

**AMENDED AGENDA
REGULAR MEETING
CITY COUNCIL, CITY OF ASHEBORO
THURSDAY, MARCH 10, 2016, 7:00 PM**

1. Call to order.
2. Silent prayer and pledge of allegiance.
3. Appearance and recognition of guests and citizens.
4. NC Zoo Director Pat Simmons will present an overview of her vision for the zoo.
5. Consent agenda:
 - (a) Approval of the minutes of the city council's regular meeting on February 4, 2016.
 - (b) Acknowledgement of the receipt from the Asheboro ABC Board of the meeting minutes for the local board's meeting on January 4, 2016.
 - (c) Approval of the scheduling and advertisement of a legislative zoning hearing to be held on April 7, 2016, concerning the application to rezone the property at 601 East Dixie Drive from R15 (Low-Density Residential) to B2 (General Commercial) (Zoning Case No. RZ-16-03).
 - (d) Approval of the amendment of Chapter 34 of the Code of Asheboro to reflect that the fire department no longer deploys volunteer firefighters.
6. Community Development Director Trevor Nuttall will present the following community development items:
 - (a) Zoning Case RZ-16-02: A legislative zoning hearing on an application to rezone property located at 1112 South Cox Street from O & I (Office and Institutional) to Medium-Density Residential (R7.5).
 - (b) Consideration of a request to extend the time allowed between preliminary and final plat subdivision reviews for Springwood Townhomes.
 - (c) Public hearing to obtain citizen input on the identification of economic needs and desired economic development activities as part of the City of Asheboro's potential submission of a Community Development Block Grant application.

- (d) Consideration of an ordinance to enact, at the request of the North Carolina Department of Transportation, a speed limit change on Old NC 49 at the western city limits of Asheboro.
 - (e) Announcement of the 2016 cycle of the Essential Single-Family Rehabilitation Loan Pool (ESFRLP16) offered by the North Carolina Housing Finance Agency and status report on the 2015 Urgent Repair Program.
7. Public comment period.
 8. City Engineer Michael Leonard, PE will present the following items:
 - (a) A petition received from Habitat for Humanity of Randolph County requesting the annexation of a parcel of land at 832 Peachtree Street.
 - (i) Consideration of a resolution authorizing the investigation and potential certification of the petition requesting annexation.
 - (ii) Consideration of a resolution setting the date for a public hearing on the petition requesting annexation.
 - (b) Consideration of a resolution requesting a legislative enactment to deannex certain property owned by Pamela Sue Vuncannon near Old NC Hwy 49.
 9. Ms. Lena Keller, who is a volunteer with the Humane Society of Randolph County, will discuss her support for an anti-tethering ordinance.
 10. Asheboro Animal Control Supervisor Russell Lataille, Jr. will present an ordinance to include anti-tethering provisions in the Code of Asheboro.
 11. Safety Coordinator Steve Paye will report on the recent Department of Labor safety inspection for the Public Works and Public Utilities Divisions.
 12. Community Development Director Trevor Nuttall will present update on All America City Application.
 13. City Engineer Michael Leonard, PE will present an update on renovations at city hall.
 14. Discussion of items not on the agenda and adjournment.

**REGULAR MEETING
ASHEBORO CITY COUNCIL
CITY COUNCIL CHAMBER, MUNICIPAL BUILDING
THURSDAY, FEBRUARY 4, 2016
7:00 p.m.**

This being the time and place for a regular meeting of the Asheboro City Council, a meeting was held with the following elected officials and city staff members present:

- David H. Smith) – Mayor Presiding
- Clark R. Bell)
- Edward J. Burks)
- Linda H. Carter)
- Walker B. Moffitt) – Council Members Present
- Jane H. Redding)
- Katie L. Snuggs)
- Charles A. Swiers)

- John N. Ogburn, III, City Manager
- Edsel L. Brown, Code Enforcement Officer
- Holly H. Doerr, CMC, NCCMC, City Clerk
- Stacy R. Griffin, Human Resources Director
- Michael L. Leonard, P.E., City Engineer
- Trevor L. Nuttall, Community Development Director
- Randy C. Purvis, Chief Building Inspector
- Deborah P. Reaves, Finance Director
- Jonathan M. Sermon, Recreation Services Superintendent
- James O. Smith, Assistant Chief of Police
- Jeffrey C. Sugg, City Attorney

1. Call to order.

A quorum thus being present, Mayor Smith called the meeting to order for the transaction of business, and business was transacted as follows.

2. Silent prayer and pledge of allegiance.

After a moment of silence was observed in order to allow for private prayer or meditation, Mayor Smith asked everyone to stand and say the pledge of allegiance.

3. Appearance and recognition of guests and citizens.

Mayor Smith welcomed everyone in attendance.

4. Receipt by the city of the Cornerstone Award from the Asheboro/Randolph Home Builders Association.

Mayor Smith announced that the City of Asheboro has received the Cornerstone Award from the Asheboro/Randolph Home Builders Association in appreciation for the city’s collaborative efforts to build a positive partnership with the private sector. Additionally, Mr. Eric Ward, President of the Asheboro/Randolph Home Builders Association offered his congratulations to the city on the receipt of this award.

5. Presentation of the city’s fiscal year-end audit report.

The City Council received from Mr. Steve Hackett, CPA the audit report for the fiscal year that ended June 30, 2015. During his presentation, Mr. Hackett reported that the city received what is commonly referred to as a “clean audit” (currently also referred to as an “unmodified opinion”) that reflects an unqualified acceptance of the city’s financial statements. A copy of the written report submitted by Mr. Hackett is on file in the city clerk’s office.

6. Randolph County Economic Development Corporation’s annual report.

Ms. Bonnie Renfro, who is the President of the Randolph County Economic Development Corporation (“RCEDC”), led the presentation of the annual report from the RCEDC. Ms. Renfro was joined in this presentation by Board of Directors Vice-Chair John Grey, P.E. and Kevin Franklin, who is the Existing Business and Industry Coordinator for the RCEDC.

Ms. Renfro thanked the City Council for its support and then discussed highlights from the annual report. Some of the highlights addressed by Ms. Renfro included that over the course 30 years, 12,000 new jobs have been created with a capital investment of approximately \$1.8 billion.

Additionally, Ms. Renfro highlighted that Randolph County made giant strides in 2015 to create a first-class mega site to be located in the center of the state. The Greensboro Randolph Mega Site has outstanding transportation access to the nation's second largest interstate highway system, Class One railroad, five southeast U.S. Ports, and three international airports. With this, Randolph County will have a unique and competitive industrial opportunity in the future.

No formal action was requested of the City Council during this presentation. The mayor and the members of the City Council did express their appreciation for the economic development work performed by the RCEDC.

Copies of the materials distributed by Ms. Renfro are on file in the city clerk's office.

7. Discussion of Randolph County's strategic planning and mega site initiatives.

Mr. Hal Johnson, Randolph County Manager, utilized a visual presentation in order to give the Council an overview of the county's strategic planning process and its participation in the regional effort to bring the mega site to fruition.

No formal action was taken by the City Council in response to this presentation.

A copy of the visual presentation utilized by Mr. Johnson is on file in the city clerk's office.

8. Consent agenda:

Upon motion by Mr. Burks and seconded by Mr. Bell, Council voted unanimously to approve/adopt the following consent agenda items.

- (a) **The minutes of the city council's meeting on January 7, 2016.**
- (b) **The minutes of the city council's special meeting on January 28, 2016.**
- (c) **An ordinance to amend the current fiscal year budget for the water & sewer fund.**

02 ORD 2-16

ORDINANCE TO AMEND THE WATER & SEWER FUND FY 2015-2016

WHEREAS, The City of Asheboro has received a Technical Assistance Grant (TAG) in the amount of \$49,999 from the North Carolina Department of Environmental Quality Division of Water Infrastructure to study a portion of the Sanitary Sewer Collection System along Penwood Branch to locate potential sources of inflow and infiltration (I & I) into the collection system, and;

WHEREAS, The City repeatedly experiences sanitary sewer overflows in this area during rain events as rainwater runs into the sewer pipes in the system, and;

WHEREAS, The Wooten Company is managing the grant by providing professional services to evaluate manholes, direct cleaning and videoing sections of the system, and provide flow meter analysis to help the City determine what improvements need to be made to repair the sewer system and prevent these overflows from occurring in the future, and;

WHEREAS, the 2015 - 2016 Water and Sewer Fund adopted budget needs to be amended to incorporate the grant proceeds in revenue and offsetting equal increase in professional services expenditures in the Systems Maintenance departmental budget, and;

WHEREAS, the City Council of the City of Asheboro wants to be in compliance with all generally accepted accounting principles, and;

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

Section 1: That the following Revenue line item be increased:

<u>Account #</u>	<u>Revenue Description</u>	<u>Increase</u>
30-335-0200	Grant Revenue	49,999

Section 2: That the following Expense line item be increased:

<u>Account #</u>	<u>Expense Description</u>	<u>Increase</u>
30-870-0400	Professional Services	49,999

Adopted this 4th day of February, 2016.

/s/David H. Smith
David H. Smith, Mayor

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk

9. Community Development Division items:

- (a) **Zoning Case RZ-16-01: A legislative zoning hearing on the application filed by the city for general text amendments to Article 200, 200A, 300A, 400, 600, 800, 1000, and 1100 in the City of Asheboro Zoning Ordinance.**

Mayor Smith opened the public hearing on the following request.

Mr. Nuttall utilized a visual presentation in order to give the Council Members an overview of certain proposed text amendments to Article 200, Table 200-2, Article 200A, Article 300A, Table 400-1, Article 600, Article 800, Article 1000, and Article 1100 of the Asheboro Zoning Ordinance. In essence, the Community Development Division staff proposed to update the Asheboro Zoning Ordinance in order to ensure that the zoning ordinance conforms with current state legislation and current land use trends.

The proposed amendments, which received a favorable recommendation from the Asheboro Planning Board, can be highlighted as follows:

- Article 200:**
 - Remove redundant, unnecessary requirement for the clerk to certify the Table of Uses.
- Table 200-2:**
 - Amend child care related references that involve number of children to be consistent with state statutes.
- Article 200A:**
 - Proposal concerning street fronting facades in Tier 1 of the Center City Planning area.
- Article 300A:**
 - Make clerical changes and remove redundant references.
- Table 400-1:**
 - Update terminology related to parking for places of worship.
- Article 600:**
 - Update references to Comprehensive Transportation Plan
 - Update language concerning receipt of applications
 - Allow small additions to legal non-conforming places of worship/schools
 - Clarify the provisions that apply to existing manufactured home parks that need a Special Use Permit.
- Article 800:**
 - Improve the general organization and clarity distinguishing between non-conforming situations and uses.

8. Article 1000:

- Various amendments concerning legal notices and advertising.
- Zoning permit contents and a revised cost threshold that triggers zoning permit requirements.
- Abolishment of protest petition.
- Improvement to enforcement process.

9. Article 1100:

- Update various definitions to improve clarity.
- Reflect changes in state legislation and more precisely define certain uses.

The Planning Board concurred with the following Community Development Division staff's analysis and recommended approval of the proposed text amendments to the Asheboro Zoning Ordinance.

"The proposed amendments are necessary to ensure consistency with current state legislation, better reflect current operational practices, better define ambiguous terminology, improve clarity of the zoning ordinance and its review process, and preserve the character of the historic core of Asheboro. The Land Development Plan supports each of these actions."

With no comments or opposition from the public, Mayor Smith transitioned to the deliberative phase of the public hearing.

During his presentation, Mr. Nuttall also highlighted that subsection (B) of Section 1011.4 of the Asheboro Zoning Ordinance was inadvertently omitted from the proposed text amendments and should be included for consideration. Section 1011.4 of the Asheboro Zoning Ordinance as proposed with this correction states as follows:

A. A public hearing shall be held by the City Council before adoption of any proposed amendment to this Ordinance. In accordance with N.C. General Statute 160A-364(a), a notice of the public hearing shall be given once a week for two successive calendar weeks in a newspaper having general circulation in Asheboro. The notice shall be published the first time not less than 10 days nor more than 25 days before the date fixed for the hearing. In computing such period, the day of publication is not to be included but the day of the hearing shall be included.

B. In addition to the notice required by A. above, where the proposed amendment involves a change in the designation of any parcel of land, staff shall, by first class mail, give notice of the public hearing to the owner(s) of parcel(s) involved in the proposed amendment, if the owner(s) are different from the applicant(s), as well as the owners, as shown on the tax rolls of Randolph County, of all land abutting the parcel(s) involved in the proposed amendment. Certification shall be included in the report prepared by the Zoning Administrator that such notice has been made.

During discussion, the Council Members expressed their concerns regarding the proposed amendment to Article 200A(C)(4)(c)(iii) pertaining to façade improvements and concluded that the exception for decorative murals should be deleted. With this deletion, the approved text states as follows:

A zoning compliance permit shall be obtained prior to painting, staining, or covering any street front façade. Any street front façade of masonry buildings that has historically been left in a natural, uncovered state shall not be painted, stained or otherwise covered; this prohibition shall apply only to the masonry portion of the building and not to any non-masonry building trim or accents. This subsection shall not apply to single or two family dwellings. ~~and/or decorative murals.~~

Upon motion by Mr. Bell and seconded by Ms. Carter, Council voted unanimously to approve, with the corrections noted immediately above, the staff's proposed text amendments to the Asheboro Zoning Ordinance as well as adopting the following consistency statement that was initially proposed in the staff report.

After considering the above factors (the excerpt of the analysis from the staff report that is quoted above), the proposed text amendments are supported by (consistent with) the Land Development Plan, correct references to other adopted comprehensive plans, such as the 2014 Asheboro Comprehensive Transportation Plan, and are therefore in the public interest in supporting a reasonable use of the property.

A copy of the visual presentation utilized by Mr. Nuttall is on file in the city clerk's office along with a copy of the adopted text amendments.

(b) SUB-12-01: A preliminary plat review for Phase 2 of the Olde Towne Village Subdivision.

Mr. Nuttall presented the preliminary plat for Phase 2 of Olde Towne Village. Olde Towne Village, LLC requested the approval of a preliminary plat for 16 lots plus common area. The 16 Planned Unit Development lots have an average lot size of 3,646 square feet and are located along the south side of Old Lexington Road.

The development includes detached single-family and attached single-family dwellings (two dwellings per structure). The city council approved a Conditional Use Permit for the development in June 2012, and a preliminary plat in July 2012. The previous preliminary plat included 18 attached dwellings (9 structures, with 2 dwellings each), while the current proposal includes 4 attached dwellings (2 structures with 2 dwellings each) and 12 detached dwellings.

A new preliminary plat is being reviewed due to this modification to the number and ratio of detached/attached dwellings. A subdivision variance was granted during the sketch design review, allowing reduced right-of-way widths for public streets within the subdivision. No reduction in street widths is proposed.

During his presentation, Mr. Nuttall noted that the Community Development Division staff and the Planning Board recommended granting the request with the following comment/condition:

Homeowners' documents restricting RV parking as required by the ordinance shall be submitted and recorded with the final plat.

Upon motion by Mr. Bell and seconded by Ms. Carter, Council voted unanimously to approve the preliminary plat request with the comment/condition requiring the recordation of homeowners' documents restricting RV parking with the final subdivision plat for Section II of the Olde Towne Village subdivision.

10. Public comment period.

Mr. Eric Ward, President of the Asheboro/Randolph Home Builder's Association, announced to the Council that the Region 7 Meeting of the North Carolina Home Builders Association was held in Asheboro and commended the city on its efforts to revitalize the downtown area.

Ms. Donna Hughes and Ms. Bea Vangor presented comments in support of an anti-tethering ordinance in Asheboro.

Ms. Sue Vuncannon requested that a portion of her property be deannexed from the city because the property is no longer part of the manufacturing site that was the object of the original annexation. In response to her request, the council members gave general consent to city staff to proceed with a request for legislative assistance to deannex this property that is located along Old N.C. Highway 49. Once a map has been received, city staff will prepare a resolution for Council's consideration at a future meeting.

11. Building Inspection Annual report.

Mr. Randy Purvis, Chief Building Inspector, presented an overview of the Building Inspection Department's activities during 2015. The department's report reflected a total of 942 permits issued with a total of \$107,760.00 in revenue received. A copy of the written report submitted to the council members is on file in the city clerk's office.

12. Code Enforcement Annual Report.

Mr. Ed Brown, Code Enforcement Officer, utilized a visual presentation in order to give the council members an overview of the code enforcement activities for 2015. Mr. Brown's report reflected a total of 343 recorded violations for 2015. These violations included, but were not limited to, nuisance violations, non-permitted signs, minimum housing code violations, and zoning violations. A copy of the visual presentation utilized by Mr. Brown is on file in the city clerk's office.

13. Discussion and request for approval of a resolution expressing the Council's concurrence with the newly revised City of Asheboro Employee Policies and Procedures Manual.

Ms. Griffin presented and recommended adoption, by reference, of a resolution expressing the Council's concurrence with the newly revised City of Asheboro Employee Policies and Procedures Manual.

Upon motion by Mr. Moffitt and seconded by Mr. Burks, Council voted unanimously to adopt the following resolution by reference.

RESOLUTION NUMBER _____ **01 RES 2-16**

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

A RESOLUTION EXPRESSING THE CITY COUNCIL'S CONCURRENCE WITH THE NEWLY REVISED CITY OF ASHEBORO EMPLOYEE POLICIES AND PROCEDURES MANUAL

WHEREAS, the City of Asheboro Employee Policies and Procedures Manual (formerly known as the City of Asheboro Personnel Policies and Procedures Manual and hereinafter referred to as the "Manual") was originally promulgated by the city manager and approved by resolution of the Asheboro City Council on March 4, 2004; and

WHEREAS, the city manager periodically receives recommendations from the human resources director to update the Manual by eliminating recently identified areas of ambiguity and to reflect current best practices; and

WHEREAS, subsequent to March 1, 2015, which was the effective date of the most recent revision of the Manual, the human resources director forwarded recommendations to the city manager to reorganize the Manual with enhanced or refined discussion of certain policy areas in order to effectively continue the city's implementation and communication of best practices for its workforce; and

WHEREAS, the recommendations forwarded to the city manager are contained in their entirety within a draft City of Asheboro Employee Policies and Procedures Manual that is attached to this Resolution as ATTACHMENT A and is hereby incorporated into this Resolution by reference as if copied fully herein; and

WHEREAS, the city manager agrees with these recommendations and has decided to promulgate the draft employee policies and procedures found in ATTACHMENT A as the new Manual with an effective date of March 1, 2016; and

WHEREAS, the Asheboro City Council has concluded that the city manager's decision to update and reorganize the policies and procedures that guide the city's human resources system is consistent with the governing board's adopted mission statement "to provide the citizens of Asheboro with excellence in leadership, fiscal management, and municipal services and to create meaningful and appropriate opportunities for citizen participation to improve the quality of life for all;"

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro, North Carolina that it hereby concurs with the decision by the city manager to promulgate, with an effective date of March 1, 2016, the revised and reorganized City of Asheboro Employee Policies and Procedures Manual attached to this Resolution as ATTACHMENT A.

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 4th day of February, 2016.

/s/David H. Smith
David H. Smith, Mayor
City of Asheboro, North Carolina

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk
City of Asheboro, North Carolina

[Attachment A referred to in the above resolution is on file in the city clerk's office.]

A copy of the visual presentation utilized by Ms. Griffin is on file in the city clerk's office.

14. Presentation of a resolution requesting the assistance of the local legislative delegation in amending the city's charter to allow the donation of animals retired by the city to the officer or employee who had normal custody or control of the animal.

Mr. Ogburn presented and recommended adoption, by reference, of a resolution requesting the amendment by local act of the North Carolina General Assembly of Article IX (Disposal of Property) of the Charter of the City of Asheboro.

Upon motion by Mr. Bell and seconded by Mr. Swiers, Council voted unanimously to adopt the following resolution by reference.

RESOLUTION NUMBER _____ **02 RES 2-16** _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

A RESOLUTION REQUESTING THE AMENDMENT BY LOCAL ACT OF THE NORTH CAROLINA GENERAL ASSEMBLY OF ARTICLE IX (DISPOSAL OF PROPERTY) OF THE CHARTER OF THE CITY OF ASHEBORO

WHEREAS, the Asheboro City Council and city staff continually review city practices and processes in an effort to identify and implement actions that can improve the quality, efficiency, and legal sustainability of the municipal corporation's operations; and

WHEREAS, this on-going review process is inclusive of the provisions in the Charter of the City of Asheboro (the "Charter"); and

WHEREAS, Article IX of the Charter addresses the disposal of property by authorizing the City Council to sell or lease any real or personal property of the city in accordance with the enabling legislation found in Chapter 160A, Article 12 of the North Carolina General Statutes; and

WHEREAS, the City Council has concluded that the ability to find a proper home for city-owned animals when such animals are no longer able to perform their duties would be enhanced if the City Council had the authority to donate animals retired from city service to the handlers who have developed a bond with the animals; and

WHEREAS, in support of the public safety employees who have made extraordinary sacrifices on behalf of the city, the City Council would like to obtain specific authority to convey, by means of private sale and without strict connection to the fair market value of each item, certain personal uniform and equipment items used by such employees prior to the employees' separation from employment with the city; and

WHEREAS, for the reasons stated in the preceding recitals, the City Council has decided to request the assistance of the local legislative delegation to the North Carolina General Assembly with the introduction and passage of a local act to amend the Charter so as to enable the City Council to pursue, in a legally sustainable manner, the above-stated goals;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Asheboro, North Carolina that a request is hereby respectfully submitted to the local legislative delegation to the North Carolina General Assembly for the introduction and support of a local act to amend Article IX of the Charter of the City of Asheboro, being Chapter 481 of the 1967 Session Laws, as amended by Chapter 921 of the 1989 Session Laws, by rewriting Article IX of the Charter to provide as follows:

ARTICLE IX. DISPOSAL OF PROPERTY

~~**Sec. 9.3** **Use and disposal of real or personal property.** The City Council shall have the power granted by Chapter 160A, Article 12, of the General Statutes to sell or lease any real or personal property.~~

Sec. 9.1 **Use and disposal of real or personal property.** The City Council shall have the power granted by Chapter 160A, Article 12 of the General Statutes to sell or lease any real or personal property.

Sec. 9.2 **Disposal of uniforms and equipment used by public safety employees.** In addition to transactions authorized by other Sections of this Article and by Section 20-187.2 of the General Statutes, personal uniform and equipment items, excluding weapons, used by city employees in the police, fire, and fire inspection departments may be sold to these municipal employees upon their separation from employment with the city. Such items may be sold by private sale at prices and under terms and conditions that the City Council may establish by resolution.

Sec. 9.3 Donation of city-owned animals no longer fit for public service.
When any dog, horse, or other animal used by the city police department or any other city agency is deemed no longer fit for public service, the City Council may donate the animal to the officer or employee who had normal custody and control of the animal during its service to the city.

