance

Recommendation¹ of the Town of Montreat Planning and Zoning Commission

SUBJECT: Sign Ordinance

REQUEST: A request to consider proposed text amendments to Article II, Definitions, and Article VIII, Signage, of the Montreat Zoning Ordinance

FINDINGS AND REASONS CONCERNING PLAN CONSISTENCY: The Commission found that the text amendments were consistent with the Town of Montreat's Comprehensive Plan (2023), in that it did align with the Comprehensive Plan, including the following sections:

"In the spirit of the long-term success of the Town of Montreat, work collaboratively with the institutions of the Town, including, but not limited to, Montreat College and the Mountain Retreat Association, on any future development plans to support the vitality and future of the institutions and the Town." (Montreat's Comprehensive Plan (2023) at Page 55).

"In cooperation with the Town, Montreat College, the Mountain Retreat Association, and local organizations, work to update and implement a wayfinding plan including educational signage." (Montreat's Comprehensive Plan (2023) at Page 56).

Case History

Staff Coordinator: Alexis Baker, AICP, Interim Zoning Administrator

Heard by Planning and Zoning Commission: January 15, 2026

Vote: 6 to 0

Motion: Bill Tucker ; Second: Clay Hamilton

In Favor: 6; Opposed: 0.

RECOMMENDATION: The Planning and Zoning Commission recommended approval of the proposed text amendments to Article II, Definitions, and Article VIII, Signage, of the Montreat Zoning Ordinance.

Case History

Staff Coordinator: Alexis Baker, AICP, Interim Zoning Administrator

Heard by Planning and Zoning Commission: January 15, 2026

Vote: 6 to 0

Motion: Gayle Sawyer ; Second: Eleanor James

In Favor: 6; Opposed: 0.

¹ This recommendation is being made pursuant to NCGS 160A-383 requiring the planning board to provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board.

This document is a true and accurate statement of the findings and recommendations of the Asheville Planning and Zoning Commission.

Julie Schell
Planning and Zoning Commission Chair

Date: 1-15-2026

ORDINANCE #: _____

AN ORDINANCE AMENDING THE TOWN OF MONTREAT ZONING ORDINANCE

TA-2026-01

WHEREAS, the Town of Montreat Board of Commissioners is responsible for adopting and rejecting development ordinance amendments, under Chapter 160D Article 6 of the North Carolina General Statutes; and

WHEREAS, the Town's existing Zoning Ordinance was adopted on June 10, 2021; and

WHEREAS, pursuant to Section 160D-601(a) of the North Carolina General Statutes, the Town of Montreat used the adoption process mandated for zoning text amendments to adopt revisions to the Montreat Zoning Ordinance. A public hearing for the Planning and Zoning Commission was noticed on January 1, 2026, and January 8, 2026, in the *Black Mountain News* newspaper and held on January 15, 2026. The Planning and Zoning Commission, with a vote of 6/0, forwarded a recommendation for approval to the Board of Commissioners. A public hearing for the Board of Commissioners was noticed in the *Black Mountain News* on January 29, 2026, and February 5, 2026, and held February 12, 2026

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF MONTREAT, NORTH CAROLINA THAT:

The following revisions (shown in **red** with **underlines or strikethroughs**) be made to Article II, Definitions, and Article VIII, Signage, of the Montreat Zoning Ordinance:

1. Amend Article II, Definitions, of the Montreat Zoning Ordinance as follows:

201 Definitions

Accessibility Feature: A pedestrian means of access from the parking/passenger loading area of a Building to the Building entrance, in the form of a Structure and/or attached Building appurtenance, which provides an increased level of accessibility for Building occupants or members of the public. Accessibility Features may include, but are not limited to tramways, ramps, stairs and stairway landings, chair lifts, stair lifts and elevators.

Accessory Building or Use: A Building or Use that: 1) is clearly incidental to and customarily found in connection with a Principal Building or Use; 2) is subordinate to and serves a Principal Building or a principal Use; 3) is subordinate in area, extent, or purpose to the Principal Building or principal Use served; 4) contributes to the comfort, convenience, or necessity of occupants in the Principal Building or principal Use served; and 5) is located on the same Lot as the Principal Building or Use served.

Alley: A service roadway which provides secondary access to the side or rear of abutting property and not intended for general traffic circulation.

Banner: A sign made of a flexible material which can be hung with or without a rigid structure.

Battery-Charged Security Fence: An alarm system and ancillary components, or equipment attached to that system, including a fence, a battery-operated energizer that is intended to periodically deliver voltage impulses to the fence, and a battery charging device used exclusively to charge the battery.

Bed and Breakfast: An owner-occupied lodging establishment, located in what would ordinarily be considered a Single-Family Dwelling, in which overnight lodging is provided for the general public and in which a breakfast is served to overnight guests.

Boarding House: A Dwelling Unit or part thereof where, for compensation, lodging and meals are provided, in which the occupants share a kitchen and no kitchens are located in individual rooms.

Buffer: An area of natural or planted vegetation, typically established to separate types of uses or to provide a protected or vegetative area for environmental or aesthetic purposes.

Buildable Area: That portion of any Lot which may be used or built upon in accordance with the regulations governing the Zoning District within which the Lot is located when the front, side, and rear Yard requirements for the Zoning District have been subtracted from the total area.

Building: Any Structure, fully or partially enclosed, and constructed or used for residence, business, industry or other public or private purposes, or purposes accessory thereto, including without limitation tents, Trailers, Manufactured Homes, Modular Homes, and similar Structures whether stationary or movable. Appurtenant features, or exterior structural elements requiring permanent attachment to a Building, are considered part of the Building for the purposes of this Section unless otherwise expressly permitted as separate Structures.

Building Height: The vertical distance measured from the Average Natural Grade of the applicable Lot to the highest point of the roofline of the applicable Building, or from the top of the parapet or roof surface for flat-roofed Buildings.

Cemetery: A parcel of land used for interment of the dead in the ground or in mausoleum.

Certificate of Zoning Compliance: A document issued by the Zoning Administrator certifying that plans submitted in accordance with Section 301 conform to the provisions of the Zoning Ordinance.

Columbarium: A Structure containing niches for the deposit of urns containing cremains or an ash garden for the scattering of cremains.

Community Facilities: Facilities designed to serve the community such as libraries and community centers, provided that such facilities are not operated for profit.

Comprehensive Plan: A plan that sets forth goals, policies and programs intended to guide the present and future physical, social and economic development of the jurisdiction, as adopted by the Board of Commissioners on April 10, 2008 by Resolution 08-04-001, as amended.

Convenience Store: A retail establishment which deals principally in a limited selection of common items including without limitation food, household goods, automobile supplies, beverages, and packaged goods. In addition, the Building in which such an establishment is housed is generally smaller and typically designed for easy vehicular access with an emphasis on serving the customer as quickly as possible.

Day Care Center: A Day Care Center includes child day care facilities, family childcare homes, and any other childcare facility for three or more pre-school aged children as defined in N.C.G.S. Section 110-86(3). The term also includes a center providing day care on a regular basis for more than two hours per day for four or more adults in accordance with N.C.G.S. Section 131D-6.

Deck: An elevated structural platform, which may be constructed of any materials and which may be either free standing or attached to a Building, connected by structural supports at grade.

Dedication: The voluntary donation of land or an Easement over, under, across, and/or through a parcel of land by the owner thereof for use by the public and the acceptance of the offer of dedication by the Town as evidenced by the recording of a legal instrument in the Office of the Register of Deeds for the county in which the land is located.

Density: The number of Dwelling Units per acre of land developed or used for residential purposes. Unless otherwise clearly stated, Density requirements in this Ordinance are expressed in Dwelling Units per acre of land devoted to residential Use, exclusive of land utilized for Streets, Alleys, Parks, playgrounds, school grounds, or other public Uses.

Diameter Breast Height (DBH): The diameter of the trunk of a tree measured four and one-half feet (4.5') above average grade.

District: Any section of the Town of Montreat in which zoning regulations are uniform.

Dormitory: A Building used as group living quarters for a student body or religious order or staff of a college, boarding school, conference center, monastery or other similar institutional Use. Dormitories may contain common, shared kitchen facilities and bathrooms but shall not contain individual kitchen facilities.

Dwelling: Any Building, or portion thereof, containing sleeping, kitchen and bathroom facilities, and which is designed and/or used for living and sleeping purposes for one or more Families.

Dwelling Unit: A Dwelling designed and used, or held ready for use, as a permanent, separate residence for one (1) Family only.

Dwelling Unit, Accessory: A residential Dwelling Unit (i) located on the same Lot as a Single-Family Dwelling Unit, either as a separate Structure, an attached extension, or located within the principal Dwelling Unit; (ii) set up as a separate, complete housekeeping unit; and (iii) subordinate to the principal Single-Family Dwelling . Accessory Dwelling Units are permitted in accordance with and subject to Section 619.

