



City of Fayetteville

433 Hay Street
Fayetteville, NC
28301-5537
(910) 433-1FAY (1329)

Meeting Agenda - Final City Council Work Session

Monday, June 1, 2026

3:00 PM

Council Chamber

1.0 CALL TO ORDER

2.0 INVOCATION

3.0 PLEDGE OF ALLEGIANCE

4.0 CITY MANAGER REPORT

5.0 APPROVAL OF AGENDA

6.0 OTHER ITEMS OF BUSINESS

6.01 [26-0285](#) Proposed Text Amendments to Multiple Sections of the Unified Development Ordinance (UDO) Regarding Fences and Walls, Zoning Districts, Use Table, Zero Lot Line Applicability, and Subdivision Design Standards

Recommendation: The Planning Commission and Professional Planning Staff recommends that the City Council move for Option (1) and approve the proposed text amendments.

6.02 [26-0337](#) Consideration of Changes to Section 30-5.L. - Signage of the Unified Development Ordinance

Recommendation: Business & Economic Committee will present their recommendation and the preferred consensus options of examples B, C and F and request Council direction.

6.03 [26-0354](#) Review Peer Cities' Picketing/Demonstrations Ordinances

Recommendation: Staff recommends that the City Council provides direction to staff as to which provisions should be included in the ordinance and move to adopt those changes.

6.04 [26-0353](#) Discussion of the Fiscal Year 2026-2027 Budget Ordinance, and Attachments for the FY 2026-2027 Fee Schedule, and FY 2026-2027 Capital and Special Project Funding, Amendments, and Close-Outs

Recommendation: Staff recommends Council receive the FY 2027 Budget Ordinance documents including FY 2027 Operating Budget, including Attachment A - Fiscal Year 2026-2027 Fee Schedule, Attachment B - Capital investment and Special Revenue budgets, as presented. Recommended Operating and Capital and Technology Improvement Plan Documents previously presented are included.

- 6.05** [26-0249](#) HOME Program HUD Findings and Voluntary Grant Reduction Option
- Recommendation:** Staff recommends that Council receive the briefing and provide consensus for staff to return at a subsequent Council meeting with an action item approving a voluntary reduction of future HOME Investment Partnerships Program funds in the amount of \$321,446.21, subject to HUD approval, in lieu of repayment from non-federal local funds.
- 6.06** [26-0339](#) Opportunity Zone 2.0 Nomination Priorities
- Recommendation:** Staff recommends that Council authorize staff to prepare and submit the City's Opportunity Zone nomination recommendation to the North Carolina Department of Commerce by the June 7, 2026 deadline, using the State's nomination guidelines and local considerations including business and job creation potential, housing supply potential, strategic local revitalization alignment, and project or site readiness.
- Staff further recommends that Council authorize staff to coordinate with Fayetteville Cumberland Economic Development Corporation and Cumberland County before submission to promote alignment among local recommendations where possible.
- 6.07** [26-0316](#) Council Member Agenda Item Request - Direction to Staff to Draft Data Center Moratorium Ordinance - Council Member McMillan
- 6.08** [26-0332](#) Council Member Agenda Item Request - Robust Notification System - Council Member Ferguson
- 6.09** [26-0349](#) Council Member Agenda Item Request - Technology Governance Framework Development - Council Member McMillan
- 6.010** [26-0350](#) Council Member Agenda Item Request - Public Hearing - Proposed Amendments to the UDO Regarding Telecommunications & Data Storage Facilities (Item 9.01 TA26-01 from 4/13/2026 Regular Council Meeting - Council Member Hondros

7.0 ANNOUNCEMENTS AND RECOGNITIONS - To begin at 6:15 p.m.

8.0 PUBLIC FORUM

9.0 ADJOURNMENT

CLOSING REMARKS

The City of Fayetteville will not discriminate against qualified individuals with disabilities on the basis of disability in the City’s services, programs, or activities. The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the City’s programs, services, and activities. The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all City programs, services, and activities. Any person who requires an auxiliary aid or service for effective communications, or a modification of policies or procedures to participate in any City program, service, or activity, should contact the office of Human Relations at yamilenazar@fayettevillenc.gov, 910-433-1696, or the Office of the City Clerk at cityclerk@ci.fay.nc.us, 910-433-1989, as soon as possible but no later than 72 hours before the scheduled event.

COUNCIL WORK SESSION WILL BE AIRED
June 1, 2026 - 3:00 p.m.
Cable Channel 7 and streamed "LIVE" at FayTV.net



Five Council Strategic Priorities

 <p>Ongoing commitment to a comprehensive approach to community safety</p>	 <p>Continue the City's commitment to revitalization efforts and housing needs</p>	 <p>Increase Parks and Recreation opportunities for youth engagement and interaction</p>	 <p>Enhance economic growth throughout the City</p>	 <p>Evaluate and expand transportation and other connectivity for residents</p>
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City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0285

Agenda Date: 6/1/2026

Version: 1

Status: Agenda Ready

In Control: City Council Work Session

File Type: Other Items of
Business

Agenda Number: 6.01

TO: Mayor and Members of City Council

THRU: Jodi Phelps - Assistant City Manager
Gerald Newton - Development Services Director

FROM: Craig Harmon, Senior Planner
Scott Walters, Senior Planner
Chester Green, Senior Planner

DATE: June 1, 2026

RE:
Proposed Text Amendments to Multiple Sections of the Unified Development Ordinance (UDO) Regarding Fences and Walls, Zoning Districts, Use Table, Zero Lot Line Applicability, and Subdivision Design Standards

COUNCIL DISTRICT(S):
All

Relationship To Strategic Plan:

Goal II: Responsible City Government Supporting a Diverse and Viable Economy

Executive Summary:

The Planning Commission is asked to make a recommendation and forward the item to the City Council.

The Development Services staff has identified several minor updates and amendments to the Unified Development Ordinance (UDO). These revisions are intended to clarify existing provisions and eliminate unnecessary development requirements.

On April 21, 2026, the Planning Commission held a legislative public hearing regarding these amendments. The Commission voted unanimously to recommend approval.

Background:

Listed below are the ordinance sections related to the proposed changes.

- 1. 30-5.D.4.b Exemption for Safety (Fences and Walls):** Under the current development standards, chain-link fences located in required front and corner side yard setbacks may not exceed (4) feet in height. This standard is applied equally regardless of the zoning district and regardless of the use of the property. Thus, industrially zoned properties are unable to erect chain link fences above the allowed four (4) feet height. Industrial and heavy commercial uses have an increased need to secure property and ensure public safety. Currently, only "major utilities, wireless communication towers, government

- facilities, and other public safety uses” are allowed by development standards to have an exemption to the fence height and have an increased fence height of (8) feet within all required yard setbacks. Redlined proposed changes are attached.
2. **30-3.E.2 Office and Institutional (OI) District:** Changes in dimensional standards including, lowering minimum lot area for some uses, and increasing gross density for certain uses. See attached redlined chart titled OI District 30-3.E.2.
 3. **30-3.E.3 Neighborhood Commercial (NC) District:** Changes in dimensional standards including, lowering minimum lot area for some uses, and increasing gross density for certain uses. See attached redlined chart titled NC District 30-3.E.3.
 4. **30-3.E.11 Downtown 2 (DT-2) District:** Changes in dimensional standards including, lowering minimum lot area for some uses, and a text correction. See attached redlined chart titled DT-2 District 30-3.E.11.
 5. **30-3.D.5 Mixed Residential 5 (MR-5) District:** Text change to clarify standards. See attached redlined chart titled MR-5 District 30-3.D.5.
 6. **30-4.A.2 Use Table:** Remove Single-Family Detached from OI and NC districts. See attached redlined chart.
 7. **30-3.B.2. Zero Lot Line Applicability:** Removing the requirement for a Special Use Permit when a zero lot line development is proposed on a tract smaller than three acres.
 8. **30-6.A.4. Subdivisions Design Standards:** Removing the requirement for a Special Use Permit when a zero lot line development is proposed on a tract smaller than three acres.

Issues/Analysis:

The Development Services Department has identified several areas within the Unified Development Ordinance (UDO) where minor amendments would improve clarity, consistency, and overall functionality of the regulations while reducing unnecessary procedural requirements.

One identified issue relates to Section 30-5.D (Fences and Walls). Under the current standards, chain-link fences located within required front and corner side yard setbacks are limited to a maximum height of four (4) feet, regardless of zoning district or land use. This uniform application does not account for the operational needs of industrial and heavy commercial properties, which often require enhanced security measures to protect equipment, materials, and public safety. While certain uses-such as major utilities, wireless communication towers, and government facilities-are permitted increased fence heights of up to eight (8) feet, similar allowances are not extended to industrial zoning districts, creating an inconsistency in how security needs are addressed across comparable uses.

Additional issues have been identified within several zoning districts related to dimensional standards. In the Office and Institutional (OI), Neighborhood Commercial (NC), and Downtown 2 (DT-2) districts, current minimum lot area requirements and density limitations may restrict reasonable development patterns or do not reflect current

development trends. Proposed amendments would reduce minimum lot sizes for certain uses and increase allowable gross density where appropriate, thereby providing greater flexibility while maintaining compatibility with surrounding development. In the DT-2 district, a minor text correction is also proposed to improve clarity and consistency within the ordinance.

In the Mixed Residential 5 (MR-5) District, a text amendment is proposed to clarify existing standards, reducing ambiguity and improving the administration and interpretation of the ordinance.

The Use Table (Section 30-4.A.2) currently permits single-family detached dwellings within the OI and NC districts. This allowance is inconsistent with the intended purpose and character of these districts, which are primarily designed to accommodate office, institutional, and neighborhood-serving commercial uses. Removing this use will better align the Use Table with the intent of these districts and reduce potential land use conflicts.

Finally, procedural inefficiencies have been identified in relation to zero lot line developments. Under current standards in Sections 30-3.B.2 and 30-6.A.4, developments on tracts smaller than three acres require a Special Use Permit (SUP). This requirement adds an additional layer of review that may not be necessary for smaller-scale projects and can create delays in the development process. Removing the SUP requirement for these developments will streamline approvals while maintaining appropriate design and development standards through existing administrative review processes.

Collectively, these amendments are intended to modernize the UDO, address inconsistencies, and improve the balance between regulatory oversight and development flexibility, while continuing to protect public health, safety, and welfare.

Budget Impact:

None at this time

Options:

1. Move to recommend approval of the proposed text amendments (recommended);
2. Move to recommend approval of the proposed text amendments with specific changes;
3. Move to recommend denial of some or all of the proposed text amendments.

Recommended Action:

The Planning Commission and Professional Planning Staff recommends that the City Council move for Option (1) and approve the proposed text amendments.

Attachments:

1. 30-5.D.4.b Exemption for Safety (Fences & Walls)
2. OI District 30-3.E.2
3. NC District 30-3.E.3

4. DT-2 District 30-3.E.11
5. MR-5 District 30-3.D.5
6. Use Table
7. Zero Lot Line Applicability
8. Zero Lot Line Development
9. PowerPoint

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SUBSECTIONS OF ARTICLE 30-5, DEVELOPMENT STANDARDS, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT CODE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that:

Section 1. Section 30-5.D.4.b. Exemption for Safety, is amended by deleting the same in its entirety and replacing with the following:

b. Exemption for Safety

Major utilities, wireless communication towers, government facilities, **non-residential uses located within the Light Industrial (LI) & Heavy Industrial (HI) Districts**, and other public safety uses shall be allowed to increase maximum fence heights to eight feet in front, side, and rear yards, unless further increased through an approved Security Plan (see Section 30-5.D.5 Exemptions).

Section 2. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code or Ordinances, City of Fayetteville, North Carolina, and the section of this ordinance may be renumbered to accomplish such intention.

ADOPTED this the 26th day of May, 2026.

CITY OF FAYETTEVILLE

MITCH COLVIN, Mayor

ATTEST:

JENNIFER AYRE, City Clerk

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SUBSECTIONS OF ARTICLE 30-3, ZONING DISTRICTS, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that:

Section 1. Section 30-3.E.2. Office and Institutional (OI), is amended by modifying

the Dimensional Standards as follows:

DIMENSIONAL STANDARDS			
DIMENSIONAL STANDARD	NONRESIDENTIAL, MULTI-FAMILY, & MIXED-USE	SINGLE-FAMILY ATTACHED & DETACHED	ACCESSORY STRUCTURES
Lot area, min. (sq. ft.)	10,000 for nonresidential ; 2,000	84,000 per unit	n/a
Lot width, min. (ft.)	50		n/a
Gross residential density, max. (dwelling units/acre)	1218 (24 mixed use)	812	n/a
Lot coverage, max. (% of lot area)	55	45	[2]
Height, max. (ft.)	SF Residential Attached 35; 60 for others		25; 15 where abutting a single-family district or use with setback less than 10 feet
Front and corner setback, min. (ft.) [3]	The lesser of: 25 feet or 60 feet from street centerline of private streets		Not allowed in front, side, or corner side yard areas
Side setback, min. (ft.)	3; 15 when abutting single-family zoning or use	15	

Section 2. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code or Ordinances, City of Fayetteville, North Carolina, and the section of this ordinance may be renumbered to accomplish such intention.

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CITY OF FAYETTEVILLE

MITCH COLVIN, Mayor

ATTEST:

JENNIFER AYRE, City Clerk

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SUBSECTIONS OF ARTICLE 30-3, ZONING DISTRICTS, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that:

Section 1. Section 30-3.E.3. Neighborhood Commercial (NC), is amended by modifying the Dimensional Standards as follows:

DIMENSIONAL STANDARDS					
DIMENSIONAL STANDARD	NON RESIDENTIAL	MIXED-USE	SINGLE-FAMILY DWELLINGS Atached & Two to Four Family	ALL-OTHER-RESIDENTIAL-USES Multi-Family	ACCESSORY STRUCTURES
Lot area, min. (sq. ft.) [1]	10,000	85,000	5,000 3,500 per-unit	155,000 per-site	n/a
Lot width, min. (ft.)	45			60 45	n/a
Gross residential density, max. (dwelling units/acre)[4]	24	24	8 12	12 18	n/a
Lot coverage, max. (% of lot area)	55		45		[2]

Section 2. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code or Ordinances, City of Fayetteville, North Carolina, and the section of this ordinance may be renumbered to accomplish such intention.

ADOPTED this the 26th day of May, 2026.

CITY OF FAYETTEVILLE

MITCH COLVIN, Mayor

ATTEST:

JENNIFER AYRE, City Clerk

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SUBSECTIONS OF ARTICLE 30-3, ZONING DISTRICTS, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that:

Section 1. Section 30-3.E.11. Downtown 2 (DT-2), is amended by modifying with the following:

DIMENSIONAL STANDARDS				
DIMENSIONAL STANDARD	NONRESIDENTIAL, MULTI-FAMILY, & MIXED-USE	SINGLE-FAMILY ATTACHED & DETACHED & TWO TO FOUR-FAMILY	SINGLE-FAMILY ATTACHED & TWO TO FOUR-FAMILY	ACCESSORY STRUCTURES
Lot area, min. (sq. ft.)	None	5,000 for 1st unit, then 4,000	4,000 per unit	n/a
Lot width, min. (ft.)	45			n/a
Gross residential density, max. (dwelling units/acre)	20 (24 when retail is on first floor)	20 n/a		n/a
Lot coverage, max. (% of lot area)	75			[2]
				25-15 where abutting a single-family

Section 2. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code or Ordinances, City of Fayetteville, North Carolina, and the section of this ordinance may be renumbered to accomplish such intention.

ADOPTED this the 26th day of May, 2026.

CITY OF FAYETTEVILLE

MITCH COLVIN, Mayor

ATTEST:

JENNIFER AYRE, City Clerk

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SUBSECTIONS OF ARTICLE 30-3, ZONING DISTRICTS, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that:

Section 1. Section 30-3.D.5. Mixed Residential 5 (MR-5) District, is amended by modifying the Dimensional Standards as follows:

DIMENSIONAL STANDARDS						
DIMENSIONAL STANDARD	SINGLE- FAMILY DETACHED DWELLINGS	SINGLE- FAMILY ATTACHED DWELLINGS	TWO- TO FOUR- FAMILY DWELLINGS	MULTI-FAMILY DWELLINGS	ALL OTHER PRINCIPAL USES [1]	ACCESSORY STRUCTURES
Lot area per unit, min. (sq. ft.) [2]	5,000 for 1st unit, then 4,000	4,000		15,000+ 1,000 per unit	5,000	n/a
Lot width, min. (ft.)	50					n/a
Gross residential density, max. (dwelling units/ acre) [3]	20; 24 if property abuts an Arterial, Collector, or Major Street (as defined in Article 30-9, Definitions) N/A			20; 24 if property abuts arterial, Collector, or Major Street (as defined in Article 30-9, Definitions)		n/a
Lot coverage, max. (% of lot area)	55					[4]

Section 2. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code or Ordinances, City of Fayetteville, North Carolina, and the section of this ordinance may be renumbered to accomplish such intention.

ADOPTED this the 26th day of May, 2026.

CITY OF FAYETTEVILLE

MITCH COLVIN, Mayor

ATTEST:

JENNIFER AYRE, City Clerk

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SUBSECTIONS OF ARTICLE 30-4, USE STANDARDS, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that:

Section 1. Section 30-4.A.2. Use Table, is amended by modifying as follows:

Table 30-4.A.2 Use Table																							
P = Permitted Use S = Special Use																							
MP = Allowed Subject to a Planned Development Master Plan																							
"/" = Prohibited Use [1]																							
USE CATEGORY	USE TYPE	ZONING DISTRICTS																				ADDITIONAL REQUIREMENTS	
		SPECIAL		RESIDENTIAL						BUSINESS								PLANNED DEVELOPMENT					
		CD	AR	SF-15	SF-10	SF-6	MR-5	MH	OI	NC [3]	LC	CC	MU	DT-1	DT-2	UC	BP-4	LI	HI	PD-R	PD-EC		PD-TN
AGRICULTURAL USE CLASSIFICATION																							
Agriculture	Plant nursery	/	P	/	/	/	/	/	/	/	/	/	/	/	/	/	/	P	P	MP	/	MP	30-4.C.1.
	All other agriculture	P	P	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	MP	/	MP	
	Urban Agriculture	/	/	/	/	/	/	/	/	P	P	P	/	/	/	/	/	P	/	/	/	/	30-4.C.1.
Agricultural Support and Services	Equestrian facility	/	P	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	MP	/	MP	30-4.C.1.	
	All other agricultural support and services	/	P	/	/	/	/	/	/	/	P	/	/	/	/	/	P	/	/	/	/	30-4.C.1.	
RESIDENTIAL USE CLASSIFICATION																							
Household Living [1]	Cottage developments	/	P	P	P	P	P	/	/	/	/	/	/	/	P	/	/	/	/	/	/	30-4.C.2.	
	Dwelling/Unit, live/work	/	/	/	/	/	P	/	P	P	P	P	P	P	P	/	/	/	/	MP	MP	MP	30-4.C.2.
	Dwelling, multi-family	/	/	/	/	/	P	/	P	P	P	P	P	P	P	/	/	/	/	MP	MP	MP	30.5.H
	Dwelling, single-family attached [3]	/	/	/	P	P	P	/	P	P	P	P	P	P	P	/	/	/	/	MP	MP	MP	30-5.H
	Dwelling, single-family detached	/	P	P	P	P	P	P	P	P	/	/	P	/	P	/	/	/	/	MP	/	MP	30-5.G

Section 2. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code or Ordinances, City of Fayetteville, North Carolina, and the section of this ordinance may be renumbered to accomplish such intention.

ADOPTED this the 26th day of May, 2026.

CITY OF FAYETTEVILLE

MITCH COLVIN, Mayor

ATTEST:

JENNIFER AYRE, City Clerk

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SUBSECTIONS OF ARTICLE 30-3, ZONING DISTRICTS, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that:

Section 1. Section 30-3.B.2. Zero Lot Line Applicability, is amended by deleting the same in its entirety and replacing it with the following:

30-3.B.2. Zero Lot Line Applicability

In addition to traditional development, this Ordinance also allows zero lot line development in the agricultural, residential and business districts to provide flexibility in lot layout for greater development efficiency and density and/or in addressing site constraints. The zero lot line standards are allowed in the districts identified in Section 30-3.B.2.a, Applicability and subject to meeting certain conditions. Zero lot line development is subject to review and approval of a Major Site Plan (see Section 30-2.C.5). Zero lot line development is subject to all applicable use standards (Article 30-4), subdivision requirements (Article 30-6), and applicable design and development standards (Article 30-5).

Section 2. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code or Ordinances, City of Fayetteville, North Carolina, and the section of this ordinance may be renumbered to accomplish such intention.

ADOPTED this the 26th day of May, 2026.

CITY OF FAYETTEVILLE

MITCH COLVIN, Mayor

ATTEST:

JENNIFER AYRE, City Clerk

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE AMENDING VARIOUS SUBSECTIONS OF ARTICLE 30-6, SUBDIVISIONS, UNDER CHAPTER 30, THE UNIFIED DEVELOPMENT ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF FAYETTEVILLE, NORTH CAROLINA

BE IT ORDAINED, by the City Council of the City of Fayetteville, North Carolina, that:

Section 1. Section 30-6.A.4.i. Zero Lot Line Development, is amended by deleting subsection 2. Procedure in its entirety and replacing it with the following:

2.Procedure

Zero lot line developments shall be approved in accordance with Section 30-2.C.5.d, Major Site Plan Procedure. In cases where a zero lot line development involves a subdivision of land, it shall also require approval of a Subdivision Plan and a Final Plat in accordance with Section 30-2.C.6, Subdivisions, and Article 30-6: Subdivisions.

Section 2. It is the intention of the City Council, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code or Ordinances, City of Fayetteville, North Carolina, and the section of this ordinance may be renumbered to accomplish such intention.

ADOPTED this the 26th day of May, 2026.

CITY OF FAYETTEVILLE

MITCH COLVIN, Mayor

ATTEST:

JENNIFER AYRE, City Clerk

City Council



Proposed Amendments to Article 30 of the City Code - UDO

May 26, 2026



- The Development Services Staff has identified an area where Section 30-5.D.4.b. Exemption for Safety is needed.
- Current code:

b. Exemption for Safety

Major utilities, wireless communication towers, government facilities, and other public safety uses shall be allowed to increase maximum fence heights to eight feet in front, side, and rear yards, unless further increased through an approved Security Plan (see Section 30-5.D.5 Exemptions).

Proposed change:

30-5.D.4.b Exemption for Safety.

Major utilities, wireless communication towers, government facilities, **non-residential uses located within the Light Industrial (LI) & Heavy Industrial (HI) Districts**, and other public safety uses shall be allowed to increase maximum fence heights to eight feet in front, side, and rear yards, unless further increased through an approved Security Plan (see Section 30-5.D.5 Exemptions).

DIMENSIONAL STANDARDS			
DIMENSIONAL STANDARD	NONRESIDENTIAL, MULTI-FAMILY, & MIXED-USE	SINGLE-FAMILY ATTACHED & DETACHED	ACCESSORY STRUCTURES
Lot area, min. (sq. ft.)	10,000 for nonresidential ; 2,000	84,000 per unit	n/a
Lot width, min. (ft.)	50		n/a
Gross residential density, max. (dwelling units/acre)	1218 (24 mixed use)	812	n/a
Lot coverage, max. (% of lot area)	55	45	[2]
Height, max. (ft.)	SF Residential Attached 35; 60 for others		25; 15 where abutting a single-family district or use with setback less than 10 feet
Front and corner setback, min. (ft.) [3]	The lesser of: 25 feet or 60 feet from street centerline of private streets		Not allowed in front, side, or corner side yard areas
Side setback, min. (ft.)	3; 15 when abutting single-family zoning or use	15	

DIMENSIONAL STANDARDS					
DIMENSIONAL STANDARD	<u>NON RESIDENTIAL</u>	MIXED-USE	SINGLE-FAMILY DWELLINGS At tached & Two to Four Family	ALL-OTHER-RESIDENTIAL-USES <u>Multi-Family</u>	ACCESSORY STRUCTURES
Lot area, min. (sq. ft.) [1]	10,000	85,000	5,000 <u>3,500 per unit</u>	155,000 per site	n/a
Lot width, min. (ft.)	45			60 <u>45</u>	n/a
Gross residential density, max. (dwelling units/acre)[4]	24	24	8 <u>12</u>	12 <u>18</u>	n/a
Lot coverage, max. (% of lot area)	55		45		[2]

DIMENSIONAL STANDARDS				
DIMENSIONAL STANDARD	NONRESIDENTIAL, MULTI-FAMILY, & MIXED-USE	SINGLE-FAMILY ATTACHED & DETACHED & TWO TO FOUR-FAMILY	SINGLE-FAMILY <u>ATTACHED & TWO TO FOUR FAMILY</u>	ACCESSORY STRUCTURES
Lot area, min. (sq. ft.)	None	5,000 for 1st unit, then 4,000	<u>4,000 per unit</u>	n/a
Lot width, min. (ft.)	45			n/a
Gross residential density, max. (dwelling units/acre)	20 (24 when retail is on first floor)	n/a		n/a
Lot coverage, max. (% of lot area)	75			[2]
				25-15 where abutting a single-family

DIMENSIONAL STANDARDS						
DIMENSIONAL STANDARD	SINGLE-FAMILY DETACHED DWELLINGS	SINGLE-FAMILY ATTACHED DWELLINGS	TWO- TO FOUR-FAMILY DWELLINGS	MULTI-FAMILY DWELLINGS	ALL OTHER PRINCIPAL USES [1]	ACCESSORY STRUCTURES
Lot area per unit, min. (sq. ft.) [2]	5,000 for 1st unit, then 4,000	4,000		15,000+ 1,000 per unit	5,000	n/a
Lot width, min. (ft.)	50					n/a
Gross residential density, max. (dwelling units/acre) [3]	20; 24 if property abuts an Arterial, Collector, or Major Street (as defined in Article 30-9, Definitions) N/A			20; 24 if property abuts arterial, <u>Collector, or Major Street</u> (as defined in Article 30-9, Definitions)	n/a	
Lot coverage, max. (% of lot area)	55					[4]

Table 30-4.A.2 Use Table																							
P = Permitted Use S = Special Use																							
MP = Allowed Subject to a Planned Development Master Plan																							
"/" = Prohibited Use [1]																							
USE CATEGORY	USE TYPE	ZONING DISTRICTS																			ADDITIONAL REQUIREMENTS		
		SPECIAL		RESIDENTIAL					BUSINESS								PLANNED DEVELOPMENT						
		CD	AR	SF-15	SF-10	SF-6	MR-5	MH	OI	NC [3]	LC	CC	MU	DT-1	DT-2	UC	BP-4	LI	HI	PD-R		PD-EC	PD-TN
AGRICULTURAL USE CLASSIFICATION																							
Agriculture	Plant nursery	/	P	/	/	/	/	/	/	/	/	/	/	/	/	/	/	P	P	MP	/	MP	30-4.C.1.
	All other agriculture	P	P	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	MP	/	MP	
	Urban Agriculture	/	/	/	/	/	/	/	/	P	P	P	/	/	/	/	/	P	/	/	/	/	30-4.C.1.
Agricultural Support and Services	Equestrian facility	/	P	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	/	MP	/	MP	30-4.C.1.
	All other agricultural support and services	/	P	/	/	/	/	/	/	/	/	P	/	/	/	/	/	P	/	/	/	/	30-4.C.1.
RESIDENTIAL USE CLASSIFICATION																							
Household Living [1]	Cottage developments	/	P	P	P	P	P	/	/	/	/	/	/	P	/	/	/	/	/	/	/	/	30-4.C.2.
	Dwelling/Unit, live/work	/	/	/	/	/	P	/	P	P	P	P	P	P	/	/	/	/	MP	MP	MP	30-4.C.2.	
	Dwelling, multi-family	/	/	/	/	/	P	/	P	P	P	P	P	P	/	/	/	/	MP	MP	MP	30-5.H	
	Dwelling, single-family attached [3]	/	/	/	P	P	P	/	P	P	P	P	P	P	/	/	/	/	MP	MP	MP	30-5.H	
	Dwelling, single-family detached	/	P	P	P	P	P	P	P	P	/	/	P	/	P	/	/	/	/	MP	/	MP	30-5.G

30-3.B.2. Zero Lot Line Applicability

In addition to traditional development, this Ordinance also allows zero lot line development in the agricultural, residential and business districts to provide flexibility in lot layout for greater development efficiency and density and/or in addressing site constraints. The zero lot line standards are allowed in the districts identified in Section [30-3.B.2.a](#), Applicability and subject to meeting certain conditions. Zero lot line development is subject to review and approval of a Major Site Plan (see Section [30-2.C.5](#)). ~~Zero lot line development on a tract or site smaller than three acres also requires a Special Use Permit (see Section [30-2.C.7](#)).~~ Zero lot line development is subject to all applicable use standards ([Article 30-4](#)), subdivision requirements ([Article 30-6](#)), and applicable design and development standards ([Article 30-5](#)).

30-6.A.4. Subdivisions Design Standards

Zero Lot Line Development

Purpose and Intent

The purpose of this section is to provide standards for zero lot line development in addition to the standards in Article 30-3: Zoning Districts.

Procedure

Zero lot line developments shall be approved in accordance with Section [30-2.C.5.d](#), Major Site Plan Procedure. ~~Zero lot line development proposed on tracts or sites smaller than three acres in area shall also obtain Special Use Permit approval in accordance with Section [30-3.B.2](#), Zero Lot Line Applicability, and Section [30-2.C.7](#), Special Use Permit.~~ In cases where a zero lot line development involves a subdivision of land, it shall also require approval of a Subdivision Plan and a Final Plat in accordance with Section [30-2.C.6](#), Subdivisions, and [Article 30-6](#): Subdivisions.

Options for Consideration

1. Move to approve the proposed text amendments.
2. Move to approve some or none of the proposed text amendments.
3. Remand some or all the proposed text amendments back to the staff for further consideration and specific changes.
4. Denial.





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FayettevilleNC.gov



City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0337

Agenda Date: 6/1/2026

Version: 1

Status: Agenda Ready

In Control: City Council Work Session

File Type: Other Items of
Business

Agenda Number: 6.02

TO: Mayor and Members of City Council

**THRU: Jodi Phelps - Assistant City Manager
Dr. Gerald Newton - Development Services Director**

FROM: Scott Walters - Senior Planner on behalf of Business & Economic Committee

DATE: June 1, 2026

RE: Consideration of Changes to Section 30-5.L. - Signage of the Unified Development Ordinance

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Goal II: Responsible City Government Supporting a Diverse and Viable Economy

Goal II emphasizes the City's commitment to sound governance, fiscal responsibility, and proactive partnership in fostering a strong, resilient local economy. This goal recognizes that a predictable, efficient, and responsive regulatory environment is essential to attracting and retaining investment, supporting business growth, and expanding employment opportunities. By encouraging reinvestment, modernizing infrastructure, and leveraging public-private partnerships, the City seeks to sustain a favorable development climate that supports innovation, entrepreneurship, and long-term economic stability. Actions taken under this goal are intended to balance economic competitiveness with community values, ensuring that growth benefits residents, neighborhoods, and the broader regional economy.

Executive Summary:

Section 30-5.L. was reviewed by the Business and Economic Development Committee on May 18, 2026 and additional changes were suggested. The committee will share their review and recommendations to the full City Council for consideration.

Background:

On April 15, 2025 the first revision to Section 30-5.L - Signage was heard by the Planning Commission and received a recommendation of approval. It was then approved by City Council on October 15, 2025.

Modifications were recommended and heard by the Planning Commission on January 20, 2026 and approved by City Council on February 23, 2026. These adjustments were

based on insight from the building community of unanticipated issues.

The City Council approved a Council Request on April 6th for the Business & Economic Committee to further evaluate additional signage options on buildings. The attached PPT shared the options and the Committee recommendations for the full City Council to consider.

Issues/Analysis:

The primary discussion during the Committee meeting focused on the revision of the section involving building mounted signage, signage in the Downtown DT-2 District, and Window Signs.

Budget Impact:

N/A

Options:

- Consensus to forward any recommended changes from the Committee for a Public Hearing to be held by the Planning Commission and then back to the City Council for Public Hearing.
- Consensus to forward any recommended changes with modifications for a Public Hearing to be held by the Planning Commission and then back to the City Council for Public Hearing.
- Consensus to remand any recommended changes to a Planning Board meeting for their review and recommendation.
- Consensus to remand any recommended changes with modification to a Planning Board meeting for review and recommendation.
- Consensus to remand back to staff and/or the Business & Development Committee for further specific review.
- Consensus to take no action.

Recommended Action:

Business & Economic Committee will present their recommendation and the preferred consensus options of examples B, C and F and request Council direction.