BE IT FURTHER RESOLVED by the City Council of the City of Asheboro, North Carolina that city staff members are hereby authorized to undertake all administrative actions deemed necessary to implement the provisions of this Resolution, specifically including without limitation engaging in discussions and correspondence on behalf of the municipal corporation with members of the local delegation and the legislative bill drafting office, to facilitate timely consideration of the proposed charter amendments by the North Carolina General Assembly

This Resolution was adopted by the Asheboro City Council in open session during a regular meeting held on the 4th day of February, 2016.

/s/David H. Smith
David H. Smith, Mayor
City of Asheboro, North Carolina

ATTEST:

/s/Holly H. Doerr
Holly H. Doerr, CMC, NCCMC, City Clerk
City of Asheboro, North Carolina

15. Items not on the agenda.

Mr. Ogburn announced that a special meeting of the City Council will be held on February 25, 2016 at 5:30 p.m. at the City of Asheboro Public Works Facility.

There being no further business, the meeting was adjourned at 9:34 p.m.

Holly H. Doerr, CMC, NCCMC, City Clerk

David H. Smith, Mayor

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Minutes of the meeting of the Asheboro Alcoholic Beverage Control Board held on January 4, 2016

The Asheboro ABC Board met on January 4, 2016, at 5:30 PM, in the Board office, 700 South Fayetteville Street, Asheboro, NC.

Present were Chair Brooke Schmidly, Board Member Bob Morrison, and General Manager Rodney Johnson (GM). A quorum being present, the Chair called the meeting to order for the transaction of business and business transacted as follows:

The Chair inquired as to any known conflict of interest, appearance of a conflict of interest, or objections concerning agenda items before the Board; after the Chair and Board member voiced having no conflict, and there being no objection, the agenda was adopted.

The Board reviewed and there being no objection, approved the Minutes from the December 7, 2015, Board meetings.

The GM reviewed Board finances and reported all finances remain consistent. The Board's current bank balances and accounts payable reports were also reviewed.

Unfinished Business: The GM explained the process used by the ABC Commission to provide a local ABC board notice of an alleged violation by an ABC permitted business in the ABC board's jurisdiction. Notice is given of both the initial allegations against the permit holder and of the final case disposition.

The Board heard reports from the General Manager concerning the following issues:

1. Asheboro ABC sales statistics comparing:
 - December 2015 sales with the previous month indicate:
 - An overall +59.9% change (all sales and tax collections)
 - December 2015 sales with sales from the same month last year indicate:
 - Retail Sales +7.7% (\$399,683.40)
 - Mixed Beverage Sales: -0.6% (\$33,823.55)
 - Sales Tax Collections: +8.2% (\$27,995.78)
 - Overall Collections: +7.1% (\$461,502.73)
 - December 2015 bottle sales with bottle sales from the same month last year indicate:
 - Retail Bottle Sales: +6.4% (33,096 bottles)
 - Mixed Beverage Bottle Sales: -1.7% (1,605 bottles)
 - Overall Bottle Sales: +6% (34,701 bottles)

Charts reflecting sales histories were handed out to Board members for review and discussion.

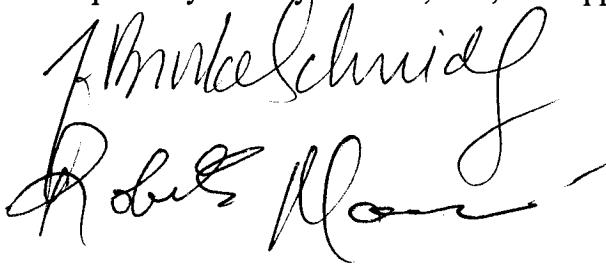
The next regular Asheboro ABC Board meeting will be held Monday, February 1, 2016, at 5:30 p.m.

There being no further business, the meeting was adjourned.

Prepared by Rodney Johnson, GM, and Approved by the Board 2-1-16



GM



ORDINANCE NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**Ordinance to Modernize Outdated Provisions in Chapter 34
of the Code of Asheboro**

WHEREAS, Section 160A-291 of the North Carolina General Statutes authorizes the city to establish, organize, equip, and maintain a fire department; and

WHEREAS, Chapter 34 (Departments, Boards and Commissions) of the Code of Asheboro has thirteen sections (Sections 34.25 through 34.37) pertaining to the city's fire department; and

WHEREAS, the existing code provisions reference a fire department that utilizes a combination of paid and, as described in the existing code provisions, part-paid volunteer members; and

WHEREAS, the City of Asheboro Fire Department is now staffed with full-time firefighters, and the city no longer deploys volunteer firefighters as members of the Asheboro Fire Department; and

WHEREAS, the Asheboro City Council has concluded that the Code of Asheboro should be updated to reflect the current operational practices of the municipal fire department;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Asheboro, North Carolina as follows:

Section 1. Sections 34.25 through 34.37 of the Code of Asheboro are hereby repealed in their entirety and the following revised sections within Chapter 34 are hereby enacted:

§ 34.25 **FIRE DEPARTMENT CONSTITUTED**

(A) There is hereby established a department within the city government to be known as the Asheboro Fire Department.

(B) The purpose of the fire department is to protect the lives and property of the citizens of Asheboro from fires and other emergencies, through fire suppression, fire prevention, public education, and such other means as may be needed.

§ 34.26 **APPOINTMENT AND TERM OF OFFICE OF THE FIRE CHIEF**

The Chief of the Fire Department, who may also be referred to as the Asheboro Fire Chief, shall be appointed by and serve at the pleasure of the City Manager.

§ 34.27 **COMMAND AND CONTROL OF THE FIRE DEPARTMENT**

Subject to general supervision by the City Manager who is designated in the City Charter as the city's chief administrator, the Chief of the Fire Department shall have command and control of the fire department. The Chief of the Fire Department shall be the commanding officer of the fire department.

§ 34.28 **DUTIES OF THE FIRE CHIEF**

In addition to any duties otherwise prescribed for the Chief of the Fire Department by the North Carolina General Statutes, it shall be the duty of the Asheboro Fire Chief to preserve and care for the city's fire suppression apparatus and infrastructure, to have charge of fighting and extinguishing fires, to have charge of training the fire department, and to make annual reports to the city council concerning these duties.

§ 34.29 **(RESERVED)**

§ 34.30 **(RESERVED)**

§ 34.31 **(RESERVED)**

§ 34.32 **(RESERVED)**

§ 34.33 **(RESERVED)**

§ 34.34 **(RESERVED)**

§ 34.35 **(RESERVED)**

§ 34.36 **(RESERVED)**

§ 34.37 **(RESERVED)**

Section 2. No action or proceeding of any nature (whether civil or criminal, judicial or administrative, or otherwise) pending at the effective date of this Ordinance shall be abated or otherwise affected by the adoption of this Ordinance.

Section 3. All previously adopted ordinances and clauses of ordinances in conflict with this Ordinance are hereby repealed.

Section 4. This Ordinance shall be in full force and effect upon and after the date of its adoption.

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting of the governing board that was held on the 10th day of March, 2016.

David H. Smith, Mayor
City of Asheboro, North Carolina

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk
City of Asheboro, North Carolina



RZ-16-02: Rezone from O&I (Office and Institutional) to R7.5 (Medium-Density Residential)

(1112 South Cox Street)

Planning Board Recommendation and Staff Report

Planning Board Recommendation & Comments to City Council

NOTE: Have applicant Certify to Council mailings to all adjoining property owners.

Case # **RZ-16**
-02

Date 2/1/2016

Applicant Tina Asbill

Legal Description

The property of Paul S. Asbill and Tina Asbill, located at 1112 South Cox Street, totaling approximately 19,264 square feet (+/-) and identified by Randolph PIN 7750876592.

Requested Action Rezone from O&I (Office & Institutional) to R7.5 (Medium-Density Residential)

Existing Zone O & I (Office & Institutional)

Land Development Plan See rezoning staff report

Planning Board Recommendation

Approve

Reason for Recommendation

The Planning Board concurred with staff reasoning.

Planning Board Comments

Rezoning Staff Report

RZ Case # **RZ-16-02**

Date 2/1/2016 PB
3/10/2016 City Council

General Information

Applicant Tina Asbill
Address 1736 Ken Lee Court
City Asheboro NC 27203
Phone 626-3771
Location 1112 South Cox Street

Requested Action Rezone from O & I (Office and Institutional) to R-7.5 (Medium-Density residential)

Existing Zone O&I (Office & Institutional) **Existing Land Use** Single-family residential
Size 19,264 square feet +/- **Pin #** 7750876592

Applicant's Reasons as stated on application

More useful for residential purposes. Property is adjacent to residential properties which is a good fit to the area. Residential zoning will allow continued viable use of the property.

Surrounding Land Use

North Single-Family/Office **East** Single/multi-family residential
South Office/single & Multi-family (townhomes) **West** Single-Family residential

Zoning History RZ--07-28: The property was rezoned from R7.5 (Medium Density Residential) to O&I (Office & Institutional)

Legal Description

The property of Paul Shane and Tina Asbill, located at 1112 South Cox Street, totaling approximately 19,264 square feet (+/-) and identified by Randolph PIN 7750876592.

Analysis

1. South Cox Street is a state-maintained minor thoroughfare.
2. The property is in the city limits and all city services are available.
3. The property is within the Center City Planning Area (Tier 3).
4. The surrounding area is characterized by a mix of uses including single family and multi-family residential, and offices.
5. There is currently a single-family residence located on the property, which tax records indicate was built in 1955.
6. Once the property was rezoned to O&I, the current single-family use of the property became a legal non conforming use. Subject to the Asheboro Zoning Ordinance, the single-family residential use may continue in the O&I district. However, expansion, such as additions to the dwelling or new accessory structure(s), is restricted.
7. The requested R7.5 district allows a single-family residence and two-family residential uses.
8. The proposed land use designation of the property is for a City Activity Center. No changes were made to this property's designation during the recent 2014 Land Development Plan update.

Rezoning Staff Report

RZ Case # RZ-16-02

Page 2

Consistency with the 2020 LDP Growth Strategy designations

In reviewing this request, careful consideration is given to each Goal and Policy as outlined in the Land Development Plan. Some Goals and Policies will either support or will not support the request, while others will be neutral or will not apply. Only those Goals and Policies that support or do not support the request will be shown.

Proposed Land Use Map Designation Activity Center

Small Area Plan Central

Growth Strategy Map Designation Primary Growth

LDP Goals/Policies Which Support Request

Checklist Item 1: Rezoning is compliant with the Proposed Land Use Map.

Checklist Item 4: The proposed rezoning is compatible with surrounding land uses.

Checklist Item 6: Existing infrastructure is adequate to support the desired zone. (*water, sewer, roads, schools, etc.*)

Checklist Item 7: The proposed rezoning is compatible with the applicable Small Area Plan.

Checklist Items #12, #13, #14, and #15: 12.) Property is located outside of watershed 13.) The property is located outside of Special Hazard Flood Area. 14.) Rezoning is not located on steep slopes of greater than 20%. 15.) Rezoning is not located on poor soils

Rezoning Staff Report

RZ Case # RZ-16-02

Page 3

LDP Goals/Policies Which Do Not Support Request

Recommendation Approve

Reason for Recommendation

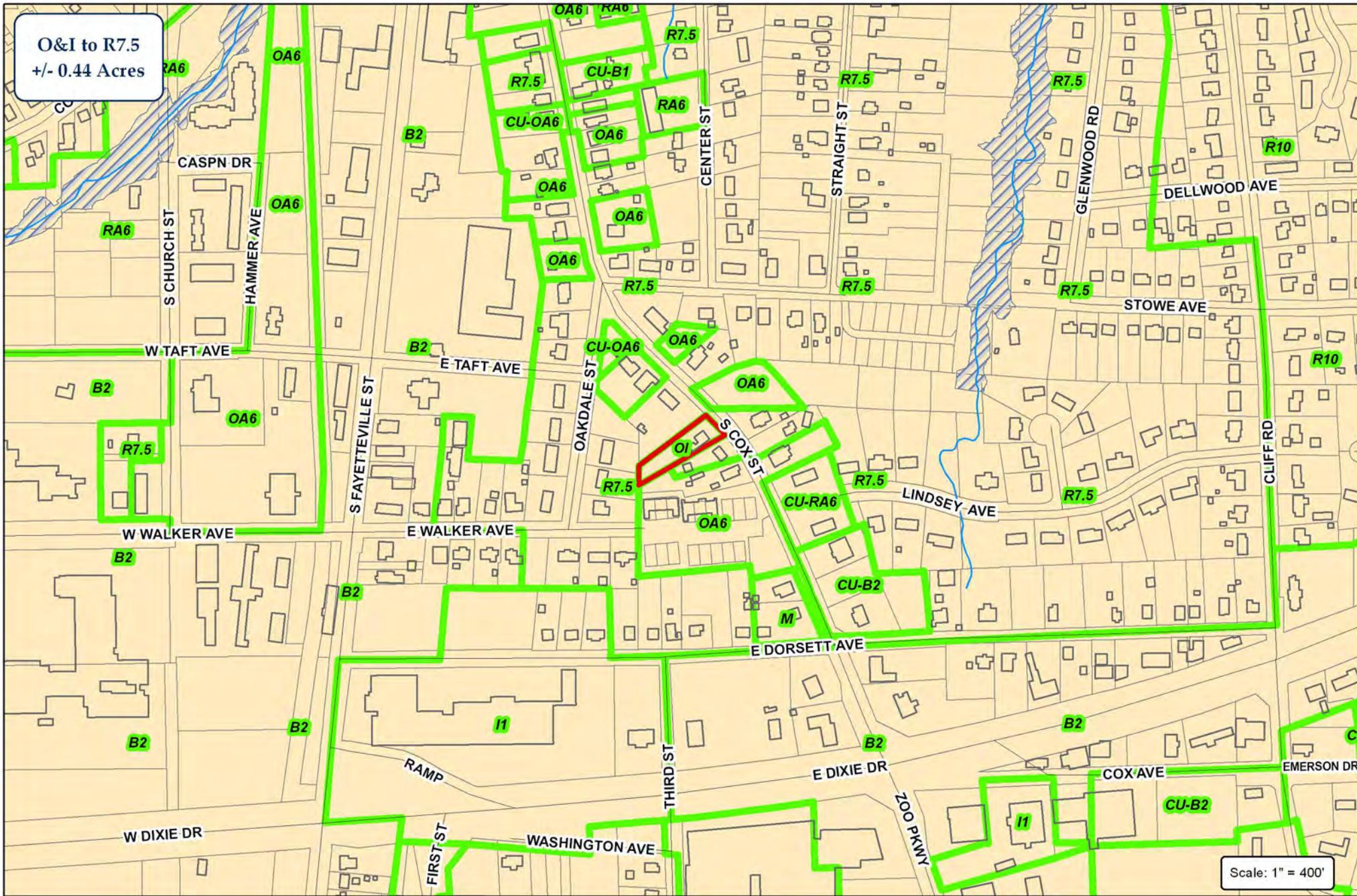
The property is designated by the proposed land use map as part of the City Activity Center, which is described as the historic core of Asheboro, with a mix of compatible commercial, office/institutional, and residential uses.

Specifically, the property is located in a transitional location, which includes a mix of residential uses alongside office/institutional and lighter commercial uses. In this case, the proposed R7.5 (Medium-Density Residential) district can be an appropriate designation by accommodating a long-standing residential use that abuts other established residential uses.

Evaluation of Consistency with Adopted Comprehensive Plans/Reasonableness and Public Interest

After considering the above factors, staff believes the proposed R7.5 district will allow a reasonable use of the property, reflecting its residential use and history, and ensuring consistency with the Land Development Plan.

O&I to R7.5
+/- 0.44 Acres

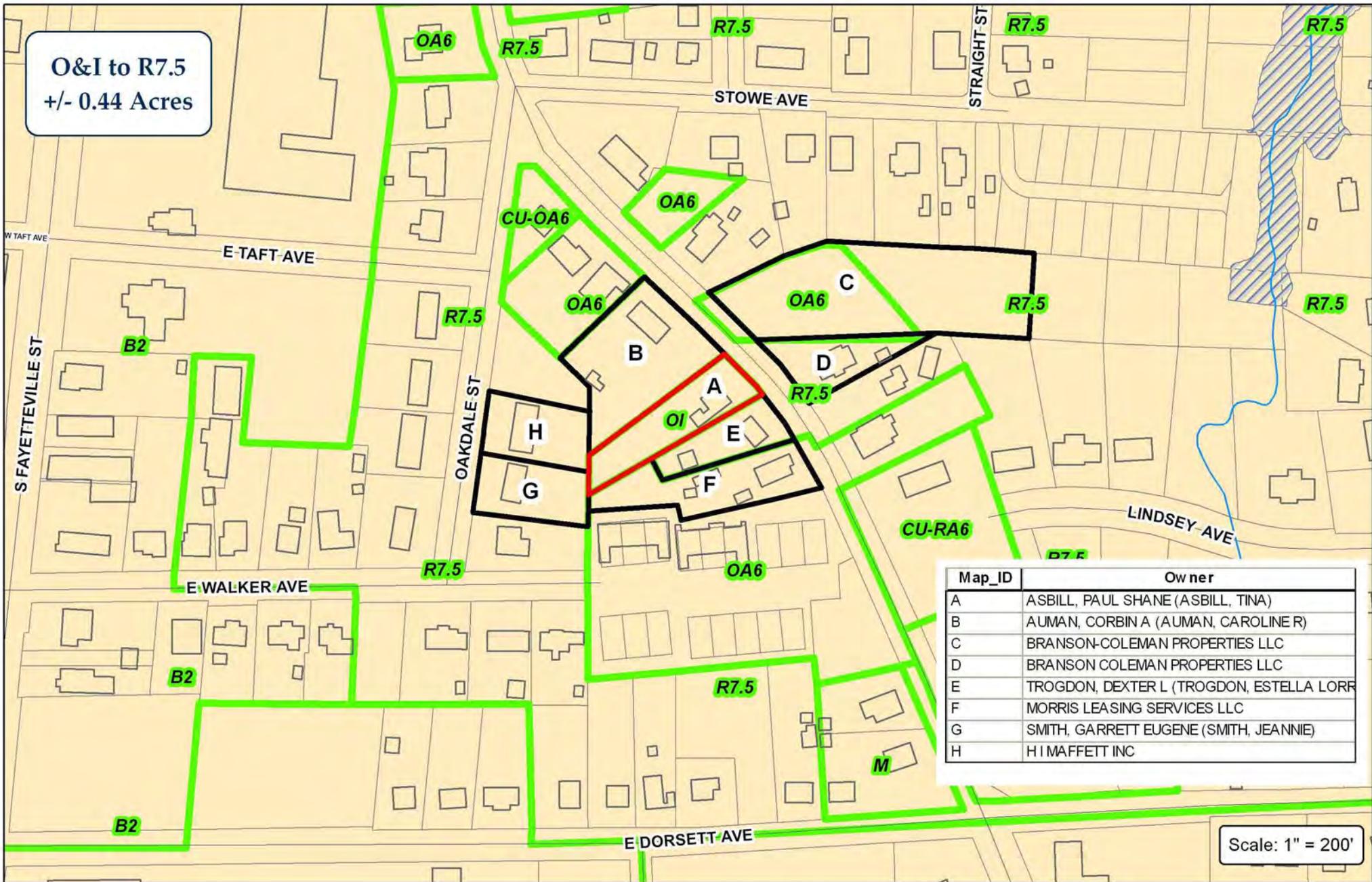


City of Asheboro
Planning & Zoning Department
Rezoning Case: RZ-16-02
Parcels: 7750876592

- Subject Property
- Zoning
- City Limits
- ETJ



O&I to R7.5
+/- 0.44 Acres



Map_ID	Owner
A	ASBILL, PAUL SHANE (ASBILL, TINA)
B	AUMAN, CORBIN A (AUMAN, CAROLINE R)
C	BRANSON-COLEMAN PROPERTIES LLC
D	BRANSON COLEMAN PROPERTIES LLC
E	TROGDON, DEXTER L (TROGDON, ESTELLA LORR)
F	MORRIS LEASING SERVICES LLC
G	SMITH, GARRETT EUGENE (SMITH, JEANNIE)
H	H I MAFFETT INC

Scale: 1" = 200'

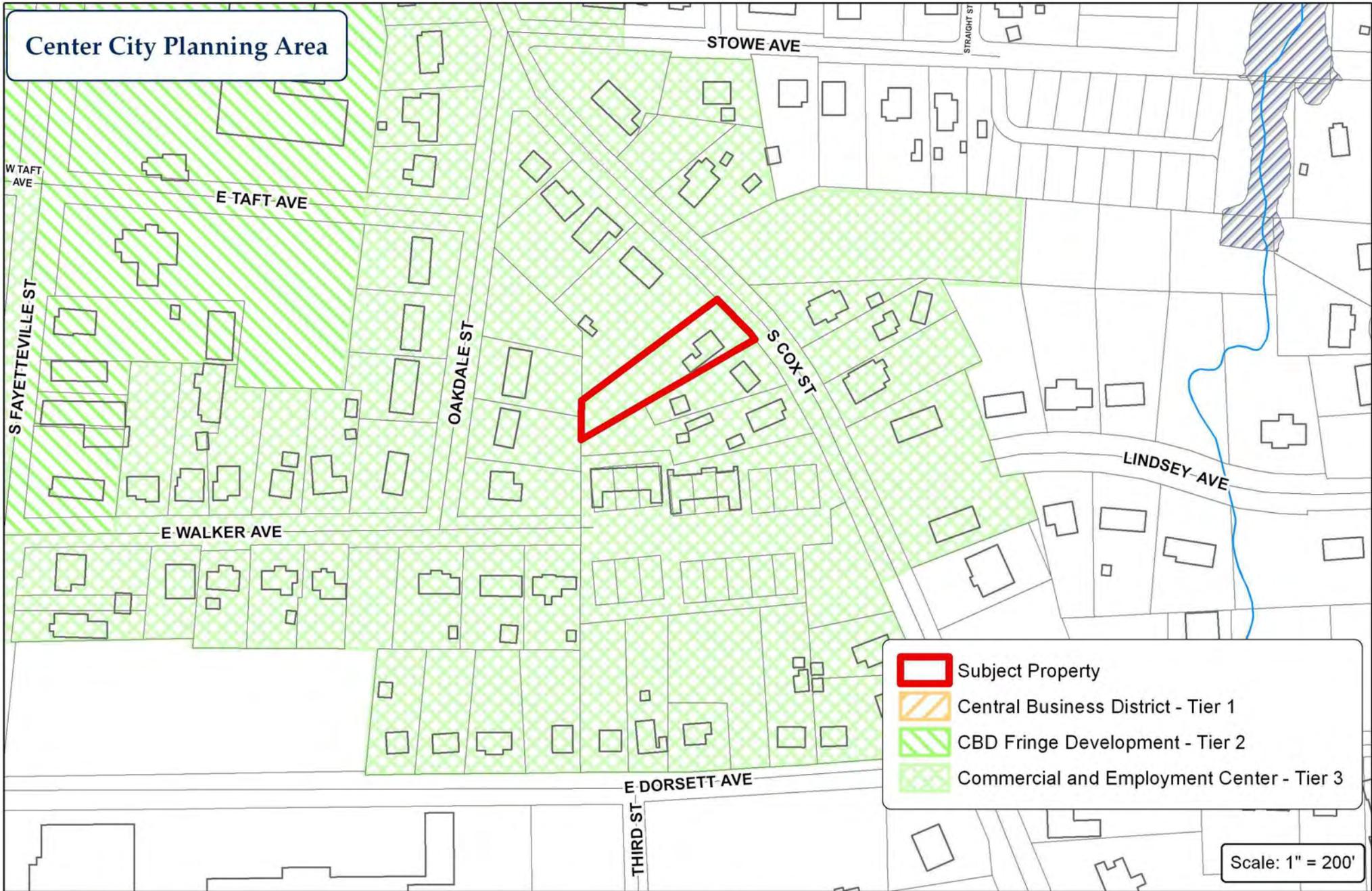
City of Asheboro
Planning & Zoning Department
 Rezoning Case: RZ-16-02
 Parcels: 7750876592