Dwelling, Multi-Family: A single, detached Building, other than a Manufactured Home, containing three (3) or more separate Dwelling Units.

Dwelling, Single-Family: A single, detached Building, other than a Manufactured Home, containing one (1) Dwelling Unit.

Dwelling, Two-Family (Duplex): A single, detached Building, other than a Manufactured Home, containing two (2) separate Dwelling units.

Easement: A grant of one or more of the property rights by the property owner to and/or for use by the public or another person or entity for a particular purpose or purposes. Examples include access Easements, drainage Easements or utility Easements.

Educational Facility: A Building used primarily for the education of children and/or adults, instructional research, conferences, administrative purposes, and supporting service operations. An Educational Facility includes classroom Buildings, laboratories, lecture halls, libraries, administration Buildings, conference centers, gymnasiums, field houses, dormitories and counseling centers.

Extraterritorial Jurisdiction (also referred to as “ETJ”): The area beyond the corporate limits of the Town over which the Town exercises planning and development powers in accordance with N.C.G.S. 160D-202. A portion of the ETJ lies in Buncombe County and a portion of the ETJ lies in McDowell County.

Family: One or more persons living together as a single housekeeping unit; provided, however, that unless all such persons are related by blood, adoption, marriage, legal guardianship or other such legal family relationship, then such housekeeping unit shall contain no more than four (4) unrelated persons, unless specifically allowed by other provisions of this ordinance.

Family Care Home: A home meeting the North Carolina Residential Building Code requirements with support and supervisory personnel that provides room and board, personal care and habilitation services in a Family environment for not more than six resident persons with disabilities, pursuant to N.C.G.S. Section 160D-907.

Farm, Bona Fide: Agricultural activities as set forth in N.C.G.S. Section 160D-903.

Fence: A physical barrier or enclosure intended to prevent escape or intrusion or to mark a boundary.

Flag: Any fabric or other flexible material varying in color, design, pattern, or shape, which may display information such as an emblem, logo, insignia, or symbol of a government, political subdivision, nation, state, county, or municipality, or any religious, civic, charitable, patriotic, educational, fraternal or similar organization, and which is usually attached to a ground-mounted pole or pole attached to a Structure.

Flammable Liquids: A liquid having a flash point below one hundred degrees (100°) Fahrenheit and having a vapor pressure not exceeding forty (40) pounds per square inch absolute at one-hundred degrees Fahrenheit a

the gross horizontal areas of the several floors of a Building measured from the interior face of exterior walls, or from the centerline of a wall separating two Buildings, but excluding any space where the floor-to-ceiling height is less than six feet (6').

Floor Area, Net: The Gross Floor Area of a Building less and excluding the floor areas of such Building attributable to stairwells, elevator shafts, equipment rooms, interior vehicular parking or loading areas, and all floors below the first or ground floor, except where such floors are used or intended to be used for residential, business, commercial, institutional or governmental purposes.

Front Building Line: A line which runs parallel to the Street which a Lot faces and extends from one side Property Line across the Lot to the other side Property Line. The location of such Front Building Line shall be determined as specified in Section 512. The Principal Building on a Lot shall be no closer to the Street than the Front Building Line. Where a Lot is situated at an intersection of two Streets, the Lot shall be considered to have two Front Building Lines, each as separately delineated by the definition herein.

Garage, Private: An Accessory Building or portion of a Principal Building used for the storage of private motor vehicles, in which no business, occupation, or service for profit is in any way connected. The term "Garage" shall include the term "carport."

Garage, Commercial: Any Building, or portion of a Building, which for consideration is used for storage, repair, rental, maintenance, servicing, washing, adjusting, or equipping of automobiles or other vehicles.

Greenspace: Land dedicated to and accepted by the Town that is designated for recreation, fishing, natural areas, and beautification of the Town as defined by the "Greenspace Resolution" adopted by the Town Commission on May 12, 1983, recorded in Book 1443 at Page 144 in the Office of the Register of Deeds for Buncombe County, North Carolina.

Ground-Mounted Sign: ~~A Sign which is directly affixed to the ground meeting the definition of a Structure per this Ordinance.~~

Group Care Facility: A facility which provides services to seven (7) or more individuals of whom one or more are unrelated. These individuals are handicapped, aged, or disabled, and are provided services to meet their needs. This category includes uses that are licensed or supervised by any Federal, State, or County Health/Welfare Agency, or any group Dwellings (all ages), halfway houses, nursing homes, resident schools, resident facilities, and foster or boarding homes, so long as they provide care for seven (7) or more individuals.

Home Occupation: Any Use conducted entirely within a Dwelling or an Accessory Building and carried on by the occupants thereof (and up to one non-occupant employee), which Use is incidental and secondary to the use of the Dwelling for residential purposes and does not change the character thereof. Specific regulations concerning Home Occupations are delineated in Section 621.

Honorarium Sign: ~~A plaque or small Sign located so as to provide recognition of a donor for contributions given toward capital projects or specific improvements to existing facilities.~~

Hotel: A Building or Buildings in which sleeping accommodations are provided and offered to the public for compensation, in which the rooms are usually occupied singularly for rent, and in which there is usually a kitchen and public dining room for the preparation and service of meals. The term Hotel includes "lodges", "inns" and "motels".

Livestock: Animals which are generally domesticated and confined to farms. Such animals shall include cattle, sheep, goats, swine, horses, mules, fish and poultry.

Loading Space, Off-Street: Space conveniently located for pickups and deliveries, scaled to the delivery vehicles expected to be used, and accessible to such vehicles even when required off-street Parking Spaces are filled.

Lot: A parcel of land occupied or capable of being occupied by a Principal Building and Accessory Buildings, together with such Yards, open spaces, Lot Width and Lot area as are required by this Ordinance, and having not less than the minimum required Lot Width upon a Street, either shown on a plat of record, or considered as a unit of property and described by metes and bounds.

- 1) Lot, Corner: A Lot located at the intersection of two or more Streets or located where one Street makes a sharp angle of eighty to one hundred and twenty degrees (80°-120°).
- 2) Lot, Double Frontage: A Lot which has Lot Frontage on two separate streets. A Corner Lot shall qualify as a Double Frontage Lot if said Corner Lot has frontage on three or more Streets.
- 3) Lot Frontage: The portion of a Lot that abuts a public Street or right of way (but not an Alley).
- 4) Lot, Interior: A Lot which has only one (1) Lot Frontage.

Lot Measurements:

- 1) Depth of a Lot shall be considered to be the average of the distances from the front Property Line to the rear Property Line.
- 2) Width of a Lot shall be considered to be the horizontal distance between side Property Lines measured at the projected front line of the Principal Building or proposed Principal Building.

Lot of Record: A Lot which is a part of a subdivision, a plat of which has been recorded in the Office of the Register of Deeds of Buncombe County prior to the adoption of this Ordinance, or a Lot described by metes and bounds, the description of which has been so recorded prior to the adoption of this Ordinance.

Manufactured Home: A Dwelling Unit, designed for use as a permanent residence, that is composed of one or more components, each of which was substantially assembled in a manufacturing plant and designed for installation or assembly and installation on the Building site.

Manufactured Home, Class A. A Dwelling Unit that:

- (i) is not constructed in accordance with the requirements of the North Carolina Uniform Residential Building Code as amended, and
- (ii) is composed of two or more components, each of which was substantially assembled in a manufacturing plant and designed to be transported to the home site, and
- (iii) meets or exceeds the construction standards of the US Department of Housing and Urban Development, and
- (iv) conforms to the following appearance criteria:
 - (A) the Manufactured Home has a minimum width, as assembled on the site, of twenty feet (20');
 - (B) the pitch of the Manufactured Home's roof has a minimum nominal vertical rise of three inches for each 12 inches of horizontal run and the roof is finished with asphalt or fiberglass shingles;
 - (C) a continuous, permanent curtain wall, unpierced except for required ventilation and access, is installed under the Manufactured Home; and
 - (D) the tongue, axles, transporting lights, and removable towing apparatus, are removed after placement on the Lot and before occupancy.

Manufactured Home, Class B. A manufactured home constructed after July 1, 1996 that meets or exceeds the construction standards promulgated by the US Department of Housing and Urban Development that were in effect at the time of construction, but that does not satisfy all of the criteria necessary to qualify as a Class A Manufactured Home but meets the following standards:

- (A) skirting or a curtain wall, unpierced except for required ventilation and access, is installed under the Manufactured Home and may consist of brick, masonry, vinyl, or similar materials designed and manufactured for permanent outdoor installation and
- (B) stairs, porches, entrance platforms, ramps and other means of entrance and exit to and from the home are installed or constructed in accordance with the standards set by the NC Department of Insurance and attached firmly to the primary Structure and anchored securely to the ground.