Attachments:

PowerPoint presentation

Increased Signage Examples



City Council Work Session

June 1, 2026



Building Mounted Signage

- Remove the (5) sign limit for building mounted signs per building or tenant space.
- Building mounted signs would be regulated by the wall area on each side of the building using the current ordinance regulations:

Permitted Copy Area Calculation

Unless otherwise stated, the permitted copy area for building mounted signage shall be calculated as the greater of either:

1. One (1) square foot per linear foot of building wall or width of tenant space; or
2. 10% of the area of the building wall (or portion of the building wall for the tenant space) between the base of the building and top of the parapet wall for flat roofed buildings or bottom of the eaves for buildings with sloped roofs.

Building Mounted Signage

- Remove the (5) sign limit for building mounted signs per building or tenant space.
- Building mounted signs would only be regulated by the wall area on each side of the building using the increased allowance below:

Permitted Copy Area Calculation

Unless otherwise stated, the permitted copy area for building mounted signage shall be calculated as the greater of either:

1. One (1.5) square foot per linear foot of building wall or width of tenant space; or
2. 15% of the area of the building wall (or portion of the building wall for the tenant space) between the base of the building and top of the parapet wall for flat roofed buildings or bottom of the eaves for buildings with sloped roofs.

The Business & Economic Committee recommends this option

Downtown DT-2 District

- Remove the DT-2 District from the limitations of the sub-section below.
- This would allow the DT-2 District to use the same standards as all other Non-Residential Zoning Districts for Building Mounted Sign.

- 30-5.L.8.C.1. Building Mounted Signage

DT-2 District

One (1) primary exterior building mounted sign (wall or projecting) is permitted per street frontage. Additional secondary building mounted signs are permitted as specified herein.

The Business & Economic Committee recommends this option

Window Signs

- Remove the limitation on window signs related to walls that have wall signage.
- Allow 50% coverage of the glazed area of every window and door on all sides of the building.
- Note: the DT-2 District is already regulated the same as all other Non-Residential Districts for window Signs.

Window Signs

Signs affixed to the interior or exterior of the glazed area of any window or glass door are permitted to cover a maximum of 50% of the cumulative square footage of glazed area on each building frontage, provided that where exterior building wall signage is utilized, the cumulative square footage of window signs on each frontage shall not exceed the square footage of installed wall signage. The cumulative amount of window signage shall include incidental window signs that exceed the threshold established for exemption.

Window Signs

- Remove the limitation on window signs related to walls that have wall signage.
- Allow 75% coverage of the glazed area of every window and door on all sides of the building.
- Note: the DT-2 District is already regulated the same as all other Non-Residential Districts for window Signs.

Window Signs

Signs affixed to the interior or exterior of the glazed area of any window or glass door are permitted to cover a maximum of 50% of the cumulative square footage of glazed area on each building frontage, provided that where exterior building wall signage is utilized, the cumulative square footage of window signs on each frontage shall not exceed the square footage of installed wall signage. The cumulative amount of window signage shall include incidental window signs that exceed the threshold established for exemption.

The Business & Economic Committee recommends this option

Window Signs

- Remove the limitation on window signs related to walls that have wall signage.
- Allow 100% coverage of the glazed area of every window and door on all sides of the building.
- Note: the DT-2 District is already regulated the same as all other Non-Residential Districts for window Signs.

Window Signs

Signs affixed to the interior or exterior of the glazed area of any window or glass door are permitted to cover a maximum of 50% of the cumulative square footage of glazed area on each building frontage, provided that where exterior building wall signage is utilized, the cumulative square footage of window signs on each frontage shall not exceed the square footage of installed wall signage. The cumulative amount of window signage shall include incidental window signs that exceed the threshold established for exemption.

Building Mounted Signage

- Remove the (5) sign limit for building mounted signs per building or tenant space.
- Allow full wall coverage on all building walls (building wall wraps).
- Only regulate by requiring a sign permit for any sign place on a wall.



Current Regulations

- 30-5.L.6.I. Artistic Works (Exempt Signs)
- Public displays of works of art, including murals, which contain no commercial messages or references to products or services offered upon the premises on which the work of art is displayed.





City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0354

Agenda Date: 6/1/2026

Version: 1

Status: Agenda Ready

In Control: City Council Work Session

File Type: Other Items of
Business

Agenda Number: 6.03

TO: Mayor Colvin and Members of City Council

THRU: Lachelle H. Pulliam, City Attorney

FROM: Erin Swinney, Police Attorney

DATE: June 1, 2026

**RE:
Review Peer Cities' Picketing/Demonstrations Ordinances**

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Goal I: Safe and Secure Community

Priority 1: Continue Implementing a Comprehensive Approach to Community Safety

Executive Summary:

The City Council requested that the City Attorney's Office provide a comparison of the picketing/demonstration ordinances from the Council approved peer cities.

Background:

The City Attorney's Office recommended various changes to the City's Parades, Motorcades, Special Events and Demonstrations ordinance at the January 5, 2026 work session. At that time, the matter was tabled for 60 days. At the April 27, 2026 regular meeting, the City Council directed the CAO to conduct a peer city review. The results of the comparison will be presented. Council may choose to adopt a version of one of the peer cities or select certain provisions from multiple peer cities to craft an ordinance for Fayetteville.

Issues/Analysis:

The City's goal is to develop an ordinance that allows harassment free use of outdoor dining areas while also respecting individuals' freedom of speech and right to peaceably assemble.

Budget Impact:

Unknown

Options:

1. Adopt the recommendations of the CAO as provided in the presentation.
2. Provide direction to staff as to which provisions should be included in the ordinance.
3. Make no changes to the current ordinance.

Recommended Action:

Staff recommends that the City Council provides direction to staff as to which provisions should be included in the ordinance and move to adopt those changes.

Attachments:

Presentation



Peer City Comparison of Parades, Motorcades, Special Events and Demonstrations Ordinances

Erin Swinney, Police Attorney
City Attorney's Office
June 1, 2026



Harassment free use of outdoor dining facilities while respecting individuals' freedom of speech and right to peaceably assemble



<u>Substantially Different</u>	<u>Substantially Similar</u>
Raleigh	Cary
Winston-Salem	High Point
Greensboro	Concord
Charlotte	Wilmington

The City of Durham has no ordinance.



- Limiting picketing to public ways not primarily used for vehicular parking or moving traffic;
- Restricting picketing to the outermost sidewalk nearest the street;
- Provisions for carrying placards;
- Regulation of competing pickets;
- Prohibition on vicious animals;
- Law enforcement dispersal powers; and,
- Notice of intent requirements.



Sec. 24-282. - Picketing Permitted; Standards of Conduct for Picketing Activities

Peaceful picketing shall be permitted in the city, provided the picketing is done under the following conditions:

1. Picketing shall be conducted only on portions of the public ways not used primarily for vehicular parking or moving traffic.
2. Pickets may carry written or printed placards or signs not exceeding 36 inches promoting the objective for which picketing is done provided they do not contain profane language or the words used would not tend to incite violence.
3. If pickets promoting different objectives, causes, actions or policies desire to use a sidewalk that is already used for picketing, the city manager, or his designee, shall allot a number of pickets promoting each objective, to use such sidewalk, on an equitable basis, proportionate to the number of objectives being promoted.
4. Pickets shall be restricted to the use of the outermost half of the sidewalk or other public way nearest the street and shall not at any time nor in any way obstruct, interfere with, or block persons entering or exiting from vehicles; persons crossing streets or otherwise using the public way; the entrance or exit to any building or access to property abutting the street or sidewalk; or pedestrian or vehicular traffic.
5. No person observing, engaging in, or assisting in picketing shall bring to or allow to remain in the immediate area of picketing any vicious animal.
6. It shall be unlawful for a group of ten or more persons to picket without filing a notice as required herein.
7. The provisions of this section are mandatory and not merely directory, and failure to comply with the provisions of these sections is hereby declared to be a violation of this chapter.

Sec. 12-1057. - Standards of Conduct for picketing activities.

- a) Picketing shall be conducted only on portions of the public ways not used primarily for vehicular parking or moving traffic.
- b) Pickets may carry written or printed placards or signs not exceeding thirty-six (36) inches provided the words used would not tend to incite violence.
- c) If pickets promoting different objectives, causes, actions or policies desire to use a sidewalk that is already used for picketing, the Chief of Police or the Chief's designated agents shall allot a number of pickets promoting each objective, to use such sidewalk, on an equitable basis, proportionate to the number of objectives being promoted.
- d) Pickets shall be restricted to the use of the outermost half of the sidewalk or other public way nearest the street and shall not at any time nor in any way obstruct, interfere with, or block: persons entering or exiting from vehicles; persons crossing streets or otherwise using the public way; the entrance or exit to any building or access to property abutting the street or sidewalk; a driveway serving any building or abutting property; or pedestrian or vehicular traffic.
- e) No person observing, engaging in, or assisting in picketing shall bring to or allow to remain in the immediate area of picketing any vicious animal.
- f) It shall be unlawful for a group of ten or more persons to picket without filing a notice as required herein.
- g) The provisions of §§12-1055 through 12-1057 are mandatory, and not merely directory, and failure to comply with the provisions of these sections is hereby declared to be unlawful and punishable as provided by law. Violation of this section is a misdemeanor and may also be enforced through issuance of a civil penalty pursuant to §14-1005, through injunctive or other equitable relief, or a combination of remedies.

Sec. 13-2033. - Harassment in public spaces prohibited.

(a) Definitions.

- (1) Public space. The term public space *shall* mean *streets*, sidewalks, alleys, and other public property, as well as *City*-owned and *City*-controlled property.
- (2) Reasonable *person*. The term reasonable *person* means a reasonable *person* in the same or similar circumstances.

(b) Offense.

- (1) It *shall* be unlawful for any *person* to harass another *person* in or about a public space. A *person* commits harassment in a public space if the *person* knowingly and intentionally and without lawful or legitimate purpose:
 - a. follows another *person* in or about a public space with the intent to threaten or intimidate another *person*, or in a manner that would place a reasonable *person* in fear for that *person*'s safety; or
 - b. surrounds, crowds or corners another *person* or physically interferes with another *person*'s movement through or in a public space with the intent to threaten or intimidate another *person*, or in a manner that would place a reasonable *person* in fear for that *person*'s safety.
- (2) A *person* acts knowingly and intentionally when the *person* continues the conduct described above after the *person* to whom the conduct is directed has made a negative verbal response or taken action that a reasonable *person* would understand as a negative response.
- (3) A violation of this section is a misdemeanor and *may* also be enforced through issuance of a civil penalty pursuant to [§14-1005](#), through injunctive or other equitable relief, or a combination of remedies.

<u>Pros</u>	<u>Cons</u>
Prohibited conduct is clearly laid out.	Requires movement by the person engaging in disruptive behavior.
Definition of reasonable person, knowingly and intentionally.	No definition of the terms surrounds, crowds, or corner.



Sec. 19-303. - Picketing regulations.

- (a) Picketing may be conducted on public sidewalks, at the Old City Hall lawn, the Charlotte-Mecklenburg Government Center plaza, Polk Park, Independence Square Plaza, Arequipa Park, any other city-controlled park, or other city-owned areas normally used or reserved for pedestrian movement, including easements and rights-of-way, and shall not be conducted on the portion of the public roadway used primarily for vehicular traffic.
- (b) Notwithstanding subsection (a), picketing may not be conducted:
1. On a median strip; or
 2. At a location directed, focused, or targeted at a particular private residence.
- (c) Picketing shall not disrupt, block, obstruct or interfere with pedestrian or vehicular traffic or the free passage of pedestrian or vehicular traffic into any driveway, pedestrian entrance, or other access to buildings, which abut the public sidewalks.
- (d) Written or printed placards or signs, flags, or banners carried by individuals engaged in picketing shall be of such a size and/or carried on the sidewalks or other city-owned areas, as to allow safe and unobstructed passage of pedestrian or vehicular traffic. The staff or pole on which a sign, flag, or banner may be carried shall be made of corrugated material, plastic, or wood, and shall not exceed 40 inches in length and shall not be made of metal or metal alloy. If made of wood, the staff or pole shall be no greater than three-fourths inch in diameter at any point. A staff or pole must be blunt at both ends.
- (e) If more than one group of picketers desire to picket at the same time at or near the same location, law enforcement officers may, without regard to the purpose or content of the message, assign each group a place to picket in order to preserve the public peace. Members of a group shall not enter an area assigned to another group. Priority of location shall be based upon which group of picketers arrived first.
- (f) Spectators of pickets shall not physically interfere with individuals engaged in picketing. Picketers and spectators of pickets shall not speak fighting words or threats that would tend to provoke a reasonable person to a breach of the peace.
- (g) Picketers and picketing shall be subject to all applicable local, state and federal laws including, but not limited to:
1. The city's noise ordinance;
 2. The city's handbill ordinance;
 3. G.S. § 14-225.1 (obstructing justice);
 4. G.S. § 14-277.2 (weapons);
 5. G.S. § 14-277.4 (health care facilities); and
 6. G.S. § 14-288.4 (disorderly conduct).
- (h) Nothing in this section prohibits a law enforcement officer from issuing a command to disperse in accordance with North Carolina General Statute § 14-288.5 in the event of a riot or disorderly conduct by an assemblage of three or more persons.
- (i) It shall be unlawful for any person to violate any provision of this section.

Pros

Provides additional protections for pickets and spectators.

Cons

Does not specifically address the ask of Council.



Sec. 18-46.2. - Harassment in public spaces prohibited

(a) *Purpose and intent.*

- (1) The city is enabled, pursuant to G.S. § 160A-174, to protect the health, safety and welfare of its citizens and to ensure the peace and dignity of the city. It is the intent of council in enacting this ordinance to recognize the rights of all citizens while at the same time protecting the coexistent rights for all citizens to enjoy safe and convenient travel in public spaces free from harassment. In the course of public hearings and debates regarding solicitation and safety in public spaces in Greensboro, the city recognizes that the dangerous effects of harassment may occur in the commission of or completely separate from an act of solicitation, where such conduct occurs in public spaces and includes following a person or cornering a person for the purpose of intimidating that person.
- (2) The current state laws on stalking and harassment do not protect individuals who are harassed in public spaces where such harassment is confined to a single occasion but is also dangerous or intimidating. Such harassment causes intimidation and fear and may result in an interaction with dangerous or violent consequences. Free and safe passage on city sidewalks and streets is necessary. Therefore, the following ordinance intends to address harassment on sidewalks and streets by penalizing the following conduct.

(b) *Definitions.* The following definitions apply in this section:

- (1) *Public space* means streets, sidewalks, alleys, and other public property, as well as city-owned and city-controlled property.
- (2) *Reasonable person* means a reasonable person in the same or similar circumstances.

(c) *Offense.* A person is guilty of harassment in a public space if the person:

- (1) Knowingly and intentionally performs either of the following with no legitimate purpose:
 - i. Following an individual in or about a public space with the intent of threatening, intimidating, or causing fear for personal safety; or
 - ii. Surrounding an individual or intentionally and physically directing the individual's movement through or in a public space with the intent of threatening, intimidating, or causing fear for personal safety. This subsection includes crowding or cornering an individual with the intent of threatening, intimidating, or causing fear for personal safety and without that individual's consent as the individual is actively engaging or attempting to use an automated teller machine or parking meter and the individual must stand within the public space to access the automated teller machine or parking meter;
- (2) The conduct described in subsection (c)(1)(i) or (ii) is directed at an individual in the individual's presence; and
- (3) The person continues the conduct described in subsection (c)(1)(i) or (ii) after the individual to whom the conduct is directed has made a negative verbal response or taken action that a reasonable person would understand as a negative response.

(d) *Penalty.* Pursuant to G.S. § 14-4, a violation of this section shall be a class 3 misdemeanor punishable by a fine of up to fifty dollars (\$50.00).

Pros

Purpose and Intent Statement matches stated goal of Council.

Cons

Requires movement by the person engaging in disruptive behavior.



Sec. 38-5.1. - Picketing

(f) Pickets shall be restricted to the use of the outermost half of the sidewalk or other public way nearest the street and shall not at any time nor in any way obstruct, interfere with, or block persons entering or exiting from vehicles; persons crossing streets or otherwise using the public way; the entrance or exit to any building or access to property abutting the street or sidewalk; or pedestrian or vehicular traffic.

(g) It shall be unlawful for any person to conduct or participate in any picket or to unreasonably hamper, obstruct, or interfere with any picket so as to create a public nuisance or endanger the public peace or constitute a substantial hazard to public safety.

(h) All spectators, participants and persons affiliated or associated with a picket must comply with G.S. 14-277.2.

(i) If any subsection, sentence, clause or phrase of this section is for any reason held invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this section.

(j) A violation of [section 38-5.1](#), or any part thereof, shall constitute a class 3 misdemeanor, as provided by G.S. 14-4, and shall subject the offender to a fine of not more than \$500.00.

<u>Pros</u>	<u>Cons</u>
Partially uses a public nuisance analysis which could be a less subjective approach.	Does not define what would constitute a public nuisance.
Language that invalidation of one provision does not invalidate the entire ordinance.	



Sec. 28-205. - Same—Standards of conduct for activities

(a) Picketing shall be conducted only on the sidewalks or portions of the public ways not used primarily for vehicular parking or moving traffic.

(b) Picketers may carry written or printed placards or signs, provided such signs meet the requirements set forth in section [28-200](#) above.

(c) If pickets promoting different objectives, causes, actions, or policies desire to use a sidewalk that is already used for picketing, the chief of police shall allot time to each group of pickets for the use of the sidewalk on an equitable basis.

(d) Pickets shall use the outermost half of the sidewalk or other public way nearest the street and shall not at any time, nor in any way, obstruct, interfere with, or block:

1. Persons entering or exiting from vehicles;
2. Persons crossing streets or otherwise using the public way;
3. The entrance or exit of any building or access to property; or
4. Pedestrian or vehicular traffic.

(f) No person picketing, or observing or assisting pickets, shall bring to the picket, or allow to remain in the area of the picket, any vicious animal.

(g) It shall be unlawful for any person engaging in picketing to carry, possess, or have in his or her immediate access any dangerous weapon, as such term is defined in G.S. 14-269, 14-269.2, 14-284.1 and 14-288.8.

(h) The town reserves the right and authority to have police officials on the scene to further designate (expand or limit) permitted area(s) in furtherance of the ordinance in the best interest of all parties involved

Sec. 10-1-286. - Standards of conduct for picketing activity.

Sec. 10-1-286. - Standards of conduct for picketing activity.

- a) Picketing shall be conducted only on portions of the public street and sidewalk not used primarily for vehicular parking or moving traffic.
- b) Picketers may carry written or printed placards or signs not exceeding 40 inches provided the words used are not fighting words or threats that would tend to provoke a reasonable person to breach the peace.
- c) If picketers promoting different objectives, causes, actions or policies desire to use a sidewalk that is already used for picketing, the second in time picketers shall maintain a minimum of 20 feet of space from the first in time pickets at all times and at all adjacent points of potential contact. The chief of police or designee shall aid picketers in creating a minimum of 20 feet of space between the picketers in order to ensure safety for all picketers promoting different objectives, law enforcement, and the public, without regard to the purpose or content of objectives promoted by either picketers.
- d) Picketers shall not at any time nor in any way obstruct, interfere with, or block: persons entering or exiting from vehicles; persons crossing streets or otherwise using the public street and/or sidewalk; the entrance or exit to any building or access to property abutting the street or sidewalk; or pedestrian or vehicular traffic.
- e) No person observing, engaging in, or assisting in picketing shall bring to or allow to remain in the immediate area of picketing any vicious animal.
- f) It shall be unlawful for a group of 15 or more persons to picket without filing a notice as required herein.
- g) Any violation of this section is punishable as a misdemeanor.

Sec. 6-13. - Picketing—Notice of intent; receipt of notice

- (a) No picketing shall be conducted on the public ways of this city and no person shall participate in the same unless notice of intent to picket has been given to the chief of police or his designated representative, and unless a receipt of such notice has been issued.
- (b) A group of more than ten (10) persons shall give notice of intent to picket in writing and the notice given shall contain the following information. A group of ten (10) or fewer persons may give written notice of intent to picket but is not required to do so.
 - (1) The name, if any, of the organization or group sponsoring or proposing to picket unless the group indicates that it intends to picket anonymously, in which case no name is required;
 - (2) The location or locations in the city where the pickets propose to assemble and demonstrate;
 - (3) The date or dates on which the picketing is to occur;
 - (4) The name of the person and organization giving notice of intent to picket unless the person or organization indicates that it intends to picket anonymously, in which case no name is required;
 - (5) Whether or not persons below the age of eighteen (18) years are expected to participate; and
 - (6) The person or persons to be in charge of the activity and who will accompany it and carry any receipt of notice at all times.
- (c) Upon the giving of notice of intent to picket, properly completed as hereinabove set out, the designated officer shall immediately issue a receipt of notice. The receipt shall contain all information stated in the notice. Notice shall be given by the holder of a receipt of notice to the chief of police or his designated representative immediately upon the cessation of such picketing for a period of twenty-four (24) hours or more. Before resumption of picketing interrupted for any such period, a new notice shall be given and a new receipt issued.
- (d) Picketing shall be conducted only on portions of the public ways not used primarily for vehicular parking or moving traffic. Any violation of [section 6-13\(d\)](#), [section 6-13\(h\)](#), or [section 6-13\(j\)](#) shall constitute a misdemeanor.
- (e) Such pickets may carry written or printed placards or signs not exceeding twenty-four (24) inches in width promoting the objective for which picketing is done provided the words used are not obscene or libelous.
- (f) Pickets must, if marching, march in single, file, not abreast, and may not march closer together than fifteen (15) feet, except in passing one another. Pickets not marching shall remain at least fifteen (15) feet apart.
- (g) If pickets promoting different objectives, causes, actions or policies desire to use a sidewalk that is already used for picketing, the chief of police or his designated agents shall allot a number of pickets promoting each objective, to use such sidewalk, on an equitable basis, proportionate to the number of objectives being promoted.
- (h) Pickets shall be restricted to use the outermost half of the sidewalk or other public way nearest the street and shall not at any time or in any way obstruct, interfere with or block: Persons entering or exiting from vehicles; persons crossing streets or otherwise using the public way; the entrance or exit to any building or access to property abutting the street or sidewalk; or pedestrian or vehicular traffic.
- (i) The terms "picket," "pickets" and "picketing" as used in this section or [section 6-14](#) include "demonstrators," persons participating in vigils and any action primarily promoting or objecting to a policy upon those portions of the public ways not used primarily for vehicular parking and moving traffic and not constituting a parade.
- (j) No person observing, engaging in or assisting in picketing shall bring to or allow to remain in the immediate area of picketing any vicious animal.

Sec. 50-251. - Picketing—Notice of intent; receipt of notice

- A. For purposes of this section, the following definitions shall apply:
 - 1. Private residence means a single-family dwelling, duplex, or multi-family dwelling within the city;
 - 2. Directed, focused, or targeted at means that a particular private residence is being made the sole object of picketing, and the picketing takes place solely on that portion of the street or sidewalk that abuts on the property upon which the targeted residence is located or solely on that portion of any street or sidewalk that abuts on property within 50 feet (measured from the lot line) of the property upon which the particular private residence is located, except the sidewalk on the opposite side of the street from the targeted residence.
- B. It shall be unlawful for any person to engage in picketing that is directed, focused, or targeted at a particular private residence.
- C. It shall be unlawful for any person participating in any picket to carry or possess any staff or pole for purposes of displaying any sign, poster, flag, banner, plaque or notice unless the staff or pole (i) is made of corrugated material, plastic, or wood (and not made of metal or metal alloy); (ii) is less than 41 inches in length; (iii) is one-fourth inch or less in thickness and two inches or less in width, or if not generally rectangular in shape, does not exceed three-fourths inch in its thickest dimension; and (iv) is blunt at both ends.
- D. It shall be unlawful for any person participating in any picket to carry or possess any sign, poster, flag, banner, plaque or notice, whether or not mounted on a length of material as specified in paragraph (c) of this section, unless such sign, poster, flag, banner, plaque, or notice is constructed or made of a cloth, paper, cardboard, rubber, or plastic material.
- E. Picketers, pickets, and picketing shall be subject to all other applicable local, state and federal laws.
- F. Picketing shall not take place within any "safety zone" as defined in N.C.G.S. § 20-4.01(39), nor within any portion of a street right-of-way that lies between the travel lanes of a single street or highway.
- G. A picket or picketing that is not prohibited by this section and that otherwise fits the definition of a parade or public assembly shall be subject to the regulations for parades and public assemblies in sections 50-252 through 50-262 of this article.

<u>Yes</u>	<u>No</u>
Hope Mills	Spring Lake
	Cumberland County



Sec. 86-68. – Definitions

Sec. 86-69. – Permit required; exceptions

Sec. 86-70. – Grounds for denial of permit

68 - Picket line means any two or more persons formed together for the purpose of making known any position or promotion of such persons, or on behalf of any organization or class of persons.

69 –

(a) It shall be unlawful for any person to organize, conduct, or participate in any parade, picket line, or group demonstration in or upon any street, sidewalk, alley, or other public place within the town unless a permit therefor has been issued by the town in accordance with the provisions of this article.

(b) This article shall not apply to:

(1) Funeral processions.

(2) Any governmental agency acting within the scope of its functions.

(c) Violation of this section shall be a Class 3 misdemeanor and may be enforced through issuance of a civil penalty in excess of \$50.00 or other remedies in accordance with section 1-7.

70 - The chief of police shall not issue a permit if he finds that:

(1) The parades, picket lines or group demonstrations are to commence before 6:00 a.m. or terminate after 5:00 p.m.;

<u>Pros</u>	<u>Cons</u>
Time Restrictions	
Clearly defined punishment provision	Punishment provision (misdemeanor)



Jurisdiction	Punishment	Provision
Fayetteville	Civil 24-282(6) 24-283(1)	It shall be unlawful for...
Raleigh	Criminal and Civil. 12-1057(g) and 13-2033(b)(3):	Violation of this section is a misdemeanor and may also be enforced through issuance of a civil penalty pursuant to §14-1005 , through injunctive or other equitable relief, or a combination of remedies
Charlotte	Civil 19-303(i) and 19-302(c)	It shall be unlawful for any person to violate any provision of this section.
Greensboro	Criminal 18-46.2	Pursuant to G.S. § 14-4, a violation of this section shall be a class 3 misdemeanor punishable by a fine of up to fifty dollars (\$50.00).
Winston-Salem	Criminal 38-5.1(j)	A violation of section 38-5.1 , or any part thereof, shall constitute a class 3 misdemeanor, as provided by G.S. 14-4, and shall subject the offender to a fine of not more than \$500.00.
Cary	Criminal and Civil 28-207	(1) Criminal enforcement. By treating the violation thereof as a criminal misdemeanor, punishable as provided in section 1-9 . (2) Civil enforcement. By the levy of a civil penalty in the amount of \$300.00. Civil penalties remaining unpaid after seven days may be collected by means of a civil action in the nature of debt. (3) Equitable remedies. By pursuing equitable remedies that will issue from a court of competent jurisdiction.
High Point	Criminal 10-1-285(e) and 10-1-286(g)	Any violation of this section is punishable as a misdemeanor.
Wilmington	Criminal 6-13(d)*	Picketing shall be conducted only on portions of the public ways not used primarily for vehicular parking or moving traffic. Any violation of section 6-13(d) , section 6-13(h) , or section 6-13(j) shall constitute a misdemeanor.
Concord	Civil or Criminal 50-263	A violation of any section or subsection of this article shall be subject to a civil penalty of \$500.00 to be recovered in the nature of a debt as allowed in section 1-6 of this Code or by a misdemeanor punishable by up to a \$500.00 fine as provided in G.S. 14-4.

Jacksonville
Apex
Wake Forest
Yadkinville





1

Add Winston-Salem’s section 38-5.1(g) to section 24-282 of Fayetteville’s current ordinance



2

Draft and add a definition of behavior constituting a public nuisance based on current NC law to supplement Winston-Salem’s section 38-5.1(g)



3

Add Charlotte’s Section. 19-303. (g) to section 24-282 of Fayetteville’s current ordinance



4

Amend section 24-283 of Fayetteville’s current ordinance to mimic Charlotte’s Section 19-303(f)



5

Add Hope Mills Sec. 86-70(1) to current ordinance to 24-282 of Fayetteville’s current ordinance

WINSTON-SALEM: 38-5.1(g)

It shall be unlawful for any person to conduct or participate in any picket or to unreasonably hamper, obstruct, or interfere with any picket so as to create a public nuisance or endanger the public peace or constitute a substantial hazard to public safety.

CHARLOTTE: SECTION 19-303(g)

(g) Picketers and picketing shall be subject to all applicable local, state and federal laws including, but not limited to:

1. The city’s noise ordinance;
2. The city’s handbill ordinance;
3. G.S. § 14-225.1 (obstructing justice);
4. G.S. § 14-277.2 (weapons);
5. G.S. § 14-277.4 (health care facilities); and
6. G.S. § 14-288.4 (disorderly conduct).

CHARLOTTE: SECTION 19-303(f)

Picketers and spectators of pickets shall not speak fighting words or threats that would tend to provoke a reasonable person to a breach of the peace.

HOPE MILLS: SEC. 86-70(1)

The parades, picket lines or group demonstrations are to commence before 6:00 a.m. or terminate after 5:00 p.m.

- Add Winston-Salem's section 38-5.1(g) to section 24-282 of Fayetteville's current ordinance;
- Draft and add a definition of behavior constituting a public nuisance based on current NC law to supplement Winston-Salem's section 38-5.1(g)
- Add Charlotte's Section. 19-303. (g) to section 24-282 of Fayetteville's current ordinance;
- Amend section 24-283 of Fayetteville's current ordinance to mimic Charlotte's Section 19-303(f); and
- Add Hope Mills Sec. 86-70(1) to current ordinance to 24-282 of Fayetteville's current ordinance;

Winstom Salem: 38-5.1(g) It shall be unlawful for any person to conduct or participate in any picket or to unreasonably hamper, obstruct, or interfere with any picket so as to create a public nuisance or endanger the public peace or constitute a substantial hazard to public safety.

Charlotte:

(f) Spectators of pickets shall not physically interfere with individuals engaged in picketing. Picketers and spectators of pickets shall not speak fighting words or threats that would tend to provoke a reasonable person to a breach of the peace.

(g) Picketers and picketing shall be subject to all applicable local, state and federal laws including, but not limited to:

1. The city's noise ordinance;
2. The city's handbill ordinance;
3. G.S. § 14-225.1 (obstructing justice);
4. G.S. § 14-277.2 (weapons);
5. G.S. § 14-277.4 (health care facilities); and
6. G.S. § 14-288.4 (disorderly conduct).

Hope Mills 86-70(1) The parades, picket lines or group demonstrations are to commence before 6:00 a.m. or terminate after 5:00 p.m.;

Recommendations



1

Add Winston-Salem's section 38-5.1(g) to section 24-282 of Fayetteville's current ordinance



2

Draft and add a definition of behavior constituting a public nuisance based on current NC law to supplement Winston-Salem's section 38-5.1(g)



3

Add Charlotte's Section. 19-303. (g) to section 24-282 of Fayetteville's current ordinance



4

Amend section 24-283 of Fayetteville's current ordinance to mimic Charlotte's Section 19-303(f)



5

Add Hope Mills Sec. 86-70(1) to current ordinance to 24-282 of Fayetteville's current ordinance



WINSTON-SALEM: 38-5.1(g)

It shall be unlawful for any person to conduct or participate in any picket or to unreasonably hamper, obstruct, or interfere with any picket so as to create a public nuisance or endanger the public peace or constitute a substantial hazard to public safety.



CHARLOTTE: SECTION 19-303(g)

(g) Picketers and picketing shall be subject to all applicable local, state and federal laws including, but not limited to:

1. The city's noise ordinance;
2. The city's handbill ordinance;
3. G.S. § 14-225.1 (obstructing justice);
4. G.S. § 14-277.2 (weapons);
5. G.S. § 14-277.4 (health care facilities); and
6. G.S. § 14-288.4 (disorderly conduct).



HOPE MILLS: SEC. 86-70(1)

The parades, picket lines or group demonstrations are to commence before 6:00 a.m. or terminate after 5:00 p.m.

1. Picketing shall be conducted only on portions of the public ways not used primarily for vehicular parking or moving traffic **and shall not commence before 6:00 a.m. or terminate after 5:00 p.m. [Hope Mills]**
2. Pickets may carry written or printed placards or signs not exceeding 36 inches promoting the objective for which picketing is done provided they do not contain profane language or the words used would not tend to incite violence.
3. If pickets promoting different objectives, causes, actions or policies desire to use a sidewalk that is already used for picketing, the city manager, or his designee, shall allot a number of pickets promoting each objective, to use such sidewalk, on an equitable basis, proportionate to the number of objectives being promoted.
4. Pickets shall be restricted to the use of the outermost half of the sidewalk or other public way nearest the street and shall not at any time nor in any way obstruct, interfere with, or block persons entering or exiting from vehicles; persons crossing streets or otherwise using the public way; the entrance or exit to any building or access to property abutting the street or sidewalk; or pedestrian or vehicular traffic.
5. No person observing, engaging in, or assisting in picketing shall bring to or allow to remain in the immediate area of picketing any vicious animal.
6. It shall be unlawful for a group of ten or more persons to picket without filing a notice as required herein.
7. **It shall be unlawful for any person to conduct or participate in any picket or to unreasonably hamper, obstruct, or interfere with any picket so as to create a public nuisance or endanger the public peace or constitute a substantial hazard to public safety. [Winston-Salem]. This shall include any act or conduct that is plainly likely to provoke violent retaliation by a reasonable person.**
8. **Picketers and picketing shall be subject to all applicable local, state and federal laws including, but not limited to:**
 - a) G.S. § 14-225.1 (obstructing justice);
 - b) G.S. § 14-277.2 (weapons);
 - c) G.S. § 14-277.4 (health care facilities); and
 - d) G.S. § 14-288.4 (disorderly conduct). [Charlotte]

Sec. 24-283. Interference with Pickets Prohibited; Police Authority to Disperse Crowds; Failure to Leave When Ordered Declared Offense.