-  Subject Property
-  Adjoining Properties
-  Zoning
-  City Limits



Center City Planning Area

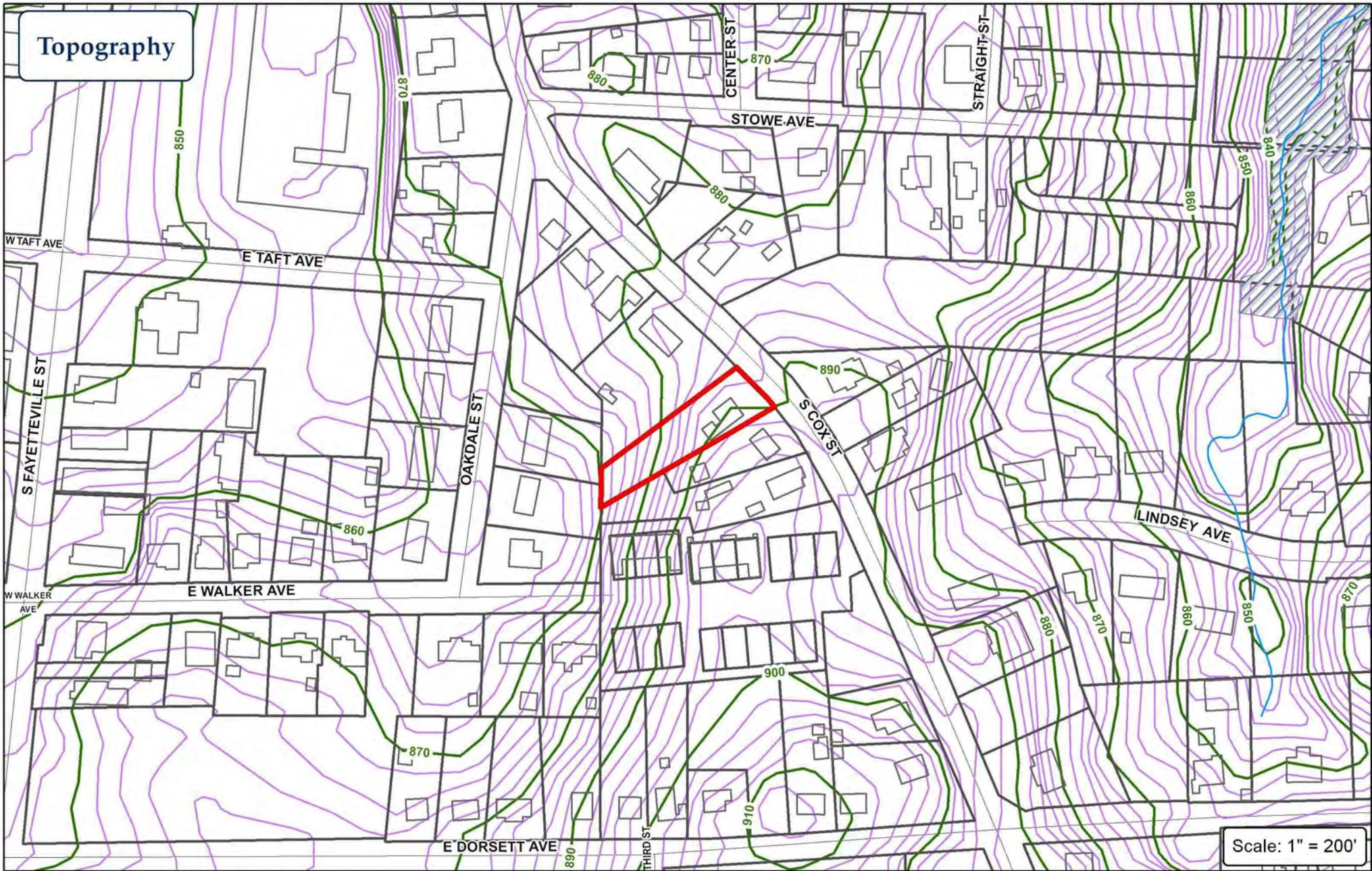


City of Asheboro
Planning & Zoning Department
Rezoning Case: RZ-16-02

Parcel: 7750876592



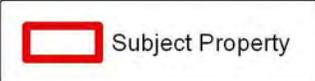
Topography



**City of Asheboro
Planning & Zoning Department**

Rezoning Case: RZ-16-02

Parcels: 7750876592

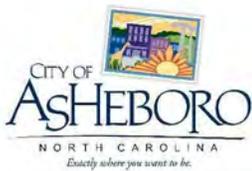


Aerial



Scale: 1" = 200'

City of Asheboro
Planning & Zoning Department
Rezoning Case: RZ-16-02
Parcels: 7750876592



Legend for the map:

-  Subject Property
-  Zoning





Consideration of a request to extend the time allowed between preliminary and final plat subdivision reviews for Springwood Townhomes

Staff Note: The Asheboro Subdivision Ordinance (Article VII, Section E) requires that a final plat be submitted within 12 months of preliminary plat approval, unless an extension is granted by City Council. A preliminary plat for Springwood Townhomes was approved by City Council during its regular meeting in March, 2015. A request for this extension is on the next page.

John Evans

Subject: FW: Request concerning status of Springwood Townhomes

From: Charlie Morgan [<mailto:cemorgan@northstate.net>]
Sent: Thursday, February 11, 2016 10:07 AM
To: John Evans
Cc: Larry McKenzie
Subject: Request concerning status of Springwood Townhomes

John,

On behalf of Larry McKenzie, I would like to request an additional 12 month extension until March of 2017 for completion of a final plat for Springwood Townhomes. If I need to submit a separate request, please let me know.

Thanks,
Charlie Morgan
Charlie Morgan Surveying PLLC
154-B S. Fayetteville Street
Asheboro, NC 27203
<http://www.cemorganpls.net>

CITY OF ASHEBORO
NOTICE OF PUBLIC HEARING

The City of Asheboro is considering applying to the North Carolina Department of Commerce for a Community Development Block Grant (CDBG) for Economic Development. The Community Development Block Program promotes the creation and retention of jobs, enhancement of income levels, and the provision of local employment opportunities principally for persons of low and moderate income.

The application is expected to request approximately \$490,000 in CDBG-Economic Development funds to assist in the construction of two rail spur tracks to serve a new 155,400 square foot manufacturing facility to be operated by Technimark, LLC on a 14-acre site located at 515 West Central Avenue in the City of Asheboro. Overall, the proposed project would represent approximately \$26 million of investment, of which \$5.75 million will be invested in construction of the new facility. As a result of the project, 125 new jobs will be created within 24 months with at least 60% benefitting persons of low and moderate income.

The City of Asheboro will conduct a public hearing on Thursday, March 10, 2016 at 7:00 PM, in the Council Chambers of Asheboro City Hall, 146 N. Church Street, Asheboro, North Carolina. The purpose of the hearing is to obtain citizen input into the identification of economic needs and desired economic development activities. The input from the hearing will be incorporated into the city's consideration and submission of a CDBG application to the Department of Commerce. Written comments received prior to the opening of the public hearing will be considered. Written comments may be sent to Trevor L. Nuttall, Community Development Director, PO Box 1106, Asheboro, North Carolina 27204.

Certification of Municipal Declaration To Enact Speed Limits and Request for Concurrence

Concurring State Ordinance Number: 1070215

Division: 8 **County:** RANDOLPH

Municipality: ASHEBORO

Type: Municipal Speed Zones

Road: SR 1193

Car: 45 MPH

Truck: 45 MPH

Description: From a point 0.68 miles east of SR 1160 eastward to NC 49.

Municipal Certification

I, _____, Clerk of _____, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the _____ day of _____, 20____, the speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: _____ Page: _____ Ordinance/Resolution Number: _____

In witness whereof, I have hereunto set my hand and the municipal seal this _____ day of _____, 20____.

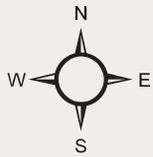
(signature)

(municipal seal)

Department of Transportation Approval

Division: _____ Title: _____ Date: _____

Region: _____ Title: _____ Date: _____



0.68 mile from SR 1160 (Jason Hoover Road)

SR 1193 (Old NC Hwy 49)

Old Nc Hwy 49

Old Nc Hwy 49

Revelle Trail

Asheboro

Existing 35 MPH Zone to be increased to 45 MPH

Jason Hoover Road

Myberry Lane

NC 49

Cranbrook Way

Cranbrook Circle

Westbury Drive

Trevor Nuttall

From: Mckinnon, Evan [emckinnon@ncdot.gov]
Sent: Wednesday, March 02, 2016 10:26 AM
To: Trevor Nuttall
Cc: Willett, David B
Subject: Speed Change on Old NC 49

Trevor,

Below please find the reasoning/justification for the proposed speed limit change on Old NC 49 at the western City Limits of Asheboro.

Our office has recently received several inquiries as to the correct speed limit on Old NC 49 as it merges onto NC 49 at the western Asheboro City Limits. Upon investigation our office found that there were differential speeds on these two merging roadways. In an effort to provide a safer condition for motorist to merge from both roadways we propose raising the 35 MPH segment along Old NC 49 to 45 MPH to match that of NC 49. Upon merging then both lanes would then begin the 35 MPH reduction at the same point. The existing speed limit on NC 49 would remain unchanged.

If you have any questions, or if I need to provide any additional information, please let me know.

Thanks,
Evan

Evan McKinnon
Deputy Division Traffic Engineer
Division 8 Traffic Services

910 947 3930 office
910 947 6881 fax
emckinnon@ncdot.gov

150 DOT Drive
Carthage, North Carolina 28327



Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.



MEMORANDUM

TO: Interested Parties

FROM: A. Robert Kucab, Executive Director

DATE: February 22, 2016

SUBJECT: Notice of Funds Available under the Essential Single-Family Rehabilitation Loan Pool

I am pleased to announce that the North Carolina Housing Finance Agency (the Agency) proposes to make a total of eight million dollars available to eligible organizations for the rehabilitation of owner-occupied homes in selected counties under the 2016 cycle of the Essential Single-Family Rehabilitation Loan Pool (ESFRLP).

Under the 2016 cycle (ESFRLP16), funds will be made available to serve homeowners in the following counties: Alexander, Beaufort, Buncombe, Cabarrus, Carteret, Caswell, Catawba, Cherokee, Cleveland, Columbus, Cumberland, Davie, Duplin, Durham, Edgecombe, Forsyth, Franklin, Gates, Granville, Halifax, Harnett, Jackson, Lenoir, New Hanover, Randolph, Richmond, Robeson, Rutherford, Stokes, Tyrrell, Union, Watauga, Wilson and Yadkin.

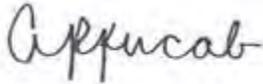
ESFRLP funds may not be used to assist households residing within the large CDBG Entitlement cities of Charlotte, Durham, Greensboro, Raleigh and Winston-Salem. Only applications proposing to serve an entire county, excluding the five cities listed above, will be considered for funding.

It is the Agency's intent to serve thirty-three to thirty-four counties each year, on a three-year rotating basis (contingent on the continuing availability of HOME program funds). Successful applicants (one per county) will be awarded a set-aside of \$175,000 for the rehabilitation of eligible units, with the option of receiving additional funds on a first-come, first-served basis.

The focus of the program is on financially feasible, essential rehabilitation. ESFRLP funds are targeted to owner-occupied units. Homes must be occupied by households with elderly, disabled and/or Veteran fulltime household members or a child six years old or younger with lead hazards. Household incomes must be below 80% of the area median income. Nonprofit organizations, local governments and regional councils of government are eligible to apply for ESFRLP funding. Applicants must show that they have capacity to manage the program. If two or more eligible entities apply to serve a given county, organizational capacity and experience with housing rehabilitation assistance will be deciding factors.

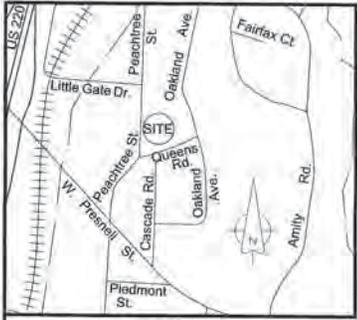
Potential applicants are encouraged to register for the ESFRLP16 Application Guideline Workshop which will be hosted at the Agency on Monday, March 7, 2016 from 1 - 3 PM. Only entities proposing to serve counties listed above will be considered for funding. You can register for the ESFRLP16 Application Guideline Workshop by clicking the following link: [ESFRLP16 Application Workshop](#). Please register for the Webinar no later than 5:00 PM, March 2, 2016.

[Application forms and guidelines](#) will be available on the Agency's website at www.nchfa.com after February 22, 2016. Completed applications must be received by the Agency by 5:00 P.M. April 11, 2016. For more information about the ESFRLP, please call Mike Handley, 919-877-5627, Chuck Dopler, 919-981-5008 or Donna Coleman, 919-981-5006.



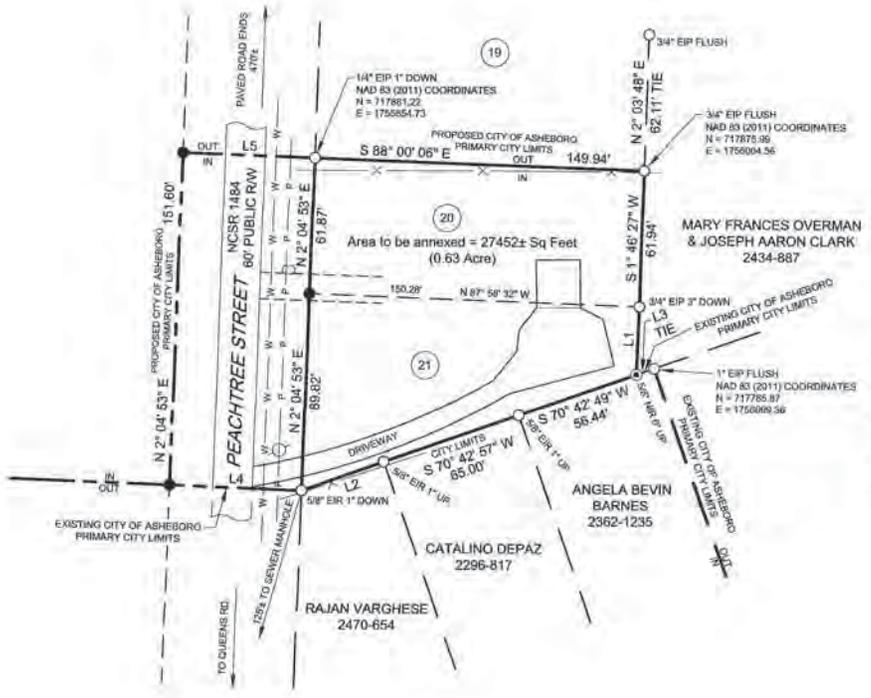
A. Robert Kucab, Executive
Director

Sent on behalf of Michael Handley, Manager of Housing Rehabilitation



LOCATION MAP

Property Area = 18354± Sq Feet (0.42 Acres)
 Area in R/W = 9098± Sq Feet (0.21 Acres)
 Total Area = 27452± Sq Feet (0.63 Acres)



Line	Bearing	Distance
1	S 2° 35' 34" W	31.09'
2	S 70° 27' 18" W	39.70'
3	N 70° 42' 45" E	8.59' TIE
4	N 87° 55' 07" W	60.00'
5	S 88° 00' 08" E	60.00'

TOTAL AREA TO BE ANNEXED = 0.63 ACRES
 ANNEXATION ORDINANCE ADOPTED BY THE
 ASHEBORO CITY COUNCIL ON _____
 TO BE EFFECTIVE ON _____

STATE OF NORTH CAROLINA
 COUNTY OF RANDOLPH

_____, REVIEW OFFICER
 OF RANDOLPH COUNTY, CERTIFY THAT THE MAP OR
 PLAT TO WHICH THIS CERTIFICATION IS AFFIXED
 MEETS ALL STATUTORY REQUIREMENTS FOR
 RECORDING.

DATE _____ REVIEW OFFICER _____

THIS PLAT IS OF ANOTHER CATEGORY, SUCH AS
 THE RECOMBINATION OF EXISTING PARCELS, A COURT
 ORDERED SURVEY, DIVISION OF PROPERTY AMONG HEIRS
 FOR THE SOLE PURPOSE OF SETTLING AN ESTATE, OR OTHER
 EXCEPTION TO THE DEFINITION OF SUBDIVISION.

Charles E. Morgan Jr. 3-14-16
 SURVEYOR DATE

I, Charles E. Morgan Jr. PLS L-3945, certify that this map was drawn under
 my supervision from an actual GPS survey made under my supervision
 and the following information was used to perform the survey:

Class of survey: Class A
 Positional accuracy: $\pm 10''$
 Type of GPS (or GNSS) field procedure: OPUS-RS
 Date(s) of survey: 2/04/2016
 Datum/EPOCH: NAD 83 (2011) EPOCH: 2010
 Published/road center: 5 CORS STATIONS
 Geoid model: GEOID12A
 Combined gnd factor: 0.99967132
 Units: US Survey Feet
 Ground distances shown unless otherwise noted.

I, CHARLES E. MORGAN JR., CERTIFY THIS PLAT WAS
 DRAWN UNDER MY SUPERVISION FROM AN ACTUAL
 SURVEY MADE UNDER MY SUPERVISION (DEED
 DESCRIPTION RECORDED IN BOOK 2458, PAGE 1047); THAT
 THE SOURCES OF THE BOUNDARIES NOT SURVEYED ARE
 NOTED ON THE FACE OF THIS PLAT; THAT THE RATIO OF
 PRECISION AS CALCULATED IS 1:110,000; THAT THIS PLAT
 WAS PREPARED IN ACCORDANCE WITH G.S. 47-38 AS
 AMENDED; WITNESS MY ORIGINAL SIGNATURE
 REGISTRATION NUMBER AND SEAL THIS
 DAY OF MARCH, A.D. 2016.

Charles E. Morgan Jr.
 SURVEYOR



LEGEND	
RR	NEW IRON ROD
EIP	EXISTING IRON PIPE
EIR	EXISTING IRON ROD
●	POINT NOT SET
---	PROPERTY LINE
---	LINE NOT SURVEYED
---	CENTERLINE
---	RIGHT OF WAY
RR	RAILROAD
CONC	CONCRETE
---	CONCRETE MONUMENT
---	FENCE
---	POWER POLE-UTILITY LINE
---	MANHOLE-SEWER
---	WATER METER-WATER

OWNER:
 HABITAT FOR HUMANITY
 OF RANDOLPH COUNTY
 P.O. BOX 669
 ASHEBORO, NC 27204

SITE ADDRESS:
 832 PEACHTREE ST.
 ASHEBORO, NC 27203

PARCEL: 7751578743

ANNEXATION PLAT
 SURVEY FOR
 HABITAT FOR HUMANITY
 OF RANDOLPH COUNTY

ASHEBORO TOWNSHIP
 RANDOLPH COUNTY
 NORTH CAROLINA
 DATE: FEBRUARY 25, 2016
 SCALE: 1" = 40'
 DEED BOOK: 2458 PAGE: 1047



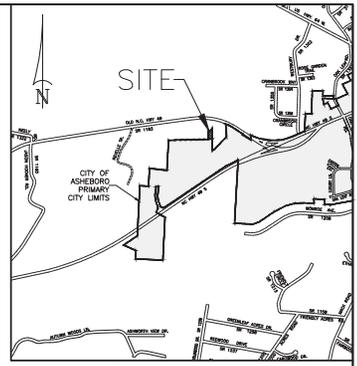
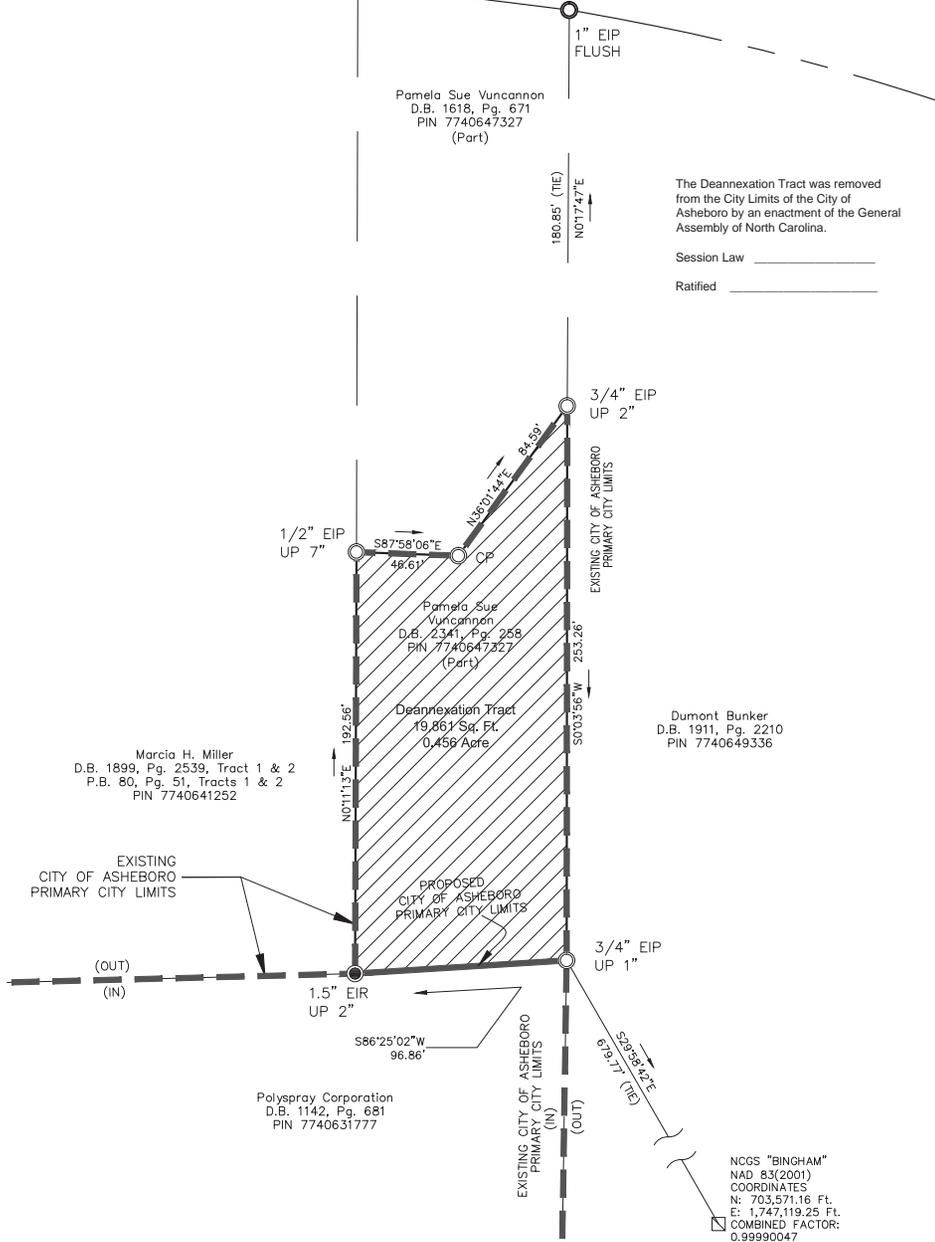
CHARLIE MORGAN SURVEYING, PLLC
 154-B S. FAYETTEVILLE ST.
 ASHEBORO, N.C. 27203
 (336)629-6015 P-1147
 JOB #7474