Manufactured Home, Class C. Any Manufactured Home that does not meet the definitional criteria of a Class A or Class B Manufactured Home. Manufactured homes that do not meet the definitional criteria of Class A, B, or C Manufactured Homes are classified as recreational vehicles.

Modular Home: A Dwelling Unit constructed in accordance with the construction standards of the North Carolina Uniform Residential Building Code for One- and Two-Family Dwellings and composed of components substantially assembled in a manufacturing plant and transported to the Building site for final assembly and placement on a permanent foundation. For purposes of this Ordinance Modular Homes shall be considered equivalent to site-built homes.

Municipal Government Facilities: Facilities used for or pertaining to activities associated with local municipal government operations including, but not limited to: administrative offices, public meeting facilities, emergency communications facilities, fire protection service facilities, and public safety facilities.

Natural Grade: The existing slope of land which may be cleared, but with no major disturbance of soil, prior to grading, excavation or filling.

Natural Grade, (Average): The average of the Natural Grade elevations at the four points on a Lot at which the front and rear yard Setback Lines intersect with the two side yard Setback Lines.

Nonconforming Lot: A Lot of Record that does not conform to the dimensional requirements of the Zoning District in which it is located. The nonconformity may result from adoption of this Ordinance or any subsequent amendment.

Nonconforming Structure: A Structure that does not conform to the requirements of the Zoning District in which it is located. The nonconformity may result from adoption of this Ordinance or any subsequent amendment.

Nonconforming Use: A Use of a Building and/or land that does not conform to the requirements of the Zoning District in which it is located. The nonconformity may result from adoption of this Ordinance or any subsequent amendment.

Notice of Violation: A written notification from the Zoning Administrator that there is a violation of the provisions of this Ordinance.

Open Storage: Unroofed storage areas, whether enclosed or not.

Overlay District: A Zoning District that adds requirements to the Zoning District over which it lies. Uses or proposed Uses within an Overlay District must comply with all requirements of both the Overlay District and the underlying Zoning District. Where conflicts appear to exist between the requirements of an Overlay District and its underlying Zoning District, the more restrictive requirements shall apply.

Park: A public facility for recreation, which may have commercial activities for recreational Uses only.

Parking Space: A vehicle space of not less than nine feet (9') by eighteen feet (18') for one (1) automobile, plus the necessary access space. (See Section 701.1).

Planned Unit Development (PUD): An area of land under unified ownership or control to be developed and improved as a single entity under a master plan in accordance with and subject to the requirements of this Ordinance.

Portable Storage Container: A transportable, fully enclosed, box-like container that is designed for temporary storage of materials and/or equipment. Such containers are uniquely designed for their ease of loading to and from a transport vehicle and moved to various locations on demand. For the purposes of this Ordinance, the Trailer portion of a tractor trailer shall be considered a Portable Storage Container when expressly used for the purpose of on-site storage.

Principal Building: A Building in which is conducted the principal Use of the parcel on which it is situated.

Professional Office: The office of persons performing professional services such as doctors, lawyers, architects, engineers, accountants, real estate brokers, and insurance salesmen.

Property Line: The legally established boundary of a Lot, which boundary shall be considered coincident with any abutting public Street Right-of-Way line unless the metes and bounds description contained in a recorded deed for a Lot clearly and specifically establishes the Lot boundary at some other location.

Public Works Maintenance Facility: A Building or group of Buildings designated to house equipment and materials utilized in the various activities associated with improvements to, and maintenance of, Streets and public utility systems for the Town.

Right-of-Way: A dedicated or condemned strip of land reserved for a specific Use, such as for a Street or utility Easement.

Setback: The distance from any Property Line to the closest point of a Principal or Accessory Building.

Setback Line: A line establishing the minimum allowable distance between an applicable Property Line (that is, front, side or rear Property Line) and the nearest portion of any Principal or Accessory Building, excluding the outermost four feet (4') of any attached steps, roof, gutters and similar fixtures. Covered porches, whether enclosed or not, shall be considered as part of the Building and shall not extend beyond the Setback Line. Decks, whether free-standing or not, shall not extend beyond the Setback Line unless otherwise permitted in accordance with Section 606.4.

Sign: Any words, lettering, numerals, parts of letters or numerals, figures, phrases, sentences, emblems, devices, designs, trade names or trademarks by which anything is made known, including any surface fabric or other material or Structure designed to carry such devices, such as are used to designate or attract attention to an individual, a firm, an association, a corporation, a profession, a business, or a commodity or product, which is exposed to public view and used to attract attention. ~~This definition shall not include the flag, badge, or insignia of any governmental unit. Signs shall include Flags and Banners.~~ (See Article VIII)

Sign, Temporary: A Sign not meeting the definition of a Structure per this Ordinance.

Special Use: A specific Use which may be permitted in a Zoning District by the Board of Adjustment subject to the Board's findings that the Use would not adversely affect adjacent property or the health, safety or general welfare of persons in the area adjacent to the Use. Such Use may be permitted only in a Zoning District where said Use is specifically listed as a Special Use.

Special Use Permit: A permit issued by the Board of Adjustment that authorizes the recipient to make use of property in accordance with the requirements of this Ordinance and any additional requirements imposed by the Board of Adjustment.

Street: A dedicated Right-of-Way for vehicular traffic which affords the principal means of access to abutting property.

Street Line: The dividing line between a Street Right-of-Way and the contiguous property.

Structure: Anything constructed or erected, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground, including Decks, retaining walls, exterior stairways, Fences, and Signs provided, however, for the purpose of Setback and minimum Yard requirements neither a driveway (including associated guardrails), a walkway (including associated steps and railings), an elevated boardwalk, a retaining wall, nor a fence shall be considered a Structure. Accessibility Features approved pursuant to Section 606.4 and also signs complying with the requirements and limitations of this Ordinance shall not be considered a Structure for the purpose of Setback and minimum Yard requirements.

Studio: The workshop of an artist, sculptor, photographer or craftsman.

Swimming Pool: A water-filled enclosure, permanently constructed or portable, having a depth of more than eighteen inches below the level of the surrounding land, or an above-surface pool, having a depth of more than thirty (30) inches, designed, used and maintained for swimming and bathing purposes.

Trailer: Any vehicle or Structure capable of moving or being moved, over Streets and highways on its own wheels or on flat beds or other carriers, which is designed to be utilized to:

- 1) Provide temporary quarters for the conduct of a business, profession, trade or occupation; or
- 2) Serve as a carrier of people, new or used goods, products, or equipment;

Use: The purpose or activity for which land or Buildings are designed, arranged, or intended or for which land or Buildings are occupied or maintained.

Variance: An exception to the terms of the Zoning Ordinance as authorized in Section 310.42. As used in this Ordinance, a Variance is authorized only for height, area, size of Structure, size of Yards, and open spaces, as provided in Section 310.42 of this Ordinance.

Wall Sign: A Sign that is attached directly to an exterior wall of a Building and/or a Structure.

Window Sign: A Sign not meeting the definition of a Structure per this Ordinance that is attached to, placed upon, or printed on the interior or exterior of a window or door of a building.

Visible: Capable of being seen without visual aid by a person of normal visual acuity.

Wayfinding: Signs, maps, and other graphic or audible methods used to convey location and directions to travelers, normally consisting of roadside Structures, informational kiosks or other visual means of providing orientation.

Yard: A space on the same Lot with a Principal Building which is open, unoccupied, and unobstructed by Buildings or Structures from ground to sky except where encroachments are expressly permitted.

- 1) Minimum Front Yard: A required open space on the same Lot with a Principal Building between the front Setback Line and the front Property Line and extending the full Width of the Lot.
- 2) Minimum Rear Yard: A required open space on the same Lot with a Principal Building between the rear Setback Line and the rear Property Line extending the full Width of the Lot.
- 3) Minimum Side Yard: A required open space on the same Lot with a Principal Building between the side Setback Line and the side Property Line of the Lot and extending from the front Property Line to the rear Property Line.

Zoning Administrator: The person appointed by the Town Council and charged with interpretation, administration and enforcement of this Ordinance. In the absence of the Zoning Administrator, and if no other person has been designated by the Town Council to perform such duties, then the Town Administrator shall perform such duties.

Zoning District: The term applied to various geographical areas of the Town of Montreat for the purpose of interpreting the provisions of the Ordinance. The Zoning Districts are designated with the use of symbols on the Official Zoning Map. Regulations controlling land use in the various Zoning Districts within the Town of Montreat are set forth in Article V.