1. It shall be unlawful for any person to physically interfere with pickets in the use of the sidewalk. ~~or to address profane, indecent, abusive, or threatening language to or at those pickets which would tend to provoke the pickets or others to a breach of the peace.~~ Picketers and spectators of pickets shall not speak fighting words or threats that would tend to provoke a reasonable person to a breach of the peace. [Charlotte]
2. The police officers of the city may, in the event of the assemblage of persons in such numbers as to tend to intimidate pickets pursuing their lawful objective through numbers alone or through use of inflammatory words, direct the dispersal of persons so assembled and may arrest any person who fails to absent himself from the place of such assemblage when so directed by the police.
3. Whenever the free passage of any street or sidewalk in the city shall be obstructed by a crowd, whether or not the crowd assembles as a result of or in connection with picketing, the persons composing such crowd shall disperse or move on when directed to do so by a police officer. It shall be unlawful for any person to refuse to so disperse or move on when so directed by a public officer as provided in this article.





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Sec. 23-70. - Prohibitions

The following prohibitions shall apply to all parades and public assemblies:

- (1) It shall be unlawful for any person to stage, present, or conduct any parade or public assembly without first having obtained a permit as herein provided;
- (2) It shall be unlawful for any person to participate in a parade or public assembly for which the person knows a permit has not been granted;
- (3) It shall be unlawful for any person in charge of, or responsible for the conduct of, a duly licensed parade or public assembly to knowingly fail to comply with any condition of the permit;
- (4) It shall be unlawful for any person to engage in any parade or public assembly activity that would constitute a substantial hazard to the public safety or that would materially interfere with or endanger the public peace or rights of residents to the quiet and peaceful enjoyment of their property;
- (5) It shall be unlawful for any person participating in any parade or public assembly to carry or possess any length of metal, lumber, wood, or similar material for purposes of displaying a sign, poster, plaque or notice, unless such object is one-fourth ($\frac{1}{4}$) inch or less in thickness and two (2) inches or less in width, or if not generally rectangular in shape, such object shall not exceed three-fourths ($\frac{3}{4}$) inch in its thickest dimension;
- (6) It shall be unlawful for any person to carry any sign, poster, plaque, or notice, whether or not mounted on a length of material as specified in subsection (5) of this section, unless such sign, poster, plaque, or notice is constructed or made of a cloth, paper, or cardboard material;
- (7) It shall be unlawful for any person to erect or place any structure, whether permanent or temporary, on a city street, sidewalk, or right-of-way unless advance approval for the erection or placement of the structure is obtained from the city council or city manager. Signage that is otherwise compliant with subsection (5) of this section is not considered a "structure" which would require any additional approvals; and;
- (8) It shall be unlawful for any person to ride, drive, or cause to be ridden or driven any animal or any animal-drawn vehicle upon any public street, unless specifically authorized by the permit.

<u>Pros</u>	<u>Cons</u>
Disruption of public peace and quiet enjoyment language (4).	No clear definition of materially interference



Sec. 20-203. – Regulation and Conduct of Picketing

Picket lines and picketing shall be subject to the following additional regulations:

- (1) Picketing may be conducted only on the sidewalks reserved for pedestrian movement and may not be conducted on the portion of a street used primarily for vehicular traffic.
- (2) If more than one group of picketers, promoting different objectives, desires to picket at the same time or near the same location, the chief of police may, without regard to the purpose or content of the message, assign each group a place to picket so as to maintain the public peace. Members of one group assigned to a specific location shall not enter the area assigned to another group. Priority of location shall be determined by which group arrived first.
- (3) Pickets may carry written or printed placards or signs not exceeding two feet in width and two feet in length promoting the objective for which the picketing is done. Placards, flags, or signs shall not be of a size or displayed in a nature that would obstruct passage of pedestrian or vehicular traffic.
- (4) Spectators of pickets shall not physically interfere with any individuals engaged in picketing. Neither picketers nor spectators shall speak fighting words or make threats that would tend to provoke a reasonable person to a breach of the peace.

A violation of this section is punishable as a misdemeanor as provided by G.S. 14-4.

Sec. 20-119. - Picketing regulations

- (f) Spectators of pickets shall not physically interfere with individuals engaged in picketing. Picketers and spectators of pickets shall not speak fighting words or threats that would tend to provoke a reasonable person to a breach of the peace.
- (g) Picketers and picketing shall be subject to all applicable local, state, and federal laws.
- (h) Nothing in this section prohibits a law enforcement officer from issuing a command to disperse in accordance with G.S. 14-288.5 in the event of a riot or disorderly conduct by an assemblage of three or more persons.
- (i) It shall be unlawful for any person to violate any provision of this section. Any person who violates this section shall be guilty of a Class 3 misdemeanor.



Essentially the same as the City's current ordinance with the primary difference being prohibiting both picket participants and spectators from using fighting words.



Sec. 6-2-31. – Definitions
Sec. 6-2-32. – Permit required
Sec. 6-2-33. – Standards

31 - Picket line is any two (2) or more persons formed together for the purpose of making known any position or promotion of the persons, or on behalf of any organization or class of persons.

32 - It shall be unlawful for any person to organize, conduct or participate in any parade, picket line or group demonstration in or upon any street, sidewalk, alley or other public place within the town unless a permit there for has been issued in accordance with the provisions of this article.

33 -The chief of police shall not issue a permit if he finds that:

(1) The parades, picket lines or group demonstrations are to commence before 6:00 a.m. or terminate after 5:00 p.m.;



<u>Current Ordinance</u>	<u>Proposed Ordinance</u>
Prohibits the use of profane and abusive language to or at pickets	Prohibits the use of fighting words as well as threatening and indecent language by spectators
Permitted police to direct the dispersal of people assembled if the number of people tended to intimidate pickets	Conforms the Code with North Carolina General Statutes as it relates to commands to disperse from police officers



CHAPTER 24 - STREETS AND SIDEWALKS

Article VIII. - Parades, Motorcades, Special Events and Demonstrations

Sec. 24-283. Interference with Pickets Prohibited; Police Authority to Disperse Crowds; Failure to Leave When Ordered Declared Offense.

- a. It shall be unlawful for any person to physically interfere with pickets in the use of the sidewalk. ~~Spectators shall not use fighting words or language that is or to address profane, indecent, abusive, or or threatening language to or at those pickets which which~~ would tend to provoke the pickets ~~or a reasonable person~~ others to a breach of the peace.
- ~~b. , in the event of the assemblage of persons in such numbers as to tend to intimidate pickets pursuing their lawful objective through numbers alone or through use of inflammatory words, direct the dispersal of persons so assembled and may arrest any person who fails to absent himself from the place of such assemblage when so directed by the police.~~
b. The police officers of the city may issue a command to disperse in accordance with North Carolina General Statutes § 14-288.5 in the event of a riot or disorderly conduct by an assemblage of three or more persons.
- c. Whenever the free passage of any street or sidewalk in the city shall be obstructed by a crowd, whether or not the crowd assembles as a result of or in connection with picketing, the persons composing such crowd shall disperse or move on when directed to do so by a police officer. It shall be unlawful for any person to refuse to so disperse or move on when so directed by a public officer as provided in this article.

(Ord. No. S2008-013, § 5, 8-11-2008)

Effective on: 11/18/2013



24-285 - Notice of Intent to Picket:

<u>Current Ordinance</u>	<u>Proposed Ordinance</u>
Prohibits picketing on public ways or public property	Relocates/removes provisions that are not relevant to the notice of intent to picket
Requires a receipt of notice for pickets of 10 or more people	Requires a receipt of notice for all pickets, not just groups of 10 or more persons



Sec. 24-285. Notice of Intent to Picket.

Peaceful picketing shall be permitted in the city provided the picketing is done under the following conditions:

1. ~~No picketing shall be conducted on the public ways or public property of this city and No~~ person shall participate in ~~the~~ picketing unless notice of intent to picket has been given to the chief of police or his designated representative and unless a receipt of such notice has been issued.
2. ~~A group of ten or more~~ A persons shall give notice of intent to picket in writing and the notice given shall contain the following information: ~~A group of fewer than ten persons may give written notice of intent to picket but is not required to do so.~~
 - a. The name, if any, of the organization or group sponsoring or proposing to picket unless the group indicates that it intends to picket anonymously, in which case no name is required;
 - b. The location or locations in the city where the pickets propose to assemble and demonstrate;
 - c. The date or dates on which the picketing is to occur;
 - d. The name of the person and organization giving notice of intent to picket unless the person or organization indicates that it intends to picket anonymously, in which case no name is required;
 - e. Whether or not persons below the age of 18 years are expected to participate; and
 - ~~f.~~ f. The person to be in charge of the activity and who will accompany it and carry any receipt of notice at all times.
 - ~~3.f.~~ 3.f. ~~It is unlawful for any person to engage in picketing before or about the residence or dwelling of any individual.~~
- ~~4.3.~~ 4.3. Upon the giving of notice of intent to picket, properly completed as set out in this article, the chief of police or his designated representative shall immediately issue a receipt of notice. The receipt shall contain all information stated in the notice. Notice shall be given



24-282 - Picketing Permitted; Standards of Conduct for Picketing Activities:

<u>Current Ordinance</u>	<u>Proposed Ordinance</u>
None	Creates a buffer limiting demonstrations near outdoor dining areas
Exists in 24-285	Relocates a provision from Section 24-285 prohibiting demonstrations at residences
None	Prohibits the use of fighting words as well as threatening and indecent language by pickets
States that failure to comply is a violation of the section	Clarifies enforceability with a reference to 24-312

CHAPTER 24 - STREETS AND SIDEWALKS

Article VIII. - Parades, Motorcades, Special Events and Demonstrations

Sec. 24-282. Picketing Permitted; Standards of Conduct for Picketing Activities.

Peaceful picketing shall be permitted in the city, provided the picketing is done under the following conditions:

1. Picketing shall be conducted only on portions of the public ways not used primarily for vehicular parking or moving traffic.
2. Pickets may carry written or printed placards or signs not exceeding 36 inches promoting the objective for which picketing is done provided they do not contain profane language or the words used would not tend to incite violence.
3. If pickets promoting different objectives, causes, actions or policies desire to use a sidewalk that is already used for picketing, the city manager, or his designee, shall allot a number of pickets promoting each objective, to use such sidewalk, on an equitable basis, proportionate to the number of objectives being promoted.
4. Pickets shall be restricted to the use of the outermost half of the sidewalk or other public way nearest the street and shall not at any time nor in any way obstruct, interfere with, or block persons entering or exiting from vehicles; persons crossing streets or otherwise using the public way; the entrance or exit to any building or access to property abutting the street or sidewalk; or pedestrian or vehicular traffic.
5. Within a radius of 10 feet from the perimeter of any outdoor dining area, no person shall knowingly approach to engage in the following activities within eight (8) feet of another person that is making use of an outdoor dining area, without that person's consent:
 - a. passing a leaflet or handbill to;
 - b. displaying a sign to; or
 - c. engaging in oral protest, education, or counseling.An outdoor dining area means an area in front of or adjacent to a restaurant and located on a public sidewalk or square whereon tables, chairs or benches are placed for dining purposes.
- 4.6. It shall be unlawful for any person to engage in picketing in front of or around the residence or dwelling of any individual.



24-282 - Picketing Permitted; Standards of Conduct for Picketing Activities (cont.):

7. No person observing, engaging in, or assisting in picketing shall bring to or allow to remain in the immediate area of picketing any vicious animal.
- ~~5-8.~~ Pickets shall not use fighting words or language that is indecent or threatening which would tend to provoke a reasonable person to a breach of the peace.
- ~~6-9.~~ It shall be unlawful for a ~~group of ten or more~~ persons to picket without filing a notice as required by Section 24-285 herein.
- ~~7-10.~~ The provisions of this section are mandatory and not merely directory, and failure to comply with the provisions of these sections is hereby declared to be a violation of this chapter and enforceable in accordance with Section 24-312 of this Code.

(Ord. No. S2008-013, § 5, 8-11-2008)

Effective on: 11/18/2013

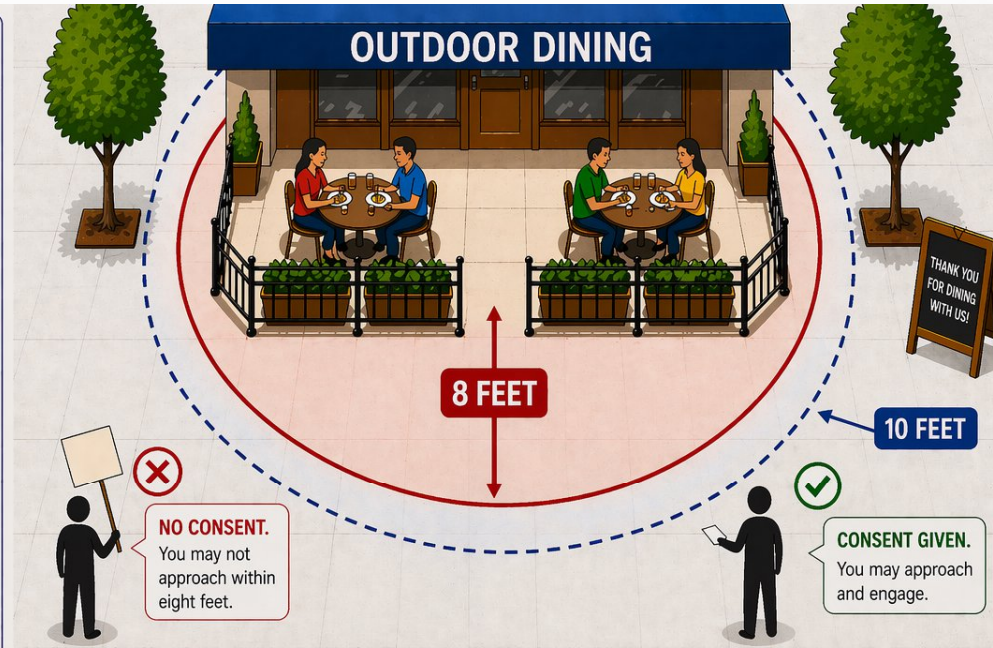


24-282 - Picketing Permitted; Standards of Conduct for Picketing Activities (cont.):

BUFFER ZONE OUTDOOR DINING

WITHIN TEN FEET OF ANY OUTDOOR DINING AREA, NO PERSON SHALL KNOWINGLY APPROACH TO ENGAGE IN THE FOLLOWING ACTIVITIES WITHIN **EIGHT FEET** OF ANOTHER PERSON THAT IS MAKING USE OF AN OUTDOOR DINING AREA **WITHOUT THAT PERSON'S CONSENT.**

-  **TEN-FOOT BUFFER ZONE**
(OUTSIDE OF THE EIGHT-FOOT RESTRICTED ZONE)
-  **EIGHT-FOOT RESTRICTED ZONE**
(NO APPROACH OR ENGAGEMENT WITHOUT CONSENT)
-  **OUTSIDE THE BUFFER ZONE**
— YOU MAY APPROACH AND ENGAGE IN ACTIVITIES.



PROHIBITED ACTIVITIES WITHIN EIGHT FEET (WITHOUT CONSENT)



PASSING A LEAFLET OR HANDBILL



DISPLAYING A SIGN TO DINERS



ENGAGING IN ORAL PROTEST, EDUCATION, OR COUNSELING

CONSENT MATTERS



These activities are allowed within eight feet only if the person dining gives clear consent.



THE RIGHT TO EXPRESS YOUR VIEWS DOES NOT INCLUDE APPROACHING INDIVIDUALS TO ENGAGE IN PROHIBITED ACTIVITIES WITHIN THE BUFFER ZONE WITHOUT CONSENT.



BE RESPECTFUL.
BE AWARE. FOLLOW THE LAW.



City of Fayetteville

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Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0353

Agenda Date: 6/1/2026

Version: 1

Status: Agenda Ready

In Control: City Council Work Session

File Type: Other Items of
Business

Agenda Number: 6.04

TO: Mayor and Members of City Council

THRU: Jeffrey Yates, Assistant City Manager

FROM: Michelle Brooks, CPA, Interim Budget and Evaluation Director

DATE: June 1, 2026

RE:

Discussion of the Fiscal Year 2026-2027 Budget Ordinance, and Attachments for the FY 2026-2027 Fee Schedule, and FY 2026-2027 Capital and Special Project Funding, Amendments, and Close-Outs

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Goal 4: Financially sound City providing exemplary City services.

Objective 4.1: To ensure strong financial management with fiduciary accountability, and plan for future resource sustainability by aligning resources with City priorities.

Executive Summary:

The City of Fayetteville's FY 2027 Recommended Operating Budget totals \$325.8 million and \$108 million in capital investments and \$3.7 million for Special Revenue Fund for federal program funding. Developed through a transparent and data-informed process, the budget aligns with City Council's strategic priorities: community safety, economic growth through the City, housing and neighborhood revitalization and refurbishment, and improve and transportation, transit and overall connectivity. Key investments include community safety expansion of 2 mental health response units, compensation enhancements for employees, and infrastructure improvements citywide. The budget reflects economic realities such as declining motor vehicle and sales tax revenues, while maintaining core services and continuing one of the lowest property tax rates in 30 years at \$0.4795. A \$10 increase for solid waste to cover increased fuel costs. No increases are proposed for stormwater or transit fares.

The budget process spanned several months and incorporated input from Council, staff, and residents. It began with the February Strategic Planning Retreat and continued with formal presentations in April and May on the operating budget, capital improvement program, and tax rates. Work sessions on May 14, 21, and 28 including the "parking lot" review-allowed Council to refine priorities. A public hearing on May 26 ensured the opportunity for community input, and final adoption is scheduled for June 1. Supporting documents-including the operating budget book, capital plan, work session slides, and Budget Chronicles Q&A-provide detailed insight into funding sources, project priorities, and the City's long-term financial strategy.

Background:

The City of Fayetteville's FY 2027 Operating Budget totals \$325.8 million and Capital Improvement Plan \$108 million, representing a comprehensive financial plan that supports core municipal services while addressing key community priorities. Despite challenging economic conditions, including reductions in motor vehicle and sales tax revenue, the budget maintains essential services, preserves fiscal health, and makes targeted new investments. The proposed ad valorem tax rate of \$0.4795-remaining one of the lowest in 30 years-balances with the need to fund increasing costs of ongoing operations while making strategic capital investments.

The budget includes \$325.8 million for operating expenses and \$108 million in new capital investments, forming part of a six-year Capital Improvement Plan (CIP) totaling \$694.6 million. These investments directly align with the City Council's strategic priorities: community safety, economic growth through the City, housing and neighborhood revitalization and refurbishment, and improve and transportation, transit and overall connectivity. Projects include \$40 million for stormwater improvements, \$9.1 million for environmental protection projects, and \$7.8 million for transportation upgrades. Public Safety Capital Improvements of \$21 million is allocated for investments in public safety and public safety IT infrastructure, reinforcing Fayetteville's commitment to innovation and safety.

Council also advanced \$6.5 million in fire apparatus purchases in from FY 2027 into FY 2026 through installment financing, reducing funding pressure in the upcoming fiscal year while accelerating the delivery of critical public safety equipment.

The City is committing \$4.9 million to enhance employee compensation, including a 4% merit-based salary increase and a 1% increase to 401(k) contributions.

To support affordability for residents, no increases are proposed for stormwater or FAST transit fares. A \$10 increase solid waste service fees is included to cover increased fuel costs.

The budget was shaped through a robust and transparent process that began with strategic planning in February and continued through May and early June. Council held workshops on the operating and capital budgets, tax rates, and personnel issues on May 14, 21, 28, and June 1, followed by a public hearing on May 26. A final adoption vote is scheduled for June 8, meeting the statutory deadline and ensuring continuity of services. This collaborative process enabled elected officials to address community input, respond to evolving conditions, and ensure accountability.

The FY 2027 Operating Budget of \$325.8 million and Capital Plan of \$108 million represent a balanced and strategic use of the City's financial resources. This budget upholds the City's fund balance policy while addressing current fiscal conditions, supporting targeted service enhancements, and advancing long-term community priorities.

Through responsible planning and transparent governance, the City remains well-positioned to deliver high-quality services, invest in future growth, and promote equity, safety, and prosperity for all Fayetteville residents.

Issues/Analysis:

See Background

Budget Impact:

As included in the recommended budget documents, budget chronicles, work sessions, and other materials.

Options:

1. Receive the FY 2027 Budget Ordinance documents including FY 2027 Operating Budget, including Attachment A - Fiscal Year 2026-2027 Fee Schedule, Attachment B - Capital investment and Special Revenue budgets, as presented. Recommended Operating and Capital and Technology Improvement Plan Documents previously presented are included.

Recommended Action:

Staff recommends Council receive the FY 2027 Budget Ordinance documents including FY 2027 Operating Budget, including Attachment A - Fiscal Year 2026-2027 Fee Schedule, Attachment B - Capital investment and Special Revenue budgets, as presented. Recommended Operating and Capital and Technology Improvement Plan Documents previously presented are included.

Attachments:

FY 2027 Operating Budget Ordinance
Attachment A FY 2026 Fee Schedule
Attachment B Capital investment and Special Revenue budgets

Attachment A

FEE SCHEDULE

Description	Current Fee	Calendar Year Est. or Last Changed
All Functions		
Assessment Interest		
Special assessments established by City Council resolution	Prime rate plus 2% per year, set as of July 1 of the fiscal year the assessment role is confirmed, not to exceed maximum allowed by law	2014
All other assessments, including lot cleanings and demolitions	1st month 2%, all subsequent months 3/4%	1993 or prior
Default Civil Penalty for Code Violation		
Applies to any violation for which a penalty is not elsewhere specified	\$100.00 per violation per day	2007
Public Record Copies		
Reproduction on CD or DVD	\$1.00 per CD or DVD	2010
Paper Copies (up to 8.5 by 14 inches)		
Single-sided black and white	\$0.05 per page	2010
Single-sided color	\$0.19 per page	2010
Double-sided black and white	\$0.09 per page	2010
Double-sided color	\$0.37 per page	2010
Public Record Request Response		
Time Required to Compile		
Less than 4 hours	No Charge	2020
4 hours or greater	Each hour beyond 4 billed based on current compensation rate for Office Assistant II position; hourly cost shared at time of records request, not to exceed maximum charge of \$750 per request	2020
Airport		
Landing Fee (Signatory Airline)	\$1.50 per 1,000 pounds	2025
Landing Fee (Non-Signatory Airline)	\$1.66 per 1,000 pounds	2025
Jet Bridge Use Fee (Signatory Airline)	\$5.00	2012
Jet Bridge Use Fee (Non-Signatory Airline)	\$25.00	2005
Intercom and Public Address System (PBX) Use Fee	\$35.00 per month	2020
Commercial Ramp Use Fees		
Air Stair Use	\$25.00	2012
Remain Overnight Fee (Non-Signatory Airlines Only)	\$150.00	2005
Terminal Fee (Non-Signatory Airlines Only)	\$75.00	2005
Terminal Leases and Fees		
Airline Counter Space	\$27.00 per sq. ft. per year	2025
Airline Counter Space (Non-Signatory)	\$29.97 per sq.ft. per year	2025
Airline Bag Makeup Space	\$3.79 per sq. ft. per year	2025
Airline Bag Makeup Space (Non-Signatory)	\$4.21 per sq. ft. per year	2025
Ticket Office and Administrative Space	\$12.00 per sq. ft. per year	2025
Ticket Office and Administrative Space (Non-Signatory)	\$13.32 per sq. ft. per year	2025
Operation and Maintenance Charge	\$9.00 per sq. ft. of exclusive airline space	2025
Airline Space (Non-Exclusive)	\$10.00 per sq. ft. per year	2025

Description	Current Fee	Calendar Year Est. or Last Changed
Airline Space (Non-Signatory)	\$11.10 per sq. ft. per year	2025
Ticket Queueing Area	\$10.00 per sq. ft. per year	2025
Ticket Queueing Area (Non-Signatory)	\$11.10 per sq. ft. per year	2025
Baggage Claim Area	\$6.00 per sq. ft. per year	2025
Baggage Claim Area (Non-Signatory)	\$6.66 per sq. ft. per year	2025
Glycol Storage (Crate)	\$4.00 per sq. ft. per year	2025
Glycol Storage (Tank)	\$4.00 per sq. ft. per year	2025
Fuel Flowage Fee	\$0.06 per gallon of non-airline fuel	2025
Airline Uplift Charge	\$0.18 per gallon, \$18.00 minimum or \$18.00 no-fuel fee	1997
Fuel Pricing	Will not exceed 106% of retail price at comparable airports with based tenants afforded a \$0.20 discount	1997
Property Leases		
Tie-Down Fee	\$45.00 per month	2003
Old 10 Unit T-Hangar Rental	\$200.00 per month	2017
Old 14 Unit T-Hangar Rental	\$225.00 per month	2017
New 8 Unit T-Hangar Rental	Market rate plus average annual utilities for previous year	2023
Ground Lease - Unimproved	\$0.25 per sq. ft. per year	2017
Ground Lease - Improved	\$0.35 per sq. ft. per year	2017
Corporate Office Space	\$5.50 per sq. ft. per year plus utilities	2017
Corporate Hangar Space	\$2.50 per sq. ft. per year plus utilities	2017
FBO Office Space	\$4.50 per sq. ft. per year plus utilities	2003
FBO Hangar Space	\$1.75 per sq. ft. per year plus utilities	2004
Rental Cars		
Rental Car Agency Fee	\$20.00 per parking space per month plus 10% of gross revenues	2011
Rental Car Booth Space	\$253.52 per month	2009
Customer Facility Charge	\$4 per day, up to 10 days. These funds are used to support rental car facility upgrades	2014
Peer to Peer Car Sharing Company		
Peer to Peer Car Sharing Fee	10% of gross revenues	2025
Transportation Network Company (TNC)		
TNC fee of TWO and 00/100 Dollars	\$2.00 for each pick-up trip	2022
TNC fee of ONE and 00/100 Dollars	\$1.00 for each drop-off trip	2022
Ground Transportation Operators		
Taxicab Booth	\$351.32 per month	2020
Terminal Leases and Fees		
Short Term Parking (1-30 minutes)	\$1.00	2002
Short Term Parking (each additional 30 minutes)	\$1.00	2002
Short Term Parking (maximum 24 hours)	\$13.00	2002
Long Term Parking (0-1 hour)	\$1.00	2002
Long Term Parking (each additional hour)	\$1.00	2002
Long Term Parking (maximum 24 hours)	\$10.00	2022

Description	Current Fee	Calendar Year Est. or Last Changed
Public Safety Airline Charge	Cost charged to airlines based on prorata share of enplanements less security reimbursement from TSA	1991
Advertising Space	\$883.33 plus commissions	1998
Exhibition Flight Permit	\$5.00 per flight, or \$25.00 per six-month period	N/A
Security Fees Per Application		
Fingerprint Processing (airport badges only)	\$60.00	2020
Security Threat Assessment	\$40.00	2020
Lost Badge Replacement	\$40.00 1st/\$50.00 2nd	2020
Biennial Renewal Fee	\$40.00	2020
Passenger Facility Charge	\$4.50	2018
CPI adjustments will be made on Airport Fees as dictated within the lease agreements. Late fee of 1.5% per month from the due date to time of payment will be assessed on all past due rental payments as indicated in executed lease agreements.		
City Attorney's Office / Real Estate Division		
Street Closing Fee	\$1,500.00	2011
Street Withdrawal Fee	\$500.00	2011
Administrative Fee for Summary Ejection	\$15.00	2025
Real Estate Residential and Commercial Rental rates	These are dictated by City Council Policy 155-06	2025
Lease Late Fees	Will be charged at a rate not to exceed fifteen dollars (\$15.00) or five percent (5%) of the monthly rent, whichever is greater.	2025
Aeronautical rental rates can be found under the Airport section of the fee schedule.		
Development Services		
<u>Code Enforcement Fees:</u>		
Administrative Fee (Abatement Actions)	\$200.00	2021
Citations		
Abandoned Vehicle Violation	\$200.00 per day	2021
Advertising Violation		
Prohibited Sign Violation	\$200.00 per day	2021
All Other Advertising Violations	\$200.00 per day	2014
Animal and Fowl Violation	\$100.00, \$200.00, or \$300.00 per day	2002 or prior
Landscape Standard Violation	\$200.00 per day	2014
Nuisance Properties	\$500.00 for initial nuisance property designation	2019
	\$1,000.00 for each subsequent violation after the initial designation as a nuisance property	2019
Salvage and Junkyard Pursuant to Section 30-4-C5E(6)	\$500.00 per day	2011
Solid Waste Violation (trash or overgrown lot)	\$200.00 per day	2021
Substandard Housing Violation	\$200.00 per day	2021
Taxicab Violation	\$200.00 per day	2021
Trailer/Mobile Home Violation	\$200.00 per day	2021
Water Supply Violation	\$500.00 per day	2002 or prior
Zoning Violation	\$200.00 per day	2014

Description	Current Fee	Calendar Year Est. or Last Changed
Graffiti Removal Fee	\$100.00 per Voluntary Request of Removal	2007
Graffiti Owner's Failure to remove 17-32d	\$200.00	2025
Graffiti First offense conviction 17-32b	\$250.00	2022
Graffiti Second and Subsequent offense convictions 17-	\$500.00	2022
Admin Fee 17-33.b	\$200.00	2025
Hearing Officer Charge	\$100.00	2022
Street and Sidewalks Violation 24-312	\$200.00	2025
Lot Cleaning	Based on contract	2002
City Contractor Fees - cut and clean up to .25 acres	\$93.75	2025
City Contractor Fees - cut and clean additional .10 acre over .25 acres	\$37.50	2025
City Contractor Fees - Graffiti Abatement per 8 ft. x 30 ft. wall or fence section	\$93.75	2025
City Contractor Fees - hauling prorated per ton	\$125.00	2025
City Contractor Fees - secure opening up to 4'x8'	\$75.00	2025
City Contractor Fees - cutting of downed trees/20 ft. section (prep for hauling)	\$25.00	2025
City Contractor Fees - pool draining	\$200.00	2022
City Contractor Fees - buffer cuts (25 ft. wide buffer on undeveloped lots)/ft.	\$1.00/linear foot	2022
Rental Action Management Program (RAMP)		
Registration Fee	\$500.00	2017
Minimum Housing Collection of Rents 14-62	\$200.00	2025
Civil Penalty for Failure to Comply with RAMP Provisions	\$50.00 per day for the first 30 days, \$100.00 per day for the next 30 days, and \$500.00 per day for each subsequent day	2012
Taxicab Permits		
Taxi Driver Permit & Application Renewal	\$60.00	2024
Lost Drivers Permit	\$40.00	2024
Change of Company	\$40.00	2024
Change of Address	\$40.00	2024
Change of Vehicle	\$40.00	2024
Franchise Application	\$40.00	2024
Annual Franchise Fee (Certificate of Public Convenience and Necessity)	\$40.00	2024
Quarterly Inspection	\$40.00 per vehicle. Failure to Comply: \$25.00 to \$100.00 Fine	2024
Sign Fee (advertising other than taxicab business)	\$40.00 per sign	2024
Penalty for Failure to Complete Quarterly Taxicab Inspection	\$40.00 per vehicle	2024
<u>Permitting and Inspections Division Fee Schedule:</u>		
<u>Building Plan Review</u>		
One or Two-Family Dwelling	No Charge	
Up to 5,000 sq. ft.	\$155.00	2014
5,001 to 10,000 sq. ft.	\$310.00	2014