LEGEND

- EIR Existing Iron Rod
- EIP Existing Iron Pipe
- NIP New Iron Pipe
- CP Computed Point
- R/W Right of Way
- PB/Pg Plat Book - Page
- DB/Pg Deed Book - Page
- Ac. Acre



**OLD NC HIGHWAY 49
(S.R. 1193)**



Vicinity Map
Scale 1" = 2,000'

State of North Carolina
County of Randolph

I, _____, Review Officer of Randolph County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer

Date

Marcia H. Miller
D.B. 1899, Pg. 2539, Tract 1 & 2
P.B. 80, Pg. 51, Tracts 1 & 2
PIN 7740641252

I, Thomas Scaramastra, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Deed Book & Page as shown hereon); that the boundaries not surveyed are clearly indicated as drawn from information found in Book AS, Page SHOWN; that the Ratio of Precision as calculated is 1:10,000+; that this plat was prepared in accordance with G. S. 47-30 as amended; that this survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exception to the definition of subdivision. Witness my original signature, License Number and Seal this

____ day of _____ A.D. 2016.

Professional Surveyor

License Number L-4421

Polyspray Corporation
D.B. 1142, Pg. 681
PIN 7740631777

Dumont Bunker
D.B. 1911, Pg. 2210
PIN 7740649336

NCGS "BINGHAM"
NAD 83(2001)
COORDINATES
N: 703,571.16 Ft.
E: 1,747,119.25 Ft.
COMBINED FACTOR:
0.99990047

The Deannexation Tract was removed from the City Limits of the City of Asheboro by an enactment of the General Assembly of North Carolina.

Session Law _____
Ratified _____

- NOTES**
1. The territory to be deannexed from the City of Asheboro is crosshatched and is labeled as "Deannexation Tract". Total Area of deannexation tract is 19,861 Sq. Ft. (0.456 Acre)
 2. Owner - Pamela Sue Vuncannon
1193 Old Nc Hwy 49
Asheboro, NC, 27205
 3. Deed Reference - D.B. 2341, Pg. 258
 4. Parcel Identification Number - 7740647327 (Part of)
 5. The sole purpose of this plat is to provide a description on the area shown, which is a portion of the 51.72 Acres annexed by the City of Asheboro on January 21, 1994. The area shown represents the part of the original annexed area which was purchased by the current owner on June 6, 2014 and which she has requested to be deannexed by the City of Asheboro. The intention is to deannex all of the land owned by Pamela Sue Vuncannon which is currently within the City of Asheboro primary city limits.
 6. Location of the proposed new City Limit line is based on the map entitled Survey Map for Pamela Sue Vuncannon by Burrow Surveys, Inc, dated April 26, 2012. The Deannexation Tract as shown is based on that line as shown on said survey, combined with the other boundary calls, which were taken from the original annexation map referenced above for the sake of consistency with the earlier annexation as well as with the deed for the Vuncannon property. This map is not the result of a new field survey and should not be construed as such.
 7. Tie to NCGS Bingham shown is based on information shown on the Annexation Map for the City of Asheboro by Henley Surveying & Mapping Co. Inc., dated January 21, 1994. The coordinates for NCGS Bingham used at that time were on the NAD27 datum and were shown as Northing: 703,502.951 Ft., and Easting 1,747,040.325 Ft. All distances shown are ground distances unless otherwise noted.

(Pick Up:) City of Asheboro

**Plat of Proposed Deannexation
of Certain Territory at the Request of the
City of Asheboro**
City of Pamela Sue Vuncannon

Cedar Grove Township, City of Asheboro
Randolph County, North Carolina
Scale : 1" = 40' February 9, 2016

Plat Prepared by
Thomas Scaramastra, PLS
City of Asheboro Engineering Dept.
146 N. Church St.
Asheboro, North Carolina 27203
Ph : (336) 626-1200

Job # 16-004

March 1, 2016

To Asheboro City Council Members,

Thank you for letting me discuss a problem that affects Asheboro City and Randolph County. It is the issue of the tethering of dogs.

I have been active in animal rescue in Randolph County for 12 years, and there is an ongoing problem that can easily be solved. Many North Carolina counties have outlawed tethering dogs and Randolph County has taken that step to better the lives of these dogs that have been suffering neglected and abuse, on the end of a chain.

This is a serious problem in our county and in the City of Asheboro. By changing the law here, we will save taxpayer money, prevent the births unplanned litters of puppies, and lower the risk of injury to those who come too close to a tethered dog.

Dogs that are “tied out” suffer a special kind of neglect. They do not always have adequate food, water, or shelter. Many of them are not vaccinated. Females who are not spayed have litters of puppies by male dogs whose owners do not follow the leash law, and again many of these puppies are dumped at our shelter. They are not socialized with people and other animals, and they are unable to

escape if they are attacked by another animal. The constant fear they feel, can make them aggressive.

A tethered dog who injures or kills another animal, an adult, or a child who comes too close, is confined at Animal Control, for 10 days in quarantine, until it is killed.

I voluntarily deliver shavings, and even dog houses to keep dogs warm on cold nights, and I always offer their owners free Spay/Neuter Certificates. Many of them don't want the voucher, because they are planning to breed the dogs so they can sell the puppies. There are already too many puppies and dogs available for the number of possible homes, so the puppies that are not sold get older, and often are taken to Animal Control.

Backyard breeders and thoughtless owners force Randolph Animal Control to house, feed, and kill these "leftover" puppies. Many of these puppy litters or leftover puppies are dumped at our shelter and it is our tax dollars that have to support this. Many get sick and die of parvo/distemper and just don't make it out of the shelter and have to be killed.

When we do nothing, we allow the behavior of people who neglect and mistreat their dogs. It forces all of us to participate in the killing of thousands of animals a year. I do not want to support this when there is another option.

Randolph Animal Control has one of the highest kill rates in North Carolina, we need to do better by the animals. Animal Control is funded by tax dollars, and its principal function is to kill and dispose of unwanted dogs and cats.

Outlawing tethering will NOT solve all of the problems of pet overpopulation, but like the leash law, it is a step in the right direction. Please help me, help the animals and the citizens of Asheboro and Randolph County by making it illegal to tether dogs.

Thank you for your time, I plan to be at the March 10th Council Meeting. If you have any questions, I would be more than happy to answer them, at that time.

Lena Keller
HSRC Volunteer
Foster Mom
336-465-1898



Gracie was a tethered dog 24/7, as you can see she was left out side with no medical attention, she had mange and a horrible infection. HSRC took her into foster care, and got her the medical care she needed. Now she is beautiful and healthy ready for to be adopted.

Gracie was a dog from First Street (in city limit)



This litter came out of Seagrove! Owner had female tied outside and she got pregnant! They called HSRC for help and we took them in vaccinated, dewormed them and transported them up North to Martinsville SPCA.



Goober came up to my house as a stray. He had an old stinky leather collar on and a short piece of chain, so I know he was an outside tethered dog that had broken his chain. After his quarantine, he got a bath and came into my house to get him ready for adoption. Goober was a sweet boy and once in the house for a week, he loved it.



Delilah was found on a construction site. I got a call about a dog in need that was starving to death and sure enough, I found her. Took me a few minutes to catch her, but with food and as hungry as she was, it didn't take long.



After taking her to Asheboro Animal Hospital for a FREE examine, it was determined that she was too old and sick and we did the next best thing for her and euthanized her.



This is Penny, she came from our Randolph County Animal Shelter. She was tethered outside and got pregnant and her owners surrendered her to the shelter. They could not deal with the situation. Again, HSRC takes them into our homes, to save their lives, so they make it out of our RC Animal Shelter. Puppies were born at my house!



We get them ready for adoption and find them homes!!

Penny was a dog that was in the City Limits and HSRC got her spayed and returned her back to her owners on N Fayetteville Street

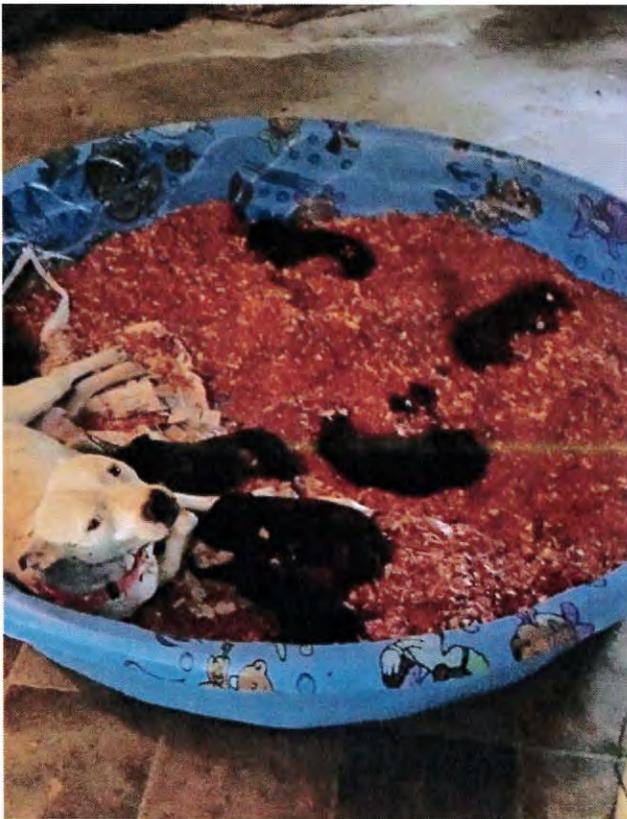


These four little boogers came from our Randolph County Animal Shelter! I don't know if mommy was tethered or not, but owners dumped four babies, barely old enough to eat on their own. Again, HSRC volunteers take them into our homes and get them ready for adoption.





This was Angel, she came into rescue because she was tied outside by her Owners and breed and breed and breed. They no longer wanted her so they dumped her at the shelter. She had puppies one last time!!





This was Fiona, she had a litter of 11 puppies out by Southwest Randolph High School. Owners tried to sell her puppies, but when they couldn't get them sold, they called HSRC and we took her into foster care. We will help irresponsible owners if, they surrender the mother and puppies or if they agree to have the mother spayed. We don't want to leave the mother so that they can allow her to get pregnant yet again. This poor mother had puppy, after puppy litters. Disgusting, but it is the reality. We vaccinated and dewormed the puppies and got them transported up North to Martinsville SPCA Rescue.



Rose came from a bark yarder breeders home that started getting older and she couldn't deal with the dogs anymore!! There were 17 dogs on her property, mostly small inside dogs and three large dogs tied outside.

HSRC took this one (I am partial to rough coated terriers) and we got her adopted to a wonderful family and Renee Bryant dealt with the others to find them rescues. This kind of thing happens ALL THE TIME!

Puppies in the Woods!



These puppies were found in the woods and we got a call from a little old lady on Beasley Street off North Fayetteville Street in Asheboro.



These puppies were found in a ditch and we got a call for help. Of course we HSRC, took them into foster care. We take a lot of dogs each year into foster care before they get to the RC Animal Shelter. We feel it is better to get

them before they go into the shelter, so they don't end up sick and die. The shelter is not a good place for puppies, especially when they haven't had any vaccinations or deworming yet.

As you can see, I could go on and on and on and on with the puppies that we have rescued in our community of Randolph County. The above animals are only dogs from January to October 2015 and there are even more than these.

I wanted to give you some visual stimulation on the subject, hoping to help you understand why this proposal is good for not only the County, but also the city and is desperately needed.

I spoke many times in front of the Randolph County Board of Commissions (every monthly meeting in 2015 until they voted) and I emailed them these same pictures so that they could understand how important the Anti Tethering Ordinance was needed. I will speak to you at the next City Council meeting, before you vote on the proposal of dog tethering.

This proposal is about saving the lives of dogs and puppies that make their way to the animal shelter, it is about trying to solve the problem of unwanted litters, dogs bred for fighting, backyard breeders that dump their left over puppies at our shelter.

It is also about who pays for these irresponsible people that breed these dogs for their own reasons, hunters, backyard breeders, hoarders, people just too lazy to take the time to get their pet spayed or neutered.

You are a tax payer, I am a tax payer and other members of the HSRC are tax payers and it takes money to handle the dogs at shelter, whether they were breed on purpose (which many are) or if they were born by accident. Some one has to pay to dispose of them by killing them or to take the time and get a rescue to take them in or if the shelter can get them adopted out, it ALL take money.

**LET'S GET TO THE SOURCE OF THE PROBLEM AND FIX IT,
INSTEAD OF TRYING TO CLEAN UP THE MESS, AFTER IT IS HERE!**

WE, the community need your help to accomplish this! We already have the County ANTI TETHERING ORDINANCE, but we also need the City on Board. It will help alleviate the unwanted litters and it will also, force the people that just don't spay/neuter their animals to take these animals inside and I think that the mentality will change in their thinking of just having the dog tied outside 24/7.

Thank you,

Lena Keller
HSRC volunteer
Foster mom
336-465-1898

ATTENTION

Tethering / Chaining of Dogs Not Allowed in Randolph County



The Randolph County Animal Control Ordinance has changed. Tethering or chaining of dogs is no longer allowed in Randolph County.

Residents have until January 1, 2017 to find another way of keeping dogs on their property.

Dog owners can:

- tether a dog for a reasonable period of time to allow for bathroom breaks
- tether a dog on a runner for a reasonable period of time that allows the dog to exercise

On January 1, 2017, residents who tether or chain their dogs will receive a warning citation. If the dog remains tethered, there will be a \$50 fine.

If you need help finding other options for keeping your dog on your property, please contact the animal shelter at 336-683-8235 or the following dog rescues:

- RC Humane Society
- Happy Hills Animal Foundation
- Flying Hounds Fences

For a copy of the Animal Control Ordinance visit:
www.co.randolph.nc.us/ph/animal_control.htm



Submitted by Ms. Lena Keller

Name

October, 2015

Address

dogs

S/N

1410 First Street, Asheboro, NC
 1744 First Street, Asheboro, NC
 217 West Beasley Street, Asheboro, NC
 775 McDermott Street, Asheboro, NC
 2339 North Fayetteville Street, Asheboro, NC
 2682 Westgate Road, Asheboro, NC
 4540 New Hope Church Road, Asheboro, NC
 6331 Twinwood Court, Trinity, NC

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November & December 2015

2594 B Croatan Trl Pleasant Garden, NC 27313.
 1726 Third Street, Asheboro NC
 227 Highway 49 S, Asheboro, NC
 201 Foster Street, Asheboro, NC
 335 Hall Drive, Asheboro, NC
 1778 Hall Drive, Asheboro, NC
 6012 Highway 64 W, Asheboro, NC
 2628 Hickory Drive, Asheboro, NC
 1307 West Lake Drive, Asheboro, NC
 521 Stowe Street, Asheboro, NC
 501 Clegg Street, Asheboro, NC
 502 Jordan Avenue, Asheboro, NC
 210 Chaney Road, Asheboro, NC (house)
 212 Chaney Road, Asheboro, NC Lot #1
 212 Chaney Road, Asheboro, NC Lot #2
 212 Chaney Road, Asheboro, NC Lot #4

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Submitted by Ms. Lena Keller



Submitted by Ms. Lena Keller



Submitted by Ms. Lena Keller

ORDINANCE NUMBER _____

CITY COUNCIL OF THE CITY OF ASHEBORO, NORTH CAROLINA

**ORDINANCE TO STRENGTHEN THE PROTECTION PROVIDED BY
THE CODE OF ASHEBORO AGAINST THE TETHERING OF DOGS**

WHEREAS, Section 160A-174(a) of the North Carolina General Statutes (references to the North Carolina General Statutes will be hereinafter cited with “G.S.” in front of the relevant section or chapter/article number) authorizes the Asheboro City Council to utilize its ordinance making authority to exercise the general police power delegated to the city by the North Carolina General Assembly to define, prohibit, regulate, or abate acts, omissions, or conditions that are detrimental to the health, safety, or welfare of the city’s inhabitants and the peace and dignity of the city; and

WHEREAS, G.S. 160A-182 specifically authorizes the Asheboro City Council, by means of the adoption of an ordinance, to exercise the delegated general police power to define and prohibit the abuse of animals; and

WHEREAS, G.S. 160A-186 specifically authorizes the Asheboro City Council, by means of the adoption of an ordinance, to exercise the delegated general police power to regulate, restrict, or prohibit the keeping, running, or going at large of any domestic animals, specifically including dogs and cats; and

WHEREAS, in furtherance of public safety and in order to improve the city’s efforts to prevent the abuse of dogs, the Asheboro City Council has decided to amend the city’s animal control regulations by strengthening the protection afforded to dogs against tethering;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Asheboro, North Carolina as follows:

Section 1. Chapter 91 of the Code of Asheboro is hereby rewritten to provide as follows:

§ 91.01 PURPOSE AND TITLE

- (A) Pursuant to authority granted by the North Carolina General Assembly, this animal control chapter is enacted to regulate, restrict, or prohibit, if necessary, animals; to protect the public from unvaccinated, diseased, stray, roaming, dangerous, wild, or exotic animals; to make unlawful certain acts of animals that interfere with the enjoyment of property or the peace and safety of the city; to protect animals from abuse or conditions harmful to their well-being; and to carry out any other lawful duties authorized by state laws and applicable ordinances.

- (B) Animal control functions are to be performed by city personnel in partnership with the Randolph County Health Department which conducts animal control operations in accordance with the applicable federal and state laws and in accordance with the county animal control ordinance.
- (C) This chapter has been adopted in order to accomplish the above-stated purposes by enacting an animal control ordinance that is enforced by city personnel and is tailored to address the animal control issues that arise in the more densely populated urban setting of the city.
- (D) This chapter may be referred to as the “City of Asheboro Animal Control Ordinance.”

§ 91.02 JURISDICTION

This chapter applies within the corporate limits of the City of Asheboro and upon and within all property owned by the city.