2. Amend Article VIII, Signage, of the Montreat Zoning Ordinance as follows:

ARTICLE VIII – SIGNAGE

800 **Purpose.** The purposes of this Article are: (i) to permit such Signs in the Town of Montreat that will not, by their ~~reason~~, size, location, construction, or manner of display, confuse or mislead the public, obstruct the vision necessary for traffic safety, or otherwise endanger public health and safety; and (ii) to permit and regulate Signs in such a way as to support and complement land-use objectives set forth in the Zoning Ordinance for the Town of Montreat.

801 **General Regulations.** The following regulations shall apply to all Signs in all Zoning Districts:

801.1 **COMPLIANCE.** No Sign of any type shall be constructed, erected, painted, posted, placed, replaced, or hung in any District except in compliance with this Ordinance and with the consent of the property owner.

801.2 **MAINTENANCE.** All Signs, together with braces, guys and supports shall at all times be kept in good repair. If at any time a Sign should become unsafe or poorly maintained, the Zoning Administrator shall send written notice to the owner of the Sign that the Sign must be repaired, maintained or removed. Upon failure of the owner to correct such condition within thirty (30) days of such notice, the Zoning Administrator shall proceed with enforcement action pursuant to this Section 801.9 Subsection.

801.3 **REMOVAL OF OBSOLETE SIGNS.** Signs identifying establishments no longer in existence, products no longer being sold, and service no longer being rendered shall be removed from the premises within ten (10) days from the date of termination of such activities. Temporary Signs, ~~pole-mounted banners giving notice of seasonal or special events, and political Signs~~ shall be removed within ~~two (2)~~ five (5) days after termination of the event or election advertised. Upon failure of the owner of these Signs to remove such Signs within the prescribed time period, the Zoning Administrator shall proceed with enforcement action pursuant to this Section 810.9 Subsection.

801.4 **MEASUREMENT OF AREA; HEIGHT.** Sign area shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof which will encompass the entire advertising copy or art designed to attract attention including borders and other architectural embellishments. Sign height shall be measured from the Street grade of the closest point in the Street along which the Sign is located or the average grade at the base of the Sign, whichever is higher, to the highest point

of the Sign Structure.

~~801.5 **BUILDING CODE COMPLIANCE.** All commercial Signs shall fully comply with the requirements of the North Carolina State Building Code and National Electrical Code (NEC). A Building permit shall be required for any projecting Sign attached to a Building or Structure which has a surface area in excess of six (6) square feet. An electrical permit is required for any internally or externally illuminated Sign powered by electrical sources regulated by requirements of the NEC.~~

~~801.6 801.5 **SIGN SETBACK REQUIREMENTS.** No projecting portion of any free-standing Sign Ground-Mounted Sign may be located closer than two feet (2') to any vehicular or pedestrian traveled way. For the purposes of this Ordinance, house numbers and nameplates shall be exempt from this Setback requirement.~~

~~801.7 801.6 **ILLUMINATION OF SIGNS.** Unless otherwise expressly prohibited, Signs may be illuminated from above at a downward angle provided that lighting directed toward a Sign shall be shielded in such a manner as to illuminate only the face of the Sign, and shall not project light into any portion of the traveled roadway or toward neighboring Buildings.~~

~~801.8 801.7 **SIGN PERMIT REQUIRED.** A Sign permit, issued by the Zoning Administrator shall be required for all Signs except those specified in Section 803 and Section 804. No permit shall be issued until the Zoning Administrator inspects plans for such Signs and determines that they are in accordance with the requirements contained in this Article. The fee schedule for Sign permits shall be set forth in the Town of Montreat Fee Schedule.~~

~~801.9 801.8 **ENFORCEMENT OF REGULATIONS.** Any Sign which does not comply with the Ordinance, constructed erected after the Effective Date or any Sign maintained in a non-conforming non-compliant manner shall be subject to the following actions: provisions of Sections 305, 306, and 307 of this Ordinance.~~

~~801.91 **Notice.** The Zoning Administrator shall notify in writing the following persons of the non-conforming Sign:~~

- ~~1. The owner of the Sign;~~
- ~~2. The owner of the property on which the Sign is located; and;~~
- ~~3. The occupant of the property on which the Sign is located.~~
- ~~4. Notice shall be given to the above persons that the non-conforming condition must be corrected within thirty (30) days from the date of notification.~~

~~801.92 **Penalties.** Penalties for these requirements are specified in Section 307.~~

~~801.93 **Appeals.** Any person having an interest in a Sign found to be non-conforming, or the property on which it is located, may appeal to the Board of Adjustment a determination by the Zoning Administrator ordering~~

~~removal or compliance, as provided in Section 310 of this Ordinance.~~

~~801.94 Removal. If the non-conforming Sign has not been removed or brought into compliance with the provisions of this Ordinance within the allotted thirty (30) days and if no appeal has been taken, as specified above, then said Sign shall be removed by the Town and the cost of removal shall be billed to the owner of the Sign.~~

~~801.95 Failure to Pay Removal Costs. (a) Pursuant to N.C.G.S. § 160A-193, if the Zoning Administrator determines that a Sign removed by the Town was dangerous or prejudicial to the public health or safety and the owner of the Sign has not paid the costs of removal within thirty (30) days of the billing date, then a lien in the amount of the costs of removal shall be placed on the real property where the removed Sign was located, and shall be collected as unpaid ad valorem property taxes. (b) If no determination of danger or prejudice to the public health or safety is made, then the costs of removal shall be collected by the Town in a civil action in the nature of a debt.~~

802 **Prohibited Signs.** The following Signs are prohibited, unless otherwise expressly permitted in this Ordinance:

- 802.1 **Signs Constituting Traffic Hazards.** Any Sign located in a manner or place so as to constitute a hazard to vehicular or pedestrian traffic as determined by the Zoning Administrator.
- 802.2 **Signs in Street Right-of-Way.** Any ~~free-standing~~ Sign located in a Street right-of-way, or projecting over into a Street Right-of-Way, ~~One except that one~~ house number and/or name plate shall be permissible for each Dwelling, subject to Section 804.2.
- 802.3 **Signs Obstructing Passages.** Any Sign that obstructs or substantially interferes with any window, door, fire escape, stairway, ladder or opening intended to provide light, air, ingress or egress for any Building.
- 802.4 **Off-Premises Advertising Signs.** ~~Billboards and other types of off premises advertising Signs. A Sign which is a Structure erected on behalf of a business, commodity, service, establishment, or other activity conducted sold or offered at a location other than the premises on which the sign is erected.~~
- 802.5 **Flashing Devices.** Any flashing device or Sign displaying flashing or intermittent lights or lights of changing degrees of intensity.
- 802.6 **Moving Devices.** Any ~~commercial~~ Use of moving Signs or devices to attract attention, all or any part of which moves by any means, including motion by the

movement of the atmosphere or by electrical or other means, including but not limited to, pennants, flags, propellers, or discs, whether or not any said device has a written message.

- 802.7 Posted Signs. Any Sign posted to utility poles, except as permitted in Section 807, trees, Fences, rocks or other Signs. Honorarium Signs meeting the requirements of 805.25 are not prohibited under this section. House Number and Nameplate Signs meeting the requirements of 804.7 804.2 are not prohibited under this section.
- 802.8 Copies of Official Signs. Any Sign which is a copy or an imitation of an official Sign, or which purports to have official status but does not have an official purpose.
- 802.9 Portable Signs. A Sign that is not permanently affixed to a Building, Structure or the ground.
- 802.10 Roof Signs. Any Sign which is affixed to the roof of a Building or Structure.
- 802.11 Signs Not Permitted. Any Sign not expressly permitted or exempted elsewhere in this Ordinance.

803 **Exempt Signs**. The following Signs are exempt from the provisions of this Ordinance:

- 803.1 GOVERNMENTAL AGENCY SIGNS. (i) Signs erected and/or maintained by a governmental agency and/or with the approval of the Town of Montreat to regulate, control or direct traffic including Wayfinding Signs, Signs indicating bus stops, parking areas, and similar transportation facilities, or Signs employed to serve as a directory for services that may be found within the Town; and (ii) informational kiosks that provide maps and locational information. Such Signs may be illuminated, flashing, or moving as required for public safety. Furthermore, Signs erected by a governmental agency which convey information regarding a public service, or the location of a public facility may also be illuminated as necessary. official notices posted by public officers or Town employees in the performance of their duties; and (iii) informational Signs erected and/or maintained by and/or with the approval of the Town of Montreat. Such Signs may be illuminated, flashing, or moving as required for public safety. Furthermore, Signs erected by a government agency which convey information regarding a public service, or the location of a public facility may also be illuminated as necessary.
- 803.2 SIGNS REQUIRED BY LAW. Signs erected pursuant to federal, state, or local laws or ordinances.
- 803.3 WARNING SIGNS. Signs which warn of hazards to life, limb, and property such as high voltage electrical equipment, explosives and the like.