Description	Current Fee	Calendar Year Est. or Last Changed
10,001 to 15,000 sq. ft.	\$465.00	2014
15,001 to 25,000 sq. ft.	\$620.00	2014
25,001 to 40,000 sq. ft.	\$925.00	2014
40,001 to 60,000 sq. ft.	\$1,075.00	2022
60,001 to 100,000 sq. ft.	\$2,000.00	2022
Greater than 100,000 sq. ft.	\$3,000.00	2022
Expedited Plan Review	\$2,500.00 plus normal plan review fee; two business day review for qualifying projects. Only applies to initial submission and reviews for Building, Mechanical, Electrical, and Plumbing	2022
Re-Review Fee for Revision of Approved Plan	1/2 of original fee	2010
Single Trade Plan Review only and Miscellaneous Reviews		
Electrical Plan Review Only	\$90.00	2022
Mechanical Plan Review Only	\$90.00	2022
Plumbing Plan Review Only	\$90.00	2022
Other Project Plan Reviews		
Cell Tower or Co Locate	\$90.00	2022
Pole Sign/Ground Signs (6 ft. or higher)	\$90.00	2022
Retaining Wall Only (engineered)	\$90.00	2022
Change of Use Review (no construction)	No Fee	2021
Change of Occupancy Classification (no construction)	\$90.00	2022
Building Permits		
Minimum Fee	\$90.00	2022
New Construction		
New Commercial Construction	Based on square footage per floor. Minimum permit fee: \$90.00, \$0.35 per square foot	2022
New Single Family Homes, Duplex, and Townhomes	Based on square footage. Minimum permit fee: \$90.00, \$0.30 per square foot	2022
Renovation/Upfit and/or Addition of Commercial Construction	Based on square footage of additional and/ or renovated space per floor. Minimum permit fee: \$90.00, \$0.32 per square foot	2022
Addition and/ or Renovation of Single Family Homes, Duplex, and Townhome	Based on square footage of addition and/ or renovated areas. Minimum permit fee: \$90.00 each, \$0.20 per square foot	2022
Residential access ramp installation	No Charge	2015
Cost Based Permits		
For construction without square footage such as window replacements, doors, pools, cell tower, billboards, etc.		
Construction Cost: \$0 - \$10,000	\$90.00	2022
Construction Cost: \$10,001 - \$20,000	\$100.00	2021
Construction Cost: \$20,001 - \$30,000	\$130.00	2021
Construction Cost: \$30,001 - \$40,000	\$160.00	2021
Construction Cost: \$40,001 - \$50,000	\$190.00	2021
Construction Cost: \$50,001 - \$60,000	\$220.00	2021

Description	Current Fee	Calendar Year Est. or Last Changed
Construction Cost: \$60,001 - \$70,000	\$250.00	2014
Construction Cost: \$70,001 - \$80,000	\$265.00	2014
Construction Cost: \$80,001 - \$90,000	\$280.00	2014
Construction Cost: \$90,001- \$100,000	\$295.00	2014
Construction Cost: \$100,001 and above	\$350.00	2022
Electrical, Mechanical, and Plumbing Permits are based on scope of work on permit per contractor		
Electrical Permits		
Minimum Fee	\$90.00	2022
Electrical wiring is based on building service amps for each service at building or tenant space		
Electrical Wiring 200 Amps and below (service)	\$90.00	2022
Electrical Wiring Above 200 Amps (service)	\$180.00	2022
Electrical Wiring Above 800 Amps (service)	\$270.00	2022
Electrical Wiring Above 1000 Amps (service)	\$360.00	2022
Electrical Wiring Above 2000 Amps (service)	\$450.00	2022
Electrical Wiring Above 3000 Amps (service)	\$540.00	2022
Meter And Panel Boxes (new/upgrade/repair/replace)	\$90.00 for first, \$10.00 for each additional	2022
Generators/Solar Panels (includes transfer switch)	\$120.00	2022
Devices (switches, luminaries, receptacle, etc.)	\$90.00 flat fee	2022
Temporary Pole	\$90.00 per pole	2022
Electric Sign Connection/Circuit/Drive-thru menu	\$90.00 for first, \$10.00 for each additional	2022
Low Voltage Wiring (fire alarm, data, security, etc.)	\$90.00 each system	2022
Commercial Pole Lights	\$120.00 flat fee	2022
Spa/Fountain/Swimming Pool Equipment Wiring and/or Pool and/or Bonding	\$120.00 each pool/spa/hot tub	2022
Electrical heating appliance (baseboard, etc.)	\$90.00 for first, \$10.00 for each additional	2022
Electrical Vehicle Charging Station/Circuit	\$90.00 for first, \$40.00 for each additional station/circuit	2022
Mechanical Permits		
Minimum Permit Fee and Fee for Permit not listed below	\$90.00	2022
Gas Piping (includes valves, regulators, etc.)	\$90.00 flat fee	2022
Heating and Air Conditioning Appliance -(pkg, split, etc.) (includes ductwork); applies to new and replacement	\$90.00 each	2022
Commercial Hood/Canopy Equipment Exhaust System	\$90.00 each	2022
Commercial Refrigeration Appliances	\$90.00 for the first unit, \$50.00 for each additional unit	2022
Gas Appliances other than Heating and Air Conditioning (e.g. gas logs, gas cooking appliances, gas lights, etc.)	\$90.00 for the first unit, \$20.00 for each additional unit	2022
Ductwork only (includes dampers, registers, etc.)	\$90.00 for the first unit, \$20.00 for each additional unit	2022
Exhaust Systems /Venting /Intake Fans (exhaust fans, paint booths, etc.)	\$90.00 for the first unit, \$20.00 for each additional unit	2022
Hydronic Piping	\$120.00 each system	2022
Hydrogen Fuel Cell	\$120.00 each	2022
Condensate Piping only	\$90.00 flat fee	2022

Description	Current Fee	Calendar Year Est. or Last Changed
Clothes Dryer (Includes appliance and vent or individual)	\$90.00 for first, \$20.00 for each additional appliance/vent	2022
Plumbing Permits		
Minimum Permit Fee and Fee for Permit not listed	\$90.00	2022
Building Water Piping		
Building Water Piping is based on building square footage for building or tenant space		
Building from 1 to 2500 square feet	\$90.00	2022
Building from 2501 to 5000 square feet	\$180.00	2022
Building from 5001 and above square feet	\$270.00	2022
Building Drain, Waste, Venting Piping		
Building D.W.V Piping is based on building square footage for building or tenant space		
Building from 1 to 2500 square feet	\$120.00	2022
Building from 2501 to 5000 square feet	\$240.00	2022
Building from 5001 and above square feet	\$360.00	2022
Water & Sewer Service Piping	\$120.00	2022
Irrigation Piping	\$90.00	2022
Water Heater Appliance (new/ replacement) (does not include water piping)	\$90.00 each	2022
Residential Fire Sprinkler System	\$120.00	2022
Building Storm/ Rain Drain Systems	\$90.00 flat fee	2022
Pumps (booster/ sump, ETC.)	\$90.00 flat fee	2022
Commercial Water Service Backflow preventer / pressure reducing valve	\$90.00 flat fee	2022
Grease/ Oil Separator	\$120.00 flat fee	2022
Manholes	\$90.00 for first; \$20.00 for each additional	2022
Miscellaneous, Accessory, and Single Permits		
Accessibility Aisle Inspection, Anchorage Inspection, etc.	\$90.00 each unless noted	2022
	\$90.00	2022
Demolition Permit	Same fee structure as cost-based Building Permits	2008
Building Permit for Signs	\$90.00 for first, \$10.00 each additional	2022
Replacement Of Roof Covering	\$0.07 per square foot based on building footprint	2022
Insulation Only Permit	\$0.07 per square foot based on building footprint	2022
Manufactured/Modular Home Placement Permit	\$90.00	2022
Miscellaneous		
Accessible Isle inspection, Anchorage Inspection, etc.	\$90.00	2022
Administrative Technology Assistance	\$35.00 Per Permit	2024
Processing Fee for Permit Fee Refunds	\$30.00	2014
After Hours and Weekend Inspections (subject to inspector availability and approval; 4-day prior request)	\$150.00 per trade for 2 hours; \$75.00 for each additional hour	2022
Contractor Change on Permitted Project	\$30.00 for each permitted trade	2014

Description	Current Fee	Calendar Year Est. or Last Changed
Change of Occupancy Classification Permit (where no construction is occurring)	\$90.00	2022
Change of Occupant/Change of Use Permit (where no construction is occurring)	\$10.00	2020
Notice of Violation (Call Back) Fine	\$100.00 fine per inspection according to department policy	2022
Temporary Power/Stocking CO when Approved	\$125.00 each; 60 day limit on each approval	2022
Temporary CO	\$200.00; 60 day limit on each approval	2022
Work Without a Required Permit	2 times all applicable permit fees	2017
Homeowner Recovery Fee (per NCGS § 87-15.6)	\$10.00 for each residential permit issued	2003
Daycare Inspections (DHHS Checklist Inspection)	\$150.00	2022
Small Licensed Residential Care Facility (DHHS checklist)	\$150.00	2022
Yard Sale Permits	\$10.00 for the first sale; \$15.00 for second or third sale. Only 3 yard sales per calendar year permitted.	2017
<u>Planning & Zoning Permits and Fees:</u>		
Administrative Adjustment Fee	\$250.00 per standard for which adjustment requested	2026
Alternative Signage Plan Review	\$500.00	2024
Appeal Fee - to Commission	\$500.00	2024
Appeal Fee - to City Council	\$300.00	2022
Board of Adjustment Hearing Fee	\$1,000.00	2024
Certificate of Appropriateness (Historic Resources Commission)		
Minor Work	\$100.00	2024
Major Work	\$200.00	2024
Clear Cutting Permit		
Without Site or Subdivision Plan Review	\$50.00 for the first 3 acres plus \$15.00 for each additional acre or part thereof	2014
With Site or Subdivision Plan Review	No additional fee	2011
Development Agreement (UDO)	\$2,500.00	2011
Neighborhood Compatibility - Adaptive Reuse	\$1,000.00	2022
Payment in Lieu of Park Land		
Formerly Open Space Fee. Land value factor calculated	\$16,664.06 per acre	2025
Payment in Lieu of Specimen Tree Preservation	\$50.00 per caliper inch per tree	2019
Planning and Zoning Re-Inspection Fee	\$75.00 for every inspection required after the 1st re-inspection	2019
Rezoning Fees	\$1,000.00	2024
Sign Placement Permit	\$100.00	2024
Sign Face Change	\$50.00	2024
Site Plan Review		
Non-Residential	\$500.00 plus \$20.00 per 1,000 sq. ft. of building	2010

Description	Current Fee	Calendar Year Est. or Last Changed
Residential	\$500.00 plus \$20.00 per unit or lot	2010
Revisions or re-reviews beyond first review	1/2 of original fee	2010
Special Event Signs Compliance Deposit	\$10.00 per approved sign	2011
Returned if all signs are properly placed and removed within two days of close of event		
Special Use Permit	\$1,000.00	2024
Specimen Tree Inspection	\$50.00 per acre	2012
Subdivision Fee		
Subdivision Reviews	\$400.00 plus \$20.00 per lot	2010
Revisions or re-reviews beyond first review	1/2 of original fee	2010
Final plats	\$50.00	2007
Expedited review of subdivision or site plans	\$1,500.00 per hour	2011
Subdivision Waiver	\$700.00	2011
Special Event Permit	\$100.00	2024
Vested Rights Certificate	\$100.00	2011
No additional fee if requested with site plan or subdivision approval		
Watershed Protection Inspection Fee and Permit		
Inspection Fee for Required Improvement	\$35.00 per inspection	2014
Low Density Development Permit	\$35.00 per project	2014
High Density Development Permits CD, AR, SF15, SF10, SF6, MR5, MH	\$140.00 (less than 5 acres), \$275.00 (5 to 50 acres), \$350.00 (50 to 100 acres), \$450.00 (more than 100 acres)	2014
O&I, NC, LC, CC, MU, BP, DT, LI, HI, PD	\$275.00 (less than 5 acres), \$300.00 (5 to 50 acres), \$350.00 (50 to 100 acres), \$450.00 (more than 100 acres)	2014
Zoning Code Text Amendment	\$1,000.00	2022
Zoning Permits		
Pushcarts (downtown core only)	\$60.00 per year	2024
Outdoor Dining and Merchandising (downtown core)	\$60.00 per year	2024
Sidewalk Entertainment (downtown core only)	\$60.00 per year	2024
Delivery Services (downtown core only)	\$60.00 per year	2024
Zoning inspection for small structures	\$50.00	2024
UDO Printing Fee	City's Cost of Reproduction	2019
Zoning Verification Letter	\$50.00 Flat Rate Fee for all Zoning Verification Letters	2024
Finance		
Beer and Wine Licenses - Annual, from May 1 to April 30		
Beer Dealers (wholesale)	\$37.50	Set by State
Wine Dealers (wholesale)	\$37.50	Set by State
Beer and Wine Dealers (wholesale)	\$62.50	Set by State
Beer Dealers (retail, on premises)	\$15.00	Set by State
Beer Dealers (retail, off premises)	\$5.00	Set by State
Wine Dealers (retail, on premises)	\$15.00	Set by State
Wine Dealers (retail, off premises)	\$10.00	Set by State

Description	Current Fee	Calendar Year Est. or Last Changed
Tax for additional license	110% of base fee, applied progressively for each added license	Set by State
Failure to obtain license	Penalty of 5% per month or fraction thereof, not to exceed 25% of prescribed license amount, not less than \$5.00	Set by State
Currency Converter Permits	\$100.00 per year	2018
Pawnbroker Permits	\$250.00 initial application with \$5,000 surety bond required, \$100.00 annual renewal	2018
Peddler Permits - On Foot or With Vehicle		
Application Fee	\$25.00	2015
Three-Month Renewal (If renewed prior to expiration,	\$5.00	2015
Regulatory License		
Adult Bookstore, Adult Motion Picture Theater, Adult Motel or Hotel	\$250.00 initial application, \$100.00 annual renewal	N/A
Motor Vehicle License Tax		
(See additional motor vehicle license tax with Transit fees)	\$5.00 per year	N/A
Penalty for Failure to Pay Motor Vehicle License Tax	\$15.00	N/A
Solicitor Permit - Including Alarm Solicitor		
Application Fee	\$25.00	2004
Three-Month Renewal (If renewed prior to expiration,	\$5.00	2015
Specialty Market Operator/Seasonal Merchant Permits	\$100.00 per 30 days	2015
Duplicate Copy (Lost or Stolen License)	\$5.00	N/A
Replacement License due to Change of Location	\$5.00	N/A
Fire		
False Alarm	Residential: No charge for the 1st and 2nd false alarm, \$500.00 for each subsequent false alarm per calendar year. Commercial: 1st-\$750, 2nd \$1,000, any subsequent alarms \$1,500.00	2025
Fines		
Exit Violation	1st Offense: \$500.00, Each Subsequent Offense In the Period of A Year: \$1,000.00; each and every day continuing violation of any provision of this chapter shall constitute a separate and distinct violation	2025
Code Violation	1st Offense: \$100.00, 2nd Offense: \$250.00, Each Subsequent Offense in the Period of A Year: \$500.00; each and every day continuing violation of any provision of this chapter shall constitute a separate and distinct violation	2020
Over-occupancy Violation	\$100.00 per person over the posted number allowed	2010

Description	Current Fee	Calendar Year Est. or Last Changed
Occupying a building without a Certificate of Occupancy	\$5000.00 to include double inspection fees and permits fees.	2025
Installation of life safety equipment, or underground or above ground storage tanks and piping without proper plan review, permits and/or testing	1st Offense: \$1000, 2nd Offense: \$2000, Each Subsequent Offense: \$3000, (Applied to all offense double all permit fees and inspection fees.)	2025
Fire Inspection Fees		
Building Class Codes: A, B, E, F, H, I, M, S, U		
Up to 2,500 sq. ft.	\$75.00	2024
2,501 - 10,000 sq. ft.	\$125.00	2024
10,001 - 50,000 sq. ft.	\$175.00	2024
50,001 - 100,000 sq. ft.	\$250.00	2024
100,001 - 150,000 sq. ft.	\$300.00	2024
150,001 - 200,000 sq. ft.	\$400.00	2024
Over 200,000 sq. ft.	\$500.00	2024
Residential:		
Group home	\$75.00 per visit	2008
Day care (in a residence)	\$75.00 per visit	2008
Foster home (in a residence)	\$75.00 per visit	2008
Apartments/Dorm buildings up to 3 stories	\$75.00 for each residential building	2017
Apartments/Dorm buildings over 3 stories		
Up to 2,500 sq. ft.	\$75.00 per each residential building	2017
2,501 - 10,000 sq. ft.	\$100.00 per each residential building	2017
10,001 - 50,000 sq. ft.	\$150.00 per each residential building	2017
50,001 - 100,000 sq. ft.	\$200.00 per each residential building	2017
100,001 - 150,000 sq. ft.	\$250.00 per each residential building	2017
150,001 - 200,000 sq. ft.	\$300.00 per each residential building	2017
Over 200,000 sq. ft.	\$350.00 per each residential building	2017
All hotels (regardless of number of stories)		
Up to 2,500 sq. ft.	\$75.00	2017
2,501 - 10,000 sq. ft.	\$100.00	2017
10,001 - 50,000 sq. ft.	\$150.00	2017
50,001 - 100,000 sq. ft.	\$200.00	2017
100,001 - 150,000 sq. ft.	\$250.00	2017
150,001 - 200,000 sq. ft.	\$300.00	2017
Over 200,000 sq. ft.	\$350.00	2017
Building Plan Fire Review Fees		
Building Plan Review		
Up to 999 sq. ft.	\$100.00	2024
1,000 - 2,499 sq. ft.	\$125.00	2024
2,500 - 9,999 sq. ft.	\$175.00	2024
10,000 - 49,999 sq. ft.	\$325.00	2024
Over 50,000 sq. ft.	\$750.00	2024

Description	Current Fee	Calendar Year Est. or Last Changed
Site Plan Review (submitted through TRC) includes site	\$150.00	2024
Re-Review Fee (applies after the 1st re-review)	1/2 of original fee	2022
Express Plan Review (1 hour minimum)	\$625 for the first business day with 1 day minimum; \$125 for each additional hour	2024
Express pre-submittal conference	\$125 per hour	2024
Express site review	\$125 per hour	2024
Express re-review	1/2 of the original express review fee	2024
Fire Code Construction Permits - Mandatory, includes final inspections	\$75 First Time Inspection Fee on all new construction projects	2025
Working without a Required Permit	Double the applicable permit fee	2020
105.6.1 Automatic Fire Extinguishing Systems		
<i>Fire Sprinkler Shop Drawings</i>		
Fire sprinkler system (1 to 20 sprinkler heads)	\$125.00	2024
Fire sprinkler system (21 to 50 sprinkler heads)	\$300.00	2024
Each additional sprinkler head over 50	\$1.50 per additional sprinkler head	2025
Automatic Fire Ext. system upfit	\$175.00	2024
Automatic Fire Ext. system (all other agents)	\$225.00	2024
Each additional nozzle/heads	\$1.05 per additional nozzle	2020
105.6.2 Compressed Gas System	\$75.00	2020
105.6.3 Cryogenic Fluids	\$75.00	2020
105.6.4 Emergency Responder Radio Coverage System	\$100.00 plus \$1.05 per 1,000 sq. ft.	2024
105.6.5 Energy Storage Systems	\$150 (includes plan review fee)	2024
105.6.6 Fire Alarm and Detection Related Equipment		
Fire Alarm shop drawings		
Fire alarm system	\$150.00	2025
Each initiating device	\$1.50	2025
Fire sprinkler monitor system	\$150.00	2025
Fire alarm upfit (panel replace, communicator, devices)	\$100.00	2025
105.6.7 Fire Pump and Related Equipment	\$300.00	2024
105.6.8 Flammable and Combustible Liquids		
Install, repair or modify a pipeline for the transportation of flammable or combustible liquids	\$75.00	2020
Install, construct or alter tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used	\$75.00	2020
Install, alter, remove, abandon flammable or combustible liquid tank	\$300.00	2025
105.6.9 Fuel cell power stations (includes plan review)	\$150.00	2024
105.6.10 Gas detection systems (includes plan review)	\$150.00	2024
105.6.11 Gates and barricades across fire apparatus	\$75.00	2020
105.6.12 Hazardous materials	\$75.00	2020
105.6.13 High-piled combustible storage >500 sq ft	\$75.00	2024

Description	Current Fee	Calendar Year Est. or Last Changed
105.6.14 Industrial Ovens	\$75.00	2020
105.6.16 Motor vehicle repair rooms and booths	\$75.00	2024
105.6.17 Plant extraction systems (includes plan review	\$150.00	2024
105.6.18 Private Fire Hydrants	\$150.00, \$25 per additional	2026
105.6.19 Smoke Control or Smoke Exhaust System	\$75.00	2020
105.6.20 Solar Photovoltaic Power System	\$75.00	2020
105.6.21 Special Event Structure	\$35.00	2024
105.6.22 Spraying and Dipping	\$125.00	2012
105.6.23 Standpipe Systems	\$125.00	2012
105.6.24 Temporary membrane structures and tents,	\$100.00	2008
<i>Fire Code Operational Permits - Mandatory, renew on state inspection schedule</i>		
105.5.1 Additive manufacturing	\$75.00	2024
Includes 1st inspection (105.6.15, 105.6)		
105.5.3 Amusement Buildings	\$150.00	2026
105.5.5 Carnivals and Fairs	\$150.00	2026
105.5.7 Combustible Dust Producing Operations	\$75.00	2020
105.5.10 Covered Mall Building Displays	\$75.00	2008
105.5.14 Energy storage systems	\$75.00	2024
105.5.15 Exhibits and Trade shows	\$75.00	2008
105.5.16 Explosives/90 day permit	\$350.00 per event	2025
105.5.18 Flammable and Combustible Liquids	\$50.00	2024
105.6.18 Flammable and Combustible liquids - Tank vehicles	\$50/year inspection schedule	2024
105.5.24 High-piled storage	\$35.00	2024
105.5.28 Liquid or Gas Fueled Vehicle/Equipment in Assembly Bldg.	\$75.00	2008
105.5.33 Motor Fuel Dispensing Facilities	\$35.00	2024
105.5.38 Outdoor Assemble Event	\$75.00	2024
105.5.39 Nightclubs	\$35.00	2024
105.5.40 Plant Extraction Systems	\$75.00	2024
105.5.41 Private Fire Hydrants	\$35.00	2020
105.5.42 Pyrotechnic Special Effects Material	\$250.00	2024
105.5.47 Spraying or Dipping Operations	\$35.00	2020
105.5.49 Temporary Membrane Structures and Tents	\$50 per tent or structure	2025
105.5.53 Temporary sleeping units for disaster relief	\$35.00	2024
<u>Additional Inspections and Administrative Fees:</u>		
Reinspection	\$75.00 per visit	2024
No-Show Inspection	\$50.00 per visit	2017
A.L.E. Inspection	Billed as regular fire inspection based on occupancy and sq. ft.	2020
Courtesy/Requested Inspections	Billed as regular fire inspection based on occupancy and sq. ft.	2020
Change of Use Inspection	Billed as regular fire inspection based on occupancy and sq. ft.	2021
Vacant Building Inspection	Billed as regular fire inspection based on occupancy and sq. ft.	2023
Bonfire	\$35.00	2020
Open Burning (Section 11-11 Exception 2 a-d)	\$100.00	2024
Demolition Inspection	\$100.00	2024

Description	Current Fee	Calendar Year Est. or Last Changed
Additional Equipment Testing (alarm, sprinkler, hood suppression, flammable or combustible liquid systems and paint booths)	\$100 for each system type plus \$50.00 per hour for each additional hour from the first hour. Weekend rate is double the above fee's as applied.	2025
Training Facility Fees		
Drill Tower Usage	\$200.00 per day	2011
with live burn	\$600.00 per day	2017
Classroom Use	\$50.00 per 4 hours	2011
Confined Space Training Area	\$100.00 per day	2011
Service Test Pit Area	\$100.00 per unit	2011
Engine	\$200.00 per day	2011
Miscellaneous Equipment Use	\$50.00 per day	2011
Hazardous Material Protection Fee		
Haz-Mat Unit Response	\$555.00 per hour	2010
Haz-Mat Chief Response	\$60.00 per hour	2010
Engine Company Response	\$205.00 per hour	2010
Truck Company Response	\$205.00 per hour	2010
Rescue Company	\$175.00 per hour	2010
Fire Suppression Battalion Chief Response	\$60.00 per hour	2010
Material, Equipment, and Long Distance	Replacement Cost	1992
Recalled Personnel	Time and half of the hourly salary of recalled personnel	1992
Air Monitoring	\$170.00	2010
Environmental Research Immediate Area - 1 year	\$20.00	2010
Environmental Research Immediate Area - 5 year	\$115.00	2010
Environmental Research Half Mile Radius - 1 year	\$60.00	2010
Environmental Research Half Mile Radius - 5 year	\$190.00	2010
Environmental Research One Mile Radius - 1 year	\$80.00	2010
Environmental Research One Mile Radius - 5 year	\$230.00	2010
Special Event Coverage Fee		
Fire Suppression/EMS Personnel	Actual total personnel cost incurred	2022
Fire Code Official	Actual total personnel cost incurred	2022
Parking		
Parking Fines		
Backed to Curb Violation	\$10.00	2007
Curb to Sidewalk Violation	\$25.00	1986 or prior
Fire Hydrant Violation	\$25.00	1986 or prior
Fire Lane Violation	\$100.00	1986 or prior
Handicapped Violation	\$250.00	2000
Judgment Fees	\$50.00	2002 or prior
Late Payment Penalty	\$25.00	1999
Left to Curb Violation	\$25.00	1986 or prior
Loading Zone Violation	\$25.00	1986 or prior
No Parking Zone Violation	\$25.00	1986 or prior
Overtime Violation (Lots)	\$15.00	2013
Overtime Violation (Street)	\$15.00	2013
Prohibited Parking Violation	\$25.00	1986 or prior
Repeat Overtime Violation	\$10.00	2013
Traffic Obstruction Violation	\$25.00	1986 or prior

Description	Current Fee	Calendar Year Est. or Last Changed
Within Lines Violation	\$15.00	2013
Electric Vehicle Only Violation	\$50.00	2013
Immobilization Fee		
Fee per wheel lock removal, in addition to outstanding	\$50.00	2009
Leased Parking Spaces		
All Parking Spaces	\$50.00 per month	2011
Late Payment Penalty	\$10.00 penalty for lease payments received after the 5th of the month	2013
Replacement Proxy Card	\$15.00	2016
City Employee Parking		
Franklin Street Parking Deck	\$20.00 per month	2018
Other Approved Lots	No charge	2018
Hospitality Worker Parking		
Donaldson Lot	\$25.00 per month	2020
Maiden Lane between Green Street and Anderson Street (on bridge)	\$25.00 per month	2022
Hourly Paid Parking		
All Lots and Decks (where applicable)		
8am-5pm Mon-Fri	\$1.00 per hour, or \$5.00 per day	2020
Franklin Street Deck	\$1.00 per hour (first hour free), \$5.00 per day	2020
On-Street (where applicable)	\$1.00 per hour, \$0.50 per 30 minutes in first hour	2020
Event Parking		
	\$5.00 per event	2019
Events include, but are not limited to, Juneteenth, Fourth of July, New Year's Eve, Woodpeckers Games, Spring Dogwood Festival, International Folk Festival, Fall Dogwood Festival, Zombie Walk, Dickens Holiday, and other events projected to have attendance greater than 10,000		
Contractor Parking Permit		
	\$15.00 per day, or \$50.00 per week	2020
Annual Contractor Parking Permit		
	\$1,000.00 per year	2010
Residential Parking Permit		
	Discontinued. Leased parking terms apply.	2018

Description	Current Fee	Calendar Year Est. or Last Changed
Parks, Recreation & Maintenance		
<p>The Fayetteville-Cumberland Parks and Recreation Department is supported by taxes paid on property in the City of Fayetteville, the Towns of Eastover, Linden, Falcon, Godwin, Spring Lake, Stedman, and Wade, and in the unincorporated areas of Cumberland County. Residents of these areas qualify for resident fees for Parks and Recreation programs and services. Organizations or businesses with physical addresses in these areas also qualify for resident fees for services such as facility rental.</p>		
Special Event Permits		
Special Event Permits for Mazarick Building, Cross Creek Park Fountain, Mazarick Park Shelters, Core Downtown Area, Festival Park, Rowan Skate Park	Up to 500 attendees: \$75 with \$100 deposit 501-2,500 attendees: \$150 with \$200 deposit 2,501-5,000 attendees: \$300 with \$500 deposit 5,001-10,000 attendees: \$500 with \$750 deposit Over 10,000 attendees: \$750 with \$1,000 deposit	2013
Expedited Special Event Permit		
Request submitted less than 30 days in advance of event but permit application review possible at a scheduled Special Events Committee meeting	\$250 in addition to permit fee and deposit	2013
Request submitted less than 30 days in advance of event and special meeting of Special Events Committee required to review permit application	\$500 in addition to permit fee and deposit	2013
Special Event Banner Permit		
Up to 40 banners	\$100 Permit fee, plus \$100 deposit	2017
41 to 80 banners	\$200 Permit fee, plus \$200 deposit	2017
81 to 120 banners	\$300 Permit fee, plus \$500 deposit	2017
121 to 160 banners	\$400 Permit fee, plus \$750 deposit	2017
161 to 200 banners	\$500 Permit fee, plus \$1000 deposit	2017
Installation/Removal Fees	\$68 per banner for City installation and removal	2017
	\$34 per banner for City removal	2017
Recreation Center Rentals		
Program Room Rental (nonprofit organizations)	Resident - \$200 deposit & \$75 for 1 to 4 hours, plus \$25 each additional hour up to 8 hours maximum	2018
	Non-Resident - \$200 deposit & \$150 for non-residents for 1 to 4 hours, plus \$50 each additional hour up to 8 hours maximum	2018
Multipurpose Room Rental (nonprofit organizations)	Resident - \$200 deposit & \$150 for 1 to 4 hours, plus \$25 each additional hour up to 8 hours maximum	2018
	Non-Resident - \$200 deposit & \$300 for 1 to 4 hours, plus \$50 each additional hour up to 8 hours maximum	2018
Gym Rental (nonprofit organizations)	Resident - \$200 deposit & \$230 up to 4 hours, \$50 each additional hour; if event requires floor covering \$300 up to 4 hours, \$50 each additional hour	2018
	Non-Resident - \$200 deposit & \$460 up to 4 hours, \$100 each additional hour; if event requires floor covering \$600 up to 4 hours, \$100 each additional hour	2018

Description	Current Fee	Calendar Year Est. or Last Changed
Kitchen Rental (nonprofit organizations)	Resident - \$200 deposit & \$57.50 up to 4 hours plus \$25 each additional hour up to 8 hours maximum	2018
	Non-resident - \$200 deposit & \$115 up to 4 hours plus \$50 each additional hour up to 8 hours maximum	2018
Holiday Rentals on Days when Facilities Closed (nonprofit organizations)	Resident - \$100 for 1 to 4 hours maximum plus deposit and rental fee.	2007
	Non-Resident - \$200 for 1 to 4 hours maximum plus deposit and rental fee	2015
Program Room Rental (for profit organizations)	Resident - \$200 deposit & \$150 per hour for 1 to 4 hours, plus \$50 each additional hour up to 8 hours maximum	2018
	Non-Resident - \$200 deposit & \$300 per hour for 1 to 4 hours, plus \$100 each additional hour up to 8 hours maximum	2018
Multipurpose Room Rental (for profit organizations)	Resident - \$200 deposit & \$300 for 1 to 4 hours, plus \$50 each additional hour up to 8 hours maximum	2018
	Non-Resident - \$200 deposit & \$600 for 1 to 4 hours, plus \$100 each additional hour up to 8 hours maximum	2018
Gym Rental (for profit organizations)	Resident - \$200 deposit & \$460 up to 4 hours, \$100 each additional hour. If event requires floor covering \$690 up to 4 hours, \$100 each additional hour	2018
	Non-Resident - \$200 deposit & \$920 up to 4 hours, \$200 each additional hour. If event requires floor covering \$1,380 up to 4 hours, \$200 each additional hour	2018
Kitchen Rental (for profit organizations)	Resident - \$200 deposit & \$115 up to 4 hours plus \$50 each additional hour up to 8 hours maximum	2018
	Non-Resident - \$200 deposit & \$230 up to 4 hours plus \$100 each additional hour up to 8 hours maximum	2018
Holiday Rentals on Days when Facilities Closed (for profit organizations)	Resident - \$200 for 1 to 4 hours maximum plus deposit and rental fee	2007
	Non-Resident - \$400 for 1 to 4 hours maximum plus deposit and rental fee	2015
Rentals Outside of Regular Facility Operating Hours (note: additional fees begin at 5 pm on Saturdays) (nonprofit and for profit organizations)	Resident - \$25 per hour in addition to applicable rental fee and deposit	2018
	Non-Resident - \$50 per hour in addition to applicable rental fee and deposit	2018
Custodial Setup/Breakdown/Clean-Up Expedited Rental Fee	\$25.00 per hour \$100 per rental for any facility rental contract executed within 48 hours of the event	1999 2011
Park Rental Fees		
Ball Field Rental		
Field use with field preparation and lighting	Resident - \$195 per day, plus \$250 deposit	2018
	Non-Resident - \$390 per day, plus \$250 deposit	2018