§ 91.03 DEFINITIONS

For the purposes of this chapter, the following words and phrases are defined and shall be construed as set out below, unless it is apparent from the context that a different meaning is intended:

- (1) *Abandon* means to intentionally, knowingly, recklessly, or negligently leave an animal at a location for more than 48 consecutive hours without providing for the animal's continued care;
- (2) *Adequate feed* means the provision at suitable intervals of a quantity of wholesome foodstuff that is suitable for the species and age of each animal and is sufficient to maintain a reasonable level of nutrition in each animal;
- (3) *Adequate shelter* means an enclosure sufficient to provide shelter from extremes of weather and a means to remain cool, dry, and comfortable;
- (4) *Adequate water* means the provision of, or ready access to, a supply of clean, fresh, potable water provided in a sanitary manner 24 hours a day;
- (5) *Animal* means every vertebrate nonhuman species of animal, wild or domestic, male or female, including, but not limited to, dogs, cats, livestock and other mammals, domestic fowl, birds, reptiles, amphibians, and fish;
- (6) *Animal control officer* means persons charged by the city with enforcing all sections of this chapter and applicable state laws pertaining to animal control;
- (7) *Animal control shelter* means any holding or other facility designated by the city manager, or designee, for the detention of animals;

- (8) *Animal under restraint* or *under restraint* means any animal confined within a vehicle; any animal confined by means of a secure enclosure or an electronic enclosure within the real property limits of its owner; or any animal secured by leash or lead, cage, bridle, or similar physical restraint sufficient to allow the animal to be controlled. Electronic leashes or training collars do not constitute restraint;
- (9) *At large* means any animal found off of the property of its owner and not under restraint; any animal previously determined to be dangerous or potentially dangerous that is not under restraint when off the property of its owner or is not confined to a secure enclosure while on the property of its owner; and any animal off the owner's property and on an electronic leash or training collar;
- (10) *Bite* means the act of an animal seizing flesh with its teeth or jaws, so as to tear, pierce or injure the flesh;
- (11) *Business days* means Monday through Friday, inclusive, and excluding local, state, and national legal holidays;
- (12) *Cats* means domestic felines;
- (13) *Chicken* means any of the common domestic birds or fowl of the species *Gallus gallus domesticus* whose eggs or flesh are used for food (also referred to as "poultry"). The female bird is called a "hen;"
- (14) *County animal control ordinance* means the ordinance entitled "An Ordinance Governing the General Control of Animals in Randolph County" that was adopted by the Randolph County Board of Commissioners on January 10, 2000, and subsequently amended on June 5, 2000, September 5, 2000, March 11, 2002, July 7, 2003, August 4, 2003, October 4, 2004, January 7, 2008, July 7, 2008, and July 11, 2011. Pursuant to G.S. § 153A-122 and Asheboro City Council Resolution Number 12 RES 3-12, the said county animal control ordinance, including any future amendments that may be made to the county ordinance by the Randolph County Board of Commissioners, is applicable within the corporate limits of the City of Asheboro;
- (15) *Dangerous dog* means any dog that, without provocation, has killed or inflicted severe injury on a person or killed or inflicted severe injury upon a domestic animal when not on the owner's real property, or approached a person when not on the owner's real property in a vicious or terrorizing manner in an apparent attitude of attack;
- (16) *Dog* means domestic canines;
- (17) *Domestic animal* means those species of animals that normally and customarily share human habitat in Randolph County and are normally dependent on humans for food and shelter in Randolph County, such as but not limited to cats, dogs, cattle, horses, swine, domestic fowl, sheep, and goats;

- (18) *Domestic fowl* shall include, but not be limited to, turkeys, geese, chickens, peacocks, guinea fowl, or ducks;
- (19) *Electronic enclosure* means underground electrical wire which, when used in connection with a pet collar or other device, keeps cats or dogs confined within the limits of the wire on private property. A sign giving notice that an electronic fence is in use must be posted in a manner that complies with the requirements of the city's sign ordinance at some location on the property that is visible from the public right-of-way;
- (20) *Exotic mammals* means all mammals designated by the Centers for Disease Control and Prevention, Department of Agriculture, or other federal or state public health protection agencies as embargoed or prohibited under legal protection orders. No reference or regulation in this chapter applies to exotic mammals under the control of the North Carolina Zoological Park;
- (21) *Exotic reptiles* means all reptiles not native to North Carolina. No reference or regulation in this chapter applies to exotic reptiles under the control of the North Carolina Zoological Park;
- (22) *Immediately* means at once, very close in time;
- (23) *Impoundment, Impound, Impounded, or Impounding* are all terms utilized in this chapter to mean the possession or seizure of an animal or animals by the animal control unit for placement in the animal control shelter or other appropriate facility;
- (24) *In estrus* means a female animal in what is commonly called "heat" or "in season;"
- (25) *Inoculation* means the administration of rabies vaccine by a licensed veterinarian or by a certified rabies vaccinator;
- (26) *Kennel, dealer, or breeder* means any person, partnership, limited liability company, corporation, or other type of legal entity engaged in buying, selling, breeding, or boarding animals;
- (27) *Livestock* shall include, but shall not be limited to, equine animals, bovine animals, sheep, goats, llamas, and swine as set forth in G.S. Ch. 68, Art. 3;
- (28) *Nighttime* means the time each day from sunset until sunrise;
- (29) *Owner* means any person, group of persons, or any type of legal entity owning, keeping, harboring, possessing, or acting as keeper or custodian of an animal for 72 hours or more, unless the animal is boarded for a fee at a duly licensed facility;
- (30) *Owner's property* means any real property owned or leased by the owner of the animal, but does not include any public right-of-way or a common area of a condominium, cluster home, apartment complex, or townhouse development, nor does it include the common

area of a subdivision or other housing project. A motor vehicle is not a part of the owner's property unless it is physically located on the area described in a deed of conveyance or the area described in a lease. A motor vehicle that is physically located in or on any common areas as described above, or on any other public areas shall be treated as being off of the owner's property;

- (31) *Person* means and includes any individual or any legal entity, including nonprofit corporations;
- (32) *Provocation* does not include any actions on the part of an individual that pertain to reasonable efforts of self-defense, and provocation must be clearly established;
- (33) *Secure enclosure* means an enclosure from which an animal cannot escape by means of digging under or jumping over the enclosure, or otherwise becoming free unless freed by the owner. Neither a motor vehicle nor an electronic enclosure shall constitute a secure enclosure;
- (34) *Tethering* means the act of tying, chaining, or restraining a dog to a fixed object with a rope, chain, or other device in order to keep the dog confined;

(34) (35) *Trespass* means that the victim has wrongfully invaded the property of the owner. The reason the individual is on the property and any other relevant circumstances shall be considered in order to determine whether or not a trespass has occurred. A child under the age of seven shall not be deemed to be a trespasser; and

(35) (36) *Wild and dangerous animals* means animals of the cat, bear, and wolf species and nonhuman primates that are normally born and live in wild habitat, even though such species may be raised and kept in captivity. No reference or regulation in this chapter applies to wild and dangerous animals that are under the control of the North Carolina Zoological Park.

§ 91.04 ADMINISTRATION OF ANIMAL CONTROL SERVICES

- (A) The city police department is responsible for the enforcement of this chapter through the department's animal control unit (sometimes referred to as the "unit") and the nonsworn animal control officers employed therein. All of the police department's sworn officers and nonsworn animal control officers shall have all powers, responsibilities, and immunities granted by law and this chapter.
- (B) The chief of police ("chief") shall be the chief animal control officer charged with enforcing this chapter. The chief is authorized to initiate legal action to enforce this chapter. The chief may delegate any of the powers granted herein to any member of the animal control unit or the police department. Any act done by an animal control officer or a member of the police department that is within the scope of this chapter shall be considered the official act of the chief.

- (C) The nonsworn animal control officers referenced above in division (A) are not authorized to carry on their person any firearms, but they are authorized to store at the animal control unit offices, or carry in departmental vehicles, firearms approved for use when necessary to enforce the provisions of this chapter or other applicable laws for the control of wild, vicious, dangerous, or diseased animals. The nonsworn animal control officers are authorized to store drugs, chemicals, and equipment at the animal control unit offices as necessary to enforce the provisions of this chapter or other applicable laws for the control of wild, vicious, dangerous, or diseased animals. The nonsworn animal control officers shall not have the power of arrest, but shall have all rights, powers, and immunities as described in this chapter. Due to the fact that the nonsworn members of the unit only have that limited authority described in this chapter, these members of the police department shall not be considered police officers or sworn law enforcement officers for purposes of evaluating the animal control officers' eligibility for benefits provided to sworn law enforcement officers.

§ 91.05 GENERAL RESPONSIBILITIES OF ANIMAL CONTROL UNIT; PERSONAL LIABILITY OF MUNICIPAL OFFICERS, AGENTS, EMPLOYEES

- (A) The animal control unit is hereby authorized and directed to undertake and discharge the following responsibilities:
- (1) Enforcing and carrying out within the city the provisions of this chapter, any other ordinance assigning animal control duties, and all relevant state laws in addition to coordinating and cooperating with the Randolph County Health Department and other law enforcement agencies in so doing;
 - (2) Canvassing the city, including dwellings, businesses, and institutions located within the city as necessary and practical, for the purpose of ascertaining that all dogs and cats in the city are adequately inoculated against rabies and for the purpose of ascertaining compliance with this chapter and state statutes;
 - (3) Investigating complaints with regard to animals covered by this chapter and protecting animals from abuse;
 - (4) Seizing, relocating, and/or impounding, when necessary, any animals in the city involved in a violation of this chapter or any other ordinance or state law. In addition, employees may scan the animal and utilize any information that may be available through a microchip to locate the owner of the animal, if possible;
 - (5) Keeping, or causing to be kept, accurate records of seizures, relocations, impoundments, dispositions of animals coming into the custody of the animal control unit, violations, complaints, investigations, and monies collected; and
 - (6) Issuing citations and orders and assessing civil penalties for violations of this chapter and when otherwise authorized by law.

- (B) Except as may be otherwise provided by federal or state law, no officer, agent, or employee of the city charged with the duty of enforcing the provisions of this chapter or other applicable law shall be personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of such duties.

§ 91.06 INSPECTIONS AND PROHIBITION OF INTERFERENCE WITH ANIMAL CONTROL OFFICERS

- (A) Whenever it is necessary to make an inspection to enforce any of the provisions of this chapter, or other applicable law, or whenever an animal control officer has reasonable cause to believe that there exists in any building or upon any premises any violation of this chapter or other applicable law, the animal control officer is empowered to enter and inspect such property at any reasonable time and perform any duty imposed upon them by this chapter or other applicable law, but only if the consent of the occupant or owner of the property is freely given or an administrative search warrant or criminal search warrant is obtained as follows:
- (1) If such property is occupied, the animal control officer shall first present credentials to the occupant and request entry, explaining the reasons for the request; or
 - (2) If such property is unoccupied, the animal control officer shall first make a reasonable effort to locate the owner or other persons having control of the property, present proper credentials, and request entry, explaining the reasons for the request; and
 - (3) If entry is refused or cannot be obtained because the owner or other person having control or charge of the property cannot be found after due diligence, an animal control officer may obtain an appropriate warrant to conduct a search or inspection of the property or seizure on the property. Notwithstanding any other provision of this chapter, and so long as the animal control officer's actions are consistent with federal and state Constitutional and statutory protections afforded to persons and their property, an animal control officer shall have the authority to enter upon any land to enforce the provisions of this chapter, specifically including the seizure of animals running at large or to take enforcement action due to any other violation of an applicable animal control law if the violation of such a law is being committed in the presence of the officer and requires immediate action on the part of the officer to protect the health or safety of the animal or the public. In the case of animals at large, so long as the animal is within sight of the officer, this section shall not be interpreted to require that a warrant be obtained before seizing the animal.
- (B) It shall be unlawful for any person to interfere with, hinder, resist, or obstruct employees of the animal control unit while they are carrying out any duty created under this chapter or other applicable animal control law.

- (C) It shall be unlawful for any person to conceal from any employee of the animal control unit any animal for the purpose of evading the requirements of this chapter or any other applicable animal control law.
- (D) It shall be unlawful for any person to refuse to show, upon request, proof of a required rabies inoculation to any employee of the animal control unit.
- (E) It is unlawful for any person to seek to release, attempt to release, or to release any animal in the custody of the animal control unit, except as otherwise specifically provided in this chapter. An animal captured in a trap set by the animal control unit shall be deemed to be in the custody of the animal control unit.

§ 91.07 IMPOUNDMENT

- (A) In performing the duties assigned by this chapter, the chief may impound any seized animal. The chief may also impound any animals released by their owners to the city.
- (B) If an animal is impounded for any reason other than the voluntary release of the animal by the owner to the city, the chief will use all reasonable means to promptly notify the owner(s) of the impoundment of the animal.
- (C) The processing, release, and euthanasia, if necessary, of impounded animals delivered to the animal shelter shall be conducted in strict compliance with the county animal control ordinance and any regulations established by the Randolph County Health Director.

§ 91.08 BIRD SANCTUARY CREATED

- (A) The territory embraced within the corporate limits of the city and all lands owned by the city outside of the corporate limits are hereby designated as a bird sanctuary.
- (B) Within the bird sanctuary established by division (A) of this section, it shall be unlawful for any person to intentionally hunt, kill, trap, or otherwise take any native wild birds.
- (C) Notwithstanding the provisions of divisions (A) and (B) of this section, the protection afforded to native wild birds within the established sanctuary does not extend to the following situations:
 - (1) No bird classed as a pest under G.S. Ch. 113, Art. 22A and the Structural Pest Control Act of North Carolina of 1955 or the North Carolina Pesticide Law of 1971 is protected;
 - (2) A person may hunt, kill, trap, or otherwise take any bird pursuant to a permit issued by the North Carolina Wildlife Resources Commission under G.S. § 113-274(c)(1a) or under any other license or permit of the Wildlife Resources Commission specifically made valid for use in taking birds within the city limits; and

- (3) The use of a firearm for hunting ducks and dark geese (includes Canada geese and white-fronted geese) is permitted at Lake Reese when such hunting is undertaken in compliance with § 91.10 of the Code of Asheboro.

§ 91.09 SIGNS ERECTED BY BIRD CLUBS

Bird clubs in the city are hereby granted permission to erect artistic signs, giving notice of the regulations provided in this chapter, at such places and of such design as may be approved by the Public Works Director.

§ 91.10 USE OF FIREARMS AT LAKE REESE

- (A) In its discretion, the city council may approve specific date(s) and time(s) each year when the hunting of ducks and dark geese (including Canada geese and white-fronted geese) is allowed upon the waters of Lake Reese.
- (B) During the date(s) and time(s) of the hunting season authorized by the city council in accordance with division (A) of this section, the use of a gun for the limited purpose of hunting ducks and dark geese (including Canada geese and white-fronted geese) upon the waters of Lake Reese is permitted. Any guns and ammunition used for such hunting shall comply with all applicable state and federal regulations.

§ 91.11 HUNTING PROHIBITED ON PROPERTY BEYOND THE CITY LIMITS

- (A) No person shall intentionally hunt, trap, or snare, with or without firearms, animals on any city-owned property that is located outside the city limits.
- (B) Notwithstanding division (A) of this section, the following activities are permitted on city-owned property located outside the city limits:
 - (1) Fishing that is conducted in accordance with all applicable federal, state, and local statutes, ordinances, and regulations, specifically including without limitation the regulations adopted by the city's recreation services department, is permitted upon the waters of Lake Reese and Lake Lucas;
 - (2) Duck and dark geese (including Canada geese and white-fronted geese) hunting is permitted upon the waters of Lake Reese only during the date(s) and time(s) established by the City Council prior to the season opening each year; and
 - (3) City employees and/or contractors may hunt, trap, or snare animals in compliance with the adopted rules and regulations of the North Carolina Wildlife Resources Commission when such action is deemed necessary by the city manager in order to ensure the safe and efficient operation of city-owned infrastructure.

§ 91.12 ABANDONED ANIMALS

- (A) It shall be unlawful for any person owning, possessing, or harboring an animal to abandon that animal.
- (B) If the animal control unit finds that an animal has been abandoned, the animal may be impounded. If the animal has been abandoned in a house or within a fenced area, the unit must make a reasonable effort to locate the owner or manager of the property. If the property owner or manager is not the animal owner, then the unit shall secure permission to remove the animal from the person who occupies the property. If the person who occupies the property is the animal owner and cannot be located or refuses to give permission to remove the animal, the animal control officer shall secure an appropriate warrant to seize the animal.
- (C) An animal seized pursuant to this section shall be impounded as provided in § 91.07.

§ 91.13 WILD AND DANGEROUS ANIMALS

- (A) It is unlawful for any person to possess or harbor a wild and dangerous animal or their hybrids.
- (B) Wild and dangerous animals privately owned and maintained within the city limits on or before April 1, 2012 may remain in the city, but such wild and dangerous animals must be registered with the animal control section of the Randolph County Health Department. Furthermore, at the time of registration, owners must submit a recapture plan in the event their animal escapes. Breeding or allowing the reproduction of wild and dangerous animals is prohibited.
- (C) Escapes of wild and dangerous animals must be immediately reported to 911 emergency communications.
- (D) Owners are liable for costs to agencies associated with the recapture of an escaped wild and dangerous animal.
- (E) In order for the owner of a wild and dangerous animal registered in compliance with division (B) of this section to lawfully house such an animal within the city, strict compliance must be maintained at all times with the following requirements:
 - (1) The enclosure housing the animal must securely contain the animal, including secondary containment from escape;
 - (2) The enclosure housing the animal must be adequately ventilated, cooled, heated, lighted, and constructed so that it may be kept in a clean and sanitary condition;
 - (3) The enclosure housing the animal must be compliant with the Asheboro Zoning Ordinance;

- (4) The physical and psychological health and well-being of the animal must not be endangered by the manner of confinement;
- (5) The keeper/caregiver must have adequate knowledge of the nutritional, physical, and behavioral needs of the species in his or her care; and
- (6) The owner/caregiver must be able to identify the veterinarian providing medical care for the animal.

§ 91.14 EXOTIC REPTILES

- (A) Individuals must be greater than 18 years of age to own a venomous exotic reptile or an exotic reptile weighing in excess of 40 pounds.
- (B) Owners are required to report to 911 emergency communications any escapes of venomous exotic reptiles and exotic reptiles weighing in excess of 40 pounds.
- (C) It is unlawful for exotic reptiles to run loose unsupervised.
- (D) Owners are required to register venomous exotic reptiles with the animal control section of the Randolph County Health Department which notifies 911 emergency communications of the location of venomous reptiles in order to protect rescue workers and the public during any emergency situations.
- (E) Owners are liable for costs to agencies associated with the recapture of an escaped exotic reptile.

§ 91.15 EXOTIC MAMMALS

- (A) It is unlawful for any person to possess, sell, or harbor an exotic mammal or their hybrids.
- (B) Exotic mammals privately owned prior to any embargo or protection orders may remain in the city if so allowed by the order, but such animals must be registered with the animal control section of the Randolph County Health Department.
- (C) Breeding or allowing the reproduction of exotic mammals is prohibited.

§ 91.16 ANIMAL BITE AND NOTIFICATION; RABIES CONTROL

- (A) It is unlawful for an animal to bite a human being who does not ordinarily reside on the premises of the animal unless the animal has been subject to provocation or unless the victim has been trespassing.
- (B) It is unlawful for a person to fail to report to the animal control unit as soon as possible that an animal has bitten a person.

- (C) It is unlawful for any person to fail to inform the animal control unit of the location to which an animal that has bitten a human being has been taken if the owner has given the animal away, or caused in any way the animal to be taken from the owner's premises.
- (D) The animal control unit shall ensure that all bite notifications are forwarded to the Randolph County Health Department and shall fully cooperate, assist, and strictly comply with all of the rabies control measures required by all applicable state laws and regulations, the county animal control ordinance, specifically including without limitation the county ordinance's quarantine and confinement/destruction measures, and any orders issued by the Randolph County Health Director.
- (E) In furtherance of the prevention component of rabies control, the following prevention measures are required. It is unlawful for an owner to fail to comply with the following requirements:
 - (1) In accordance with state law, the owner of every dog, cat, and ferret over four months of age shall have the animal vaccinated against rabies. The time or times of vaccination shall be established by the North Carolina Commission for Health Services, or any successor entity to this Commission;
 - (2) As required by G.S. 130A-190(a), dogs and cats shall wear rabies vaccination tags at all times. The rabies vaccination tag shall show the year issued, a vaccination number, the words "North Carolina" or the initials "N.C.," and the words "rabies vaccine;" and
 - (3) Ferrets are not required to wear the rabies inoculation tags, but the owner of a ferret shall maintain the tag or the rabies vaccination certificate as written evidence to prove the ferret has a current rabies inoculation and shall produce such tag or certificate as requested by animal control and as otherwise required by law.

§ 91.17 DANGEROUS DOGS

- (A) In order to fully and effectively implement the provisions of G.S. Ch. 67, Art. 1A pertaining to dangerous dogs, the Randolph County Health Director is hereby designated as the person responsible for determining within the city when a dog is dangerous or potentially dangerous. The appeals board to hear any appeal from such a decision by the Randolph County Health Director is the appeals board established pursuant to and in accordance with the county animal control ordinance.
- (B) Any and all additional requirements established in the county animal control ordinance for dangerous and potentially dangerous dogs are to be fully implemented within the city.
- (C) The chief is to provide full cooperation and assistance to the Randolph County Health Director with implementing G.S. Ch. 67, Art. 1A and the county animal control ordinance in relation to dangerous dogs and potentially dangerous dogs.

§ 91.18 NUISANCE ANIMALS

- (A) It is unlawful for any person to own, keep, possess, harbor, or maintain an animal or group of animals in such a manner as to unreasonably annoy humans, endanger the life or health of other persons or animals, or substantially interfere with the rights of other citizens to the enjoyment of life or property. By way of example and not of limitation, the following activities are hereby declared to be a public nuisance and are, therefore, unlawful:
- (1) Allowing an animal to get into or turn over waste or garbage containers;
 - (2) Allowing an animal to repeatedly walk on or sleep on the automobile of another;
 - (3) Allowing an animal to damage the real or personal property of anyone other than its owner;
 - (4) Allowing an animal to repeatedly be or run at large;
 - (5) Maintaining an animal in an unsanitary condition so as to render the animal noxious or offensive to sight or smell;
 - (6) Not confining an animal to a building or secure enclosure while the animal is in estrus;
 - (7) Maintaining an animal that is vicious or failing to effectively prevent an animal from chasing, snapping at, attacking, or otherwise molesting others, including pedestrians, bicyclists, motor vehicle passengers, or domestic animals;
 - (8) Allowing or permitting an animal or group of animals to make frequent or long continued sounds, including barking, whining, screeching, calling, howling, or yowling in an excessive, continuous, habitual, or untimely fashion; or to make other noise in such a manner and at such intervals so as to result in a serious annoyance or interference with the reasonable use and enjoyment of neighboring premises (such sounds shall be collectively referred to as "annoying sound"). For illustrative purposes and without limitation, any such sound made by cats or dogs for more than 15 minutes during any 30 minute period shall be deemed to be an annoying sound. The normal clucking of chickens that are otherwise kept in accordance with the provisions of the Code of Asheboro shall not constitute an annoying sound. Any person owning, using, or possessing premises affected by an annoying sound ("person annoyed by sounds") shall follow the procedures specified in division (E) below;
 - (9) Housing or restraining an animal less than five feet from a public street, road, or sidewalk such that the animal, without provocation, molests, attacks, or otherwise interferes with the freedom of movement of persons in a public right of way, or the location of the animal poses a threat to the general safety, health, and welfare of the general public;

- (10) Keeping an animal that is diseased and creating a threat to the public health; and
 - (11) Keeping or maintaining an animal or group of animals in such a manner as to attract excessive insects, pests, rodents, raccoons, snakes, or other wild animals.
- (B) Upon the initiative of an animal control officer or upon receipt of a detailed complaint made to the animal control unit by any of the city's residents that any person is maintaining a nuisance animal or animals, the animal control unit may cause the owner of the animal or animals in question to be notified that a complaint has been received and may cause the situation complained of to be investigated and a report and findings thereon to be reduced to writing by the investigating animal control officer. Notwithstanding any other provision in this section, any person other than an animal control officer who wants to initiate a complaint pertaining to a nuisance animal or group of animals engaged in the activity described in division (A)(8) above shall follow the procedures specified in division (E) below.
- (C) If the written findings of the investigating animal control officer indicate that the complaint is justified, then the chief or designee shall cause the owner or keeper of the animal or animals in question to be so notified in writing, served by personal delivery or by certified mail, return receipt requested, and ordered to abate such nuisance within a reasonable time that is not to exceed 7 days after notification. A citation may, in the discretion of the animal control unit, be issued at the same time for a violation of this chapter or any other animal control law. The chief may specify the particular abatement measures that must be taken, which measures may include, but are not limited to, a requirement that the animal be penned or that a secure enclosure be erected or improved. In the event the owner of the animal is unknown and cannot be ascertained, the notice and order, along with a general description of the animal, shall be published in a local newspaper.
- (D) If any person actually or constructively receiving notice in the manner herein described shall fail or refuse to abate the nuisance upon order of the chief within the specified time, the chief may cause any of the remedies and enforcement measures authorized by this chapter to be utilized in order to bring about an abatement of the nuisance.
- (E) If a complaint pertains to annoying sound, the person annoyed by the sound shall follow the procedures specified below:
- (1) Upon receipt of a detailed written and signed complaint by the person annoyed by the sound, the animal control unit shall provide written notice to the owner or possessor of the premises on which the animal(s) making an annoying sound is maintained ("animal owner") that a complaint has been received about the animal's (animals') annoying sound. The notice shall detail the complaint and may make suggestions on ways to correct the situation;
 - (2) Upon receipt of such notice of complaint, the animal owner shall cure the violation. If the violation is not cured, or if a second complaint is made to the animal control unit about the same animal(s) within any 6 month period, the animal control unit

shall cause the animal owner to be served with an order to abate the annoying sound within a reasonable period of time, not to exceed 7 days ("Abatement Order"). Such notice shall be served by personal delivery or by certified mail, return receipt requested; and

- (3) If the original complainant, or any other affected person notifies the animal control unit that the animal owner has failed or refuses to abate the annoying sound as provided in the Abatement Order, the animal control unit shall investigate and may utilize any of the remedies and enforcement measures authorized by this chapter to bring about an abatement of the nuisance.
- (F) Nothing in this section shall prevent a private citizen from bringing an action at any time against an animal owner.