803.4 **MONTREAT CONFERENCE CENTER SIGN STRUCTURE NEAR GATE.** The longstanding Montreat Conference Center Sign Structure containing approximately five sign panels is permitted. Sign panels may be changed as and when necessary. If destroyed by casualty or other cause, such sign structure may be reconstructed consistent with its previous size and design. A change in the design or size of the Montreat Conference Center sign structure is subject to approval of the Zoning Administrator.

804 **Signs Allowed Without a Permit.** The following types of Signs shall be permitted in any Zoning District without the issuance of a sign permit provided they meet the stated requirements:

804.1 **TEMPORARY REAL ESTATE SIGNS.** Temporary real estate Signs advertising a specific piece of property for sale, lease, rent, or development, located on said property, provided such Signs shall not exceed six (6) square feet in surface area per side. Signs shall not be illuminated and shall not exceed one (1) per parcel of land unless such land is located at an intersection of two Streets; in such a case, two Signs shall be allowed, one facing each Street.

804.2 804.1 **SIGNS ON WINDOW GLASS.** Signs on window glass, regardless of size.

804.3 **PRIVATE REGULATORY SIGNS.** Private, unofficial regulatory Signs not exceeding two (2) square feet in surface area per side, which indicate directions, entrances and exits, available parking facilities, no smoking, control of pets and other similar requirements. Such Signs shall be located entirely on the property to which they pertain and shall not contain any advertising message.

804.4 **CONSTRUCTION SIGNS.** One (1) construction Sign per construction project not exceeding sixteen (16) square feet of Sign area in residential Zoning Districts or thirty two (32) square feet in the Institutional or Institutional/Residential Zoning Districts, provided that such Signs shall be erected no more than five (5) days prior to the beginning of construction for which a valid Building Permit has been issued, shall be confined to the site of construction, and shall be removed five (5) days after completion of construction and prior to occupancy.

804.5 **PUBLIC NOTICE.** Official notices posted by public officers or employees in the performance of their duties.

804.6 **HOUSE NUMBER SIGNS.** Street address numbers must be clearly displayed so that the location can be identified easily from the road. Every property owner of improved property shall purchase and display in a conspicuous place on said property the number assigned.

804.6.1 The official address number must be displayed on the front of a Building or at the entrance to a Building which is most clearly Visible from the Street or road during both day and night.

804.6.2 If a Building is more than seventy-five feet (75') from any road or if two or more homes use the same entrance, the address number(s) shall be displayed

~~at the end of the driveway or Easement nearest the road which provides access to the Building(s)~~

~~804.63 Numerals indicating the address number shall be at least three (3) inches in height and shall be posted and maintained so as to be legible from the road.~~

~~804.64 Numerals must be of contrasting color to the background. Reflective numbering or placing reflective dots at the Sign to direct attention to it is encouraged.~~

~~804.65 The Zoning Administrator will have the right to authorize and approve alternate methods of displaying house numbers which meet the intent of this Ordinance when strict adherence to these standards cannot reasonably be met.~~

~~804.7 **804.2 RESIDENTIAL HOUSE NUMBER AND NAMEPLATE SIGNS.** Residential nameplate Signs are permitted and may include house numbers. Residential nameplate Signs shall not exceed six (6) square feet in area. House numbers Signs and nameplate Signs shall be displayed in a manner compliant with this Ordinance.~~

~~804.8 **POLITICAL SIGNS.** Political Signs shall, with the permission of the property owner, be allowed on private property more than five (5) feet from the traveled portion of the roadway, sixty (60) days before and on the date of the election or referendum, and shall be removed within one day after said election or referendum. Political Signs are defined as Signs for candidates for election or for issues on the ballot, and such Signs shall not exceed eight (8) square feet in area per display side. Political Signs may not be illuminated.~~

~~804.9 **804.3 TEMPORARY SPECIAL EVENT/PUBLIC INTEREST SIGNS.** Signs providing notice of upcoming events or gatherings of special interest to the public, including meeting dates and locations, etc. may be displayed, but only in accordance with the following requirements. Temporary signs must comply with the following requirements:~~

~~804.91 **804.31 Such Each** Signs shall be no larger than four (4) square feet of surface area per side and shall not exceed three (3) feet in height;~~

~~804.92 **804.32** Such Signs must be located at least two (2) feet from the paved or traveled portion of the road or sidewalk along which they are placed;~~

~~804.93 **Such Signs shall be placed no earlier than fifteen (15) days before the event to which they refer; and**~~

~~804.94 **804.33** Such Signs must be removed no later than two (2) five (5) days after the conclusion of the event to which they refer. Signs shall be limited to informational material only; no commercial advertisements or for-profit endorsements shall be permitted their purpose.~~

804.34 Such signs shall be promptly removed if they become torn, tattered or otherwise deteriorated.

804.35 Illumination of such Signs is prohibited.

804.5 FLAGS. Flags shall, with the permission of the property owner, be allowed on private property in accordance with the following provisions, and to the extent allowed by state and/or federal law:

804.51 No Flag shall exceed twenty-four (24) square feet in surface area.

804.52 Flags must otherwise comply with Section 801 and 802 of this Ordinance.

805 **Signs Allowed with Permits.** The following types of Signs shall be allowed ~~within the Town of Montreat~~ upon the issuance of a sign permit for each proposed Sign and subject to the regulations set forth below:

805.1 **SIGNS ALLOWED IN RESIDENTIAL ZONING DISTRICTS (R-1, R-2, AND R-3).** The following ~~types of~~ Signs shall be allowed in all of the residential Zoning Districts subject to the accompanying restrictions and the issuance of a sign permit:

~~805.11 **HOME OCCUPATION SIGNS.** Each Home Occupation shall be allowed one (1) Sign for purposes of identification. Said Sign shall not exceed four (4) square feet of surface area. Signs shall not be illuminated.~~

~~805.12 **SUBDIVISION SIGNS.** One (1) ground Sign per entrance to a subdivision. Said Sign(s) shall be no larger than sixteen (16) square feet of surface area per side. Signs shall not exceed six feet (6') in height and may not be illuminated.~~

~~805.13 805.11 **NON-RESIDENTIAL USES.** Non-residential Uses permitted ~~as a Special Use in accordance with Article V~~ in residential Zoning Districts shall be allowed one (1) freestanding ground-mounted or wall identification Sign per Street fronted on by the permitted Use. Said Sign shall be no larger than eight (8) square feet of surface area per side. Signs shall not exceed eight feet (8') in height and shall not be illuminated.~~

805.2 **SIGNS ALLOWED IN THE INSTITUTIONAL/RESIDENTIAL AND INSTITUTIONAL ZONING DISTRICTS.** The following types of Signs shall be allowed in the above Zoning Districts for Uses permitted in accordance with ~~the Special Use permitting process or for a use by right for that Zoning District Article V~~ subject to the accompanying restrictions and the issuance of a sign permit:

~~805.21 **GROUND-MOUNTED OR FREE STANDING SIGNS.** Unless otherwise noted in this Ordinance ~~F~~or each Principal Building on a Lot one (1) ground-~~

mounted Sign not to exceed the following height and surface area limitations: Eight (8) feet in height measured from the ground under the Sign to the top of the sign and Sixteen (16) square feet in surface area per side of Sign.

805.22 **WALL SIGNS.** For each Principal Building on a Lot, one (1) or more wall Signs whose combined surface area does not exceed sixteen (16) square feet. Historical, engraved or chiseled wall Signs are exempt. located on the Street frontage side of the Building not to exceed sixteen (16) square feet. Existing or newly engraved permanent wall Signs consisting of chiseled or hewn stone which identify the current Use or occupancy of an associated Structure are permitted to serve as one (1) allowable wall Sign on the Street frontage side of the Building. Should the Use or occupancy change such that the chiseled or engraved Sign no longer serves to indicate the current Use or occupancy of the Structure, one (1) new wall Sign shall be permitted.

805.23 **MULTI-TENANT SIGNS.** Buildings occupied by two or more tenants, regardless of individual or shared ownership, are permitted to have one (1) free-standing Sign on the property on which the Building is located. The maximum size of such free-standing Signs shall not exceed sixteen (16) square feet in surface area per side of Sign. In addition, each multi-tenant Building shall be allowed one (1) wall Sign, per tenant, not to exceed eight (8) square feet of surface area. The Sign Structure(s) may be designed to allow the addition or removal of copy elements as tenants change in the case of multi-tenant Buildings.

805.24 **805.23 BUILDINGS LOCATED ON CORNER LOTS OR DOUBLE-FRONTAGE LOTS.** In cases where a Building is located on a Corner or Double-Frontage Lot, then said Building is allowed two (2) wall and two (2) freestanding Signs – one (1) of each Sign type facing each Street that borders the Lot one (1) Ground-Mounted Sign facing each Street, for a total of two Signs per Lot. Each Sign must comply with dimensional requirements in 805.21.