Description	Current Fee	Calendar Year Est. or Last Changed
Field use	Resident - \$40 for up to 4 hours or \$55 per day, plus \$100 deposit	2018
	Non-Resident - \$80 for up to 4 hours or \$110 per day, plus \$100 deposit	2018
Field lighting	Resident - \$25 per hour, plus \$100 deposit	2015
	Non-Resident - \$50 per hour, plus \$100 deposit	2015
Basketball Court (Outdoor)	Resident - \$100 deposit plus \$35 (up to 4 hours); \$50 (over 4 hours)	2010
	Non-Resident - \$100 deposit plus \$70 (up to 4 hours); \$100 (over 4 hours)	2015
Cross Creek Park Rental	Resident - \$100 (1-4 hours), \$25 each additional hour	1999
	Non-Resident - \$200 (1-4 hours), \$50 each additional hour	2015
Festival Park		
Category 1 - Dogwood Festival, International Folk Festival, 2 uses per year (1 per six months) by Cumberland County Schools, 4 uses per year (1 per 3 months) by Art Agencies as coordinated through Arts Council Executive Director	Free	2007
Category 2 - Non-profit event sponsored by a 501(c) organization	\$250 deposit plus \$500 per calendar day	2007
Category 3 - Community event open to the public when no admission is charged, sponsored by any entity other than a non-profit	\$375 deposit plus \$750 per calendar day	2007
Category 4 - Commercial ticketed events - concerts, paid admission shows	\$500 deposit plus \$1,000 per calendar day plus 15% of gross ticket sales, unless event is being sponsored as a part of Category 1 event	2007
Category 5 - Park rental open to the public (e.g. Family reunions, weddings, company picnics, etc.)	\$125 deposit plus \$250 per calendar day	2007
Sunday or legal holiday use	\$150 plus deposit and rental fee	2007
Lamon Street Park Complex	Resident - \$550 per day plus \$250 deposit	2018
	Non-Resident - \$1,100 per day plus \$250 deposit	2018
Martin Luther King Park	Resident - \$45 (1-4 hours), \$75 over 4 hours	2018
	Non-Resident - \$90 (1-4 hours), \$150 over 4 hours	2018
Mazarick Building	Resident - \$75 (1-4 hours), \$25 each additional hour plus \$200 deposit	2018
	Non-Resident - \$150 (1-4 hours), \$50 each additional hour plus \$200 deposit	2018
North Carolina Veterans Park Visitors' Center and Outdoor Garden	Resident - \$725 (1-4 hours), \$100 each additional hour plus \$700 deposit	2011
	Non-Resident - \$1,450 (1-4 hours), \$200 each additional hour plus \$700 deposit	2015
North Carolina Veterans Park Amphitheater		

Description	Current Fee	Calendar Year Est. or Last Changed
Category 1 - Non-profit event sponsored by a 501(c) organization	\$250 deposit plus \$500 per calendar day	2011
Category 2 - Community event open to the public when no admission is charged, sponsored by any entity other than a non-profit	\$375 deposit plus \$750 per calendar day	2011
Category 3 - Commercial ticketed events - concerts, paid admission shows	\$500 deposit plus \$1,000 per calendar day plus 15% of gross ticket sales	2011
Category 4 - Park rental open to the public (e.g. Family reunions, weddings, company picnics, etc.)	\$125 deposit plus \$250 per calendar day	2011
Sunday or legal holiday use	\$150 plus deposit and rental fee	2011
Reid Ross Track	Resident - \$500 per day plus \$250 deposit	2008
	Non-Resident - \$1,000 per day plus \$250 deposit	2015
Rowan Skate Park	Resident - \$1,000 per day plus \$250 deposit	2020
	Non-Resident - \$2,000 per day plus \$250 deposit	2020
Shelter - Small	Resident - \$45 (1-4 hours), \$75 over 4 hours	2018
	Non-Resident - \$90 (1-4 hours), \$150 over 4 hours	2018
Shelter - Large	Resident - \$70 (1-4 hours), \$130 over 4 hours	2018
	Non-Resident - \$140 (1-4 hours), \$260 over 4 hours	2018
Splash Pad	Resident - \$75 for 60 minute rental outside of operational hours	2017
	Non-Resident - \$150 for 60 minute rental outside of operational hours	2017
Tokay Park Complex	Resident - \$575 per day plus \$250 deposit	2018
	Non-Resident - \$1,150 per day plus \$250 deposit	2018
Boating	\$2 per hour, \$5 per half day, \$10 per day	1998
Camping Fees (organized groups)	Resident - \$1 per person per night, \$25 minimum	1995 or prior
	Non-Resident - \$2 per person per night, \$50 minimum	2015
Family Campsite	Resident - \$10 per night	1995 or prior
	Non-Resident - \$20 per night	2015
Mobile Stage - Large (nonprofit organizations)	Resident - \$500 per calendar day, plus \$500 deposit	2008
	Non-Resident - \$1,000 per calendar day, plus \$500 deposit	2015
Mobile Stage - Small (nonprofit organizations)	Resident - \$400 per calendar day, plus \$500 deposit	2008
	Non-Resident - \$800 per calendar day, plus \$500 deposit	2015
Mobile Bleachers (nonprofit organizations)	Resident - \$400 per calendar day, plus \$500 deposit	2007
	Non-Resident - \$800 per calendar day, plus \$500 deposit	2015
Mobile Stage - Large (for profit organizations)	Resident - \$1,000 per calendar day, plus \$500 deposit	2008
	Non-Resident - \$2,000 per calendar day, plus \$500 deposit	2015
Mobile Stage - Small (for profit organizations)	Resident - \$800 per calendar day, plus \$500 deposit	2008
	Non-Resident - \$1,600 per calendar day, plus \$500 deposit	2015
Mobile Bleachers (for profit organizations)	Resident - \$800 per calendar day, plus \$500 deposit	2007

Description	Current Fee	Calendar Year Est. or Last Changed
	Non-Resident - \$1,600 per calendar day, plus \$500 deposit	2015
<i>Mini-Bus Rental for Partnering Agencies</i>	100% recovery of direct costs	
<i>Athletic Programs</i>		2004
Adult Open Play Athletics	\$2.00	
Adult Softball Team Fee (Fall League - 1 night per week)	100% Cost Recovery	
Adult Softball Team Fee (Fall League - 2 nights per week)	100% Cost Recovery	
Adult Softball Team Fee (Spring league - 1 night per	100% Cost Recovery	
Adult Softball Team Fee (Spring league - 2 nights per	100% Cost Recovery	
Adult Basketball Team Fee (1 night per week)	100% Cost Recovery	
Adult Basketball Team Fee (2 nights per week)	100% Cost Recovery	
Golf Lessons	Variable	
Youth AAU Traveling Team	\$2 per youth	2019
Youth Athletics (not otherwise listed)	Resident - \$40	2024
	Non-Resident - \$80	2024
Youth Cheerleading	Resident - \$40	2024
	Non-Resident - \$80	2024
Youth Football	Resident - \$45	2024
	Non-Resident - \$90	2024
Late Registration for Youth Sports Programs	\$5.00	2001
<i>Swimming Pool Fees</i>		
Swimming Lessons	Resident - \$48	2017
	Non-Resident - \$96	2023
Pool Entry Fee	Resident - \$4 for adults, \$3 for children	2024
	Non-Resident - \$8 for adults, \$6 for children	2024
Pool Rental	Resident - \$200 deposit, \$175 rental fee for first 2 hours, \$50 for each additional hour; plus current rate of pay for lifeguards	2011
	Non-Resident - \$200 deposit, \$350 rental fee for first 2 hours, \$100 for each additional hour; plus current rate of pay for lifeguards	2015
<i>Racket Sports Fees</i>		
Tennis Lessons	Variable	1995 or prior
Courts	Resident - \$150 deposit; rental fee of \$35 (up to four hours); \$50 (over four hours); \$175 additional charge for use of lights	2010
	Non-Resident - \$150 deposit; rental fee of \$70 (up to four hours); \$100 (over four hours); \$350 additional charge for use of lights	2015

Description	Current Fee	Calendar Year Est. or Last Changed
The Courts at Glenville Lake (Filter Plant Road) Rental includes Tennis Center Clubhouse, Hard Courts and Site Supervision	Resident - Single Day: \$1,000, plus \$500 deposit Non-Resident - Single Day: \$2,000, plus \$500 deposit	2025 2025
The Courts at Glenville Lake - Single Court Reservation	Resident - \$10 per hour Non-Resident - \$20 per hour	2025 2025
The Courts at Glenville Lake - Main Building Rental	Resident - \$230 (1-4hours), \$50 each additional hour, plus \$200 deposit Non-Resident - \$460 (1-4 hours), \$100 each additional hour, plus \$200 deposit	2026 2026
Adaptive Programs/Leisure Activities	Variable, non-differential for residents or non- residents	2024
Leisure Activities, to include instructor-based programming and/or staff-led programming, based on community interest and may vary by site		
General Recreation Programs/Leisure Activities	Variable; non-residents are charged 2x the set resident rate	2024
Leisure Activities, to include instructor-based programming and/or staff-led programming, based on community interest and may vary by site		
Senior Programs/Leisure Activities	Variable; non-residents are charged 2x the set resident rate	2024
Leisure Activities, to include instructor-based programming and/or staff-led programming, based on community interest and may vary by site		
After-School Program		
Program Fee	Resident - \$140 per month/\$40 per week Non-Resident - \$280 per month/ \$80 per week	2024 2024
Early/Late Fee	\$5 per .5 minute period	2008
Summer Camp/Playground		
Intercession School Workday Camp	Resident - \$18 per day Non-Resident - \$36 per day	2025 2025
Summer Day Camp	Resident - \$90 per week Non-Resident - \$180 per week	2024 2024
Summer Playground	Resident - \$55 per week Non-Resident - \$110 per week	2024 2024
Late Pickup Fee	\$5 per 5 minute period	2009
Summer Day Camp (Pro-rated daily)	Resident - \$18 per day Non-Resident - \$36 per day	2025 2025
Athletic Protest Fee	\$25.00	2002
Community Garden	\$25.00 refundable deposit	2009
Concessions	Variable	2002 or prior
Cemetery		
Burial Plots		
Pre-Need Cemetery Fee	\$575.00	2018
At-Need Cemetery Fee (adult)	\$675.00	2018
At-Need Cemetery Fee (infant)	\$500.00	2018
At-Need Cemetery Fee (pauper)	\$350.00	2018
Monument Administration/Interment Fees		

Description	Current Fee	Calendar Year Est. or Last Changed
Monument Administration/Interment Fees	\$50.00	2018
After Hours Cemetery Fee	\$100.00	2018
Police		
Code Violations		
Noise Violation - Barking Dog	\$200.00 for the 1st violation, \$250.00 for subsequent violations within 12 months	2009
Noise Violation - Residential	\$200.00	2008
Noise Violation - Radios, Loudspeakers, etc.	\$200.00	2008
Street Numbering Violation	\$100.00	2020
False Alarm Fee		
1st false alarm per fiscal year	No charge	2010
2nd false alarm per fiscal year	No charge	2010
3rd false alarm per fiscal year	\$35.00	2022
4th false alarm per fiscal year	\$60.00	2022
5th false alarm per fiscal year	\$60.00	2022
6th false alarm per fiscal year	\$110.00	2022
7th false alarm per fiscal year	\$110.00	2022
In excess of 7th false alarm per fiscal year	\$210.00	2022
Continuous alarm	\$10.00 for each 60-minute interval beginning 60 minutes after notification, not to exceed \$100.00 in a 24-hour period	2010
IDB Photo Reports	\$0.35 for 4"x 6", \$5.00 for 8"x 10", \$5.00 for contact sheet	2008
Photographic CD	\$35.00 per CD	2008
Wrecker Fees		
Annual Wrecker Inspection Fee	\$100.00 per truck	2008
Wrecker Rotation Fee	\$15.00 per tow	2008
Officer Fees	Variable	2002
Services for Other Law Enforcement Agencies		
Range Fee	\$400.00 per day	2019
Fee to Unlock Cell Phone	\$100.00 per device	2021
Cell Phone Data Extraction Fee (Requesting agency to supply memory device)	\$75.00 per device	2021
Public Services		
<u>Engineering & Infrastructure Fees and Penalties</u>		
Map Sales		
Aerial Photographs		
Prints (8 1/2" x 11")	\$11.00	2024
Prints (8 1/2" x 14")	\$13.00	2024
Prints (11" x 17")	\$17.00	2024
Prints (18" x 24")	\$22.00	2024
Prints (24" x 36")	\$33.00	2024

Description	Current Fee	Calendar Year Est. or Last Changed
Prints (36" x 48")	\$55.00	2024
District Map	\$17.00	2024
Large City Map with Street Index Booklet	\$39.00	2024
Medium City Map	\$28.00	2024
Precinct Map	\$17.00	2024
Topographic Map	\$17.00	2024
Copy Sales		
Prints (8½" x 11")	\$2.00	2024
Prints (11" x 17")	\$3.00	2024
Prints (8½" x 14")	\$3.00	2024
Prints (18" x 24")	\$6.00	2024
Prints (24" x 36")	\$7.00	2024
Prints (36" x 48")	\$8.00	2024
Development Plan Reviews/Infrastructure Permits		
Commercial Developments (one acre or less)	\$325.00	2024
Commercial Developments (between one and ten acres)	\$550.00	2024
Commercial Developments (in excess of ten acres)	\$1,025.00	2024
Residential Subdivisions (50 lots or less)	\$550.00	2024
Residential Subdivisions (51 to 100 lots)	\$800.00	2024
Residential Subdivisions (in excess of 100 lots)	\$1,025.00	2024
Resubmittal Fee (commercial or residential, per submittal)	\$250.00	2024
Infrastructure Inspection Fees		
Roadway Inspection Fee	\$1.50 per linear ft.	2024
Storm Drainage Pipe Inspection	\$1.00 per linear ft.	2024
Driveway Permits		
Driveway Permit (commercial) ≤ 75,000 sq. ft.	\$200.00 plus \$50.00 per hour for traffic impact analysis and traffic signal modifications as applicable	2010
Driveway Permit (commercial) > 75,000 sq. ft.	\$400.00 plus \$50.00 per hour for traffic impact analysis and traffic signal modifications as applicable	2010
Driveway Permit (residential)	\$100.00	2024
Resurfacing Permit	\$33.00	2024
Sidewalk Permit	\$33.00	2024
Payment in Lieu of Sidewalk Construction	\$38.98 per linear foot for 4' wide sidewalk*	2023
Price per foot to be adjusted each July 1st based on Construction Cost Index changes as of the prior	\$45.22 per linear foot for 5' wide sidewalk	2023
	\$51.43 per linear foot for 6' wide sidewalk*	2023
Right-of-Way Excavations		
Drainage Excavation Permit	\$150.00	2026
Excavation Permit	\$150.00	2026
Reinspection Fee for Excavation	\$125.00	2026
Roadway Degradation Fee	\$50.00 per sq. yd. of encroachment	2026

Description	Current Fee	Calendar Year Est. or Last Changed
Payment in Lieu of Resurfacing	Estimated square yards of asphalt required times cost per square yard from the most recent resurfacing contract for labor and materials, plus applicable roadway inspection fees	2015
Right-of-Way Encroachment		
Small Cell Antenna Application Fee	\$125.00 total for the first 5 antennas, \$50.00 each for any additional antennas. Limit of 25 antennas per application.	2024
Small Cell Antenna Technical Review Fee	Actual costs not to exceed \$500 per application	2018
Right-of-Way Encroachment - Utility Review Fee	\$300.00	2024
Sidewalk Assessment (Petitioned)		
	\$10.00 per front foot	2022
Street Paving Assessments		
To improve a soil street to a strip paved street	\$15.00 per front foot	2015
To install concrete curb and gutter on a strip paved street	\$20.00 per front foot	2015
To pave and install concrete curb and gutter on a soil street	\$35.00 per front foot	2015
Traffic Control Photographic System Citations		
Civil penalty for violation	\$100.00	2015
Penalty for failure to pay or appeal a citation within 30 days after notification	\$100.00	2015
Traffic Control Services and Device Rental Fees		
Review Fee	\$50.00 per man hour	2020
Labor Fee	\$35.00 per man hour	2023
Equipment Fee	\$35.00 per hour per piece of equipment	2023
Message Board	\$200.00 per board per day	2023
Arrow Board	\$10.00 per board per day	2023
36" Cone	\$2.00 per cone per day	2023
36" Channelizer Cone	\$2.00 per cone per day	2023
Barricade	\$5.00 per barricade per day	2023
Drum	\$3.00 per drum per day	2023
Sign Stand	\$3.00 per stand per day	2023
Traffic Control Sign	\$3.00 per sign per day	2023
Water Jersey	\$10.00 per jersey per day	2023
House Moving Fee	\$1,500.00 Bond, \$25.00 administrative fee, \$25.00 per hour police escort fee and \$37.00 per hour signal technician fee	1987
Right-of-Way Registration Fee	\$200.00	2002 or prior
Street Closing Fee	\$1,500.00	2011
Street Right of Way Withdrawal	\$500.00	2011

Description	Current Fee	Calendar Year Est. or Last Changed
<i>Temporary Right of Way Encroachment Fee</i>		
30 day permit for items (construction dumpsters, etc.) placed on sidewalks	\$75.00 per 30 days	2024
Temporary Truck Route Permit	\$150.00	2024
Floodplain Development Permit	\$100.00	2024
<u>Solid Waste Fees and Penalties</u>		
<i>Residential Solid Waste Fee</i>		
Single-family homes and residential units in multi-family	\$285.00 per year	2026
<i>Backdoor Pickup Fee</i>		
Handicap Backdoor Pickup	No Charge	2002 or prior
Premium Service Fee (Garbage and Recycling Only)	\$250.00 per year	2026
<i>Bulky Item Pickup</i>		
5 items or less	No Charge, biweekly collections	2022
6 items - up to 20 cubic yards	\$100.00 per scheduled collection	2022
Approximately 20 cubic yards or more	\$357.00 per scheduled collection. If more than one collection is required, the resident will be charged for each collection needed.	2022
<i>Large Limb Pickup</i>		
Less Than 10 Cubic Yards	No Charge, biweekly collections	2023
10 Cubic Yards or More	\$357.00 per scheduled collection. If more than one collection is required, the resident will be charged for each collection needed.	2023
<i>Household Construction Debris Pickup</i>		
1 Commode	No charge	2026
2 or more commodes	\$50 per scheduled collection	2026
Generated by contractor	Not offered	2011
Under 10 cubic yards	\$50.00 per scheduled collection	2022
10 - 20 cubic yards	\$100.00 per scheduled collection	2022
More than 20 cubic yards	\$357.00 per scheduled collection	2022
<i>Loose Leaf Pickup</i>		
Collection during scheduled neighborhood loose leaf	No Charge	
Collection outside of scheduled neighborhood loose leaf		
Collection of 25 cubic yards or less	\$75.00	2012
Collection of more than 25 cubic yards	\$250.00	2012
<i>Set-Out Pickup</i>		
For curbside pickup of mixed refuse or furniture, usually resulting from vacating a residence	\$100.00 for less than 20 cubic yards per load	2019
	\$357.00 for more than 20 cubic yards per load	2022
<i>Rollout Carts</i>		
Cart Purchase	Variable based upon actual City purchase price	2007

Description	Current Fee	Calendar Year Est. or Last Changed
Delivery Fee	\$25.00 per delivery	2017
Festival Park Events	10 garbage and 10 recycling carts no charge - extra carts \$10.00 per cart per day	2017
Events Outside of Festival Park	\$100.00 for 5 garbage and 5 recycling carts	2017
Returned Trip Fee	\$50.00 per scheduled collection	2026
<i>Solid Waste Fines</i>		
Failure to remove container from curb	1st violation & 2nd written warning; 3rd and subsequent violations \$50.00 each	2022
Emergency Safety Abatement (Flat Fee)	\$500.00 per load	2022
Illegal Dumping Violation Section 22-16-D (Illegal dumping, construction, set outs not called in, etc.)	\$500.00 plus City's cost of removal Citation cost of \$100 per day beginning on the 11th day until resident/owner corrects the violation and \$100 Hearing Officer Charge	2023
<i>Stormwater Fees and Penalties</i>		
<i>Stormwater Fee (Quality & Improvements)</i>		
Single Family	\$7.00 per month per ERU for less than 2,500 sq.ft. of impervious surface	2026
	\$14.00 per month per ERU for 2,501-4,800 sq.ft. of impervious surface	2026
	\$21.00 per month per ERU for greater than 4,800 sq.ft. of impervious surface	2026
Non-Single Family	\$7.00 per month per 2,266 sq. ft. of impervious surface	2024
<i>Stormwater Control Measure Inspection Fee</i>	\$300.00	2019
<i>Stormwater Control Ordinance Variance Filing Fee</i>	\$500.00	2011
<i>Stormwater Control Ordinance Civil Penalties</i>		
First Offense within 2 years:		
Off-site impacts documented	\$3,000.00 per day	2011
No off-site impacts documented	\$1,000.00 per day	2011
Second Offense within 2 years:		
Off-site impacts documented	\$5,000.00 per day	2011
No off-site impacts documented	\$3,000.00 per day	2011
Third or Subsequent Offense within 2 years:		
Each violation	\$5,000.00 per day	2011
<i>Illicit Connection and Improper Disposal Civil Penalties</i>		
Category I Violation	\$1,000.00 per day, plus investigation, restoration and administrative costs	2009
Category II Violation	\$500.00 per day, plus investigation, restoration and administrative costs	2009
Category III Violation	\$100.00 per day, plus investigation, restoration and administrative costs	2009
<i>Stormwater Ordinance Appeal Fee</i>	\$500.00	2019
<i>Other Violations of Stormwater Control Ordinance</i>	Up to \$5,000/day	2011

Description	Current Fee	Calendar Year Est. or Last Changed
Motor Vehicle License Tax for Transit	\$5.00 per year	2008
Bus Fares and Passes		2013
1-Ride Pass	\$1.25	2013
Discount 1-Ride Pass (elderly and disabled)	\$0.50	2013
1-Day Pass	\$3.00	2013
Discount 1-Day Pass (elderly and disabled)	\$1.50	2016
Youth 1-Day Pass	\$2.00	2016
Rolling 7-Day Pass	\$15.00	2025
Discount Rolling 7-Day Pass	\$7.50	2025
30-Day (Rolling) Pass	\$40.00	2013
Discount 30-Day (Rolling) Pass	\$17.00	2013
Student 30-Day (Rolling) Pass	\$30.00	2019
Student Semester Pass (Fayetteville State University, Methodist University; Fayetteville Technical Community College, and Miller-Motte College)	\$55 per fall or spring semester, or \$40 per summer term, convenience fee for Internet payment does not apply	2016
Summer Fun Pass (18 & under for June, July & August)	\$15.00	2013
FASTTrac! (ADA) Fare	\$2.00	2013
FASTTrac! (ADA) 20-Ride Pass	\$35.00	2013
FASTTrac! (ADA) 10-Ride Pass	\$17.50	2018
Child Fare	Children under 6 years of age - Free when accompanied by fare paying adult. Children over 42 inches may obtain an ID card with age verification.	2019
City Employees	Fare is free for Current City Employees with presentation of valid City ID card. (This is only for Fixed Route/Bus services.)	
Promotions - Reduced Fare Days	Up to three (3) reduced fare days per year subject to approval of City Manager. \$0.25 per ride or free in exchange for donation	2019
Bulk Pass Sale Discounts		
100 to 249 Passes	10% discount	2013
250 to 499 Passes	15% discount	2013
500 to 999 Passes	20% discount	2013
1,000 or Greater Passes	25% discount	2013
Third-Party Fare Agreements		
50 to 99 Passes (\$900 monthly revenue guarantee)	25% discount	2013
100 to 249 Passes (\$1,400 monthly revenue guarantee)	30% discount	2013
250 to 499 Passes (\$2,600 monthly revenue guarantee)	35% discount	2013
500 or Greater Passes (\$3,600 monthly revenue)	40% discount	2013
Cumberland County Court Programs and Fayetteville Police Department Homeless Prevention	\$0.40 per 1-day pass or \$20 per 30-day (rolling) pass	2018

Description	Current Fee	Calendar Year Est. or Last Changed
Cumberland County Schools		
After School Activity Pass	Free fare	2014
Youth (18 & Under) Day Passes, Student Rolling 30 Day Passes, Summer Fun Passes	Passes up to \$5,000 in value per fiscal year at no charge	2016
Cumberland County NCWorks Career Center		
1-Day Pass, with minimum 100 pass purchase	\$1.00 per pass	2018
30-Day (Rolling) Pass, with minimum 50 pass purchase	\$20.00 per pass	2018
County and State Organizations and Affiliated Agencies		
1-Day Pass, with minimum 100 pass purchase. Fiscal year maximum of 300 passes per organization or 1,500 total passes for all organizations.	\$1.00 per pass	2018
30-Day (Rolling) Pass, with minimum 50 pass purchase. Fiscal year maximum of 150 passes per organization or 500 total passes for all organizations.	\$20.00 per pass	2018
Identification Cards		
1st Card	Free	2014
Additional/Replacement Card	\$2.00	2024
FAST Transit Center Community Room Rental		
Nonprofit Organizations	\$200 deposit and \$150 for less than 4 hours; \$200 deposit and \$300 for more than 4 hours	2024
For Profit Organizations	\$200 deposit and \$300 for less than 4 hours; \$200 deposit and \$600 for more than 4 hours	2024
City Sponsored or Affiliated Agencies	Fees may be waived by City Manager or designee	2018

Attachment B

PARKS & RECREATION BOND FUND

	Appropriation to Date	Recommended FY 2027	Total
Sources			
General Fund Pay Go	\$ 2,713,000	-	2,713,000
General Obligation Bonds	22,240,971	-	22,240,971
Limited Obligation Bonds	18,761,304	-	18,761,304
Other Funding Sources	459,845	-	459,845
State Funding	1,256,660	-	1,256,660
Unassigned Capital Fund Balance	2,278,059	-	2,278,059
Sources Total	\$ 47,709,839	-	47,709,839
Uses			
Downtown Playspace/Hurley Plaza	\$ 380,000	-	380,000
Senior Center East	9,317,502	-	9,317,502
McArthur Sports Field Complex	22,931,018	-	22,931,018
Tennis Center	7,900,000	-	7,900,000
Mable C. Smith Park	2,385,320	-	2,385,320
Cape Fear River Park	2,380,815	-	2,380,815
Martin Luther King Jr Park	2,100,000	-	2,100,000
P&R Bond Fund Contingency	315,184	-	315,184
Uses Total	\$ 47,709,839	-	47,709,839

Attachment B

GENERAL GOVERNMENT CAPITAL PROJECT FUND

	Appropriation to Date	Recommended FY 2027	Total
Sources			
Debt Financing	\$ 14,426,152	-	14,426,152
General Fund Pay Go	22,743,695	1,440,000	24,183,695
Limited Obligation Bonds	250,000	-	250,000
Other Funding Sources	2,106,349	-	2,106,349
Enterprise Pay Go	3,912,900	2,624,789	6,537,689
Capital Rate Pay Go	1,000,044	4,030,313	5,030,357
Unassigned Capital Fund Balance	899,302	731,600	1,630,902
Sources Total	\$ 45,338,442	8,826,702	54,165,144
Uses			
Fleet Replacement	\$ 3,782,679	3,926,850	7,709,529
3rd Floor City Hall Renovation	162,756	108,504	271,260
City Hall Renovations - Phase II	250,000	-	250,000
Computer Replacements II	726,548	850,701	1,577,249
ITSM Software Implementation	165,000	285,000	450,000
Building Maintenance II	275,000	599,000	874,000
FY27 Fire Apparatus Replacement	6,500,000	-	6,500,000
City Wireless Network Expansion Project	222,000	-	222,000
Computer Replacements	7,403,782	-	7,403,782
Disaster Recovery System	2,034,653	-	2,034,653
Virtual Server Expansion	722,034	-	722,034
Building Maintenance	7,831,256	-	7,831,256
Wireless Network Expansion	572,104	-	572,104
ADA Improvements	246,946	-	246,946
Revenue Management System	472,932	-	472,932
Direct Fiber Connection	936,407	-	936,407
Single Internet Domain	1,448,000	-	1,448,000
ERP System	8,414,169	-	8,414,169
Fleet Operations Center Planning & Development	250,000	-	250,000
City Notification System	51,080	-	51,080
Fay Cares DRC	600,000	-	600,000
ADA Compliance Project	200,000	-	200,000
Impact Reduction Program	110,000	-	110,000
CIP Contingency Project	901,096	-	901,096
Fast Center Buildout	1,060,000	1,440,000	2,500,000
COF Full Facility Inventory & Replacement	-	270,000	270,000
Disaster Recovery Infrastructure Refresh	-	250,000	250,000
Parking Lot Maintenance II	-	100,000	100,000
Print Shop Equipment Replacements	-	53,984	53,984
Replacing Timekeeping System	-	942,663	942,663
Uses Total	\$ 45,338,442	8,826,702	54,165,144

Attachment B

ECONOMIC & PHYSICAL DEVELOPMENT CAPITAL PROJECT FUND

	Appropriation to Date	Recommended FY 2027	Total
Sources			
General Fund Pay Go	\$ 8,665,309	-	8,665,309
Local Funding	342,348	-	342,348
Other Funding Sources	516,055	-	516,055
State Funding	6,240,000	-	6,240,000
Enterprise Pay Go	4,012,205	-	4,012,205
Unassigned Capital Fund Balance	246,719	-	246,719
Sources Total	\$ 20,022,636	-	20,022,636
Uses			
Day Resource Center	\$ 5,990,000	-	5,990,000
Murchison Rd. Redevelopment	2,835,000	-	2,835,000
Texfi Project	921,739	-	921,739
HOPE VI Project	6,601,000	-	6,601,000
Affordable Housing Fund 2016	200,000	-	200,000
Downtown Redevelopment Site	2,958,842	-	2,958,842
Segra Stadium Capital Maintenance Improvement	516,055	-	516,055
Uses Total	\$ 20,022,636	-	20,022,636

Attachment B

ENVIRONMENTAL PROTECTION CAPITAL PROJECT FUND			
	Appropriation to Date	Recommended FY 2027	Total
Sources			
Enterprise Revenue Bonds	\$ 4,035,184	9,000,000	13,035,184
General Fund Pay Go	162,500	-	162,500
Enterprise Pay Go	55,503	82,788	138,291
Sources Total	\$ 4,253,187	9,082,788	13,335,975
Uses			
College Lakes Dam	\$ 1,500,000	1,000,000	2,500,000
Dam Safety and Preservation	253,187	-	253,187
Arran Lakes West Dam Overtopping Protection	2,500,000	8,000,000	10,500,000
Dam Safety and Preservation II	-	82,788	82,788
Uses Total	\$ 4,253,187	9,082,788	13,335,975

Attachment B

PUBLIC SAFETY CAPITAL PROJECT FUND

	Appropriation to Date	Recommended FY 2027	Total
Sources			
Debt Financing	\$ 14,743,456	-	14,743,456
Federal Funding	166,185	-	166,185
General Fund Pay Go	3,369,250	1,183,580	4,552,830
General Obligation Bonds	34,850,335	16,161,364	51,011,699
State Funding	12,790,000	821,162	13,611,162
Capital Rate Pay Go	832,280	2,877,691	3,709,971
Unassigned Capital Fund Balance	202,160	-	202,160
Sources Total	\$ 66,953,666	21,043,797	87,997,463
Uses			
Camera Migration	\$ 82,148	-	82,148
Radio Core Upgrade	1,001,371	-	1,001,371
Public Safety Camera Network Expansion	887,340	-	887,340
FFD Fire Station CCTV System Installation	22,592	285,650	308,242
Fire Station 4 Relocation	11,480,200	-	11,480,200
Enhanced Security Systems	537,021	-	537,021
Body-Worn Camera Replacements	133,143	-	133,143
911 Center	31,070,000	-	31,070,000
Fire Station 16	11,013,149	-	11,013,149
Fire Station 9	3,320,335	8,648,215	11,968,550
Fire Station 2	2,236,851	7,513,149	9,750,000
Fire - Replacement Fire Apparatuses	4,443,456	-	4,443,456
Public Safety Video Data Storage and Analysis	559,875	-	559,875
Community Policing Development Microgrants	166,185	-	166,185
CAD System	-	1,183,580	1,183,580
Emergency Medical Services Portal	-	70,000	70,000
Public Safety Radio Upgrade	-	3,343,203	3,343,203
Station Alerting System Replacement	-	-	-
Uses Total	\$ 66,953,666	21,043,797	87,997,463

Attachment B

PARKS & RECREATION CAPITAL PROJECT FUND

	Appropriation to Date	Recommended FY 2027	Total
Sources			
Enterprise Revenue Bonds	\$ 925,000	-	925,000
General Fund Pay Go	12,594,136	-	12,594,136
General Obligation Bonds	-	312,570	312,570
Local Funding	4,594,750	-	4,594,750
Other Funding Sources	2,108,241	-	2,108,241
State Funding	12,306,392	-	12,306,392
Capital Rate Pay Go	1,664,835	740,982	2,405,817
Unassigned Capital Fund Balance	198,718	662,625	861,343
Sources Total	\$ 34,392,072	1,716,177	36,108,249