§ 91.19 DISPOSAL OF CARCASSES

The bodies of dead animals, or the parts of any dead animals, shall be removed from the city immediately or no later than 24 hours of known death and shall be disposed of by incineration, burial, or transportation to a rendering plant. If a carcass is buried, it shall be buried at a depth of not less than 3 feet below the surface of the ground and shall not be buried within 300 feet of a stream or body of water.

§ 91.20 ANIMAL ABUSE PROHIBITED

- (A) All animals shall be kept and treated under sanitary and humane conditions, and it shall be unlawful for any owner to engage in one or more of the following acts:
- (1) Failing to provide adequate feed, water, and shelter for an animal;
 - (2) Confining an animal in a storage room, shed, or other building without proper ventilation and access to natural light;
 - (3) Failing to keep an animal under sanitary and humane conditions that promote the animal's health and general welfare and which maintain a condition of good order and cleanliness that reduces the possibility of the transmission of disease;
 - (4) Failing or refusing to provide adequate medical attention for any sick, diseased, or injured animal;
 - (5) Poisoning or exposing a domestic animal to any known poisonous substance or mixing a poisonous substance with food so that it will likely be eaten by a domestic animal. This prohibition does not include attempts or acts of persons to lawfully rid their own property of mice or rats or other vermin, nor does it include other acts permitted by the North Carolina Wildlife Resources Commission;

- (6) Allowing a collar, rope, or chain to become embedded in or cause injury to an animal's neck, or allowing a choke or pinch collar to be used as a primary collar on an unsupervised animal;
- (7) Allowing an animal to be chained or tethered such that the animal is not confined to the owner's property or such that the chain or tether can become entangled and prevent the animal from moving about freely, lying down comfortably, or having access to adequate food, water, and shelter; and
- (8) Placing or confining an animal or allowing an animal to be placed or confined in a motor vehicle under such conditions or for such a period of time as to endanger the health or well-being of such animal due to temperature, lack of food or drink, or such other conditions as may reasonably be expected to cause suffering, disability, or death.

(B) Subject to the following divisions that contain limitations and clarifications of the general prohibition found in this subsection, the tethering of one or more dogs as a method of keeping the dog(s) on the owner's or owners' property is unlawful:

(1) The owner(s) may tether a dog or dogs for a reasonable period of time to allow for waste elimination:

(2) The owner(s) may tether a dog or dogs on a runner for a reasonable period of time to allow the dog(s) to exercise:

(3) The owner(s) may tether a dog or dogs during an emergency situation when such a situation is found by the animal control unit to have been caused by unique circumstances triggering an isolated occurrence as opposed to a repeat occurrence that provides evidence of a pattern of non-compliance with the city's anti-tethering regulations; and

(4) Notwithstanding any other provision in this Chapter and without exception, the tethering of a dog on a 24-hour a day basis is unlawful. For the sole and limited purpose of evaluating the validity of the assessment a civil penalty pursuant to the provisions found in this Chapter, the observation by an animal control officer of a tethered dog or dogs on the same property during the same approximate time of day (a variation in the time of day of no more than one hour shall be regarded as the same approximate time of day, e.g. observing a dog at 10:30 a.m. on one day and at 11:15 a.m. on the next day is considered to be the same approximate time of day) on consecutive calendar days shall be prima facie evidence that the observed dog(s) have been unlawfully tethered for 24 hours.

(B)(C) Nothing in this section shall be deemed to prohibit the following activities:

- (1) The humane transportation of horses, cattle, sheep, poultry, or other livestock in trailers or other vehicles designed, constructed, and adequate for the size and number of animals being transported;
- (2) Nothing in this section shall be construed to prohibit the animal control unit, law enforcement officers, employees of the Randolph County Health Department, or veterinarians from euthanizing dangerous, unwanted, injured, or diseased animals in a humane manner; and
- (3) Nothing in this section shall be construed to prohibit slaughterhouses or medical facilities from the proper, humane, and lawful carrying out of their activities or duties.

~~(C)~~(D) The animal control unit shall have the authority to conduct inspections of pet shops, kennels, dealers, or breeders, to the extent not preempted by state law, in order to determine if there is any abuse of animals. It shall be unlawful for any owner or employee of any pet shop or kennel or any dealers or breeders to violate this section.

§ 91.21 PROHIBITION OF DOMESTIC ANIMALS AT LARGE

It is unlawful for the owner of any domestic animal to allow such animal to be or run at large in the city or on any city property.

§ 91.22 CONFINEMENT OF FEMALE DOGS AND CATS IN ESTRUS

Every female dog and cat, while in estrus, shall be confined in a building or secure enclosure in such manner that she will not be in contact with another dog or cat, as the case may be, nor create a nuisance by attracting other animals; provided, this section shall not be construed to prohibit the intentional breeding of animals within an enclosed area on the premises of the owner of an animal being bred.

§ 91.23 RESPONSIBILITY FOR ANIMALS ON PUBLIC PROPERTY AND THE PROPERTY OF OTHERS

It shall be unlawful for the owner or custodian of an animal to fail to remove feces deposited by the animal on either of the following types of property:

- (A) Any public street, sidewalk, gutter, park, or other publicly owned property; or
- (B) Any property owned or legally controlled by another person or entity that has not given permission for entry onto the property by the animal that defecated on the property.

§ 91.24 MAXIMUM NUMBER OF DOGS ON PREMISES

- (A) It shall be unlawful for any person to keep or maintain more than 3 dogs per household on any parcel of land or zoning lot having less than 30,000 square feet, and an additional 7,000

square feet shall be required for each additional dog. A total of no more than 5 dogs per household shall be allowed on any parcel of land or zoning lot within the city limits regardless of square footage.

- (B) The limitation prescribed by this Section on the number of dogs per household on a single parcel of land or zoning lot shall not apply to dogs that are less than 6 months of age.
- (C) Notwithstanding the preceding provisions, and subject to the limitation that, on or after April 1, 2012, no new or additional dogs that would increase or perpetuate the noncompliance of a household with this Section may be kept or maintained in a household, any dog lawfully kept or maintained as part of a household located within the corporate limits of the City of Asheboro prior to April 1, 2012 may continue to be kept or maintained as part of the same household for the remainder of the dog's life.

§ 91.25 MAXIMUM NUMBER OF CATS ON PREMISES

- (A) It shall be unlawful for any person to keep or maintain more than 3 cats per household on any parcel of land or zoning lot having less than 30,000 square feet, and an additional 7,000 square feet shall be required for each additional cat. A total of no more than 5 cats per household shall be allowed on any parcel of land or zoning lot within the city limits regardless of square footage.
- (B) The limitation prescribed by this Section on the number of cats per household on a single parcel of land or zoning lot shall not apply to cats that are less than 6 months of age.
- (C) Notwithstanding the preceding provisions, and subject to the limitation that, on or after April 1, 2012, no new or additional cats that would increase or perpetuate the noncompliance of a household with this Section may be kept or maintained in a household, any cat lawfully kept or maintained as part of a household located within the corporate limits of the City of Asheboro prior to April 1, 2012 may continue to be kept or maintained as part of the same household for the remainder of the cat's life.

§ 91.26 KEEPING SWINE

- (A) Except as provided in division (B) of this section, it shall be unlawful for any person to keep any hogs, pigs, or swine within the city limits.
- (B) A person may have or keep no more than 2 miniature or potbellied pigs per household within the corporate limits of the city if the following conditions are satisfied:
 - (1) The miniature or potbellied pig(s) must be provided with adequate shelter to protect the pig(s) from the elements.
 - (2) Any and all miniature or potbellied pigs kept or maintained in the City of Asheboro must be spayed or neutered.

- (3) The owner of the miniature or potbellied pig(s) shall provide the pig(s) with access to food and clean water. Active measures shall be taken to limit the availability of this food and water to rodents, wild birds, and predators.
- (4) If an outdoor pen or enclosure is utilized, the dimensions of such a pen or enclosure must be no less than 10 feet by 12 feet for 1 pig or no less than 16 feet by 16 feet for 2 pigs.
- (5) No outdoor pen or enclosure, including without limitation fencing, used for sheltering or confining a miniature or potbellied pig is permitted within 30 feet of any property line or public street right-of-way line, and no such outdoor pen or enclosure may be located within 100 feet of a hospital, school, eating establishment, or dwelling other than the dwelling of the owner of the miniature or potbellied pig. These separation requirements are in addition to and not in lieu of the land use regulations prescribed by the Asheboro Zoning Ordinance. No provision in this chapter shall be construed or interpreted in any manner that preempts or impacts the application of the land use regulations found in the Asheboro Zoning Ordinance.
- (6) A pen or enclosure used for sheltering or confining a miniature or potbellied pig shall be kept clean, sanitary, and free from accumulations of animal excrement that cause an objectionable odor. Such a pen or enclosure shall be cleaned at least twice each week. All waste material removed from a pen or enclosure used to shelter the miniature or potbellied pig shall be disposed of in a manner that is lawful, does not attract flies, and prevents any detectable odor at the property or street right-of-way line.
- (7) All food kept for feeding the miniature or potbellied pig(s) shall be kept and stored in rat-free and rat proof containers, compartments, or rooms unless kept in a rat proof building.

§ 91.27 KEEPING OF DOMESTIC FOWL

- (A) Up to 2 chicken hens or other fowl may be kept by a household within the corporate limits of the City of Asheboro so long as the fowl do not, by reason of noise, odor, or attraction of flies, become a nuisance or health hazard.
- (B) Between 3 and 8 chicken hens or other fowl may be kept on any single lot or parcel in the city if the following conditions are satisfied:
 - (1) The fowl shall not be permitted to run at large and must be maintained in a coop or enclosure of suitable construction and size for the number of fowl maintained in the enclosure.
 - (2) The fowl must be provided with adequate shelter for protection from the elements.

- (3) The owner of the fowl shall provide the animal with access to food and clean water. Active measures shall be taken to limit the availability of this food and water to rodents, wild birds, and predators.
 - (4) No outdoor coop or enclosure used for keeping fowl is permitted within 30 feet of any property line or public street right-of-way line, and no such outdoor coop or enclosure may be located within 100 feet of a hospital, school, eating establishment, or dwelling other than the dwelling of the owner of the fowl. These separation requirements are in addition to and not in lieu of the land use regulations prescribed by the Asheboro Zoning Ordinance. No provision in this chapter shall be construed or interpreted in any manner that preempts or impacts the application of the land use regulations found in the Asheboro Zoning Ordinance.
 - (5) A coop or enclosure used for keeping fowl shall be kept clean, sanitary, and free from accumulations of animal excrement that cause an objectionable odor. Such a pen or enclosure shall be cleaned at least twice each week. All waste material removed from a pen or enclosure used for keeping fowl shall be disposed of in a manner that is lawful, does not attract flies, and prevents any detectable odor at the property or street right-of-way line.
 - (6) All food kept for feeding the fowl shall be kept and stored in rat-free and rat-proof containers, compartments, or rooms unless kept in a rat-proof building.
- (C) Due to the excessive noise created by the following animals, the keeping of roosters and geese is prohibited within the corporate limits of the City of Asheboro.

§ 91.28 KEEPING OF HORSES, MULES, DONKEYS, COWS, AND GOATS REGULATED

It shall be unlawful for any person who owns, operates, or maintains a stable or enclosure in the city, in which horses, mules, donkeys, cows, or goats are kept, to keep such stable in an unclean or unsanitary condition. The person who owns, operates, or maintains such a stable or enclosure shall be responsible for providing for use within the stable or enclosure a bin or pit which shall be watertight and so arranged that it is fly-proof, or, alternatively, shall provide a watertight barrel with a close-fitting lid. Manure accumulating in such stable shall be placed in the bin, pit, or barrel each day and shall be removed from the premises of the owner at least every 5 days. Effective fly control methods such as the use of approved insecticide shall be practiced during the fly-breeding period from April 15 to November 1 of each year. All food kept for feeding the livestock shall be kept and stored in rat-free and rat-proof containers, compartments, or rooms unless kept in a rat-proof building.

§ 91.29 LOCATION OF STABLES; TETHERING OF HORSES, MULES, DONKEYS, COWS, OR GOATS

No person shall locate or maintain upon any lot within the city any horse, mule, donkey, cow, or goat stable nearer than 150 feet to any hospital, school, eating establishment, or dwelling; nor shall

any person tether or permit to graze or stand any horse, mule, donkey, cow, or goat within 50 feet of any such place.

§ 91.30 ANIMALS PROHIBITED AT RANDOLPH ARTS GUILD'S ANNUAL FALL FESTIVAL

- (A) It is unlawful for any person to possess any animal(s) within the public areas of the city that are actively utilized for the Randolph Arts Guild's Annual Fall Festival, and it is also unlawful for any person with an animal within the public areas of the city that are actively utilized for the Randolph Arts Guild's Annual Fall Festival to fail to obey the command of a law enforcement officer or an animal control officer to remove such an animal from the area in which animals are prohibited by this section. Furthermore, except as provided by this section, it shall be unlawful for any person to actively encourage or facilitate the entry or continued presence of any animal(s) within the public areas of the city that are actively utilized for the Randolph Arts Guild's Annual Fall Festival.
- (B) Notwithstanding any other provision to the contrary, the prohibition of animals by this section is not applicable to the following animals:
 - (1) Any assistance animal that is trained and/or may be used to assist a person with a disability, specifically including without limitation a "handicapped person" as defined in G.S. 168-1. The term "assistance animal" is not limited to a dog and includes any animal trained to assist a person with a disability.
 - (2) Any law enforcement/public safety agency animal that is trained and may be used to assist a law enforcement/public safety officer in the performance of the officer's official duties.
- (C) The "public areas of the city that are actively utilized for the Randolph Arts Guild's Annual Fall Festival" are the streets, sidewalks, and public vehicular areas that fall within the perimeter demarcated by the closure, upon order of the city council, of Fayetteville Street from Salisbury Street to Kivett Street; North Street at Salisbury Street; Sunset Avenue at Church Street; Worth Street, Scarboro Street, East Academy Street, and Cranford Street at Cox Street; and West Academy Street at the entrance to the city parking lot.
- (D) The prohibition of animals from public areas of the city that are actively utilized for the Randolph Arts Guild's Annual Fall Festival is only in effect during those times when the Fall Festival is scheduled to be in actual operation.
- (E) The City Manager shall cause notices of the prohibition of animals from public areas of the city that are actively utilized for the Randolph Arts Guild's Annual Fall Festival to be prominently posted at the location of the street closures listed in division (C) above.

§ 91.31 EXCEPTIONS

- (A) This chapter shall not apply to the lawful taking of animals under the jurisdiction and regulation of the North Carolina Wildlife Resources Commission; lawful activities of agencies conducting or sponsoring biomedical research or training; lawful activities of any law enforcement canine team in the performance of their duties; or the lawful destruction of any animal for the purpose of protecting domestic animals or humans.
- (B) Veterinary clinics and retail pet stores are not subject to the supplemental animal control regulations prescribed in §§ 91.24 through 91.28 of this chapter. The inapplicability of the supplemental regulations found in this chapter to these businesses does not impair or impact to any degree the applicability to these businesses of any other provision within this chapter or any other federal, state, or local law, ordinance, or regulation, including by way of illustration and not limitation the county animal control ordinance and the Asheboro Zoning Ordinance.

§ 91.32 REMEDIES AND PENALTIES

- (A) The animal control unit must have ample authority to impose preventive measures, seize, and impound animals. Escalating fees and other sanctions authorized within this section are measures that have been adopted to protect the citizens of Asheboro and to declare that the ownership of animals entails publicly related responsibilities. When there is a violation of this chapter, the chief may take one or more of the courses of action set forth in this section. The chief may cause a complaint to be filed or any action to be brought on behalf of the city. Any such action shall be cumulative and shall not be deemed to be a bar to or a waiver of the right to institute any other civil or criminal proceeding for a violation of this chapter.
- (B) Any person who violates the provisions of this chapter is guilty of a misdemeanor as provided by G.S. § 14-4 and shall be fined not more than \$500. Payment of a fine imposed in a criminal proceeding initiated pursuant to this chapter does not relieve a person of his or her liability for fees imposed by this chapter or any other law or ordinance, specifically including without limitation fees imposed by the county animal control ordinance as a consequence of the impoundment of an animal at the animal shelter.
- (C) Pursuant to and consistent with G.S. 160A-175, enforcement of the provisions found in this chapter may include any appropriate equitable remedy, injunction, or order of abatement issuing from a court of competent jurisdiction.
- (D) In addition to or in lieu of any criminal penalties and other sanctions provided in this chapter and any other applicable law, ordinance, or regulation, a violation of the provisions found in this chapter may also subject the offender to the civil penalties hereinafter set forth:
 - (1) An animal control officer may issue to the owner or possessor of any animal, or any other violator of this chapter, a written warning or a civil penalty citation giving

notice of the alleged violation(s). Written warnings or civil penalty citations so issued may be served on the person charged with a violation by means of personal delivery by the animal control officer or mailed by certified or registered mail, return receipt requested, to the last known address of the person charged;

(2) Civil penalties shall be paid in full to the Asheboro Police Department within 15 business days of the receipt of the civil penalty citation that gives notice of the penalty that is due and payable. The civil penalty is in addition to any other costs or fees imposed by this chapter or any other law or ordinance, specifically including without limitation fees imposed by the county animal control ordinance as a consequence of the impoundment of an animal at the animal shelter;

(3) In the event that the owner or possessor of an animal or other violator of this chapter does not pay the applicable civil penalty within the prescribed time period, a civil action may be commenced to recover the penalty and costs associated with the collection of the penalty. The chief, or the chief’s designee, is expressly authorized to initiate and prosecute small claims actions in District Court to collect civil penalties and fees owed to the city as a consequence of violation(s) of this chapter. The chief may call on the city attorney for assistance as needed. In lieu of pursuing a civil action to collect the civil penalty, a criminal summons may be issued against the violator for violating this chapter, and, upon conviction, the violator shall be punished in accordance with state law for the misdemeanor offense of violating this chapter; and

(4) In order to encourage responsible conduct, an owner shall be subject to escalating penalties for each violation of this chapter by the owner, regardless of whether the animal is the same animal, a different animal, or various animals belonging to the same owner. Each violation of this Chapter within a rolling 12-month period shall subject the owner to the following escalating civil penalties:

<i>Offense</i>	<i>Civil Penalty Amount</i>
1 st	\$35.00
2 nd	\$50.00
3 rd	\$100.00
4 th and Subsequent Offenses	\$150.00

(E) Each violation of a specific provision of this chapter is considered a separate offense for purposes of this section.

(F) Each day that a specific violation occurs is considered a separate offense for purposes of this section.

- (G) In addition to the above-listed remedies, domestic animals may be seized and impounded when found at large or as otherwise provided in this chapter. Furthermore, if conditions pose an immediate threat to the health or safety of the animal or the public, the animal control unit is authorized to seize and impound an animal. When an animal is seized, the following steps, at a minimum, must be taken:
- (1) The animal control unit, or some other person designated by the chief, shall enter into a seized animal registry maintained by the police department a description of the animal that includes at least the breed, color, and sex of such animal and whether the animal was impounded or processed in some other manner; and
 - (2) Upon seizing an animal, a notice of seizure shall be left with the owner or affixed to the premises. If an animal is not from a particular premises but has an identification tag, the animal control officer shall cause a prompt and reasonable effort to be made to locate and notify the animal's owner.
- (H) Notwithstanding any other provision of this chapter, an animal that cannot be reasonably seized, retrieved, humanely trapped, or tranquilized may be humanely destroyed in the field upon the authorization of the chief; provided, however, an animal attacking a human being or pet may be summarily destroyed if, in the opinion of animal control, such destruction is necessary for the protection of life or property or for the public health and safety.
- (I) Nothing in this chapter shall be construed to prevent law enforcement officers of any kind from enforcing any of the provisions of this chapter or from exercising their authority as law enforcement officers.
- (J) Nothing in this chapter shall prevent a private citizen from bringing an action to abate a nuisance or from bringing an action for damage, loss, or injury to the private citizen or his or her property resulting from an animal being a nuisance.

§ 91.33 APPEALS

(A) Any person, owner, or possessor affected by an action taken by the animal control unit may request a review of such action by filing a request for appeal with the city manager. The only exceptions to this right of appeal to the city manager are attempts to appeal an action taken by the animal control unit in compliance with a court order or to appeal an action that is pending in the criminal courts. Any appeal pertaining to a criminal case or an order from a judicial official must be addressed in accordance with laws and rules applicable to the court with jurisdiction to consider the matter for which judicial review is sought.

(B) Unless otherwise provided by law, a request for appeal must be made in writing and filed with the city manager, with a copy to the chief, within 10 business days of the action or decision complained of and must state with particularity the grounds for the appeal. An appeal hearing shall be scheduled and conducted by the city manager as soon as is practicable. Written notice of the date, time, and location of such a hearing will be mailed to the last known address of the person who filed the appeal.

(C) After conducting the hearing and considering the available evidence, the city manager may reverse or affirm, in whole or in part, the action taken by the animal control unit. The city manager may also modify the action(s) taken by the animal control officer. The city manager's decision is final, and there shall be no appeal from the decision of the city manager to the city council. The manager shall render a decision within 5 business days of the conclusion of the hearing. The decision shall be mailed to the person requesting the appeal and to the chief.

(D) If the manager's decision is against the person requesting the appeal, the animal control unit shall implement the action(s) upheld by the manager.

(E) If the decision is against the animal control unit, efforts to implement the action(s) under appeal shall immediately cease.

(F) A decision rendered by the manager applies only to the particular action(s) appealed, and such a decision does not preclude the animal control unit from taking enforcement action in response to a subsequent violation of the same provision or any other provision of this chapter.

Section 2. All ordinances and clauses of ordinances in conflict with this Ordinance are hereby repealed.

Section 3. This Ordinance shall take effect and be in force from and after January 1, 2017.

Section 4. No action or proceeding of any nature (whether civil or criminal, administrative, or otherwise) pending at the effective date of this Ordinance shall be abated or otherwise affected by the adoption of this Ordinance.