805.25 **HONORARIUM SIGNS.** Honorarium signs shall be permitted if the size and scale are deemed proportionate to the Structure and location whereon displayed. Signs may be located on existing rocks, Buildings or other Structures as approved by the property owner. Signs shall be constructed of stone or bronze and securely anchored so as to prevent dislocation by weathering or impact. Signs erected above walkways or other areas of public assembly shall be subject to approval by the Building Inspector for adequate anchorage and structural support.

805.26 **EDUCATIONAL SIGNS.** Signs that supply information about people, facilities, natural features or other areas of educational or historical interest shall be permitted as educational Signs. Maximum size of such free-standing Signs shall not exceed twelve (12) square feet in surface

~~area for pedestal mounted Structures.~~

805.24 BANNERS. Banners are permitted in the Institutional Zoning District, but only in accordance with the following provisions:

805.241 One (1) Banner per Lot Frontage shall be allowed for a maximum duration of thirty (30) days each time. Where a parcel has frontage on more than one road, one (1) Banner shall be allowed for each road.

805.242 No Banner shall exceed one hundred and sixty-five (165) square feet.

805.243 Banners must be attached to the wall of a Principal Building or securely anchored in a landscaped area outside of the Street Right-of-Way. No loose, non-secure attachments are allowed.

~~806~~ **Temporary Signs allowed in all Zoning Districts.** In addition to the provisions of ~~804.9~~, temporary Signs, flags, or banners advertising the initial openings of businesses, establishments, special events or special sales may be permitted provided the size, location and duration of such Signs is approved by the Zoning Administrator. Such Signs may be freestanding or attached to any part of a Building, wall, or other Structure and shall meet all other applicable requirements. An example of a Sign permitted hereunder is the "Welcome" wall Sign hung by Montreat College (approximately 23' x 7') below the wall of the Howerton Building at the beginning of academic terms.

~~807~~ **Recreational Signs.** Sign Structures designed to identify the location of, and provide other information concerning, specific recreational features, such as hiking and walking trails and bicycle paths, through maps and trail head informational displays, are permitted in all zoning Districts. Such Signs are to be limited to the location of the associated feature(s) and are subject to approval by the owner of the land on which the Sign and recreational feature(s) are located. Maximum size of such free-standing Signs shall not exceed twenty-four (24) square feet in surface area for multi-base frame Structures. Sign Structures are to be fabricated of naturally durable species of wood in the form of logs and roughhewn dimensional timbers that cohere with the adjacent natural setting and location. Sign Structures may be allowed with small roof or canopy features to provide weather-protective cover for viewers, subject to approval by the Building Inspector. Roof coverings shall also be constructed of naturally durable species of wood such as cedar, redwood, black locust or black walnut.

~~808~~ **Utility Pole Banners in Town Center Overlay District.** Upon receipt of a sign permit, Owners of property located in the Institutional Use Zoning District and within the Town Center Overlay District may, in accordance with this section install temporary banners on utility poles located on their property for the purposes of (i) identifying the campus or buildings on the owner's property, or (ii) identifying special events occurring at or being celebrated on the owner's property. The following regulations apply:

- ~~808.1 806.1 The location, size and period of time the banners may be displayed and total number of banners proposed shall be approved in advance by the Zoning Administrator, in her or his reasonable discretion; and in addition, the following requirements must be met: (a) the owner of the property shall obtain the prior written consent of the owner of the utility pole to the placement of the banner thereon; (b) the maximum size of each banner shall be thirty inches (30") in width by six feet (6') in length; (c) the bottom of the banner shall be no less than eleven feet (11') above the ground surface (measured from the base of the applicable utility pole); (d) if the utility pole is within three feet (3') of the back of the curb (or if there is no curbing, within three feet (3') of the edge of the pavement) of an adjoining Street, the banner shall not be installed on the street side of the utility pole; (e) banners promoting special events shall not be permitted to be installed longer than one (1) month; and (f) any banner on a particular utility pole shall not be displayed from such pole more than eight (8) months during any calendar year.~~
- ~~808.2 Upon receipt of a sign permit, Owners of property located in the Institutional Use Zoning District and within the Town Center Overlay District may install banners for limited time periods on utility poles located within a Town Street Right of Way adjacent to the Owner's property for the purposes of identifying the campus or buildings on the Owner's property or special events occurring at or being celebrated on the owner's property, provided (i) the owner obtains the prior written consent of the Zoning Administrator upon such conditions as the Zoning Administrator may require in her or his sole discretion, including without limitation the execution of a written agreement setting forth any restrictions as to the location, size, number and permitted time periods for such banner(s), and (ii) requirements through (f) provided for in the immediately preceding grammatical paragraph of this section are complied with in all respects.~~
- 806.2 The maximum size of each banner shall be thirty inches (30") in width by six feet (6') in length and in no event, shall a banner extend into the roadway.
- 806.3 The bottom of the banner shall be no less than eleven feet (11') above the ground surface, measured from the base of the applicable utility pole.
- 806.4 If the utility pole is within three feet (3') of the back of the curb or if there is no curbing within three feet (3') of the edge of the pavement of an adjoining Street, the banner shall not be installed on the street side of the utility pole.
- 806.5 Banners may be installed for no more than three (3) months and shall be removed within seven (7) days of their purpose being exhausted.
- 806.6 No particular utility pole shall display a banner for more than nine (9) months during

any calendar year.

~~809~~ **Wayfinding Signs.** ~~Government agency owned Wayfinding Signs are exempt from the provisions of this Ordinance as provided in Section 803.1 above. Privately owned Wayfinding Signs which do not exceed four (4) square feet in surface area are permitted in all Zoning Districts except R-1, R-2 and R-3, provided the location of such Signs is approved by the Zoning Administrator. Privately owned Wayfinding Signs that are part of a community Wayfinding system approved and adopted by the Town may be greater than four (4) square feet in surface area and may be in any Zoning District if and to the extent such is provided for in the ordinance adopting such community Wayfinding system. No Wayfinding Signs other than government agency owned Wayfinding Signs may be placed on Town Rights of Way or other Town property without obtaining the permission and approval of the Town, which approval or permission may be withheld or conditioned by the Town in its sole and complete discretion. As used in this ordinance, the term "Wayfinding Sign" means a Sign designed and intended to help to direct a person from point to point or confirming a person's progress along a route.~~

~~810~~ **807 Non-Conforming Signs.** Any Sign which existed on the Effective Date, but which does not meet the requirements of the Ordinance shall be deemed a non-conforming Sign and may continue to be used, but only in accordance with the following provisions:

~~810.1~~ **807.1 Maintenance of Non-Conforming Signs.** All non-conforming Signs shall be maintained in accordance with the requirements of this Article, provided, however, that no repainting of the Sign shall alter the design of the Sign in any fashion. If the design or dimensions of a non-conforming Sign are altered, the non-conforming Sign shall be removed or conformed to this Article at the time of the redesign.

~~810.2~~ **807.2 Replacement of Non-Conforming Signs.** If a non-conforming Sign is destroyed by vandals, accident, or adverse weather conditions, such Sign may be replaced. If it is replaced, it shall conform to the requirements in this Article. Normal weathering does not constitute destruction by adverse weather conditions which would permit replacement of a non-conforming Sign. If a Sign is allowed to deteriorate, it shall not be replaced under this Section.

~~810.3~~ **807.3 Relocation of Non-Conforming Signs.** A non-conforming Sign may be relocated on the same premises on which it is located if the relocation brings the Sign into conformity.

~~810.4~~ **807.4 Removal of Non-Conforming Signs.** ~~All non-conforming Signs must be removed or brought into compliance with this Ordinance no later than five (5) years after the date of adoption of this Ordinance.~~

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

READ, APPROVED, AND ADOPTED this the _____ day of _____, 2026.

Tim Helms, Mayor

Savannah Parrish, Town Manager

MONTREAT CODE OF GENERAL ORDINANCES

CHAPTER G - HEALTH PROTECTION AND DISEASE PREVENTION

ARTICLE II: SOLID WASTE DISPOSAL AND REFUSE COLLECTION

(Revised 2/13/2003); (Revised 10/14/2010); (Revised 5/10/2012)

Section 1. Requirements. Solid Waste, including household garbage, food waste, refuse, and discarded packaging, but excluding recyclable items, must be kept in tied plastic bags and placed in functional Bear-Resistant Containers (“BRC”), as defined in the Montreat General Ordinances, of not over ninety-five (95) gallon capacity. All containers are to be clearly and visibly marked with their corresponding property address.

Each household and/or property must possess and maintain an adequate number of BRCs sufficient to contain all Solid Waste generated by the household and/or property. For purposes of this section, “adequate” means that all Solid Waste fits within the BRC(s) with the lid(s) fully closed and no overflow bags, loose materials, or waste placed outside the BRC(s) at any time. BRCs (excluding Permanent BRCs and solid waste containers contained within permanent BRC systems) may be placed at the roadside adjacent to their corresponding property only no more than 12 hours before the scheduled pick-up and shall be removed from the street by the following morning.