Uses

Cape Fear River Trail (City)	\$ 1,370,000	-	1,370,000
Aquatic Facility Refurbishing	255,000	240,982	495,982
Concrete Replacements/Repairs at Various Parks	30,000	31,500	61,500
Cross Creek Connector	810,000	-	810,000
Fire Station 16 Playground	200,000	-	200,000
New Splash Pad	450,000	-	450,000
Little Cross Creek Greenway	956,000	-	956,000
Cape Fear River Trail	7,703,607	-	7,703,607
CapeFear River Trail Connector	185,000	-	185,000
Playground Equipment and Improvements	1,559,834	300,000	1,859,834
Freedom Park	592,341	-	592,341
Tree Fund Money	412,070	-	412,070
Land Acquisition Big Cross Creek	52,000	-	52,000
NC Veteran's Park Phase II	1,142,470	-	1,142,470
Blount's Creek Trail III	93,750	-	93,750
Wifi Locks System	80,000	-	80,000
Makers Space Facility	1,600,000	450,000	2,050,000
Old City Hall Renovations	250,000	-	250,000
Historic Buildings and Sites	3,200,000	-	3,200,000
Parks and Recreation Trail Upgrades	1,700,000	-	1,700,000
Lake Rim Park Improvements	1,500,000	-	1,500,000
Reid Ross Track Improvements	450,000	-	450,000
Cape Fear River Trail Exp	1,000,000	-	1,000,000
Glenville Lake Project	2,200,000	-	2,200,000
The North Carolina History Center on the Civil War, & Emancipation & Reconstruction	6,600,000	-	6,600,000
Century Track Improvements	-	181,125	181,125
Recreation Amenities Refurbishment	-	100,000	100,000
Recreational Surface Refurbishment	-	100,000	100,000
Senior Center East Additional Parking	-	312,570	312,570
Uses Total	\$ 34,392,072	1,716,177	36,108,249

Attachment B

TRANSPORTATION CAPITAL PROJECT FUND

	Appropriation to Date	Recommended FY 2027	Total
Sources			
Federal Funding	\$ 404,867	-	404,867
General Fund Pay Go	14,704,676	-	14,704,676
General Obligation Bonds	22,787,992	1,429,008	24,217,000
Local Funding	1,057,836	-	1,057,836
Other Funding Sources	-	264,602	264,602
State Funding	36,012,883	3,314,661	39,327,544
Enterprise Pay Go	-	-	-
Capital Rate Pay Go	766	2,750,749	2,751,515
Unassigned Capital Fund Balance	706,734	-	706,734
Sources Total	\$ 75,675,754	7,759,020	83,434,774
Uses			
HSIP Location - Good Middling and Two Bale	\$ 82,500	59,000	141,500
Multi Use Lane Markings II	50,000	50,000	100,000
NCDOT Companion Funding	200,000	200,000	400,000
Street Intersection Improvements II	275,000	300,000	575,000
Pavement Markings	100,000	100,000	200,000
Municipal Agreement Projects	594,522	-	594,522
Safe Streets for ALL Grant Program	506,083	-	506,083
Rosehill Road Sidewalks	1,803,803	-	1,803,803
FY19 Sidewalk Improvements	1,506,380	-	1,506,380
Gillis Hill Road Sidewalk Municipal Agreement	150,728	-	150,728
FY20 Sidewalk Improvements	350,000	-	350,000
FY21 Sidewalk Improvements	500,000	-	500,000
FY22 Sidewalk Improvements	564,035	-	564,035
Transport and RR Crossing Safety Improvement Projects	1,950,000	-	1,950,000
Comprehensive Transportation Plan's Connectivity Analysis	750,000	-	750,000
Thoroughfare Streetlights	811,933	107,380	919,313
FY21 Street Resurfacing	5,357,670	-	5,357,670
FY22 Street Resurfacing	8,168,971	-	8,168,971
FY23 Pavement Preservation Program	19,339,344	-	19,339,344
Bridge Preservation Program	1,239,340	220,768	1,460,108
Greenoch Ave Cul-De-Sacs	814,815	-	814,815
Pedestrian Safety Improvements & Blanton Rd Extension	4,319,350	-	4,319,350
Street Resurfacing Program	14,958,784	-	14,958,784
Sidewalk Program	10,842,496	400,000	11,242,496
Bike Lane Program	440,000	450,000	890,000
400 Block Hay Street Pavers and Sidewalk	-	490,000	490,000
City-Owned Signal Modernization	-	322,211	322,211
Farmers Road Extension	-	1,200,000	1,200,000
NCDOT Bike Plan Update	-	95,000	95,000
Pavement Preservation Program II	-	3,314,661	3,314,661
Single Access Neighborhood Connecting Project	-	50,000	50,000
Supplemental Pedestrian Plan Projects	-	400,000	400,000
Uses Total	\$ 75,675,754	7,759,020	83,434,774

Attachment B

STORMWATER CAPITAL PROJECT FUND

	Appropriation to Date	Recommended FY 2027	Total
Sources			
Enterprise Revenue Bonds	\$ 8,652,009	-	8,652,009
Federal Funding	-	4,734,317	4,734,317
General Fund Pay Go	487,679	-	487,679
Local Funding	7,889,268	2,505,000	10,394,268
Other Funding Sources	261,378	-	261,378
State Funding	20,289,089	30,271,979	50,561,068
Enterprise Pay Go	55,831,921	1,800,000	57,631,921
Unassigned Capital Fund Balance	1,021,934	700,000	1,721,934
Sources Total	\$ 94,433,278	40,011,296	134,444,574

Uses

Stormwater Enhancements	\$ 100,000	-	100,000
Cross Creek Channel Improvement	534,050	700,000	1,234,050
FY18 Stormwater Improvements	2,612,797	-	2,612,797
FY19 Stormwater Improvements	2,460,017	-	2,460,017
FY20 Stormwater Improvements	4,515,400	-	4,515,400
Ray Ave STW & St Improvements	335,941	-	335,941
Stormwater Watershed Studies	21,993,141	500,000	22,493,141
FY21 Stormwater Improvements	2,065,000	-	2,065,000
FY22 Stormwater Improvements	2,285,000	-	2,285,000
Riverine Flood Assessments	500,000	-	500,000
Stormwater Infrastructure Drainage Improvement	16,604,503	-	16,604,503
FY23 Stormwater Drainage Improvements	4,868,500	-	4,868,500
Neville Street Drainage Improvements	2,439,283	-	2,439,283
Blounts Creek Stream Enhancement Conceptual Design	1,200,000	-	1,200,000
FY24 Stormwater Drainage Improvements	3,813,138	-	3,813,138
Wayland Drive Drainage Improvements	479,017	6,312,422	6,791,439
Hinsdale Road Reconstruction	4,440,739	2,505,000	6,945,739
Stormwater Program	6,038,055	-	6,038,055
FY25 Stormwater Improvements	4,961,080	-	4,961,080
Ivy and Lyon Road Drainage Improvement - DRMG	8,201,397	-	8,201,397
Person & Russell	3,986,220	28,693,874	32,680,094
Drainage Assistance Program	-	300,000	300,000
Stormwater Program II	-	-	-
Stormwater Strategic Plan	-	500,000	500,000
Stormwater Watershed Studies II	-	500,000	500,000
Uses Total	\$ 94,433,278	40,011,296	134,444,574

Attachment B

STORMWATER CAPITAL PROJECT FUND

	Appropriation to Date	Recommended FY 2027	Total
Sources			
Federal Funding	\$ 12,092,830	4,648,000	16,740,830
General Fund Pay Go	234,731	-	234,731
Other Funding Sources	79,721	-	79,721
Enterprise Pay Go	2,178,752	1,162,000	3,340,752
Sources Total	\$ 14,586,034	5,810,000	20,396,034
Uses			
FTA NC-2025-046	\$ 350,625	-	350,625
FTA NC-2025-049	453,924	-	453,924
Transit ROW & Easements	25,000	-	25,000
Transit Development Projects - FTA NC 2021-023-00	4,663,006	-	4,663,006
Transit Development Projects - FTA NC 2022-059-00	5,676,500	-	5,676,500
ADA Paratransit Scheduling System	251,869	-	251,869
Paratransit Scheduling	59,918	-	59,918
Replacement of ADA Paratransit LTVs	514,192	-	514,192
Technology System Replacement Project	990,000	-	990,000
FTA NC 2025-021	1,191,000	-	1,191,000
FTA NC 2025-035	410,000	-	410,000
FY27 Bus Replacement	-	4,500,000	4,500,000
FY27 Support Vehicles Replacements	-	235,000	235,000
Midlife Refurbishment for Buses	-	975,000	975,000
Radio Replacement	-	100,000	100,000
Uses Total	\$ 14,586,034	5,810,000	20,396,034

Attachment B

TRANSIT SPECIAL REVENUE FUND			
	Appropriation to Date	Recommended FY 2027	Total
Sources			
Federal Funding	\$ 1,984,651	80,000	2,064,651
General Fund Pay Go	20,000	20,000	40,000
Enterprise Pay Go	232,200	-	232,200
Sources Total	\$ 2,236,851	100,000	2,336,851
Uses			
Transit Planning & Training - FTA 2021-023-00	\$ 286,000	-	286,000
ARP Subrecipient Agreements	247,421	-	247,421
ADA Transportation Planning	318,000	-	318,000
Transit Planning & Training - FTA NC 2022-059-00	300,000	-	300,000
Transit Development Projects	360,000	-	360,000
FTA NC-2025-017-00	410,430	-	410,430
FTA NC-2025-021-00	215,000	-	215,000
FTA NC-2025-035-00	100,000	-	100,000
Employee Education and Training	-	100,000	100,000
Uses Total	\$ 2,236,851	100,000	2,336,851

Attachment B

AIRPORT CAPITAL PROJECT FUND

	Appropriation to Date	Recommended FY 2027	Total
Sources			
Federal Funding	\$ 8,847,341	12,574,527	21,421,868
Other Funding Sources	10,570,781	-	10,570,781
State Funding	10,869,612	628,726	11,498,338
Enterprise Pay Go	2,387,045	40,000	2,427,045
Sources Total	\$ 32,674,779	13,243,253	45,918,032
Uses			
Airport Master Plan Update	\$ 1,276,891	-	1,276,891
Terminal Reno Data Infrastruct	200,000	-	200,000
General Aviation Hangar	3,768,861	-	3,768,861
Airport Perimeter Road Paving and Fencing Replacement	450,000	-	450,000
Terminal Improvements Part III	3,915,686	-	3,915,686
Consolidated Rental Car Facility Development	10,570,781	-	10,570,781
AIP 55 - Passenger Boarding Bridge Replacement	1,650,000	-	1,650,000
NCDOT Commercial Service Airport Funding	640,105	-	640,105
Enviro & Design Phase of Taxiway Foxtrot and Golf Rehab	2,642,598	-	2,642,598
Terminal Data Infrastructure	100,000	40,000	140,000
International Arrivals Facility	7,459,857	-	7,459,857
Re-Pave and Paint North General Aviation Apron	-	13,203,253	13,203,253
Uses Total	\$ 32,674,779	13,243,253	45,918,032

Attachment B

SOLID WASTE CAPITAL PROJECT FUND

	Appropriation to Date	Recommended FY 2027	Total
Sources			
Enterprise Pay Go	\$ 537,768	225,541	763,309
Unassigned Capital Fund Balance	-	153,287	153,287
Sources Total	\$ 537,768	378,828	916,596
Uses			
455 Grove Street Women's Locker and Break Room Renovations	\$ 537,768	-	537,768
Solid Waste Onboarding System	-	378,828	378,828
Uses Total	\$ 537,768	378,828	916,596

Attachment B

FEDERAL AND STATE FINANCIAL ASSISTANCE FUND

	Appropriation to Date	Recommended FY 2027	Total
Sources			
Federal Funding	\$ -	2,682,047	2,682,047
General Fund Pay Go	-	224,505	224,505
Investment Income	-	750,648	750,648
Sources Total	\$ -	3,657,200	3,657,200
Uses			
FY2027 CDBG	\$ -	1,716,474	1,716,474
FY2027 HOME Grant	-	1,775,554	1,775,554
FY2027 ESG	-	165,172	165,172
Uses Total	\$ -	3,657,200	3,657,200

2026-27 Budget Ordinance (2027-1)

BE IT ORDAINED BY THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA:

Section 1. It is estimated that the following revenues and other financing sources will be available during the fiscal year beginning July 1, 2026, and ending June 30, 2027, to meet the appropriations listed in Section 2.

Schedule A: General Fund

Ad Valorem Taxes	\$ 98,454,994
Other Taxes	1,494,043
Intergovernmental Revenues	38,163,984
Sales Tax	55,016,558
Operating Revenues	8,924,224
Other Revenues	1,397,740
Investment Income	3,193,113
Interfund Charges	3,792,236
Fund Balance Appropriation	<u>5,048,838</u>
Total Estimated General Fund Revenues and Other Financing Sources	<u>\$ 215,485,730</u>

Schedule B: Central Business Tax District Fund

Ad Valorem Taxes	\$ 331,978
Investment Income	<u>8,000</u>
Total Estimated Central Business Tax District Fund Revenues and Other Financing Sources	<u>\$ 339,978</u>

Schedule C: Emergency Telephone System Fund

Intergovernmental Revenues	\$ 423,503
Investment Income	<u>65,951</u>
Total Estimated Emergency Telephone System Fund Revenues and Other Financing Sources	<u>\$ 489,454</u>

Schedule D: Law Enforcement Officers' Special Separation Allowance Fund

Employee Benefit Contributions	\$ <u>4,986,808</u>
Total Estimated Law Enforcement Officers' Special Separation Allowance Fund Revenues and Other Financing Sources	<u>\$ 4,986,808</u>

Schedule E: Parking Fund

Operating Revenues	\$ 595,935
Interfund Charges	554,000
Other Revenues	2,000
Investment Income	<u>1,000</u>
Total Estimated Parking Fund Revenues and Other Financing Sources	<u>\$ 1,152,935</u>

2026-27 Budget Ordinance (2027-1)

BE IT ORDAINED BY THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA:

Schedule F: PWC Assessment Fund

Operating Revenues	\$ 1,685,349
Total Estimated PWC Assessment Fund Revenues and Other Financing Sources	\$ 1,685,349

Schedule G: Airport Fund

Operating Revenues	\$ 5,514,299
Other Revenues	312,968
Intergovernmental Revenues	189,983
Investment Income	694,768
Other Financing Sources	680,000
Fund Balance Appropriation	1,069,773
Total Estimated Airport Fund Revenues and Other Financing Sources	\$ 8,461,791

Schedule H: Solid Waste Fund

Operating Revenues	\$ 18,364,155
Intergovernmental Revenues	546,022
Other Revenues	85,197
Investment Income	385,751
Total Estimated Solid Waste Fund Revenues and Other Financing Sources	\$ 19,381,125

Schedule I: Stormwater Management Fund

Intergovernmental Revenues	\$ 126,000
Operating Revenues	15,000,775
Investment Income	50,000
Total Estimated Stormwater Management Fund Revenues and Other Financing Sources	\$ 15,176,775

Schedule J: Transit Fund

Ad Valorem Taxes	\$ 529,000
Operating Revenues	1,043,520
Other Revenues	8,460
Intergovernmental Revenues	4,316,923
Interfund Charges	9,475,605
Total Estimated Transit Fund Revenues and Other Financing Sources	\$ 15,373,508

Schedule K: Safety and Workers' Comp Fund Revenues and other Funding Sources

Other Revenues	\$ 50,000
Interfund Charges	2,346,854
Total Estimated Safety and Workers' Comp Fund Revenues and Other Financing Sources	\$ 2,396,854

Schedule L: Property and Liability Fund

Other Revenues	\$ 517,320
Investment Income	100,000
Fund Balance Appropriation	100,000
Interfund Charges	2,579,147
Total Estimated Property and Liability Revenues and Other Funding Sources	\$ 3,296,467

2026-27 Budget Ordinance

Schedule M: Risk Management Fund

Employee Benefit Contributions	\$ 21,239,249
Investment Income	1,257,311
Other Revenues	<u>16,293</u>
Total Estimated Risk Management Fund Revenues and Other Funding Sources	\$ <u>22,512,853</u>

Schedule N: Fleet Management Internal Service Fund

Interfund Charges	\$ <u>9,013,922</u>
Total Estimated Fleet Management Internal Service Fund Revenues and Other Financing Sources	\$ <u>9,013,922</u>

Schedule O: Intergovernmental Service Fund

Operating Revenue	\$ <u>6,008,251</u>
Total Estimated Intergovernmental Service Fund Revenues and Other Financing Sources	\$ <u>6,008,251</u>

Schedule P: Capital Improvement Fund

Ad Valorem Taxes	\$ <u>20,179,911</u>
Total Estimated Capital Improvement Fund Revenue and Other Funding Sources	\$ <u>20,179,911</u>

Grand Total	\$ <u>345,941,711</u>
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2026-27 Budget Ordinance

BE IT ORDAINED BY THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA:

Section 2. The following amounts are hereby appropriated for the operations of the City Government and its activities for the fiscal year beginning July 1, 2026, and ending June 30, 2027, according to the following schedules:

Schedule A: General Fund

Community Investment	\$ 9,040,346
Operations	153,119,778
Support Services and Administration	29,604,067
Other Appropriations	<u>23,721,539</u>

Total Estimated General Fund Expenditures and Other Financing Uses **\$ 215,485,730**

Schedule B: Central Business Tax District Fund

Total Estimated Central Business Tax District Fund Expenditures and Other Financing Uses **\$ 339,978**

Schedule C: Emergency Telephone System Fund

Total Estimated Emergency Telephone System Fund Expenditures and Other Financing Uses **\$ 489,454**

Schedule D: Law Enforcement Officers' Special Separation Allowance Fund

Total Estimated Law Enforcement Officers' Special Separation Allowance Fund Expenditures and Other Financing Uses **\$ 4,986,808**

Schedule E: Parking Fund

Total Estimated Parking Fund Expenditures and Other Financing Uses **\$ 1,152,935**

Schedule F: PWC Assessment Fund

Total Estimated PWC Assessment Fund Expenditures and Other Financing Uses **\$ 1,685,349**

Schedule G: Airport Fund

Total Estimated Airport Fund Expenditures and Other Financing Uses **\$ 8,461,791**

Schedule H: Solid Waste Fund

Total Estimated Solid Waste Fund Expenditures and Other Financing Uses **\$ 19,381,125**

2026-27 Budget Ordinance

Schedule I: Stormwater Management Fund

Total Estimated Stormwater Management Fund Expenditures and Other Financing Uses	\$ 15,176,775
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Schedule J: Transit Fund

Total Estimated Transit Fund Expenditures and Other Financing Uses	\$ 15,373,508
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Schedule K: Safety and Workers' Comp Fund

Total Estimated Safety and Workers' Comp Fund Expenditures and Other Financing Uses	\$ 2,396,854
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Schedule L: Property and Liability Fund

Total Estimated Property and Liability Fund Expenditures and Other Financing Uses	\$ 3,296,467
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Schedule M: Risk Management Fund

Total Risk Management Fund Expenditures and Other Financing Uses	\$ 22,512,853
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Schedule N: Fleet Management Fund

Total Estimated Fleet Management Fund Expenditures and Other Financing Uses	\$ 9,013,922
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Schedule O: Intergovernmental Service Fund

Total Estimated Intergovernmental Service Fund Expenditures and Other Financing Uses	\$ 6,008,251
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Schedule P: Capital Improvement Fund

Total Estimated Capital Improvement Fund Expenditures and Other Financing Uses	\$ 20,179,911
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Grand Total	\$ 345,941,711
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2026-27 Budget Ordinance (2027-1)

BE IT ORDAINED BY THE CITY COUNCIL OF FAYETTEVILLE, NORTH CAROLINA:

Section 3. The following estimated revenues and other financings will be available during the fiscal year beginning July 1, 2026 and ending June 30, 2027, to meet the appropriations listed in Section 2.

General Rate 47.95 Cents

Such a rate of tax is based upon an estimated total valuation of property tax for the purpose of taxation of \$21,835,644,249, and estimated at collection rates of 98% for real and personal property, and 98.0% for motor vehicles.

Central Business Tax District Tax Rate 14.89 Cents

Such a tax rate is based up an estimated total valuation of property for the purpose of taxation of \$169,137,742 with collection rates of 98% for real and personal property and 98% for motor vehicles.

Section 4. The Equivalent Service Unit (ESU) is hereby levied at \$7.00 (seven dollars per ESU) monthly in accordance with Fayetteville City Code Stormwater Management Ordinance, Chapter 23.

Section 5. The solid waste fees are levied as follow and as indicated in the City Manager's Recommended Fee FY2027 Operating and Capital budget, which is \$285 per year per single-family household or residential in a multi-family property of seven units or less.

Section 6. The fee schedule as attached (Attachment A) is adopted effective July 1, 2027.

Section 7. Capital Project amounts aggregating \$550,443,367, composed \$438,814,306 previously appropriated funding and \$107,971,861 of additional funding for capital projects as set forth in the Recommended FY2027 Capital and Technology Technology Improvement Plan, as attached (Attachment B) are hereby approved.

Section 8. Funds encumbered, funds reserved for donations, and funds assigned for a specific purpose in the City's financial audit report as of June 30, 2026, are hereby reappropriated, subject to the availability of departmental funds.

Section 9. Funds included for specific purposes in centralized accounts are authorized to be distributed among the benefiting departments and functions.

Section 10. The Capital Project Closeouts are attached, and are to be closed effective July 1st, which releases \$1,148,085 in funds reassigned to other capital projects.

Section 11. Compensation of each council member and the mayor is increased by 4%.

Section 12. Compensation is authorized at \$794.50 per month for the chairperson of the Public Works Commission, and at \$662.08 per month for each other Public Works Commission member.

Section 13. The Public Works Commission is authorized to expend an amount not to exceed \$150,000 for sponsorship activities. All sponsorships must adhere to the Council's policy and acknowledge contribution by the City of Fayetteville.

2026-27 Budget Ordinance (2027-1)

Section 14. Notwithstanding an adopted policy that sets out utility rate reductions and facility impact fee (FIF) waivers for targeted economic development projects, the Public Works Commission is authorized to expend \$10,000 for the Southeastern Partnership, and \$168,000 for the Fayetteville Cumberland County Economic Development Corporation for economic development purposes. Any additional economic development expenditures require a budget ordinance amendment approved by City Council.

Section 15. The motor municipal vehicle privilege license tax is hereby levied at the rate of \$25 per vehicle, with the following allocations: \$5 to the operating budget, and \$20 to street maintenance. The motor vehicle transit license tax is hereby levied at the rate of \$5 per vehicle.

Section 16. Special Revenue amounts of \$3,657,200 of funding CDBG, HOME, and ESG programs as set forth as attached (Attachment B) are hereby approved.

ADOPTED THIS 26th DAY OF MAY, 2026

CITY OF FAYETTEVILLE

Mitch Colvin, Mayor

ATTEST:

Jennifer Ayre, City Clerk



City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0249

Agenda Date: 6/1/2026

Version: 1

Status: Agenda Ready

In Control: City Council Work Session

File Type: Other Items of
Business

Agenda Number: 6.05

TO: Mayor and Members of City Council

THRU: Jodi Phelps, Assistant City Manager

FROM: Christopher L. Cauley, Director of Economic & Community Development

DATE: June 1, 2026

RE: HOME Program HUD Findings and Voluntary Grant Reduction Option

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

GOAL II: The City of Fayetteville will have a Responsive City Government supporting a diverse and viable economy.

Objective 2.2: To invest in community places to ensure revitalization and increase quality of life.

GOAL IV: The City of Fayetteville will be a desirable place to live, work and recreate.

Objective 4.5: To ensure a place for people to live in great neighborhoods.

Objective 4.6: To reduce poverty and homelessness.

GOAL V: The City of Fayetteville will be a financially sound city providing exemplary city services.

Objective 5.1: To ensure strong financial management with fiduciary accountability and plan for future resource sustainability by aligning resources with City priorities.

Objective 5.2: To identify and achieve efficiencies through innovation and technology utilization, by increasing data driven decisions and using business intelligence strategies.

Executive Summary:

City Council is receiving a briefing on two legacy HUD HOME findings requiring corrective financial action totaling \$321,446.21. Staff will present the findings, corrective actions completed to strengthen HOME compliance, and financial resolution options.

Staff anticipates returning at a subsequent Council meeting requesting approval of a voluntary reduction of future HOME Investment Partnerships Program funds, subject to HUD approval, in lieu of repayment from non-federal local funds. This approach would resolve the remaining financial requirement without an immediate General Fund impact.

Background:

HUD issued two HOME Investment Partnerships Program findings requiring corrective financial action by the City. Although the findings were issued in 2025 and 2026, they

relate to legacy HOME activities that date back approximately to the 2017 to 2019 program period, before the City's current HOME compliance framework was established. The July 1, 2025, finding involved HOME activities #1407 and #1563, where HUD determined that valid HOME written agreements were not executed with the homeowners before HOME funds were expended, requiring repayment of \$198,009.14. The January 8, 2026, finding involved HOME activities #1356, #1371, and #1425, where HUD determined that HOME written agreements were not properly executed or amended to reflect the specific amount and use of HOME funds, requiring repayment of \$123,437.07.

Together, the two findings require corrective financial action totaling \$321,446.21. Under current ECD leadership, staff assumed responsibility for resolving these legacy findings, correcting the underlying program structures, and establishing updated procedures to support ongoing HOME compliance. This work session item provides Council with background on the findings, corrective actions completed, and financial resolution options before staff returns at a subsequent Council meeting for formal action.

Issues/Analysis:

The principal issue for discussion is the financial resolution method required to close the remaining HUD HOME findings. The findings relate to legacy HOME activities and prior written agreement, documentation, and financial control practices. Under current ECD leadership, staff assumed responsibility for resolving the findings and correcting the underlying program structures that created the compliance exposure.

Since these matters were identified, staff have undertaken substantial corrective action to align current HOME administration with HUD requirements. The City terminated the former HOME-funded rehabilitation program and replaced it with a CDBG-funded Emergency Home Repair Program administered under revised CDBG policies and procedures. Staff also worked with the City's CDBG/HOME technical assistance consultant to revise HOME policies and procedures, update HOME written agreements, develop standard operating procedures for HOME-funded purchase assistance and homebuyer underwriting, strengthen CHDO application and certification tools, improve underwriting guidance, and provide IDIS, financial management, and federal compliance training.

These corrective actions have also been reviewed through HUD technical assistance. HUD's March 4, 2026 technical assistance summary documented progress toward resolving the open HOME findings, noted that the City had completed extensive updates to HOME written agreements, found the City's updated HOME commitment policy consistent with program regulations, and recognized that updated drawdown and financial procedures help ensure HOME funds are not drawn before a valid written agreement is executed for a specific project. HUD also identified additional process improvements related to written agreement amendments and clearer affordability period dates, which staff will incorporate into ongoing policy updates.

The remaining question is how the City should satisfy the required financial corrective action totaling \$321,446.21. Staff has identified two available options for Council discussion before returning for formal action.

Direct Repayment from Non-Federal Local Funds. This option would require the City to repay \$321,446.21 to the local HOME account using non-federal local funds. This would satisfy the financial requirement immediately and preserve future HOME entitlement capacity. However, it would create an immediate and unbudgeted local fund impact.

Voluntary Grant Reduction. This option would allow the City to request that HUD reduce future HOME entitlement funds by \$321,446.21 over multiple fiscal years, subject to HUD approval, in lieu of immediate repayment from non-federal local funds. This approach satisfies the remaining financial requirement without an immediate General Fund impact and distributes the fiscal effect over time. The tradeoff is that future HOME program capacity would be reduced, requiring staff to prioritize eligible HOME activities within a smaller future funding allocation.

Staff anticipates recommending the voluntary grant reduction when this item returns for formal Council action because it provides a compliant financial resolution method, avoids an immediate General Fund impact, and allows the City to close these legacy findings while continuing to operate under the corrected HOME compliance framework. This work session item does not create a new HOME program or change current housing policy direction; it provides Council an opportunity to review the findings, corrective actions, and proposed financial resolution approach before formal action is requested.

Budget Impact:

If approved at a subsequent Council meeting, the voluntary grant reduction would reduce future HOME entitlement funding by \$321,446.21 over a multi-year period, subject to HUD approval of the final reduction schedule. The draft request proposes reductions of \$121,446.21 in FY2028, \$100,000 in FY2029, and \$100,000 in FY2030.

This option avoids an immediate repayment from non-federal local funds but reduces future HOME program capacity. Staff will need to account for the reduced HOME availability when planning eligible housing activities such as homebuyer assistance, CHDO development, single-family production, LIHTC gap financing, and other HOME-assisted affordable housing activities.

If Council instead directs direct repayment, the full \$321,446.21 would need to be repaid from non-federal local funds to the City's local HOME account. That option would create an immediate local budget impact but preserve future HOME entitlement capacity.

Options:

1. Receive the briefing on legacy HUD HOME findings, corrective actions completed, and financial resolution options.
2. Direct staff to identify non-federal local funds for repayment of \$321,446.21 to the City's local HOME account and return with any required budget action.
3. Provide other direction to staff.

Recommended Action:

Staff recommends that Council receive the briefing and provide consensus for staff to return at a subsequent Council meeting with an action item approving a voluntary reduction of future HOME Investment Partnerships Program funds in the amount of \$321,446.21, subject to HUD approval, in lieu of repayment from non-federal local funds.

Attachments:

- Draft HOME Voluntary Grant Reduction Request Letter
- HUD Finding of Non-Compliance, HOME Activities #1356, #1371, and #1425, January 8, 2026
- HUD Resolution of Findings, HOME Activities #1407 and #1563, July 1, 2025
- HUD FY2026 Onsite Technical Assistance Summary, March 4, 2026
- Civitas Technical Assistance Memorandum, February 12, 2026
- Extension Request for Repayment of HOME Findings



Harry Miles
Director, Office of Community Planning and Development
U.S. Department of Housing and Urban Development
1500 Pincroft Road, Suite 401
Greensboro, NC 27407

Re: Request for a Voluntary Grant Reduction and HUD Acknowledgement

Dear Director Miles:

HUD notified the City of Fayetteville by letters dated July 1, 2025, and January 8, 2026, that monetary repayment was required as corrective action for HOME Investment Partnerships Program non-compliance findings. The findings relate to required HOME written agreements and written agreement amendments associated with HOME-assisted rehabilitation and homebuyer development activities.

Pursuant to 24 CFR 92.552(a)(1), HUD may reduce grant amounts as a remedy for non-compliance. To satisfy the required monetary repayment, the City of Fayetteville requests that HUD reduce its grant(s) in the amount of \$321,446.21 over three years in lieu of repayment from non-federal funds and according to the following schedule:

<u>Fiscal Year 2028</u>	<u>\$121,446.21</u>
<u>Fiscal Year 2029</u>	<u>\$100,000.00</u>
<u>Fiscal Year 2030</u>	<u>\$100,000.00</u>

The City of Fayetteville waives its right to notice and a hearing before HUD reduces its HOME grant(s), pursuant to 24 CFR 92.552(a). If City of Fayetteville requests a revision to this voluntary grant reduction, it will submit a new request.

Sincerely,

Name: Mitch Colvin, Mayor

Date: _____



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
Office of Community Planning & Development
Greensboro Field Office
1500 Pinemcroe Road, 401, Asheville Building
Greensboro, NC 27407-3838
(336) 547-4000
www.hud.gov

January 8, 2026

Douglas J. Hewett, City Manager
City of Fayetteville
433 Hay Street
Fayetteville, NC 28301-5537

SUBJECT: Issuance of Findings for IDIS Activity Numbers 1356, 1371, and 1425

Dear Mr. Hewett:

HUD appreciates your patience during our review of the events surrounding Integrated Disbursement and Information System (IDIS) activity #1356, 1371, and 1425. HUD blocked activity #1356 in IDIS on November 20, 2021, and activity# 1425 on July 1, 2023, for failing to meet the HOME Investment Partnerships Program's (HOME) 4-year project completion deadline. We thank you for promptly supplying documentation and answering questions to assist with our review. For the purposes of this letter, the terms "City" and "Participating Jurisdiction (PJ)" are used interchangeably with the City of Fayetteville.

After reviewing additional documentation for the activities, HUD made a determination of noncompliance and concluded that the City will have to repay a portion of the HOME funds committed to each activity. The determination was made based on the City's failure to execute HOME written agreements or amendments to existing agreements in compliance with the HOME requirements at [24 CFR 92.504\(c\)\(3\)](#), which requires that the project written agreement include the specific amount and use of the HOME funds and other funds for the project.

FINDING 1

CONDITION: The PJ did not amend the written agreement for activity 1356 to reduce the amount of HOME funding by \$109,500 to then have that amount applied to 1371. As a result, the PJ lacked the authority to use the \$109,500 in grant funds for costs attributed to activity 1371 based upon the HOME requirements at [24 CFR 92.504\(c\)\(3\)](#) stating that the project written agreement must include the specific amount and use of the HOME funds and other funds for the project.

The HOME written agreement for activity 1425 was for \$500,000. The PJ expended \$513,937.07.