Section 5. If any section, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed to be a separate, distinct, and independent provision, and such a holding shall not affect the validity of the remaining portions thereof.

This Ordinance was adopted by the Asheboro City Council in open session during a regular meeting held on the 10th day of March, 2016.

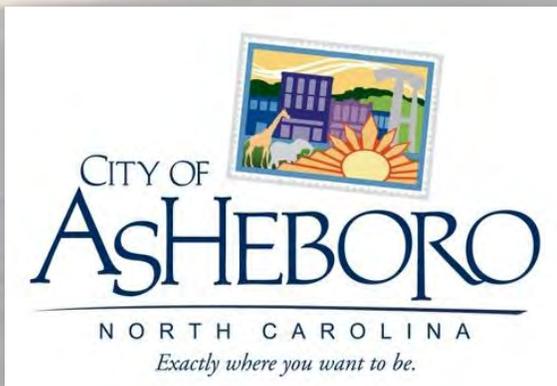
David H. Smith, Mayor
City of Asheboro, North Carolina

ATTEST:

Holly H. Doerr, CMC, NCCMC, City Clerk
City of Asheboro, North Carolina

City of Asheboro

2016 All-America City Application



Community Information

Community name and state: **Asheboro, North Carolina**

Your community is applying as a:

Neighborhood Village Town Tribe City County Region

If applying as a region, name participating communities: **N/A**

If applying as a neighborhood, name city: **N/A**

Has your community applied before? Yes No If Yes, which years: **2014 & 2015**

Has your community been a Finalist before? **Yes** No If Yes, which years: **2015**

Has your community been an All-America City before? Yes **No** If Yes, which years: _____

Contact Information

All-America City Award contact (primary contact person available throughout competition & follow-up):

Name: **Justin T. Luck, AICP** Title (if any): **Zoning Administrator/Planner**

Organization/Government/Other: **City of Asheboro**

Address: **146 N. Church Street** City, State, Zip: **Asheboro, North Carolina, 27203**

Phone (business/day): **336-626-1201 ext. 292** Mobile Phone: **N/A**

E-mail Address(s): **jluck@ci.asheboro.nc.us**

The applying community will receive a complimentary membership (or membership renewal if an AAC application was submitted last year) to the National Civic League for one year. To whom should this membership be directed?

Name: **John Ogburn**

Address: **146 N. Church Street**

City, State & Zip Code **Asheboro, North Carolina, 27203**

Phone Number **336-626-1201 ext. 213** Fax **N/A**

Email **jogburn@ci.asheboro.nc.us**

We agree to follow NCL's rules regarding use of the All-America City Award logo, a registered trademark of the National Civic League. We allow NCL and the All-America City Award to share this application and the information enclosed in it with the NCL and AAC networks to promote the work of our community. If we are named an All-America City, we agree to conduct a post-AAC conference call or regional forum for the AAC network that features our projects. In a pay-it-forward spirit, if named a finalist or All-America City, we agree to consider supporting AAC through an NCL membership for a minimum of the next three years.

Signature:  Date: **March 8, 2016**

Name: **Justin T. Luck** Title: **Zoning Administrator/Planner**

Community Statistics and Map

Note: Use the most up-to-date statistics possible for your neighborhood, town, city, county, or region (source suggestions: U.S. Census Bureau, State Department of Economic Security, State Department of Finance, Department of Public Health, and local school statistics).

POPULATION (in year 2010 or most recent): **25,573**

Source/Date: 2010-2014 American Community Survey 5-Year Estimates

POPULATION PERCENTAGE CHANGE 2000-2010 (indicate + or -): **+15.4 %**

Source/Date: U.S. Census Bureau, 2010 Census

RACIAL/ETHNIC POPULATION BREAKDOWN:

White	78.6 %
Hispanic or Latino (of any race)	25.8 %
Black or African American	11.3 %
Asian	1.0 %
American Indian and Alaska Native (AIAN)	0.7 %
Mixed Race	2.2 %
Other	6.3 %

Source/Date: 2010-2014 American Community Survey 5-Year Estimates

MEDIAN FAMILY INCOME: **\$37,097**

Source/Date: 2010-2014 American Community Survey 5-Year Estimates

PERCENTAGE OF FAMILIES BELOW POVERTY LEVEL: **24.5 %**

Source/Date: 2010-2014 American Community Survey 5-Year Estimates

UNEMPLOYMENT RATE: **7.5 %**

Source/Date: 2010-2014 American Community Survey 5-Year Estimates

POPULATION BREAKDOWN BY AGE GROUP (percentages, if available):

19 years old and under	29.7 %
20-24	6.8 %
25-44	27.5 %
45-64	22.1 %
65 and over	13.8 %

Source/Date: 2010-2014 American Community Survey 5-Year Estimates

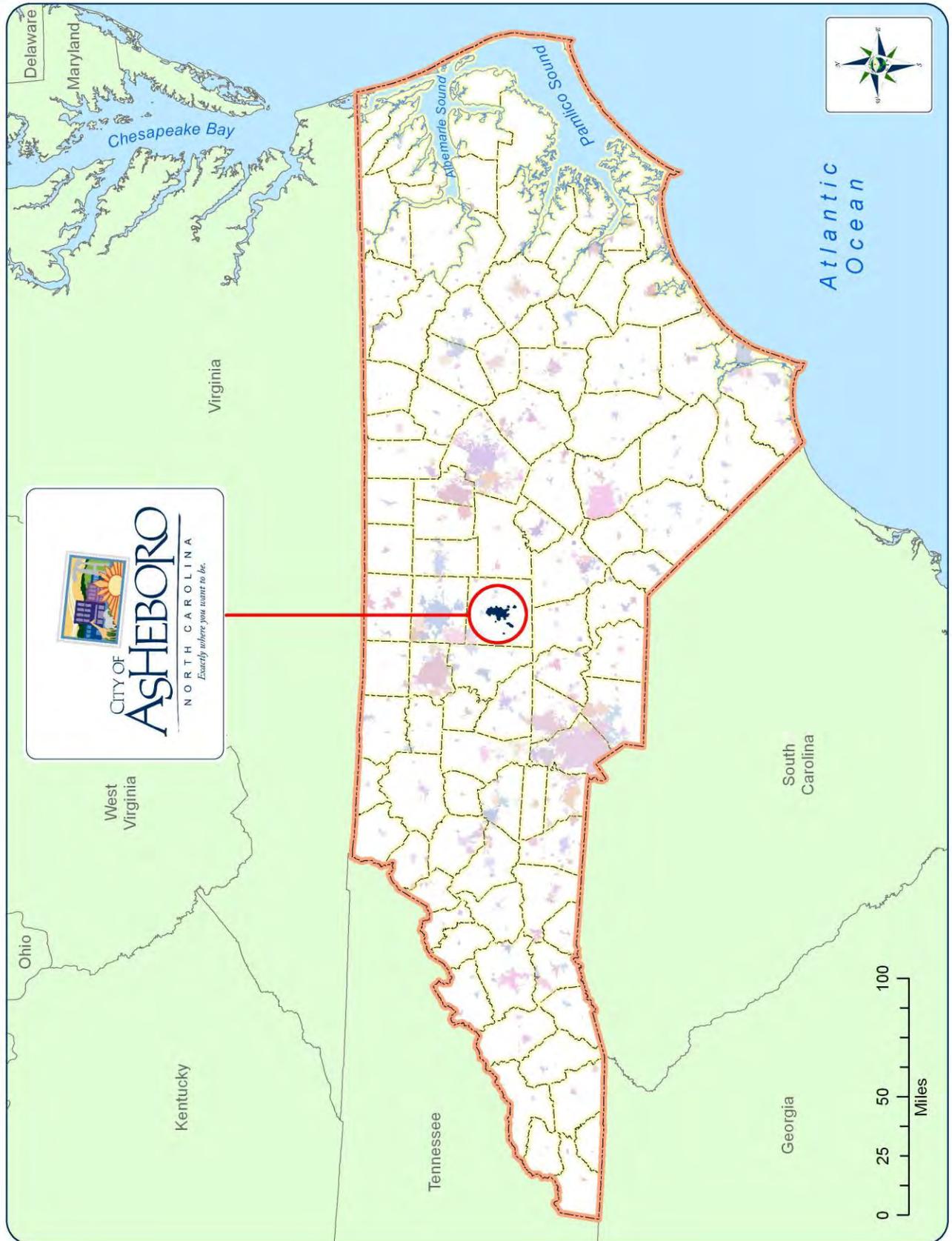
PERCENTAGE OF HOME OWNERSHIP: **48.5 %**

Source/Date: U.S. Census Bureau, 2010 Census

WORKFORCE DISTRIBUTION -- Name the three largest employment sectors (include military services and/or installations, if any) in your community and provide the percentage of total employed in each:

Manufacturing	31.4 %
Educational services, and health care and social assistance	18.5 %
Retail Trade	10.9 %

Source/Date: 2010-2014 American Community Survey 5-Year Estimates



Part 1
Our Community Story



Greetings from Asheboro!

Asheboro, often referred to as the heart of North Carolina due its location in the geographical center of the state, is called home by a diverse population of over 25,000 spirited individuals. "Our people are what make Asheboro a model community to live, work and play," said Mayor David Smith. "Dedicated and hardworking families are a hallmark of our community," he added. The spirit of our community has been tested over the last 10 years, yet, in many ways, Asheboro has come through strengthened and renewed. Once a booming textile mill town, the city felt the effects of our country's most recent recession, which caused a decrease in the city's manufacturing base. Since 1999, Asheboro has lost over 7,500 manufacturing industry jobs. Despite the pressing challenges created by manufacturing decline, our community has come together and, through numerous cross sector collaborations, made great progress.



*Mayor Smith with Randolph County
4H Members*

In late 2005, recognizing a need to create an informed, comprehensive and energized approach to the future, a steering committee and four task forces comprised of local officials

and community residents from various ethnic, age, and socio-economic backgrounds initiated an 18 month strategic planning process. This cross sector collaborative effort lead to the creation of a vision for Asheboro: "Asheboro will be a model community in North Carolina as a place to live, work and play." This vision was supplemented by implementable strategies focusing on, for example, education, economic development, human capital and recreation.

Many of the strategies recommended to achieve our vision have been implemented with measurable success. One such area of progress is child nutrition and health. Individuals, local government, schools and nonprofits currently work hand in hand to ensure that families impacted by reduced wages or unemployment as a result of our manufacturing decline have the tools necessary to support a healthy lifestyle for their children. **Our work can be summarized in a simple formula:**

Nutritious Food + Active Bodies = Thriving Children Equipped For Success In School and Life

Randolph County WIC Program

In Asheboro, this support begins even before birth. The Randolph County Women, Infant and Children Supplemental Nutrition Program (WIC Program) is a federal program administered by the United States Department of Agriculture. The program is designed to safeguard the health of low-income women,

infants, and children up to age 5 who are at nutrition risk by providing wholesome foods to supplement diets, information on healthy eating, and referrals to health care. While the national WIC program, as one of its goals, encourages children to consume more healthy foods, such as fruits and vegetables, the Randolph County WIC Program has implemented innovative techniques tailored to our community to achieve this goal. These techniques began as part of the 2014-2016 Randolph County Health Department Strategic Plan, a collaborative effort that involved local health care specialists, Asheboro



WIC Summer Garden

City Schools, multiple governmental agencies, and houses of worship that identified as a priority the need to "promote wellness/lifestyle changes by increasing healthy behaviors including healthy eating." In summer of 2015, the Randolph County WIC Program partnered with Dezern Farms, a local, small family farm, to deliver a total of 3,000 seedling tomato, lima bean, cucumber, pepper and watermelon plants directly to participating families free of charge. In addition to providing plants, Dezern Farms aided the WIC

Program in planting and maintaining a community garden. Fruits and vegetables harvested from the garden were given to all WIC families during their regular visits throughout the summer. In all, over 400 pounds of fresh fruits and vegetables were provided as a result of this partnership. To aid participants with their plants and produce, WIC nutritionists distributed recipes, nutrition information and growing instructions, and provided one-on-one consultations to create participant specific nutritional goals as well. Special care was taken to ensure that all information disseminated was made available in both Spanish and English to eliminate language barriers. As a result, language had no statistical impact on participants' ability to grow, gather and consume produce according to post-program surveys. Randolph County WIC was acknowledged for its creative effort in September 2015, winning the North Carolina Public Health Associations' Sparkle Project Award, which recognizes a model health and/or nutrition project. Child and parent response was also positive; leading the WIC program to plant a fall and winter garden to continue the distribution of fruits and vegetables throughout the remainder of 2015 and in to 2016.

Boys and Girls Club of Central Asheboro

Beginning at age six, children are eligible to join the Boys and Girls Club of Central Asheboro. Again, while many communities throughout the country have Boys and Girls Clubs, the Boys and Girls Club of Central Asheboro has created innovative programs to achieve broad organizational goals within a targeted at-risk area of our city. The club is located in Asheboro's most poverty-stricken area, the East Side community, and it serves over 200 members per year for just a \$2 annual fee. 64 percent of members come from single-parent homes, and 89 percent of members live below poverty level.

Furthermore, the Club's membership is 72.45% African American, 9.18% Caucasian, 5.61% Hispanic and 12.24% Multi Ethnic. By combining this racial and socio-economic background data with the fact that 89% of the Club's members do not utilize services of other youth agencies, it becomes apparent that the club is providing critical programs to at-risk children of the community that lack access to supportive services. The club provides a variety of experiences to explore the lifelong learning opportunities of its members. One such program is Healthy Habits, where members are taught the importance of living a healthy lifestyle through nutritional eating. The club reinforces this message by providing nutritional snacks and dinners to its after school program attendees. In 2014, 50 members participated in Healthy Habits, with 93% passing the post-test verifying their understanding of living a healthy lifestyle. The club also teaches the importance of physical activity through Triple Play, a program that focuses on the benefits of exercising at least 60 minutes per day. In 2014, 80 members participated in 197 fitness sessions. In 2013, two members of the club, Isaiah and Randall, along with club director Andrew Oliver, were selected to attend the Boys and Girls Clubs of America's Triple Play Leadership Summit at the United States Olympic Training Center in Colorado Springs, Colorado. At the event, Isaiah and Randall were given the tremendous opportunity to learn leadership skills, healthy living techniques and ways to overcome obstacles from a set of distinguished speakers and teachers. "We strive to make the Boys and Girls Club a fun place for learning and where members can be themselves and try new things that they may not have had access to before," said Oliver. The experiences provided to members would not be possible without cross sector support. Much of the club's funding comes from fellow nonprofit United Way of Randolph County. Additionally, the club partners with the Randolph County Family Crisis Center, Trees NC and Girl Scouts of America. Trees NC has been a partner for roughly 12 years and primarily focuses on educating kids, not only about environmental preservation, but about agriculture, gardening and nutrition as well. In January 2016, this partnership was awarded a grant from the Randolph Hospital Community Health Foundation in an amount of \$6,000 to increase the consumption of fresh vegetables and fruit for 750 youth and adult residents of the East Side community. The awarding of this grant acknowledges the success of the partnership, while providing additional funding to aid the club in attaining its child health and nutrition vision. Multiple houses of worship and schools provide further support for programs, funding and outreach. The end result of the club's community funded and supported programs are healthier children that are achieving more in school and life. "Many of the Asheboro members can be seen starting on their schools basketball teams, getting straight A's in school and receiving scholarships for college. They are also learning the importance of community service and giving back to their community," said Oliver.



Randall, Isaiah & Andrew

Our Daily Bread Soup Kitchen

One of the longest standing community-driven projects in Asheboro is Our Daily Bread Soup Kitchen (ODB). In service for now more than 26 years, Our Daily Bread was founded by Reverend Dora Atlas in January 1990 in the Eastside Community. "I feel like the boy who offered the two fish and the five loaves. I'm just that simple. I think I can feed the people. But miracles do happen today," said Rev. Atlas just a few days before opening Asheboro's first - and, to date, Asheboro's only - soup kitchen. Eight adults and 13 children showed up on the first day, but today, ODB serves an average of 85-90 people per meal, which is served daily Monday through Friday and one Saturday a month. These numbers increase in the summer and on holidays, when children are out of school. A total over 10,000 community members have been served in the last two years. This all inclusive program serves everyone who walks through the door with no questions asked. With regards to children's health and nutrition, ODB serves two purposes. On one hand, at-risk children, and their families, are receiving a much needed nutritious meal. On the other, children are given an opportunity to serve and feed. The nutritious meals and spirited volunteers come by the way of cross sector collaborations with a diverse group of over 25 agencies. The Asheboro Housing Authority allows ODB to lease one of their facilities for \$1 a year including utilities. ODB currently works with



Rev. Dora Atlas

organizations, such as the Randolph-Asheboro YMCA and Central United Methodist Church, to provide healthy meal options. Many of the fruits and vegetables served come from the YMCA community garden, which are grown, harvested, delivered, prepared and served by volunteers. The soup kitchen also strives to have diversity among volunteers with regards to race, age, gender and socio-economic background. For instance, Dr. Sukhwant Walha, a local physical medicine and rehabilitation doctor, comes the first Wednesday of each month to prepare a spicy meal of Indian fare. ODB also partners with Asheboro City Schools to involve children in serving and delivering meals. In December 2015, students of South Asheboro Middle



Asheboro High School Club

School collected and delivered 1,200 cans of food to ODB. ODB also partners with a variety of clubs at Asheboro High School to arrange service days where clubs may take majority control of cooking, serving, and clean up. ODB has a vision of expanding their impact through additional food, and non-food, services and building expansion. In 2015, ODB was recipient of a \$32,000 grant from the Randolph Hospital Foundation that will allow preparation food boxes for weekend meals. Also, ODB is now accepting non-food donations, such as school supplies and coats, which may be distributed to children and their families in need. Fundraising for building expansion, which will provide a larger seating area for guests, is also underway.

In summary, Asheboro's leaders and residents have identified child nutrition and health as a pressing challenge, partly a result of manufacturing industry decline over the recent years. This challenge, identified through multiple inclusive strategic planning efforts, has been directly addressed by a multitude of cross sector collaborations initiated by neighborhoods, governments, businesses and nonprofit organizations. Furthermore, these efforts have unified diverse segments, with regards to race, age and socio-economic background, of our community. Our residents are using innovative techniques, such as community gardens, soup kitchens, nutrition education workshops and exercise programs to support our at-risk youth and, not only guide them towards a healthy lifestyle, but in some instances simply provide food where it is scarce. It is Asheboro's vision to overcome this challenge, among others, and to "be a model community in North Carolina as a place to live, work and play." In part two of this application, we will explore three pioneering projects that are having a large impact in our community, and thus bring us closer to realizing our vision.



Part 2A

Randolph County Partnership for Children



The Randolph County Partnership for Children (RCPC) believes quality in early care and education includes more than quality classrooms and learning experiences, it also includes quality nutrition and healthy activity.

Why? Because obesity comes early in Randolph County, with 15.9% of children classified as overweight or obese according to the most recent community health assessment by the Randolph County Health Department. However, the equation is simple: Healthy children = better learners. Better learners = employable adults. Employable adults = a thriving community. RCPC is working with the whole community to do the math and ensure children are healthy and supported in school and life.

How? Instead of sugary drinks and empty-calorie snacks, RCPC early childhood programs are emphasizing fresh fruits, vegetables and whole grains. Instead of sitting inside all day playing in enclosed spaces, early childhood programs are taking their classrooms outdoors, where children are able to let their imaginations run wild.

The Goal? *To establish a habit of healthy eating and increased outdoor play in their earliest years and shape a healthier generation.*



Learning to Garden

When it comes to obesity prevention, it's never too early to start. That's because the first few years of a child's life are fundamentally important. Evidence tells us that they shape children's future development, and influence how well children do at school, their ongoing health and wellbeing and their achievements later in life. A strong focus on the first few years of children's lives leads to huge economic, social and emotional benefits later on, both for individuals and for the community as a whole. Positive, nurturing interactions with parents and caregivers, good nutrition and health care, high quality early care and education are keys to success. Research also shows that children who are overweight when they start school are far more likely to be obese by the time they become teenagers. This means that we need to pay far closer attention to what our youngest kids are eating and how much they are moving. Our kids' nutrition and activity level not only improves their health, it also gets them ready to learn.

Realizing this importance, RCPC is placing early childhood nutrition and activity top of mind in Asheboro and all across Randolph County. RCPC is an integral part of education and health development for our community and is concentrating efforts toward the health and well-being of young children and their families in four primary settings: Child Care; Elementary School; Community; and Health Care.

Child Care Settings:

RCPC is leading efforts to transform existing playgrounds into rich, naturalized outdoor learning environments filled with rich opportunities for active play; as well as incorporating strategies to increase

activities and improve nutrition in child care programs through Shape NC and GONAPSACC (Nutrition and Physical Activity Self-Assessment in Child Care), as well as increasing access to fresh fruits and vegetables.

GONAPSACC is an intervention aimed at improving the child care environments, policies and practices of nutrition and physical activity through self-assessment and technical assistance, as is Blue Cross Blue Shield Foundation of North Carolina funded program, Shape NC. Both programs focus on increasing the number of children starting kindergarten at a healthy weight and ready to learn and have seen tremendous results in increasing physical activity, healthy eating, and use of outdoor learning environments in child care centers. RCPC serves as a regional hub site for Shape NC and works with child care centers, families and the community to develop and implement strategies to prevent early childhood obesity. As a result of RCPC and Shape NC, 75% of licensed child care centers in Randolph County have new or transformed outdoor learning environments so that children have engaging outdoor spaces to get daily exercise, grow vegetables and learn. In addition, the amount of time children are engaged in active play (90 minutes or more) is on the rise from 51% in 2011 to 85% in 2015. The new outdoor areas feature safe, ready-made access to green places and engagement with nature. Best practice design of outdoor learning environments incorporates trees, shrubs, vines, flowers, grasses, edible fruits and vegetables—to connect children with nature and diversify their outdoor experience. To date, these outdoor learning environment improvements have impacted more than 2,700 children in Randolph County.

One early childhood program, The Growing Place Child Care Center located in Asheboro, recently advanced from a model center to one of only six child care centers in North Carolina classified as a Shape NC Demonstration Site. This means the program achieved a level of excellence for best practices. The Growing Place now provides tours of its innovative design to allow others across North Carolina to see the nutrition, physical activity and outdoor space in action and learn how these improvements are accomplished. This project would not have been possible without Shape NC and community support, which included private donations from parents and Farm Bureau Insurance, nonprofit donations from the Captain Planet Foundation and NC State Natural Learning Initiative and manual labor provided by Asheboro High School students and Eagle Scouts.



The Growing Place - Before



The Growing Place - After

The innovative work that is being done in Asheboro and across Randolph County is also providing inspiration and ideas to scores of early childhood teachers across the region. Each summer, RCMP hosts a 'Summer Summit' tour of outdoor learning environments in Randolph County. Over the past four years, educators have traveled from over 25 counties across North Carolina to see the work that is being done in Asheboro.