- 1) Any installation of permanent BRCs and or BRC systems shall be consistent with the following: Permanent BRCs must be designed by the manufacturer to be bear-resistant, permanently affixed to the ground, and are typically constructed out of metal. Any BRC designed for permanent installation that has passed testing protocols and been approved as bear-resistant by the Interagency Grizzly Bear Committee (IGBC) and/or the Wildlife Management Institute (WMI) is presumed to be sufficient, however, its location must be approved by the Town Manager, in consultation with the Code Administrator.
- 2) Permanent BRC systems, such as secure enclosure, must have been designed by the manufacturer to prevent bears from accessing the Solid Waste containers enclosed within the system. Such systems are typically constructed out of metal and firmly anchored to the ground.
- 3) Permanent BRCs and/or BRC systems that are not constructed as described above may be granted conditional approval subject to the following conditions:
 - i. Their construction must be of solid, sturdy material on all sides with hinged openings and secure latches.
 - ii. They must be securely anchored in a manner that will prevent tipping.
 - iii. They must function sufficiently to prevent bears from accessing the Solid Waste secured therein.

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- iv. If conditional approval is given and the Permanent BRC and/or BRC system fails to function sufficiently to prevent bears from accessing the Solid Waste secured therein, the property owner and occupant will be timely notified by the Town. The owner shall have thirty (30) days from the receipt of such notification to demonstrate that sufficient steps have been taken to prevent bears from accessing the Solid Waste meant to be protected by the conditionally approved permanent BRC and/or BRC system.
- 4) All BRCs and BRC systems, including non-permanent containers, shall be placed so as not to obstruct traffic, create sight-distance hazards, impede emergency access, or interfere with snow removal operations. The Town may require relocation for safety reasons.
- 5) Except in instances where location is permitted on public right-of-way as provided in subsection 6 below, permanent BRC and/or BRC systems shall be located within the served property's projected lot lines. If this is not possible due to terrain or other obstacles, the property owner shall obtain and provide the Town with a copy of written permission from another property owner to locate the container within their projected lot lines.
- 6) Property owners who wish to install permanent BRCs and/or BRC systems on public right-of-way must apply for and receive written permission and approval of such location from the Town Manager and Code Administrator. A site plan, survey or some other type of accurate graphic representation indicating the specific location of the proposed container shall be provided along with the completed form: *Application to Locate a Bear-Resistant Container and/or System in the Public Right-of-Way*. Since BRCs and/or BRCs system are not considered structures, a Certificate of Zoning Compliance is not required.
- 7) Residents with existing BRCs or containers that have been adequately modified to be bear-resistant, as determined by the Town of Montreat following inspection or verification, shall not be required to purchase or further modify their containers.

Any BRCs and/or BRC systems located in Town rights-of-way that have not received proper approval shall be removed by the property owner promptly at the discretion of the Town Manager.

No person shall throw, place or deposit any Solid Waste of any kind in any place or on any public or private property, except in his or her own BRC or BRC system.

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Section 2. Burning or Burying of Solid Waste and Refuse. It shall be unlawful to burn or bury Solid Waste at any time within Town limits.

Section 3. Accumulation of Solid Waste and Refuse Prohibited. All Solid Waste shall be kept in appropriate BRCs and/or BRC systems as required by Section 1. It shall be unlawful for Solid Waste to be stored or accumulated outside of any premises except in a BRC or BRC system. A schedule for collection of both Solid Waste and recyclables is available in Town Hall and online.

Section 4. Solid Waste Collection. The Town provides weekly pick-ups year-round and may provide twice-weekly pick-ups during the designated seasonal period. The Town will pick up garbage scattered around containers that have been upset or where the tops have been torn. However, if the Public Works Director or the investigating Police Officer determines that this resulted from failing to comply with the requirements of this Ordinance, the owner of the property shall be cited, required to purchase a BRC, and be subject to the penalties as found in Section 12.

Section 5. Yard Waste Collection. The Town provides residential yard waste collection weekly placed next to the streets in accordance with the collection schedule. Brush and tree limbs must be cut into six (6) foot lengths and must not exceed six (6) inches in diameter. Yard waste may be placed in loose piles of up to three (3) cubic yards at one time. Three cubic yards is about the size of one small pickup truck load. Yard waste in excess of three cubic yards will be collected at the curb upon request. A fee for excess yard waste will be charged in accordance with the Town of Montreat Fee Schedule. Commercially cut brush or yard waste, lot clearing, and yard waste deposited by private contractors, landscapers or tree companies will not be collected by the Town.

No person, including but not limited to residents, property owners, tenants, or landscaping contractors, shall blow, place, deposit, or allow leaves, grass clippings, or other yard debris to enter or remain in any culvert, drainage structure, ditch, or stormwater conveyance within the Town. Such actions are declared a nuisance and are prohibited due to their potential to obstruct drainage and cause flooding or damage to public infrastructure.

Leaves will be collected weekly from October through December, and twice monthly throughout the remainder of the year. Leaves may be collected at other times during the year by contacting the Town Hall and paying the required fees as set forth in the Town of Montreat Fee Schedule. Leaves must be bagged.

Section 6. White Goods and Bulk Items Waste Collection. The Town provides white goods and bulk item waste collection twice per year free of charge. White Goods and Bulk Items Waste may be collected at other times during the year by contacting the Town Services Office and paying the required fees as set forth in the Town of Montreat Fee Schedule.

Section 7. Recyclable Materials. The Town provides recycling collection weekly in accordance with the collection schedule. Recyclables must be placed at the curb in

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Town-approved containers and shall not be mixed with Solid Waste. Contaminated or improperly prepared recyclables may be rejected or tagged by Town staff. Cardboard shall be broken down. Bagged recyclables must be tied to ensure proper handling and reduce spills and injuries.

Section 8. New Construction and Remodeling. The holder of any building permit issued by the Town shall be responsible for maintaining the corresponding construction site free of rubbish, hazards, and unsightly conditions from the beginning of construction until occupancy. Construction debris shall be placed in an on-site dumpster or removed daily. No construction waste may be placed in BRCs or left unsecured. The permit holder is responsible for ensuring that subcontractors, contractors, or workers do not place construction waste in BRCs, on adjacent properties, or leave such waste unsecured. The permit holder is also responsible for ensuring that any Solid Waste incidentally generated in connection with the construction activity, including all food and food waste, is placed in a BRC or removed from the property daily and shall not be stored on-site.

Section 9. Owner Responsible for Actions of Occupants. The owner of each property in the Town is responsible for compliance with this Sanitation Ordinance whether the property is occupied or operated by the owner or by a visitor, renter, lessee, or any other person. The owner shall take all actions necessary to inform occupants of the structure of the requirements of this sanitation ordinance. In any case, the owner is responsible for compliance with this Sanitation Ordinance and shall be subject to the penalties for violations set forth in Section 12. =

Section 10. Institutional Dumpsters Institutions that utilize dumpsters or large-capacity waste containers shall comply with the following requirements:

1. All institutional dumpsters must be wildlife-resistant or secured within an approved enclosure designed to prevent access by bears and other wildlife.
2. Dumpsters shall remain closed and latched at all times except when actively in use.
3. Dumpsters must be serviced at a frequency adequate to prevent overflow, spillage, odors, and public health concerns.
4. No waste may be stored outside or beside the dumpster at any time. Overflow waste shall constitute a violation.
5. Dumpsters must be located so as not to obstruct traffic, impede emergency access, or create a hazard. Dumpsters are not permitted to be placed in Town rights-of-way without approval of the Town Manager.
6. Institutions are responsible for ensuring contractors, students, employees, conferees, renters and visitor/overnight guests properly dispose of waste in compliance with this Article.

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7. If a dumpster is accessed by wildlife and the Town determines the facility was not in compliance with this section, the institution shall be cited and held responsible for cleanup costs as noted in Section 12.

Section 11. Convenience Center. The Town may provide a convenience center and/or centers from time to time at certain locations for use by Montreat residents to dispose of Solid Waste and recyclable materials. In addition to any rules posted at such convenience center(s), the following regulations shall apply:

1. Convenience center(s) shall only be used during posted hours.
2. Convenience center(s) shall only be used by Montreat residents.
3. Only, bagged, residential, Solid Waste and recyclable materials generated in Montreat shall be disposed of in the convenience center(s).
4. All other items, including but not limited to furniture, electronics, televisions, yard waste, and construction materials are strictly prohibited.
5. Solid Waste must be placed in the receptacles designated for garbage or Solid Waste located at the Convenience center(s). Recyclable materials must be placed in the receptacles designated for recyclable materials located at the Convenience center(s). It shall be unlawful to leave Solid Waste, recyclable materials and/or other items at the gate of the Convenience center(s) and/or to pile Solid Waste, recyclable materials and/or other items on or around receptacles that are already full.