CRITERIA: [24 CFR 92.504\(c\)\(3\)](#)

CAUSE: Fayetteville funded HOME activity 1356 for \$455,500 through two written agreements and drew the activity for this amount in IDIS. However, the City asserts that this



activity was overfunded by \$109,500 and the City desired to revise te overfunded amount in IDIS and apply it to HOME activity 1371 (the next year’s homebuyer construction activity). The PJ attributes this error to having accidentally drawn extra funds that were intended to have been drawn for 1371. Activity 1371 was funded for \$474,500 but was amended to increase the project cost to \$650,000. This increase was due to the PJ asserting that activity 1371 was originally underfunded. However, the PJ did not amend their written agreement for activity 1356 to reduce the amount of HOME funding by \$109,500 to then have that amount applied to 1371.

For activity 1425, the PJ expended funds while no amendments were made to the written agreement to support increased costs.

EFFECT: The City was not compliant with the HOME commitment requirements found at [24 CFR 92.2](#) for activities #1356, #1371, and #1425 by not having written agreements, specifically written agreement amendments, in place specifying the amount and form of HOME assistance.

REQUIRED CORRECTIVE ACTIONS:

1. The City must repay a total of \$109,500.00 of HOME funds expended for the subject activity (\$109,500.00 for IDIS Activity #1356). This repayment must be made with non-federal funds and must occur in accordance with the requirements found at [24 CFR 92.503\(b\)](#). For guidance and instructions for the repayment process, please refer [to HOME FACTS - Vol. 7 No. 1, January 2016 \(Revised February 2019\) \(hud.gov\)](#); under “Repayments to the Local Account.” The repayment should be made to the City’s local HOME program account. Supporting documentation evidencing the return of funds must be provided to this Office within 30 days of receipt of this letter. See further instructions on pg. 4 of this letter.
2. The City must repay a total of \$13,937.07 of HOME funds expended for the subject activity (\$13,937.07 for IDIS Activity #1425). This repayment must be made with non-federal funds and must occur in accordance with the requirements found at [24 CFR 92.503\(b\)](#). For guidance and instructions for the repayment process, please refer [to HOME FACTS - Vol. 7 No. 1, January 2016 \(Revised February 2019\) \(hud.gov\)](#).
3. The City must develop policies and procedures to ensure compliance with the HOME written agreement requirements for including the specific amount and use of the HOME funds as stated by [24 CFR 92.504\(c\)\(3\)](#). A copy of the updated policies and procedures must be provided to this Office within 30 days of receipt of this letter.



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We thank you for your cooperation and assistance in attempting to resolve this open finding. If the City disagrees with any of HUD's determinations or conclusions in this letter, please address the issues by writing to the Department within 30 days of receipt of this notification. Please contact Alisha Doulen at (336) 851-8042 or Alisha.W.Doulen@hud.gov, if we can be of any assistance regarding this matter.

Sincerely,

A handwritten signature in blue ink that reads "Ashley Lowe". The signature is written in a cursive, flowing style.

Ashley Lowe, Acting Director
Greensboro Field Office
Office of Community Planning & Development

Cc: Christopher Cauley
Albert Baker
Michelle Haire



INSTRUCTIONS ON REPAYING HOME PROGRAM INCOME FUNDS TO THE PJ'S LOCAL HOME ACCOUNT:

- 1. For repayment, the PJ should follow the section of the [HOME FACTS - Vol. 7 No. 1, January 2016 \(Revised February 2019\)](#) under "Repayments to the Local Account (IU) Receipts".**

Repayments to the Local Account (IU) Receipts

When the PJ selects "IU Repayment to the Local Account," the data entry requirements for the screen change in a number of ways.

Recipient	Source Name	Source Type	Grant Year	Fund Type	Drawn Amount	Previous Local Account Repayments	Remaining Balance	Local Account Repayment - Receipt Amount	Grantee Receipt #
HAMMOND	HUD	MC	2013	PI	\$825.00	\$0.00	\$825.00	\$ 625	
HAMMOND	HUD	MC	2009	EN	\$175.91	\$0.00	\$175.91	\$ 175.91	
Total:								\$1,000.91	

1. In the "IDIS Activity ID" field, input the IDIS activity number for the activity that is in need of repayment and click the "Show Activity Funds" button.
 2. The system will refresh the screen and provide a table displaying the amounts drawn against the activity. Each combination of grant year and fund type is displayed on a separate line item.
 3. Review the information in the table provided, including "Drawn Amount," "Previous Local Account Repayments," and "Remaining Balance" (B). These amounts will determine the maximum amount to enter in the "Local Account Repayment - Receipt Amount" field (C) for each line item.
 4. Input the amount of funds that will be repaid in the "Local Account Repayment - Receipt Amount" field (C). PJs may optionally input a distinct "Grantee Receipt #" (D) for each line item.
 5. "Total Amount" field (E) is calculated by the system based on the total entered in the "Local Account Repayment - Receipt Amount" fields (C).
 6. If the repayment receipt will include more than one activity, click the "Add Activity" button (F) to input data for another activity.
 7. Provide a detailed comment in the "Comments" field (G), including the reason for the repayment, the amount required to be repaid, whether the repayment entered is a full or partial amount, and if additional repayments are necessary. Please note that the "Comments" field is required for IU receipts.
- 2. For verification, the PJ should submit to HUD a copy of the general ledger entry showing the repayment was made using non-federal funds to the PJ's local HOME program account.**



DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
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July 1, 2025

Douglas J. Hewett, City Manager
City of Fayetteville
433 Hay Street
Fayetteville, NC 28301-5537

Re: Resolution of Findings for IDIS Activity Numbers 1407 and 1563

Dear Mr. Hewett:

We thank the City of Fayetteville for its correspondence received on May 29, 2025, to address the HOME Program findings issued outside of monitoring on March 10, 2025. We have reviewed your submission and offer the following comments:

Finding 1: The City of Fayetteville did not execute valid HOME written agreements with the homeowners and therefore did not have authority to expend grant funds on IDIS activity #1407 and IDIS activity #1563.

Criteria: [24 CFR 92.504\(c\)\(5\)\(ii\)](#) and [24 CFR 92.254\(b\)](#).

Required Corrective Action:

- 1. The City must repay a total of \$198,009.14 of HOME funds expended for the subject activities (\$152,022.69 for IDIS Activity #1407 and \$45,986.45 for IDIS Activity #1563). These repayments must be made with non-federal funds and must occur in accordance with the requirements found at 24 CFR 92.503(b). For guidance and instructions for the repayment process, please refer to [HOME FACTS - Vol. 7 No. 1, January 2016 \(Revised February 2019\) \(hud.gov\)](#).*

Fayetteville's Response:

The City would like to request an alternate corrective action and cancel the two HOME activities in IDIS. The two activities were funded using HOME program income and no funding was drawn from the City's Treasury account. The City is requesting to repay the local HOME account, cancel the two activities, and apply the repayment to future HOME eligible activities. The City intends to fund these activities with CDBG funds under their CDBG-funded Emergency Housing Repair Program.

HUD's Response:

HUD will allow Fayetteville to make the required repayment (\$152,022.69 for IDIS Activity #1407 and \$45,986.45 for IDIS Activity #1563) to its local HOME account using non-federal funds.

HUD issued guidance provided in [HOME FACTS - Vol. 7 No. 1, January 2016 \(Revised February 2019\) \(hud.gov\)](#) allows activities funded with program income to be repaid to the PJ's local HOME account. Please provide confirmation of repayment to this office within 30 days of receipt of this letter. Once the notification of repayment has been received, Fayetteville will be able to cancel the activities in IDIS. The City may then create new activities using CDBG funds if it is established that the activities meet CDBG program eligibility requirements.

2. *The City must develop policies and procedures to ensure compliance with commitment requirements (24 CFR 92.2).*

Fayetteville's Response:

The City has developed written policies and procedures regarding HOME commitment requirements at 24 CFR 92.2.

HUD's Response:

The City must submit a copy of its updated policy regarding the commitment of HOME program to this office for review. Please provide documentation to this office within 30 days of receipt of this letter.

3. *The City must develop proper financial controls to ensure funds are not drawn prior to a valid HOME commitment; and*
4. *The City must develop policies and procedures to ensure HOME funds are not drawn before a valid HOME written agreement is executed for a specific local project (24 CFR 92.502);*

Fayetteville's Response:

There are systematic changes in IDIS that helps to ensure that activity set up occurs with a valid executed HOME commitment date that staff understands and has operationalized that. The City and Finance department are creating policies and procedures around HOME draws that will be established by June 30, 2025. The City utilizes outside legal counsel to develop all HOME affordable housing development agreements and has a HOME written agreement template for homebuyer assistance.

HUD's Response:

The City must submit a copy of its updated policy regarding HOME drawdowns to this office for review. Please provide documentation to this office within 30 days of receipt of this letter.

5. *The City must develop rehabilitation standards in accordance with the 24 CFR 92.251(b); and*
6. *The City must develop policies and procedures to ensure they are determining the scope of work for rehabilitation projects in accordance with 24 CFR 92.251(b)(3); and*
7. *The City must develop written agreement templates for their homeowner rehabilitation program that comply with 24 CFR 92.504(c)(5)(ii); and*

Fayetteville’s Response:

The City no longer has a HOME Housing Rehabilitation Program.

HUD’s Response:

HUD acknowledges that the City is no longer carrying out housing rehabilitation activities using HOME funds. If Fayetteville reestablishes its homeowner rehabilitation program in the future, it must satisfy the requirements under items 5, 6, and 7 of this corrective action.

8. *City staff administering the HOME program should take the web-based comprehensive HOME program training. The training can be found here: [Building HOME Online Training - HUD Exchange](#).*

Fayetteville’s Response:

The City staff administering the HOME programs have completed the Building HOME Online training. The City provided a list of staff and have incorporated this training as a part of their new staff onboarding.

HUD’s Response: HUD acknowledges that the City has completed this requirement.

This finding will remain open until all components of the correction action have been completed. We thank you for your cooperation and assistance in attempting to resolve this open finding. Please contact Alisha Doulen at (336) 851-8042 or Alisha.W.Doulen@hud.gov, if we can be of any assistance regarding this matter.

Sincerely,

Tasleem Albaari
Acting CPD Director
Greensboro Field Office
Office of Community Planning and Development

Cc: Christopher Cauley, ECD Director
Albert Baker, ECD Asst. Director
Michelle Haire, ECD Business Manager



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
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March 4, 2026

Christopher Cauley
Economic and Community Development Director
City of Fayetteville
433 Hay Street
Fayetteville, NC 28301

SUBJECT: Fiscal Year 2026 Onsite Technical Assistance (TA)
HOME Investment Partnerships Program (HOME) and Community Development Block
Grant (CDBG) Program
Date TA Provided: February 18, 2026

Dear Mr. Cauley,

On February 18, 2026, the Greensboro CPD field office provided onsite technical assistance to the City of Fayetteville for the HOME-funded affordable housing development program and the CDBG-funded emergency repair program. The purpose of the onsite technical assistance was to resolve open monitoring findings, improve performance, and provide guidance and expertise in program execution and design. This letter summarizes the technical assistance provided, the outcomes achieved, identified issues or opportunities for improvement, and next steps.

INTRODUCTION

Specifics relating to this technical assistance visit are as follows:

HUD Reviewer(s):	Alisha Doulen, CPD Representative Sonya Green, CPD Representative
Key Grantee Staff/Participants:	Christopher Cauley, Economic & Community Development (ECD) Director Michelle Haire, Business Manager Jeffrey Morin, Housing Program Manager

SCOPE OF TA

Greensboro HUD Field Office staff provided targeted TA on HOME written agreements,

subrecipient management practices (CDBG and HOME), and overall financial policies and procedures. HUD staff reviewed the HOME Community Housing Development Organization (CHDO) written agreement between the City of Fayetteville and Fayetteville Area Habitat for Humanity. As a part of the HOME project, HUD also reviewed one homebuyer agreement. Program policies and procedures reviewed included: ECD Finance (Grants) Flowchart and the CDBG and HOME program manuals.

Areas of priority included:

- A review of HOME written agreements, subrecipient management practices, and financial recordkeeping systems. Review included recommendations for enhancements or adjustments.
- HUD staff discussed with City staff current policies and procedures for the HOME homebuyer program and CDBG rehabilitation program.
- HUD staff provided technical assistance for project management and execution of activities where barriers are present.
- A review of select project files to identify any areas that may result in non-compliance.

TA OUTCOMES

Outcomes Achieved

The focus of the technical assistance was to facilitate the closure of open HOME program findings of non-compliance, improve performance, and provide guidance and expertise in program execution and design. During the TA engagement, the following outcomes were achieved:

Outcome #1:

Description of Outcome: Progress made to resolve open HOME program findings. The City expects to complete the corrective actions by April 30, 2026.

Accomplishment: The City completed extensive updates to its HOME written agreements prior to the issuance of HOME program findings. HUD staff reviewed the updates to the written agreements and offered recommendations where areas for improvement were identified. Following discussion with the City, it was recommended that the City submit an extension request to allow additional time to resolve the open findings. The City is in the process of updating many of its policies and procedures with the help of a consultant. The additional time will allow City staff an opportunity to obtain formal authorization to repay the funds.

Needed Action: The City will submit a formal request to the HUD Office requesting a short-term extension to complete the repayment process.

Outcome #2:

Description of Outcome: Reviewed policies and procedures to ensure compliance with

program regulations and identified areas for improvement.

Accomplishment: HUD staff provided clarity and guidance on HUD requirements related to the City's CDBG emergency repair program, documenting administrative costs, and recordkeeping requirements. HUD reviewed the City's updated policy related to the commitment of HOME funds requirements found at 24 CFR 92.2 and finds them to be consistent with program regulations. The City has developed a flowchart to reflect its procedures on the drawdown of funds and other financial processes. These updated policies and procedures will help to ensure that HOME funds are not drawn before a valid HOME written agreement is executed for a specific local project per 24 CFR 92.502.

Needed Action: HUD recommends that the City continue its work in making updates and revisions to existing policies and procedures.

Outstanding Issues/Areas for Improvement

During the provision of TA, the following issues/areas for improvement were identified that the City is strongly encouraged to address in order to ensure compliance and strengthen program performance. They may be subject to future compliance monitoring.

Recommendation #1:

Description of Issue: The updated HOME policies and procedures did not describe the City's process for amending written agreements. HUD acknowledges that the City may have this written policy in place and it was not reviewed at the time of the site visit.

Next Steps: If the City has not developed a written policy regarding its process for amending written agreements, it is recommended that the City includes a process to specify when formal amendments are triggered and how it will go about updating appropriate systems prior to the drawdown of additional HOME funds.

Recommendation #2:

Description of Issue: The HOME period of affordability was not clear in the homebuyer written agreement under the Fayetteville Area Habitat for Humanity CHDO activity.

Next Steps: It is recommended that the City include in its written agreement to the homeowner or in a subsequent formal written notice after project completion, the exact dates being referenced. The dates should include the completion date and resulting expiration date of the period of affordability. These dates may impact homeowners that desire to sell their property in future years, and the exact dates should be made clear.

Opportunity for Improvement

HUD reviewed one activity within the City's CDBG-funded emergency repair program. Based on a review of the project file for Fayetteville Urban Ministry, the following recommendations were noted:

1. The City should ensure that it has a process in place for how it will document the cost allowability of indirect costs charged to the grant by subrecipients. At a minimum, the City should require all subrecipients that plan to charge indirect costs to the grant to submit a cost allocation plan for the City review.
2. The City should have a process in place to ensure that subrecipient staff being paid with grant funds are identified and deemed essential to the project. This can be incorporated into the written agreement or provided by the subrecipient as a separate certifying document.

NEXT STEPS

The Greensboro HUD Field Office will continue to provide technical assistance to the City as needs are identified. Several written policy and procedure updates were ongoing at the time of the site visit. Should the City wish HUD to review additional updates made, please contact the Greensboro field office.

I would like to thank you and your staff for your professionalism and cooperation during this TA engagement. You are supporting valuable programs that are successfully supporting housing and community development activities. Alisha Doulen, CPD Representative, is available to discuss the summary of conclusions from the TA and next steps. She can be reached at Alisha.W.Doulen@hud.gov.

Sincerely,



Ashley Lowe, Acting Director
Greensboro Field Office
Office of Community Planning and Development



To: City Council
City of Fayetteville
433 Hay Street
Fayetteville, NC 28301

From: Civitas LLC
600 Salty Alley
Mount Pleasant, SC 29464

February 12, 2026

RE: Civitas Technical Assistance Services for the City of Fayetteville

This memorandum provides a summary of the technical assistance, policy development, and compliance-related services that Civitas has provided to the City of Fayetteville in support of its Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) programs. Civitas was initially retained to conduct a comprehensive review and update of the City's federally funded housing and community development programs to strengthen administrative procedures, internal controls, and regulatory alignment. This engagement was not solely focused on HUD's issuance of HOME monitoring findings, but Civitas' technical assistance has supported the City in implementing corrective actions.

Although Civitas has provided broader consulting and administrative support across CDBG, HOME, and ESG programs, the summary below highlights the work most directly associated with the HOME findings and related efforts to strengthen the program.

Corrective Actions Related to HUD Findings

HOME Rehabilitation Program Finding

The City formally terminated the HOME-funded rehabilitation program, thereby eliminating the need for a HOME rehabilitation agreement structure associated with the finding. The activity was replaced with a CDBG-funded Emergency Home Repair Program administered under revised CDBG policies and procedures. This structural change resolved the compliance concern tied to the original HOME-funded rehabilitation framework.

Habitat for Humanity CHDO Project Finding

The HOME Agreement associated with the Habitat CHDO project was reviewed and revised to ensure compliance with applicable HOME regulations. The updated agreement now incorporates all required HOME regulatory provisions governing project development, affordability, and compliance oversight.

Civitas performed the below actions in coordination with City staff to directly address HUD regulations and requirements and to strengthen long-term compliance systems.



Community Development Block Grant (CDBG) Program Support

- Conducted technical review of the Nehemiah Project Rehabilitation Program structure, eligibility framework, and documentation standards; provided recommendations and developed program tools to support compliant administration.
- Reviewed and provided compliance guidance for the City's CDBG-funded Emergency Home Repair Program to ensure alignment with CDBG eligibility requirements and federal regulations.
- Provided technical assistance related to activity setup, documentation standards, financial management considerations, and regulatory interpretation under 24 CFR Part 570.

HOME Investment Partnerships (HOME) Program Support

- Conducted review and revision of HOME policies and procedures to align with current regulatory requirements.
- Updated the City's process for awarding HOME funds to Habitat for Humanity, including revision of the HOME Agreement to incorporate all applicable regulatory provisions.
- Drafted Standard Operating Procedures (SOPs) for:
 - HOME-funded purchase assistance activities
 - HOME-funded homebuyer underwriting
- Provided Community Housing Development Organization (CHDO)-related support:
 - CHDO application templates
 - CHDO eligibility and certification checklists
 - Underwriting guidance for CHDO development projects
- Provided underwriting technical assistance for:
 - Habitat for Humanity projects
 - HOME-assisted projects layered with Low-Income Housing Tax Credits (LIHTC)
 - CHDO-sponsored development activities

Cross-Cutting & Financial Management Support

- Financial Management & Federal Compliance Training, emphasizing HUD-funded programs
- Delivered IDIS training and IDIS technical support across CDBG, HOME, and ESG programs
- Provided technical assistance related to program income, underwriting, compliance documentation, and federal regulatory interpretation as requested by City staff

Through the comprehensive review and revision of CDBG and HOME policies, procedures, agreements, and administrative processes, the City has strengthened its compliance framework and implemented corrective measures responsive to HUD's monitoring findings. Based on the scope of services provided and the program materials reviewed and updated, the City's CDBG and HOME program documentation and administrative structures are aligned with applicable HUD regulatory requirements. Please let us know if additional clarification or documentation would be helpful.

Sincerely,

Karl Erich Chatham

Erich Chatham
Civitas, LLC

Erich.Chatham@civitassc.com | (843) 573-7825

March 25, 2026

Ashley Lowe, Acting Director
Greensboro Field Office
Office of Community Planning & Development
1500 Pinecroft Road, 401, Asheville building
Greensboro, NC 27407

SUBJECT: Extension Request for Repayment of HOME Findings

Dear Ms. Lowe:

The City of Fayetteville received a HUD resolution of findings for IDIS activity numbers 1407 and 1563 dated July 1, 2025. Subsequently, the City of Fayetteville received a second resolution of findings for IDIS activity numbers 1356, 1371, and 1425.

The required corrective action for both HOME findings includes a total repayment of \$321,446.21 to the City's local HOME account.

The City respectfully requests an extension of the repayment deadline through May 29, 2026. This additional time is needed to present the findings to City Council and obtain formal authorization to repay the funds.

We appreciate your consideration of this request and remain committed to resolving these findings in a timely and compliant manner. Please let us know if any additional information is needed.

Sincerely,



Douglas J. Hewett, ICMA-CM
City Manager
City of Fayetteville

cc: Jodi Phelps, ACM
Christopher Cauley, ECD Director
Alisha Doulen, HUD CPD Representative

Voluntary Grant Reduction to Resolve HOME Program HUD Findings

City Council Work Session
June 1, 2026



Under the HOME Investment Partnership Program, HUD has determined two findings that require corrective financial action.

Key timeline:

- Findings issued: 2025 and 2026
- Underlying HOME activities: approximately 2017 to 2019 program period
- Current status: staff has corrected the underlying program structures and strengthened HOME compliance procedures.

Financial issue:

- \$321,446.21 total
- Two possible corrective actions
 - Voluntary Reimbursement from future grants
 - Direct repayment from General Fund

Next step:

- Staff will return at a subsequent Council meeting for formal action on the recommended financial resolution method.

These activities predate the City's current HOME compliance framework.

What HOME Requires

- HOME requires a separate written agreement before funds are disbursed. A deed of trust or promissory note by itself does not satisfy the HOME written agreement requirement. Source: 24 CFR 92.504(b) and (c)
- Both HUD findings are related to HOME written agreement requirements.
- Written agreements must document:
 - amount of HOME funds
 - use of HOME funds
 - responsibilities of the homeowner, developer, CHDO, or subrecipient
 - affordability and compliance requirements
 - project-specific obligations
 - amendments when funding amounts or uses change

Activities: #1407 and #1563

Required repayment: \$198,009.14

- What occurred

The former HOME rehabilitation program relied on a promissory note and deed of trust as the homeowner loan documents.

- HUD determination

HUD determined those documents did not satisfy the HOME written agreement requirement because HOME requires a separate written agreement before funds are disbursed.

- Why it matters

Without the required HOME written agreements, HUD determined the City lacked authority to expend HOME funds for those activities.

- Regulatory basis

24 CFR 92.504(b) and (c)

Activities: #1356, #1371, and #1425

Required repayment: \$123,437.07

- What occurred

The written agreements did not match the actual HOME funding activity. Funds were shifted or expenditures exceeded agreement amounts without the required written agreement amendments.

- HUD determination

HUD determined that the City did not have properly executed or amended HOME written agreements specifying the amount and use of HOME funds.

- Why it matters

HOME requires written agreements to identify the specific amount and use of HOME funds. When funding amounts change, the written agreement must be updated before funds are drawn or applied differently.

- Regulatory basis

24 CFR 92.504(c)(3)

Corrective Actions Completed Under Current ECD Leadership

- Program structure
 - Former HOME-funded rehabilitation program terminated
 - CDBG Emergency Home Repair Program expanded and restructured
- Compliance controls
 - HOME written agreements, commitment procedures, drawdown controls, CHDO tools, and underwriting procedures updated
- Staff accountability
 - Compliance and reporting responsibilities centralized under dedicated staff
 - Staff completed HUD training aligned with program responsibilities, including Building HOME training for key HOME staff
- Ongoing maintenance
 - Policies and procedures are being placed into a regular review and update process

- HUD Technical Assistance

Reviewed current HOME procedures, written agreements, financial processes, and selected project files.

Found the updated HOME commitment policy consistent with program regulations.

Noted drawdown procedures help ensure HOME funds are not drawn before a valid written agreement is executed.

- CDBG/HOME Consultant Review

Separately reviewed HOME/CDBG policies, procedures, agreements, underwriting tools, CHDO documents, and financial management practices.

Found current documentation and administrative structures aligned with applicable HUD requirements.

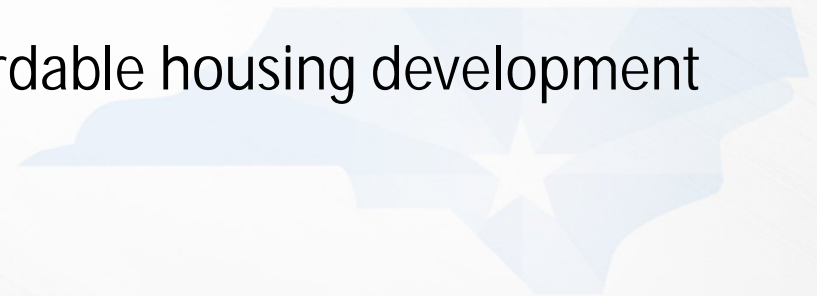
- Bottom line

The remaining issue is the financial resolution of legacy findings. Current procedures have been reviewed, strengthened, and are continuing to be refined.

- Direct repayment from non-federal local funds
 - Immediate local fund impact
 - Preserves future HOME capacity
- Voluntary grant reduction
 - No immediate General Fund impact
 - Reduces future HOME entitlement funds over multiple years
 - Subject to HUD approval



- Draft reduction schedule:
 - FY2028: \$121,446.21
 - FY2029: \$100,000.00
 - FY2030: \$100,000.00
- Potential program impacts:
 - fewer homebuyer assistance awards
 - less single-family production support
 - less flexibility for CHDO projects
 - less HOME gap financing capacity for affordable housing development



- Staff recommends voluntary grant reduction because it:
 - satisfies the remaining financial requirement
 - avoids immediate General Fund impact
 - spreads the fiscal effect over multiple years
 - allows the City to move forward under corrected HOME procedures





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City of Fayetteville

433 Hay Street
Fayetteville, NC 28301-5537
(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0339

Agenda Date: 6/1/2026

Version: 1

Status: Agenda Ready

In Control: City Council Work Session

File Type: Other Items of
Business

Agenda Number: 6.06

TO: Mayor and Members of City Council

THRU: Jodi Phelps, Assistant City Manager

FROM: Christopher Cauley, Economic & Community Development Director

DATE: June 1, 2026

**RE:
Opportunity Zone 2.0 Nomination Priorities**

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

GOAL II: The City of Fayetteville will have a Responsive City Government supporting a diverse and viable economy.

Objective 2.1: To ensure a diverse City tax base.

Objective 2.2: To invest in community places to ensure revitalization and increase quality of life.

GOAL IV: The City of Fayetteville will be a desirable place to live, work and recreate.

Objective 4.5: To ensure a place for people to live in great neighborhoods.

Objective 4.6: To reduce poverty and homelessness.

GOAL V: The City of Fayetteville will be a financially sound city providing exemplary city services.

Objective 5.1: To ensure strong financial management with fiduciary accountability and plan for future resource sustainability by aligning resources with City priorities.

Executive Summary:

City Council is asked to provide direction on the City's Opportunity Zone 2.0 nomination priorities for submission to the North Carolina Department of Commerce by the June 7, 2026, deadline. Opportunity Zones are a federal tax incentive intended to encourage long-term private investment in designated low-income census tracts and may help attract private development and redevelopment activity. Cumberland County has 31 eligible census tracts and appears to be limited to four nominations, with 25 eligible tracts wholly or partially located within Fayetteville city limits. Staff recommends using a criteria-based ranking approach aligned with State guidelines, local redevelopment priorities, housing and job creation potential, and project or site readiness.

Background:

The Opportunity Zone Program was originally created under the 2017 Tax Cuts and Jobs Act to encourage long-term private investment in economically distressed census tracts. Investors may receive federal tax benefits for qualifying investments made through Opportunity Zone structures, including deferral or reduction of certain capital gains and

potential exclusion of gains from long-term Opportunity Zone investments.

The program has been reauthorized and made permanent, with new tract designations to occur every 10 years. The next round of Opportunity Zone designations is expected to take effect January 1, 2027 and remain in effect for 10 years.

The North Carolina Department of Commerce has been designated to lead the State's nomination process and advise the Governor on tracts to submit to the U.S. Treasury for approval and certification. Commerce is accepting public input and nominations through an official Excel nomination form. Completed forms must be submitted to Commerce by 11:59 p.m. on Sunday, June 7, 2026.

Commerce has identified three state-level guidelines for local leaders to consider when evaluating eligible tracts:

1. **Business Development and Job Creation**, including potential to attract or expand businesses in high-growth, high-wage sectors and tracts with industrial sites or economic development projects needing additional investment.
2. **Strategic Local Revitalization**, including tracts supported by documented local plans, recent investments, community revitalization efforts, industrial redevelopment, mixed-use projects, or other community-driven initiatives.
3. **Pathways to Increased Housing Supply in High-Need Areas**, including tracts where Opportunity Zone designation can meaningfully expand housing supply, particularly near employment centers, transit corridors, recent infrastructure investments, identified housing development sites, or areas with documented housing need.

Statewide, preliminary data suggests North Carolina may nominate 202 census tracts. Commerce has stated that each county with at least one eligible tract will be able to nominate at least one census tract, with remaining nomination capacity distributed among counties with at least two eligible tracts based on county population.

Based on the State's nomination workbook and supporting data reviewed by staff, Cumberland County has 31 eligible census tracts and appears to be allocated four nomination slots. Staff has identified 25 eligible tracts that are wholly or partially located within Fayetteville city limits.

Issues/Analysis:

The principal issue before Council is how the City should prioritize Fayetteville's eligible census tracts within a limited countywide Opportunity Zone nomination process. This is not a City-controlled designation process. The City may submit recommendations to the North Carolina Department of Commerce, but the State will make final nomination decisions for submission to the U.S. Treasury. The City's goal is to provide the strongest possible local recommendation within the short timeframe provided by Commerce.

The City is not being asked to approve funding, create a new program, or commit local funds. The question is whether Council supports staff submitting a ranked recommendation to Commerce based on policy criteria that reflect State guidelines, local

redevelopment priorities, housing and job creation potential, and realistic investment readiness.

Based on the State's nomination materials, Cumberland County has 31 eligible census tracts and appears to have four available nomination slots. Staff GIS review has identified 25 eligible census tracts that are wholly or partially located within Fayetteville city limits. Because the number of eligible Fayetteville tracts significantly exceeds the apparent countywide nomination capacity, staff does not recommend asking Council to rank every eligible tract individually during the work session. That approach would be difficult to complete within the available time and could result in a district-by-district discussion rather than a strategic investment discussion.

Staff recommends a criteria-based approach using the following considerations:

Business and Job Creation Potential.

Priority should be given to tracts with realistic potential to attract private business investment, support job creation, expand commercial or industrial activity, or leverage existing economic development assets.

Housing Supply Potential.

Priority should be given to tracts where Opportunity Zone designation could help support affordable housing, mixed-income housing, workforce housing, or other housing production in areas with documented need or proximity to employment centers.

Strategic Local Revitalization Alignment.

Priority should be given to tracts that align with adopted or emerging City priorities, such as redevelopment corridors, Murchison Choice Neighborhood planning and implementation, downtown and core area revitalization, neighborhood revitalization, public infrastructure investment, or other documented City plans.

Project or Site Readiness.

Priority should be given to tracts with known development sites, publicly owned land, infrastructure capacity, redevelopment opportunities, existing partner interest, or other indicators that private investment could realistically occur during the 2027 to 2036 designation period.

The highest-priority tracts should be those where multiple criteria overlap. For example, a tract with high need but no clear development opportunity may be less competitive than a tract with high need, redevelopment alignment, available land, infrastructure capacity, and realistic housing or job creation potential.

Staff also recommends coordination with Fayetteville Cumberland Economic Development Corporation and Cumberland County to reduce the risk of conflicting local submissions. Because Commerce will accept nominations from local governments, economic development organizations, and the general public, uncoordinated submissions could dilute the local message. A coordinated recommendation would better communicate Fayetteville's priorities to the State.

Budget Impact:

There is no direct budget impact from providing direction on Opportunity Zone nomination priorities.

Opportunity Zone designation does not provide direct funding to the City and does not require the City to appropriate local funds. The designation is a federal tax incentive intended to encourage private investment in eligible census tracts.

Future projects located in designated tracts may request City participation, incentives, infrastructure support, housing funds, or other public/private development tools. Any such requests would require separate Council consideration and approval through the City's normal budget, incentive, grant, or development agreement processes.

Options:

- Authorize staff to prepare and submit the City's Opportunity Zone nomination recommendation to the North Carolina Department of Commerce by the June 7, 2026 deadline.
- Do not authorize staff to submit an Opportunity Zone nomination recommendation on behalf of the City.
- Provide other direction to staff.

Recommended Action:

Staff recommends that Council authorize staff to prepare and submit the City's Opportunity Zone nomination recommendation to the North Carolina Department of Commerce by the June 7, 2026 deadline, using the State's nomination guidelines and local considerations including business and job creation potential, housing supply potential, strategic local revitalization alignment, and project or site readiness.