Dawn Greene, director at Precious Memories Preschool in Asheboro, noted: "With the new play areas we have created, the children are using their bodies in different ways than before and they are practicing deeper social interactions. We are naturally giving children the opportunity to discover new things, whether it is about themselves, their classmates, or the natural world around them."



And it's definitely working. Here is 4-year-old Aiden's story. One night Aiden's mom was fixing dinner and her son asked for 'green balls like they had at preschool'. She felt sure he was talking about candy and was surprised when he said they had grown the balls outside, cooked them and tried them as a class. She was stumped on what he meant by 'green balls', so she asked his teacher. She said he must be talking about Brussels Sprouts. Aiden's mom was slightly embarrassed that she had no idea what Brussels Sprouts were or even where to buy them, but she was thrilled that Aiden wanted to eat a healthy vegetable. It was this moment she realized the impact the garden that Aiden had been talking about for months was having not only on students but also on families. Children were not only enjoying growing vegetables in the garden, they were also excited about cooking and tasting these new healthy foods.

Elementary School Settings:

RCPC's first three years of Shape NC implementation focused on changing policy and practices in child care centers to promote healthy behaviors among children 0-5 years. In 2014, RCPC began the second, three-year phase of Shape NC which had a greater focus on expanding the work beyond childcare centers and into the larger community. One part of this expansion is focus on increased physical activity by introducing the concept of outdoor learning environments into local public schools. RCPC is working with local elementary schools, including Charles W. McCrary Elementary School (located in a low resource neighborhood in Asheboro—and whose students come from The Growing Place Child Care Center) to show how the gains made in improvement in nutrition and physical activity (0-5 year olds) can be sustained in an elementary school environment. McCrary Elementary is identified as a low performing elementary school with less than 60 percent of its students proficient based on 2011-12 testing data. In Randolph County, it is the lowest performing elementary school. McCrary Elementary also has limited financial resources; 73% of students are minorities and 81% of the students receive subsidized lunches. Research shows minority and low-income individuals are disproportionately affected by childhood obesity. McCrary Elementary reflects all the indicators we want to see improve: low reading scores, poverty, poor diets, and lack of opportunities for physical activity. Thanks to RCPC and Shape NC, as well as a generous \$48,000 grant from local industry Timken, McCrary Elementary now has an enhanced outdoor learning environment. A walking track with fitness stations has been constructed. Students also have the opportunity to grow and consume vegetables in the "Salsa Garden." With the success of these two additions, McCrary Elementary has the goal of adding more facilities, such as a walking track dedicated for K-2 students, as well as an outdoor amphitheatre for plays and concerts.

Community Settings:

In 2013, the RCPC hosted its first Play Daze event. Play Daze, a full one day event which is held in conjunction with Week of the Young Child, offers opportunities for supervised, unstructured time where children are free to explore and use materials provided or found. The event is an opportunity to bring the community and families together to support children's play—and most of all—to have fun in the process. The event features nearly 20 play areas, including fort-building, rope climbing, clay and mud play, sand play, dirt and water play, nature art, dramatic play and more. Over the last four years, over 2,500 children have participated in Play Daze. This impact is made possible by the 100 plus community volunteers that freely give numerous hours of service each year.



RCPC now serves as a regional hub for play equipment resources and technical assistance for other counties looking to host a local event.

RCPC is also working closely with Randolph Hospital on a collective impact process with multidisciplinary stakeholders to improve the health and wellness of families in Randolph County. The county-wide collaborative, including representatives from early childhood, medical providers and



the community, is working to build a strong network across sectors, educate key stakeholders and the community on promising practices and create a community action plan. The community action plan will serve as a blueprint for both short-term projects and long-term implementation strategies that focus on changes to create a healthier Randolph County.

Health Care Settings:

RCPC is increasing the role of doctors in preventing obesity and improving literacy through Reach Out and Read. Over the past five years, RCPC has significantly expanded early literacy programs in Asheboro and throughout Randolph County. Recognizing that a majority of language development occurs in the first few years of life, RCPC provides programs that develop early literacy skills needed for success in school, work and life. RCPC has teamed with six pediatric offices to implement Reach Out and Read, an early literacy program that supports doctors in their efforts to “prescribe” reading to young children and families during well-child visits. Because of this program, children have received 13,671 books over the last four years and 95% of participants have shown an increase in the amount of time parents spend reading to their children. The Asheboro Police Department has enhanced the program. Once a month, an officer visits a pediatric office in Asheboro to read to children. Sergeant Matthew Vann noted, “Anytime police officers can interact with children in a positive way, it leaves a lasting impression..”



Sgt. Matthew Vann

So, as you see, it all adds up. RCPC has bridged relationships across disciplines and sectors based on the belief that healthy communities are everyone’s responsibility. If we invest time and resources now by increasing access to physical activities and nutritional foods, we can ensure every child is launched as a healthy, lifelong learner. Nothing should subtract from that.

Program Contact: Andee Edelson, Child Care Services Programs Coordinator
Organization: Randolph County Partnership for Children
Address: 349 Sunset Avenue
Asheboro, NC 27203
Phone: 336-629-2128 ext. 30
Email: aedelson@randolphkids.org

Part 2B

Communities In Schools of Randolph County

"Backpack Pals"



For nearly 40 years, Communities In Schools' mission has been to "surround students with a community of support, empowering them to stay in school and achieve in life." Today, Communities in Schools is the nation's largest and leading organization dedicated to this mission. In Asheboro, Communities in Schools of Randolph County (CISRC) has been making an impact since their relocation to our city in 2010. Chartered in 1998, CISRC originally started in the neighboring town of Archdale as a dropout prevention program. Today, the Asheboro location offers a plethora of programs to achieve their goal of providing all students five basic resources to help them succeed:

- 1) A personal one-on-one relationship with a caring adult
- 2) As safe place to learn and grow
- 3) A marketable skill to use upon graduation
- 4) An opportunity to give back to peers and community
- 5) A healthy start and a healthy future



Distributing Bags

To provide resource five, a healthy start and a healthy future, CISRC has developed a program that is unique to Asheboro and Randolph County: Backpack Pals. "A hungry child cannot concentrate on schoolwork," said Paula Owens, CISRC executive director. "For some students, the breakfast and lunch they receive at school are the only meals they eat. Backpack Pals helps alleviate childhood hunger by sending a bag packed with nutritious, non-perishable and child-friendly food home from school with the child on Friday afternoon," she continued. Indeed, since its inception in 2008, Backpack Pals has tackled a pressing challenge in our community, where the student population receiving free or reduced breakfast and lunch reaches over 80% at some schools. CISRC works with each individual school in Asheboro and Randolph County to identify students in need, and at this time, no student is turned away. Letters go to the parents/guardians to secure permission for their child to participate, and, once enrolled, the student receives their food on Fridays in a small bag that goes in their own backpack to keep food secure and to protect the students' identity and dignity. In each bag, the student will find two breakfast items, two proteins, two vegetables or fruits, two beverages, two snacks and one package of ramen noodles. The program runs for 36 weeks, starting in September and continuing until school is out in mid-June.

In school year 2014-2015, Backpack Pals provided 19,180 bags of food to 650 students enrolled in 24 different schools within the Randolph County and Asheboro City school districts. Through January of the 2015-2016 school year, over 10,000 bags of food have already been provided and 607 students are being served. The majority of bags, 476, are going to elementary school age children. Of the 607 students, 202 attend a school with an Asheboro address. Within Asheboro, 77 bags (38%) go to Caucasian students, 41 bags (20%) go to African American students, 73 bags (36%) go to Hispanic

students and 11 bags (5%) go to multi-racial students. From comparing this data to Asheboro's racial/ethnic population breakdown, we can see that Backpack Pals is confronting barriers, such as poverty, to child health, nutrition and academic success that disproportionately impact children of color in our community.

CISRC uses a variety of quantitative and qualitative techniques to document the results of Backpack Pals. One method used is teacher and student surveys. In 2014-2015, 96.3% of teachers who had students in the Backpack Pals program thought their students benefited from the food. Teachers and students surveyed were given the option to provide written feedback, much of which demonstrated program success:

"This has greatly helped Jeremiah's family. They constantly express their thankfulness for this program."

"I know that Jeffrey is hungry all the time. If it were not for this program, he would probably focus on his need to eat rather than academics."

Feedback from local students, January 2016:

"I get excited when I get the food" – A 4th grade child in Asheboro

"It is awesome because sometimes we don't have that much food at home." - A 3rd grade child in Asheboro

Other methods used to determine program success are individual attendance and academic goal setting. While not all Backpack Pal participants are assigned goals, those that are have shown a maintained improvement in their attendance record or academic performance, including grade promotion. The table below demonstrates the success of Backpack Pals in these areas:

Data for End Of Year Backpack Pal Students (2014-15)

Student Goal	Number with Goal	Number Attaining Goal	Percentage	Percentage Not Attaining Goal
Improve & Maintain Attendance	63	58	95%	5%
Improve And Maintain Academics	65	59	94%	6%
Promotion Rate	66	63	91%	9% (transferred to schools out of district and were not tracked)

Perhaps, the success and effectiveness of Backpack Pals is best told through the voice of the parents and guardians of participating children. Eddie, a father of three young children in the Asheboro City Schools district, volunteered to share his story. All three of his children began participating in Backpack Pals early in their elementary school years. Currently, his two elementary school age children receive the food bags while his oldest, now in middle school, no longer requests the service, though it is available. When asked about the impact the program had on his family, here is what Eddie had to say:

Oh, yes! They have been great! The girls especially love getting the bags. The bags have been very helpful for our family over the years. The canned foods, especially are great. When the children get home from school, they're always hungry. On Fridays, they will grab their bag and get a snack from it right away. Other days, if we still have some of the food in the cabinet, they will ask if they can have some for a snack.

The impact generated by Backpack Pals in Asheboro would not be possible without cross sector collaboration. In fact, 75% of Backpack Pals' expense and operation is outsourced and covered by community partners. CISRC works with over 30 organizations in Asheboro alone, not to mention many more individual donors and Randolph County organizations. "Backpack Pals is one program that ignites interest in the community," stated Owens. "Hearts go out to children that are hungry and our community sees the program as a way to make a direct and immediate impact in their lives." The support of the community is critical; in 2014-15, the total expense for the Backpack Pal program totaled



Volunteers Packing Bags

\$124,235.06. Over 30 hours per week are spent by staff and volunteers to make the program a success. One sector that plays a large role is the faith-based community. Many houses of worship not only collect food donations and provide financial funding, but many provide full service for one week of a month, or full service for an entire school. For example, volunteers at Rushwood Park Wesleyan Church are provided gift cards from CISRC to shop for food. Volunteers then pack the purchased food in bags and deliver the nutritious meals directly to schools. Whereas Rushwood provides this full service on

a weekly basis to one school, some faith-based partners, such as new partner the Asheboro Ward of the Church of Jesus Christ of Latter-Day Saints, provide full service one week a month, and others, such as the Episcopal Church of the Good Shepherd, provide full service to South and North Asheboro Middle Schools and Asheboro High School. Backpack Pals also partners with the local business community. In December 2015, CISRC held its 3rd annual Tacky Christmas Sweater Party. This private sector

partnership raised over \$8,000 solely dedicated to the Backpack Pal program. The event was a success thanks to \$10,500 in donations from corporate sponsors, free advertising by Asheboro's newspaper, The Courier-Tribune, free ticket printing by PIP printing, hosting by The Cetwick Event Center and door prizes from Asheboro Chick-Fil-A. Non-profit partnerships aid the Backpack Pals program as well. The United Way of Randolph County provides significant funding to the program. Support has also been attained through special fundraising events. For example, over the last five years, CISRC has partnered with local NASCAR champion Bobby Labonte and his Bobby Labonte Foundation to host the "Tour de Reason" charity bike ride. This event, which features three different bike courses, free meals and music, raised over \$5,000 for the Backpack Pal program in 2015. In addition to these sources of funding, many local individuals donate regularly to this cause. The donations include both financial and in-kind donations of food for the program.

CISRC has a vision of growing collaborative efforts with outside business, non-profit and faith-based organizations in the short term future to increase funding and support for Backpack Pals. "Our goal is for Backpack Pals to be fully community funded," said Owens. "This would allow CISRC to simply manage the student base and coordinate distribution of food." CISRC intends to strengthen collaboration by providing additional funding options, such as adopting an individual child for a month, three months, or an entire school year. Also in the short term, CISRC has a goal of providing more fresh fruits and vegetables to Backpack Pal participants. In January 2016, CISRC, in partnership with First United Methodist Church of Asheboro, received a \$3,300 grant from the Randolph Hospital Community Health Foundation to develop a community garden. Food grown in the garden will be used to supplement the Backpack Pal program, thus supplying additional healthy eating options to food-insecure children. In addition, the grant will help fund a series of nutrition education workshops and child surveys. "The survey will be designed to acquire food preference data from the participating children so that we may learn more about what they are currently eating and what foods they like. This will allow us to introduce healthier food options, tailored to a child's particular taste and diet, in the backpacks" said Owens. CISRC further hopes to establish partnerships to provide summer backpacks for the city's children in need. "It is our goal to bring food to the children, as many do not have transportation during the summer months to take part in school-based lunch programs," stated Owens. "We hope to develop a partnership and funding to support a summer mobile food program with free books for the children included with the bags of food," she added.

With hundreds of at-risk children currently being served, a growing funding and volunteer base of community organizations and a clear vision for the future, Backpack Pals is currently making a significant impact in the lives of Asheboro children and their families and stands to do so for many years to come.

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Part 2C

Asheboro High School

"Second Chance Breakfast"



Asheboro High School (AHS), the only public high school located within our city, graduated its first class, totaling three graduates, in 1905. Today, AHS has an enrolment of 1,365 students. As part of its mission, AHS is "committed to providing students with opportunities that will enable them to become confident, self-directed, lifelong learners and productive citizens." Furthermore, AHS recognizes that students need special services and resources in order to achieve academic success. One such resource that has been identified is a nutritious meal. Being that 74.3% of the student population qualifies for the Federal Free and Reduced Meals program, the school identified food-scarce home environments as a pressing challenge.

AHS has undertaken multiple efforts to combat this issue. For example, over the past three years, AHS and other schools in the Asheboro City Schools (ACS) district have expanded their summer feeding program. Originally, the summer feeding program only provided meals to those enrolled in summer enrichment programs, but today, "open sites" are provided so that anyone age 18 years or younger can have breakfast and lunch. Three years ago, this program provided 3,281 breakfasts and 4,882 lunches. In summer of 2015, this number grew to 7,806 breakfasts, 9,893 lunches and 2,726 snacks. These numbers have grown, in part, due to "satellite sites" designed to serve those



Second Chance Breakfast

who may not have the means to visit an open site located at a school. In addition to improved summer feeding options, AHS also implemented the Afternoon School Snack Program in 2015. Last year, this new program provided 12,847 snacks to students after school hours.

While these two programs have provided additional food options to students at risk of missing meals, perhaps the most innovative and impactful feeding program AHS has introduced is Second Chance Breakfast (SCB). AHS serves breakfast from 8:00am to 8:25am each school day. However, of the 1,365 students, AHS calculates that, on average, fewer than 150 students actually eat breakfast in the cafeteria before school. "The school was concerned over the number of students who were actually eating a healthy and substantive breakfast," stated Dr. Brian Toth, principal of AHS. "Whether because they did not have access to a healthy breakfast at home or because they are teenagers and they were running late for school, we could only account that 7.4% to 11% of the student population was receiving a healthy breakfast prior to the start of the school day," he added. This issue was further complicated by the lunch schedule at AHS. Students are served lunch during one of three lunch times, beginning at 11:39am and concluding at 1:48pm. Roughly one-third of AHS students, if they do not eat breakfast, are not able to eat until 1:15pm each day.

To address this pressing challenge, AHS reached out to Asheboro City School's food service provider, Sodexo Food Services, and the Asheboro City Schools administration. From this partnership, Second

Chance Breakfast was born. "Second Chance Breakfast offers the entire student body a second opportunity to eat a healthy breakfast mid morning," stated Dr. Toth. "The intention was to take away all barriers that may get in the way of students having the opportunity to eat a healthy meal earlier in the day." Initially, the ACS administration raised objections over this program, citing numerous concerns:

1. Students had an opportunity to eat before school, in the cafeteria, if they wished
2. The program would not be used by students and would be a waste of time and effort
3. SCB would cause students to be late for class and would be exploited by students
4. SCB would distract from instructional time as students would be eating in their classes
5. SCB would make a mess of the school- spills, garbage, etc.

Despite these logistical concerns, AHS, school administrators and Sodexo agreed the need for students to have access to a nutritious mid-morning meal carried more weight. The parties worked together, tearing down barriers to implement a solution. The school agreed to extend the transitional period between first and second classes by two minutes in order to give students additional time to participate

in SCB and get to class. Teachers agreed to allow students to eat in their rooms and developed procedures for dealing with food and drink during the first few minutes of instructional time. The school custodial staff developed plans to deal with additional waste in the classrooms. Sodexo Food Services adjusted the schedules of their employees, building in the preparation of an additional meal into their workday, as well as overseeing the sale and distribution of SCB. "The success of Second Chance Breakfast could not have been possible without the partnership and trust of all organizations, as well as the mutual recognition of the importance of increasing the number students accessing a healthy meal early



Sodexo Staff Ready to Serve

in the school day to perform better in school," Dr. Toth acknowledged. In an interview with our local newspaper, The Courier-Tribune, Asheboro City Schools superintendent, Dr. Terry W. Worrell, added that SCB is an example of the school district's connections and, by working together, their ability to provide a possible remedy to a challenge fairly quickly.

Second Chance Breakfast began on December 1, 2014. The program operates between the first and second class of the school day. During class transition, students may get a "grab-and-go" breakfast from multiple convenient locations across the AHS campus. Importantly, students who qualify for the Federal Free and Reduced Lunch program may participate. The meal includes an entree, a whole fruit, orange juice, and choice of 1% white milk or fat-free chocolate milk. The first day, 99 students participated in

SCB. Throughout the year, student participation steadily grew from two serving lines, to three, then to four, then five. Today, seven serving lines are required to feed all of the students who take advantage of SCB at AHS. An average of 580 students participate in SCB daily, and the number continues to grow. The number of students receiving breakfast before school has remained unchanged since the

implementation of SCB. In other words, AHS has improved from serving breakfast to 7.4%-11% of its students, to now serving breakfast to 49.9%-53.5% of the student body with the addition of SCB. In addition to tracking participants, AHS also solicits feedback from students and faculty to ensure that SCB is achieving peak performance. The response from both the student and faculty population has been overwhelmingly positive and speaks to improved student nutrition, engagement and satisfaction:



The Line Begins...

breakfast for various reasons, or who are simply not hungry until around 10am. This breakfast has aided students in their ability to focus in classrooms after they get breakfast. Another benefit is that I know some students even keep parts of the breakfast as snacks for the afternoon. For a majority of our population who do not get enough food to eat outside of school, this breakfast has been an added supplement to their overall nutrition.

- Katie Bunch-McCain, Social Studies Teacher

Second Chance Breakfast is the best program that AHS has implemented in the past few years. I say that because I see a dramatic difference in the alertness, attention, and behavior of my students who come to class with a full stomach. Now, almost all of my 2nd Period students are eating a healthy breakfast in class. Before 2nd Chance breakfast, most of my students were going until 1:15 (3rd Lunch)

without eating anything, or were eating junk foods that don't give sustained energy. Having breakfast available during the school day helps my students to stay awake during class, perform better on assessments, and generally makes my classroom a happier place to be!

- Leigh Anne Church, Family and Consumer Science Teacher

Second Chance breakfast has been incredibly influential in the academic lives of our high school population. There are many students who miss



...and Ends Around the Corner

Having the Second Chance Lunch option is increasing our student's productivity/attitudes on the job sites. They all received wonderful evaluations from their job site supervisors for the first 4 weeks and hope to continue that trend!

- Amanda Thompson, Occupational Course of Study Teacher

I am so happy that Second Chance Breakfast is in place. We are seeing many less students with headaches caused by no breakfast. Before, I had to beg and borrow for my food supply. It is an awesome support for our students' health.

- Lois Bagley, School Nurse

When Second Chance Breakfast started, I did not try it out at first. Now, I get Second Chance Breakfast every day. I am able to concentrate in class much better now.

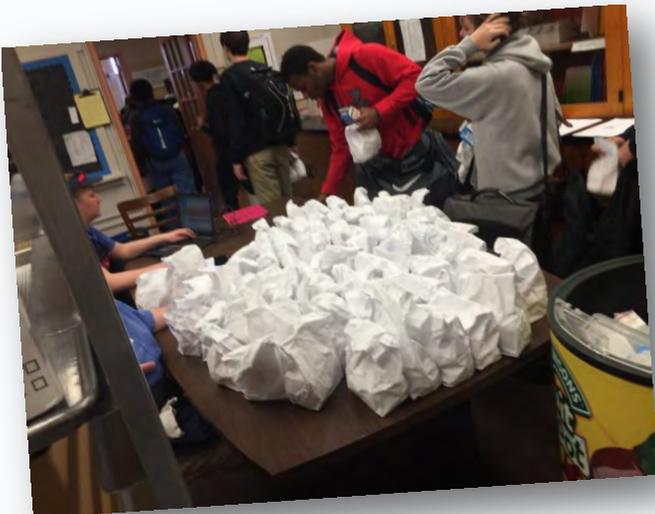
- Destiney Houghtalen, Sophomore

Second Chance Breakfast is so convenient! And teachers give us time to eat at the beginning of class. It's great because a lot of people would not eat for a long time without this opportunity.

- Diana Nieto, Junior

I get energy to stay awake. The extra food helps me work better in class because I'm not thinking about food, but I'm thinking about my class work. And it makes me happy--because it's food, and who doesn't like food?!

- Austin Romero Texca, Junior



Few Bags Remain After Another Successful Day

The success of SCB has not been unnoticed. The program, the only one of its kind in the state of North Carolina, has gained national attention. In October 2015, AHS received a Best Practice Award from the U.S. Department of Agriculture. The purpose of the Best Practice Awards program is to encourage and reward outstanding practices in schools and in School Food Authorities (SFAs) in the Southeast Region.

SCB was recognized in the category of Increasing Participation in School Breakfast, School Lunch or Snacks for its achievements.

Looking ahead, AHS, ACS and Sodexo have come to realize the importance of offering nutritious meal options to the student body. To improve and strengthen SCB, the partnership intends to add hot meal components in the near future. Also, additional serving lines will be added as the level of student participation increases. The group also has a vision of providing all ACS students with the opportunity of three full, healthy meals each day. This would be made possible though a "dinner program," and is currently close to becoming a reality thanks to an additional partnership with the U.S. Department of Agriculture.

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