Section 12. Enforcement. The Town Manager or the Town Manager's designee is responsible for the enforcement of this Ordinance. Violations of this ordinance are punishable as follows:

1. **First Offense.** If the Town Manager or the Town Manager's designee finds that a first violation was neither willful, wanton, nor reckless, a written warning shall be issued. If the Town Manager or the Town Manager's designee finds that a first violation was either willful, wanton, and/or reckless, a \$100 civil penalty shall be issued. In either such case, the violator shall be ordered to reimburse the Town for the actual cost of cleanup if the violation was the result of negligence.
2. **Second offense.** If the Town Manager or the Town Manager's designee finds that a second violation was willful, wanton, nor reckless, a \$100 civil penalty shall be issued. If the Town Manager or the Town Manager's designee finds that a second violation was either willful, wanton, and/or reckless, a \$200 civil penalty shall be issued. In either such case, the violator should be ordered to reimburse the Town for the actual cost of cleanup in addition to the civil penalty.
3. **Third and subsequent offense.** If the Town Manager or the Town Manager's designee finds that a third and/or subsequent violation was = willful, wanton, nor reckless, a \$200 civil penalty shall be issued. If the Town Manager or the Town Manager's designee finds that a third violation was either willful, wanton, and/or reckless, a \$400 civil penalty shall be issued. In either such case, the violator should be ordered to reimburse the Town for

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the actual cost of cleanup if the violation was the result of negligence, in addition to the civil penalty. In addition, third and/or subsequent violations are grounds for the suspension of trash pickup, on the discretion of the Town Manager or the Town Manager's designee.

Section 13. Effective Date. This Ordinance shall become upon adoption. Residents will have six months from the date of adoption to purchase or modify a BRC in order to comply with this requirement.

Definitions (from/to be added to ARTICLE I: DEFINITIONS OF WORDS AND PHRASES):

Solid Waste (garbage): Waste from residences commonly called residential trash and/or garbage, including without limitation discarded animal and vegetable matter, small cans, glassware, crockery, paper and plastic products, and other small containers in which animal or vegetable matter has been stored. The term "Solid Waste" does not include, and the Town does not collect or dispose of, business, industrial and other types of non-residential waste.

Bear-Resistant Container (BRC): Container for solid waste designed by the manufacturer to be bear-resistant or modified to be bear-resistant.

Permanent Bear-Resistant Container: Container for solid waste designed by the manufacturer to be bear-resistant or modified to be bear-resistant and permanently affixed to the ground at the point of collection.

Permanent Bear-Resistant Container System: a system designed to prevent bears from accessing Solid Waste containers installed at the point of collection.



RESOLUTION 26-02-0001

RESOLUTION OF THE BOARD OF COMMISSIONER OF THE TOWN OF MONTREAT DESIGNATING BARRY CREASMAN AS DEPUTY FINANCE OFFICER

WHEREAS, North Carolina General Statute (NCGS) 159-28 of the Local Government Budget and Fiscal Control Act specifies that no obligation may be incurred in a program, function, or activity included in-the budget ordinance, or project ordinance, unless the budget or project ordinance includes an appropriation authorizing the obligation and an unencumbered balance remains in the appropriation sufficient to pay in the sums obligated by the transaction.

WHEREAS, NCGS 159-28 further specifies that if an obligation is reduced to a written contract or written agreement requiring the payment of money, or is evidenced by a written purchase order for supplies and materials, the written contract, agreement, or purchase order shall include on its face a certificate stating that the instrument has been preaudited to assure compliance with this requirement.

WHEREAS, NCGS 159-28 further specifies the certificate be signed by the finance officer, or any deputy finance officer approved for this purpose by the governing board.

WHEREAS, it would promote efficiency within the Town's Finance Department to designate Barry Creasman as deputy finance officer for the purpose of executing the pre-audit certificate on Town of Montreat purchase orders, contracts, agreements, and sign checks as enumerated in Article 3, Chapter 159 of the North Carolina General Statutes.

WHEREAS, it would promote efficiency within the Town's Finance Department to designate Barry Creasman as deputy finance officer also for the purpose of acting as designee in the event of the Finance Officer's absence.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS that Barry Creasman is designated deputy finance officer, pursuant to NCGS 159-28, to execute the pre-audit certificate on purchase orders, contracts and agreements, sign checks, and act as designees in the Finance Officer's absence.

PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF MONTREAT, NORTH CAROLINA, on this, the 12TH day of February 2026; such meeting was held in compliance with the Open Meetings Act, at which meeting a quorum was present and voting.

TOWN OF MONTREAT, NORTH CAROLINA

Tim Helms, Mayor

ATTEST:

Angie Murphy, Town Clerk

**TOWN OF MONTREAT
FISCAL YEAR 2025-2026
BUDGET AMENDMENT #8**

Be it ordained by the Town of Montreat Board of Commissioners that the following amendment be made to the Budget Ordinance for the fiscal year ending June 30, 2026.

Department(s): Fund 29 and Water Department

Purpose:

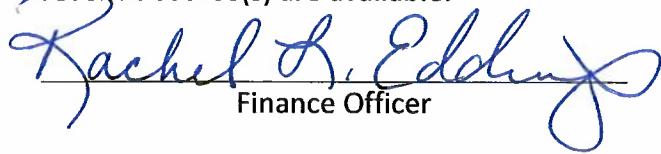
- To include in the Fund 29 – Helene funds, FEMA disbursement of \$99,832.99. with \$5000 transferred to the water fund to pay for WithersRavenel completion of the NCDEQ Grant and the remainder to Fund 29 professional services.

Section 1. To amend the General Fund as follows:

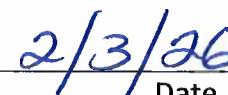
Line Item	Account Number	Amount Decrease	Amount Increase	Amended Budget
Add to Budget: Federal Grant Proceeds – FEMA	29-3311-300		\$99,832.99	\$452,532.01
Interfund Transfer from Helene	29-5550-572		\$5,000	\$81,611.13
Professional Services	29-5600-040		\$94,832.99	\$462,360.02
Interfund Trans from Other Funds	30-3900-901		\$5,000	\$81,611.13
Professional Services	30-8100-040		\$5,000	\$5,000
Move from Fund 29: Interfund transfer from Helene	29-5550-572	DEBIT \$5,000		\$81,611.13
Interfund Trans from Other Funds	30-3900-901		CREDIT \$5,000	\$81,611.13

Notes:

Section 2. I certify that the accounting records provide for this budget amendment, and that the revenue source(s) are available:



Finance Officer



Date

Section 3. Copies of this amendment shall be delivered to the Budget/Finance Officer and Town Auditor for their direction.

Adopted this _____ day of _____, _____.

**TOWN OF MONTREAT
FISCAL YEAR 2025-2026
BUDGET AMENDMENT #8**

Recorded and filed:

Budget Officer/Town Manager

Date

Town Clerk

Date

RESOLUTION BY GOVERNING BODY OF APPLICANT

WHEREAS, The Town of Montreat has need for and intends to construct, plan for, or conduct a study in a project described as Town of Montreat Water Resiliency Project, and

WHEREAS, The Town of Montreat intends to request State loan and/or grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE BOARD OF COMMISSIONERS OF THE TOWN OF MONTREAT:

That Town of Montreat, the **Applicant**, will arrange financing for all remaining costs of the project, if approved for a State loan and/or grant award.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system and the repayment of all principal and interest on the debt.

That the governing body of the **Applicant** agrees to include in the loan agreement a provision authorizing the State Treasurer, upon failure of the Town of Montreat to make a scheduled repayment of the loan, to withhold from the Town of Montreat any State funds that would otherwise be distributed to the local government unit in an amount sufficient to pay all sums then due and payable to the State as a repayment of the loan.

That Savannah Parrish, Town Manager; the **Authorized Representative** and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a loan and/or grant to aid in the study of or construction of the project described above.

That the **Authorized Representative**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project: to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, ordinances, and funding conditions applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 12th of February, 2026 at Montreat, North Carolina.

Tim Helms, Mayor

Angie Murphy, Clerk to the Board

FORM FOR CERTIFICATION BY THE RECORDING OFFICER

The undersigned duly qualified and acting Clerk to the Board of the Town of Montreat does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of Town of Montreat duly held on the 12th day of February 2026; and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of February, 2026.

(Signature of Recording Officer)

Angie Murphy, Clerk to the Board

(Title of Recording Officer)

Note: an Attestation by the Clerk/Recording Officer may be used in lieu of the Form for Certification by the Recording Officer