Staff further recommends that Council authorize staff to coordinate with Fayetteville Cumberland Economic Development Corporation and Cumberland County before submission to promote alignment among local recommendations where possible.

Attachments:

Opportunity Zone 2.0 Nomination Priorities Presentation

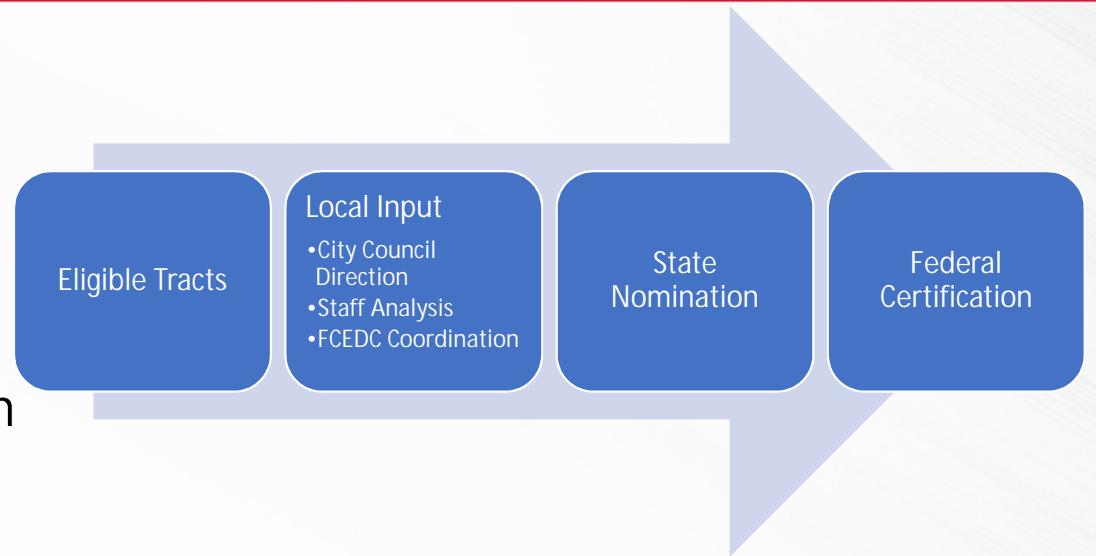
Opportunity Zone 2.0 Nomination Priorities

City Council Work Session
June 1, 2026



Council's direction will help shape the City's recommendation to NC Commerce before the June 7 deadline.

- NC Commerce is accepting local input on eligible Opportunity Zone tracts.
- The City may submit a recommendation identifying priority tracts for State consideration.
- Council direction will help staff understand which local priorities should guide that recommendation.
- Final Opportunity Zone nominations will be made through the State and federal designation process.



Opportunity Zones are a federal tax incentive for private investment, not direct funding to the City.

- Opportunity Zones may help attract private capital into eligible census tracts.
- The designation is useful only if there are investable projects, sites, businesses, or housing opportunities.
- Future City participation in any project would require separate Council action.



Why This Is Time Sensitive

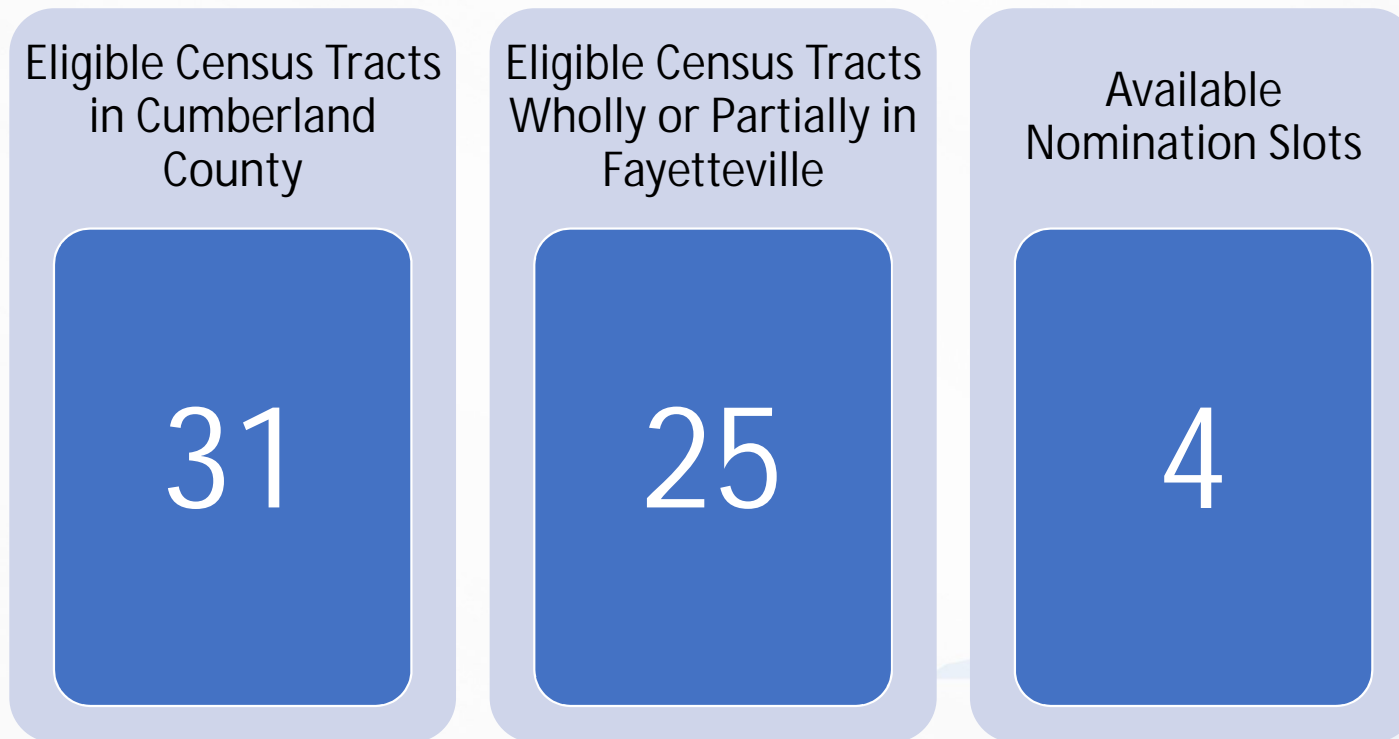


The nomination window is short, and the City must act quickly if it wants to submit a coordinated recommendation.

- NC Commerce opened the nomination/comment period.
- Submissions are due June 7, 2026.
- Council work session is June 1, 2026.
- Staff needs direction to prepare and submit the City's recommendation.

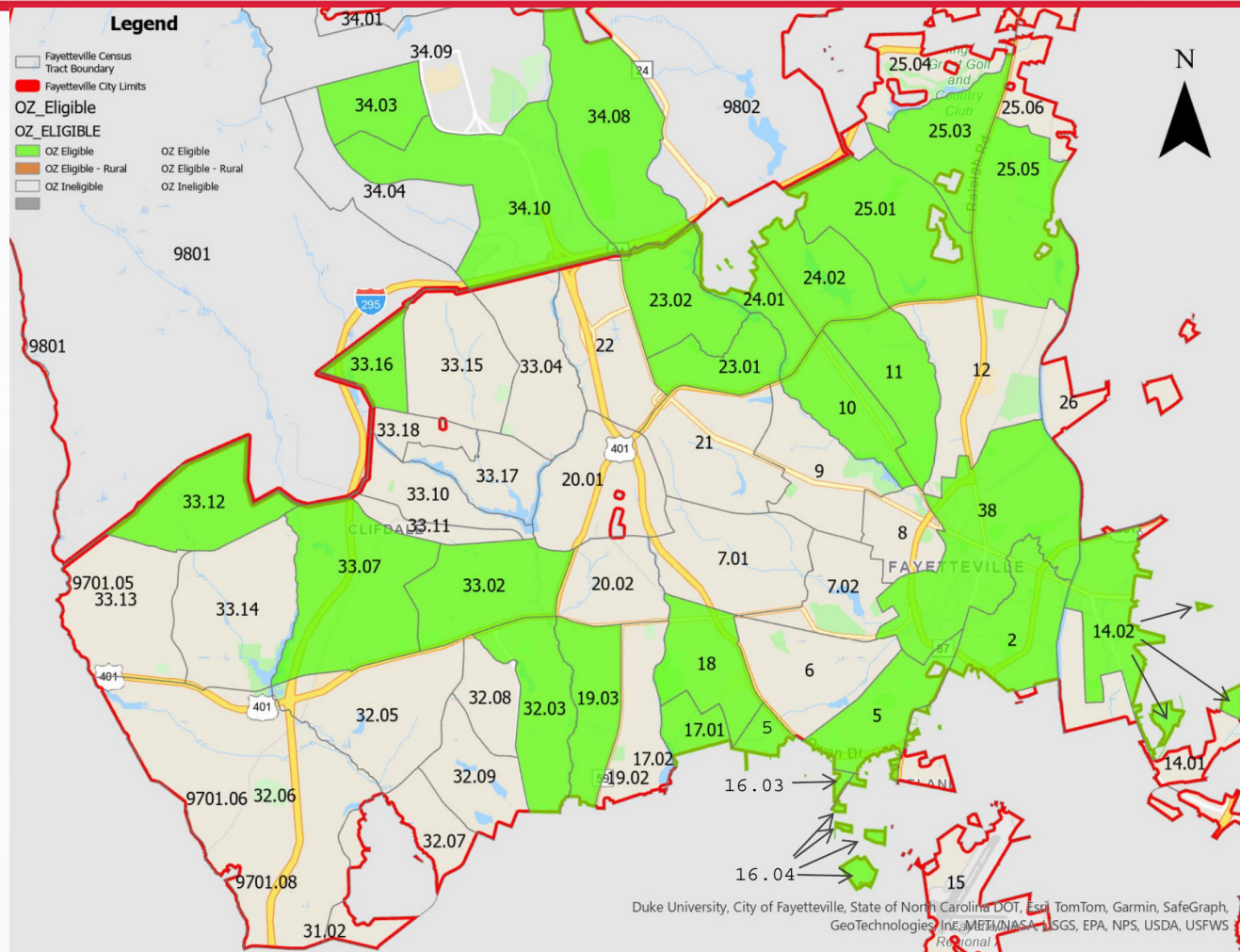
The Local Scarcity Problem

Cumberland has more eligible tracts than available nomination capacity.



Fayetteville Eligible Tracts

Eligible Fayetteville tracts are spread across the city.



25 eligible tracts are wholly or partially within Fayetteville city limits.

State Guidelines for Nominations



Business
Development
and Job
Creation



Strategic
Local
Revitalization



Pathways to
Increased
Housing
Supply in
High-need
Areas

Business and Job Creation Potential

Can the tract support private business investment, employment growth, commercial activity, or industrial development?

Strategic Local Revitalization Alignment

Does the tract align with redevelopment corridors, Murchison Choice, downtown/core revitalization, neighborhood revitalization, infrastructure investment, or other City priorities?

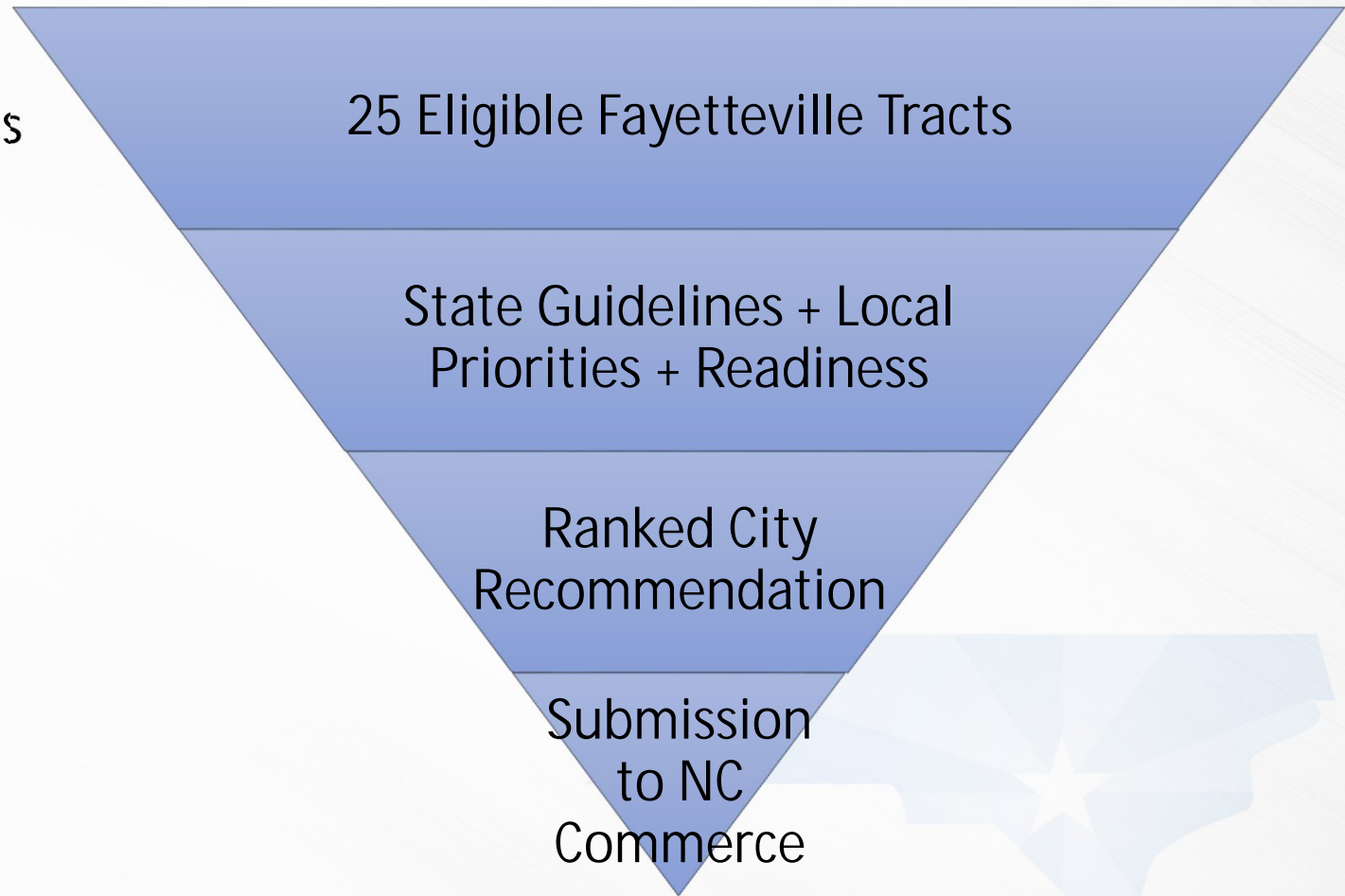
Housing Supply Potential

Can the tract support affordable, workforce, mixed-income, or other housing production in an area of need?

Project or Site Readiness

Are there known sites, public land, infrastructure capacity, redevelopment opportunities, development interest, or other reasons to believe investment could occur during the designation period?

Because Fayetteville has 25 eligible tracts and Cumberland County appears to have four nomination slots, staff recommends focusing Council discussion on priorities and criteria.



1st Council Direction

Council provides policy direction on the priorities that should guide the City's recommendation, including economic development, housing, revitalization, and readiness for private investment.

2nd Staff Evaluation

Staff applies the State guidelines and Council's direction to review eligible Fayetteville tracts and identify the strongest candidates within Cumberland County's limited nomination capacity.

3rd Partner Coordination

Staff coordinates with FCEDC, where possible, to reduce conflicting local submissions and strengthen the overall Fayetteville/Cumberland recommendation to the State.

4th State Submission

Staff submits the City's Opportunity Zone recommendation to NC Commerce by the June 7 deadline for consideration in the State's nomination process.

- Staff requests that Council authorize staff to prepare and submit the City's Opportunity Zone nomination recommendation to NC Commerce by the June 7, 2026 deadline.
- Staff further requests authorization to coordinate with Fayetteville Cumberland Economic Development Corporation before submission to promote alignment among local recommendations where possible.



- Does Council support using the State guidelines and local evaluation considerations to prepare the City's recommendation?
- Are there specific areas, corridors, redevelopment priorities, or project opportunities Council wants staff to consider?
- Does Council authorize staff to submit the City's recommendation by June 7?





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City of Fayetteville

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City Council Action Memo

File Number: 26-0316

Agenda Date: 6/1/2026

Version: 1

Status: Agenda Ready

In Control: City Council Work Session

File Type: Other Items of
Business

Agenda Number: 6.07

TO: Mayor and Members of City Council

THRU:

FROM: Council Member Shaun McMillan

DATE: June 1, 2026

RE:

**Council Member Agenda Item Request - Direction to Staff to Draft Data Center
Moratorium Ordinance - Council Member McMillan**

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Goal 3-City investment in today and tomorrow

Goal 5- Financially sound City

Goal 6- Collaborative Citizen and Business Engagement base

Executive Summary:

This request asks Council to consider and vote on the following motion at the May 4, 2026 Work Session:

"I move that the City Council direct staff to prepare a draft moratorium ordinance on data center development applications, consistent with applicable City policy and N.C.G.S. § 160D-107, and to return that draft to Council for consideration. The duration, scope, and specific findings of the moratorium will be determined by Council at the time of adoption."

Purpose. This is a procedural directive. It instructs staff to prepare a working draft of a moratorium ordinance for Council's later consideration. It does not adopt a moratorium. It does not commit Council to a duration, a scope, or specific findings. Each of those substantive decisions remains in Council's hands at the adoption vote, where N.C.G.S. § 160D-107(d) requires a full legislative public hearing and four written statements before any moratorium can take effect.

Why now. Several North Carolina jurisdictions have adopted twelve-month data center moratoria in the past sixty days: Chatham County (February), Wendell (April 13), Apex (April 14), Rowan County (April 20), and Orange County (April 21). Cumberland County has scheduled its public hearing for May 13. Durham and Harnett are scheduled for May 4th, the same day as this Work Session. Adjacent jurisdictions have produced a settled procedural and substantive template that Fayetteville staff can adapt rather than build

from scratch.

What staff would prepare. A draft ordinance suitable for return to Council. The draft would track the four required written statements under N.C.G.S. § 160D-107(d) (problems and alternatives, scope, duration justification, schedule of work), would respect the vested-rights framework under § 160D-108(b), and would be modeled on Chatham County's adopted ordinance and the four subsequent NC adoptions. The draft would set the stage for a § 160D-601 legislative public hearing on a future date in the coming weeks.

Outcome sought. A clean, majority vote in favor of the motion as written, returning the draft ordinance IAW statutory moratorium process.

Background:

Issues/Analysis:

Budget Impact:

Options:

Recommended Action:

Attachments:

City Council Member Agenda Item Request Form

City Council Agenda Item Request

Date of Request: 28 APR 2026 **Requester:** CM McMillan

Agenda Item Title: Direction to Staff - Draft Data Center Moratorium Ordinance

Estimated Cost: N/A **Anticipated Funding Source:** N/A

City Department(s) Support Requested: City Attorney's Office; Development Services; ECD

Estimated Staff Time Required: Moderate; reference existing peer city ordinance templates

Anticipated Date for Future Council Work Session Discussion: 1 June 2026

Which City Council approved Goal(s) within the Strategic Plan does this request directly support?

- Goal 3-City investment in today and tomorrow
- Goal 5- Financially sound City
- Goal 6- Collaborative Citizen and Business Engagement base

What do you envision accomplishing with this agenda item request?

This request asks Council to consider and vote on the following motion at the May 4, 2026 Work Session:

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Additional Comments:

Why now. Several North Carolina jurisdictions have adopted twelve-month data center moratoria in the past sixty days: Chatham County (February), Wendell (April 13), Apex (April 14), Rowan County (April 20), and Orange County (April 21). Cumberland County has scheduled its public hearing for May 13. Durham and Harnett are scheduled for May 4th, the same day as this Work Session. Adjacent jurisdictions have produced a settled procedural and substantive template that Fayetteville staff can adapt rather than build from scratch.

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Outcome sought. A clean, majority vote in favor of the motion as written, returning the draft ordinance IAW statutory moratorium process.



City of Fayetteville

433 Hay Street
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(910) 433-1FAY (1329)

City Council Action Memo

File Number: 26-0332

Agenda Date: 6/1/2026

Version: 1

Status: Agenda Ready

In Control: City Council Work Session

File Type: Other Items of
Business

Agenda Number: 6.08

TO: Mayor and Members of City Council

THRU:

FROM: Council Member Stephon Ferguson

DATE: June 1, 2026

RE:

Council Member Agenda Item Request - Robust Notification System - Council Member Ferguson

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Priority 4 - Evaluate and expand transportation, transit, and other connectivity needs for residents.

Executive Summary:

Desire staff to bring back a thorough assessment and recommended path for a digital connection initiative by exploring the full spectrum of notification system options, including potential vendors, integration with existing City IT systems, implementation approaches, privacy and security considerations, accessibility, multilingual support, budgeting, and a realistic timeline.

Please explore the feasibility of FayConnect - Fayetteville's digital connection initiative

Background:

Issues/Analysis:

Budget Impact:

Options:

Recommended Action:

Attachments:

City Council Agenda Item Request
FayConnect Summary

City Council Agenda Item Request

Date of Request: May 14, 2026 Requester: Stephon Ferguson

Agenda Item Title: Robust Notification System

Estimated Cost: _____ Anticipated Funding Source: _____

City Department(s) Support Requested: MarComm, IT, HR

Estimated Staff Time Required: _____

Anticipated Date for Future Council Work Session Discussion: June 1, 2026

Which City Council approved Goal(s) within the Strategic Plan does this request directly support?

Priority 4 - Evaluate and expand transportation, transit and other connectivity needs for residents.

What do you envision accomplishing with this agenda item request?

Desire for staff to bring back a thorough assessment and recommended path for a digital connection initiative by exploring the full spectrum of notification system options, including potential vendors, integration with existing city IT systems, implementation approaches, privacy and security considerations, accessibility, multilingual support, budgeting, and a realistic timeline.

Additional Comments:

Please explore the feasibility of FayConnect - Fayetteville's digital connection initiative. Attached is a summary supporting the request.

FAYCONNECT
Fayetteville's Digital Connection

FY2026 Strategic Priority

4. Evaluate and expand transportation, transit and other **Connectivity** needs for residents.

The City of Fayetteville is actively prioritizing CONNECTIVITY by investing in new sidewalks, expanding public transit, and strengthening pedestrian infrastructure. In our efforts to establish a more connected community, we should strongly consider DIGITAL CONNECTIVITY, investing in our residents via a robust notifications system.

Benefits of FayConnect

1. Supports proactive engagement, trust in City leadership and stronger participation in public initiatives. **2.** Reinforces equitable access to critical updates and reduces information gaps that can leave vulnerable communities behind. **3.** Creates a cohesive, resilient, and well-informed community. **4.** Complements current physical connectivity initiatives as part of the "...other connectivity" efforts outlined in the city's priorities.

By connecting residents through inclusive, timely, and accessible communications, the city ensures that every household — regardless of income, language, or digital capability — remains digitally connected to essential services, safety information, and civic opportunities.

Scope and Capabilities to Consider

Multi-modal Communication: across devices and platforms (Delivering messages simultaneously via voice, SMS, text, email, social media, push notifications.)

Interoperability: integration with existing city IT systems, CRM/persona records, public safety systems, and emergency management platforms.

Geo-fencing: The ability to send alerts to specific, targeted districts/ neighborhoods rather than the whole city, reducing "alert fatigue".

Two-way Communication: Allowing residents to report incidents (FPD currently looking into) or confirm safety, Survey Responses, Feedback Collection.

Accessibility and inclusion: ADA-compliant interfaces, alternative formats, and multilingual support / Automated translation for diverse communities.

Consent and privacy: opt-in processes, data minimization, retention policies, and compliance with applicable laws (e.g., state and federal regulations).

Analytics and reporting: reach, engagement, delivery success, opt-in rates, and feedback loops. **Security:** robust authentication, encryption in transit and at rest, incident response planning. **Cost model:** initial setup, per-message costs, licensing, training, maintenance, and total cost of ownership. Consider unlimited messages, weigh cost and savings.

Governance: policy framework, roles and responsibilities, and change management.

Governance and Oversight Consideration

1. Establish a FayConnect Steering Committee with representatives from: City Manager's Office, Office of Communications, IT, Public Safety, Emergency Management, Public Works, Community Relations, Legal | 2. Define charter, milestones, and reporting cadence to City Council. | 3. Develop a policy framework for opt-in, data retention, and message frequency guidelines.

Conclusion

A modern, robust notification system is not just a technological upgrade; it is a strategic investment that helps create a more informed, engaged, and digitally connected community.

If approved, staff would be tasked to explore the full spectrum of notification system options, including potential vendors, integration with existing city IT systems, implementation approaches, privacy and security considerations, accessibility, multilingual support, budgeting, and a realistic timeline.

A thorough assessment and recommended path should be presented back to Council. Plan a robust public engagement strategy to inform residents about FayConnect and how to enroll. Provide multilingual resources and accessible formats. Consider a 12-18 month phased rollout with clear milestones and feedback loops.



City of Fayetteville

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City Council Action Memo

File Number: 26-0349

Agenda Date: 6/1/2026

Version: 1

Status: Agenda Ready

In Control: City Council Work Session

File Type: Other Items of
Business

Agenda Number: 6.09

TO: Mayor and Members of City Council

THRU:

FROM: Council Member Shaun McMillan

DATE: June 1, 2026

RE:

Council Member Agenda Item Request - Technology Governance Framework Development - Council Member McMillan

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

Goal 1 - Safe & Secure Community

Goal 6 - Collaborative Citizen Engagement

Priority 1 - Ongoing Commitment to Comprehensive Approach to Community Safety

Executive Summary:

In order to develop a technology governance framework for City of Fayetteville, Council directs staff to conduct research and return with recommendations on the following:

1. Technology Inventory and Contract Review - All AI/surveillance tools contracted or in use, Contract terms, costs, and data sharing agreements; confirm whether the City can opt out of the national shared database and document implications if not.
2. Policy Gap Analysis - Suggest following IACP Nine-Pillar Framework to assess each technology against: Specification of Use; Policies and Procedures; Privacy and Data Quality; Data Minimization; Performance Evaluation; Transparency and Notice; Security; Data Retention and Use; Auditing and Accountability
3. Bias, Accuracy, and Civil Rights Assessment - understand active litigation against vendor and City liability exposure
4. Community Transparency and Oversight - How will residents be notified these technologies are in use? Does an independent auditing mechanism exist? If not, what would it require? Deliverable will be a staff report to Council along with recommended ordinance language and/or administrative policy options.

Background:

This request was informed by the National League of Cities (NLC) Public Safety Committee, International Association of Chiefs of Police (IACP) and Georgetown University's Justice and AI Tracker (JAI-T) who presented best practices and cautionary findings. The City of Fayetteville currently deploys or contracts AI-Assisted and automated surveillance technologies without a City Council-adopted governance framework. This

request directs staff to close that gap.

Key resources for staff research:

- IACP Technology Policy Framework:
<<https://www.theiacp.org/sites/default/files/all/i-j/IACP%20Technology%20Policy%20Framework%20January%202014%20Final.pdf>>
- IACP AI Resource Hub:
<<https://www.theiacp.org/working-group/artificial-intelligence-resource-hub>>
- Georgetown University Justice and AI Tracker (JAI-T): www.jai-t.com
<<http://www.jai-t.com>>

Issues/Analysis:

Budget Impact:

Options:

Recommended Action:

Attachments:

Council Member Agenda Item Request

City Council Agenda Item Request

Date of Request: 22 MAY 2026 Requestor: Councilmember McMillan
Requester: Agenda Item Title: Technology Governance Framework Development
Estimated Cost: Applicable Staff Time Anticipated Funding Source: Existing Dept. Resources
City Department(s) Support Requested: City Attorney's Office, Fayetteville Police Department
Estimated Staff Time Required: scope and hours to be determined by City Manager
Anticipated Date for Future Council Work Session Discussion: 01 JUN 2026

Which City Council approved Goal(s) within the Strategic Plan does this request directly support?
Goal 1 - Safe & Secure Community
Priority 1 - Ongoing Commitment to Comprehensive Approach to Community Safety

What do you envision accomplishing with this agenda item request?
In order to develop a technology governance framework for City of Fayetteville, Council directs staff to conduct research and return with recommendations on the following: 1. Technology Inventory and Contract Review - all AI/surveillance tools contracted or in use, Contract terms, costs, and data-sharing agreements; confirm whether the City can opt out of the national shared database and document implications if not 2. Policy Gap Analysis- Suggest following IACP Nine-Pillar Framework to Assess each technology against: Specification of Use; Policies and Procedures; Privacy and Data Quality; Data Minimization; Performance Evaluation; Transparency and Notice; Security; Data Retention and Use; Auditing and Accountability 3. Bias, Accuracy, and Civil Rights Assessment- understand active litigation against vendor and City liability exposure 4. Community Transparency and Oversight- How will residents be notified these technologies are in use? Does an independent auditing mechanism exist? If not, what would it require? Deliverable will be a staff report to Council along with recommended ordinance language and/or administrative policy options.

Additional Comments:

This request was informed by the National League of Cities (NLC) Public Safety Committee, International Association of Chiefs of Police (IACP) and Georgetown University's Justice and AI Tracker (JAI-T) who presented best practices and cautionary findings. The City of Fayetteville currently deploys or contracts AI-assisted and automated surveillance technologies without a City Council-adopted governance framework. This request directs staff to close that gap.
Key resources for staff research: - IACP Technology Policy Framework: <https://www.theiacp.org/sites/default/files/all/i-j/IACP%20Technology%20Policy%20Framework%20January%202014%20Final.pdf>
- IACP AI Resource Hub: <https://www.theiacp.org/working-group/artificial-intelligence-resource-hub>
- Georgetown University Justice and AI Tracker (JAI-T): www.jai-t.com



City of Fayetteville

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City Council Action Memo

File Number: 26-0350

Agenda Date: 6/1/2026

Version: 1

Status: Agenda Ready

In Control: City Council Work Session

File Type: Other Items of
Business

Agenda Number: 6.010

TO: Mayor and Members of City Council

THRU:

FROM: Council Member Deno Hondros

DATE: June 1, 2026

RE:

Council Member Agenda Item Request - Public Hearing - Proposed Amendments to the UDO Regarding Telecommunications & Data Storage Facilities (Item 9.01 TA26-01 from 4/13/2026 Regular Council Meeting - Council Member Hondros

COUNCIL DISTRICT(S):

All

Relationship To Strategic Plan:

- Goal 1: Safe & Secure City
- Goal 2: Responsive City Government
- Goal 3: City Invested in Today & Tomorrow
- Goal 4: City will be Highly Desirable Place to Live Work & Play
- Goal 5: City will be Financially Sound
- Goal 6: City with Collaborative Citizen & Business Engagement

Executive Summary:

Allowing residents their second opportunity to voice their support or opposition to proposed ordinance revisions that would place limitations and add restrictions and protections regarding new data storage and telecommunication facility developments that are currently absent from our UDO. These revisions would add protections from noise, and buffering, setback, and other requirements that would provide baseline protections that currently do not exist in our Code of Ordinances

Background:

The Public Hearing will provide an opportunity to hear from residents that was absent when staff presented the proposed Ordinance revisions on April 13, 2026.

Issues/Analysis:

Budget Impact:

Options:

Recommended Action:

Attachments:

Council Member Agenda Item Request Form

City Council Agenda Item Request

Date of Request: 5/22/2026 **Requester:** deno hondros

Agenda Item Title: Public Hearing - Proposed Amendments to the UDO Regarding Telecommunications & Data Storage Facilities (Item 9.01 TA26-01 from 4/13/2026 Reg. Council Mtg

Estimated Cost: minimal **Anticipated Funding Source:** general fund

City Department(s) Support Requested: Development Services

Estimated Staff Time Required: thirty (30) minutes

Anticipated Date for Future Council Work Session Discussion: 6/1/2026

Which City Council approved Goal(s) within the Strategic Plan does this request directly support?

- | | |
|---|---|
| Goal 1: Safe & Secure City | Goal 4: City will be Highly Desirable to Live Work & Play |
| Goal 2: Responsive City Government | Goal 5: City will be Financially Sound |
| Goal 3: City Invested in Today & Tomorrow | Goal 6: City with Collaborative Citizen & Business Engagement |

What do you envision accomplishing with this agenda item request?

Allowing residents their second opportunity to voice their support or opposition to proposed ordinance revisions that would place limitations and add restrictions and protections regarding new data storage and telecommunication facility developments that are currently absent from our UDO. These revisions would add protections from noise, and buffering, setback and other requirements that would provide baseline protections that currently do not exist in our Code of Ordinances.

Additional Comments:

The Public Hearing will provide an opportunity to hear from residents that was absent when staff presented the proposed Ordinance revisions on April 13, 2026.