

**TOWN OF WALLACE**  
**MONTHLY TOWN COUNCIL MEETING**  
**October 10, 2024**  
**6:00 p.m.**

The Wallace Town Council held its regularly scheduled monthly meeting on Thursday, October 10, 2024, at 6:00 pm at the Wallace Women's Club.

The following Governing Body members were present:

Mayor Jason Wells  
Council Member/ Mayor Pro-Tem Francisco Rivas-Diaz  
Council Member Frank Brinkley  
Council Member Jason Davis  
Council Member Tasha Herring (via Zoom)  
Council Member Penny Thorne (via Zoom)

The following Governing Body member was absent:  
None

Also present were:

Rob Taylor, Town Manager	Anna H. Herring, Town Attorney
Jackie Nicholson, Town Clerk	Carl & Debbie Fussell
Rod Fritz, Planning Director	Nolan Hall
Ben Jones, Airport Manager	Shelby Kilpatrick
Weston Padgett, Police Captain	Joseph Merritt
Jennifer Raynor, Library Director (via Zoom)	Jeraldine Rainey
Sherry & Wayne Aramini	Thomas Stracuzzi
Marlane Carcopo (via Zoom)	Brent & Sally Whitfield
Sam Frank	Abby Cavanaugh, <i>Duplin Journal</i>

Mayor Jason Wells called the regular meeting to order with a quorum of the governing body members present and Council Member Penny Thorne gave the invocation.

The Pledge of Allegiance was recited.

**Presentation – Capt. Weston Padgett, Police Department**

Police Capt. Weston Padgett reported on his participation in the FBI National Academy. He said the Academy seeks to bridge the gap between local and federal law enforcement, provides networking opportunities and focuses on leadership and communication.

**Adoption of the Agenda**

Mayor Wells asked if there were any additions or changes to the agenda. Town Manager Rob Taylor said in addition to the presentation by Captain Padgett is item #11 Fire Department trailer.

Council Member Jason Davis made a motion to approve the agenda as amended that was seconded by Council Member Francisco Rivas-Diaz and approved unanimously.

#### Public Comment Period

There were no comments.

#### Consent Agenda

Mayor Wells called for discussion of the minutes from the September 12, 2024 regular meeting. There being no additions or corrections, Council Member Davis made a motion to approve the minutes as submitted. The motion was seconded by Council Member Frank Brinkley and approved by unanimous vote.

#### PUBLIC HEARING

##### Rezoning – Royal Farms (RZ-2024-02)

Council Member Brinkley made a motion to open a public hearing that was seconded by Council Member Davis and unanimously approved.

Planning Director Rod Fritz stated that the property is currently zoned RA-20 (residential/agricultural, minimum lot size 20,000 sq.ft.). The property abuts HB (highway business) and residential property. The property owners have taken some of the allowable uses in the HB zoning in consideration of nearby residential property and some of the residents spoke in opposition to the rezoning expressing their concerns regarding lighting, noise and drainage. Sam Frank spoke on behalf of the applicants and said there would be no interconnectivity between the properties, and it will not be an intense use, meaning it will not generate a lot of traffic.

Council Member Brinkley made a motion to close the public hearing that was seconded by Council Member Davis and unanimously approved.

Council Member Davis made a motion to approve the rezoning through adoption of an Ordinance RZ-2024-02 and Statement of Reasonableness. Council Member Brinkley made a second to the motion and it was approved unanimously.

##### Rezoning – Maple Street (RZ-2024-03)

Council Member Brinkley made a motion to open a public hearing, seconded by Council Member Rivas-Diaz and approved by unanimous vote.

Planning Director Fritz explained that the applicant requested the rezoning in order to add an addition to his house. There were no comments.

Council Member Brinkley made a motion to close the public hearing. The motion was seconded by Council Member Rivas-Diaz and unanimously approved.

Council Member Brinkley made a motion to adopt the proposed zoning Ordinance and Statement of Reasonableness which was seconded by Council Member Rivas-Diaz and approved unanimously.

## **Old Business**

### **Resolution Fixing Date of Public Hearing for Annexation**

Planning Director Fritz stated that the Town Clerk had completed a Certificate of Sufficiency and asked the Council to adopt a Resolution Of The Wallace Town Council Fixing Date Of Public Hearing On Question Of Annexation (AX2022-04) Pursuant To G.S. 160A-58.2.

Council Member Davis made a motion to adopt said Resolution. The motion was seconded by Council Member Brinkley and unanimously approved.

## **New Business**

### **Designation of Finance Director and Deputy Tax Collector-Oath of Office**

Mayor Wells said that with the departure of Joseph Trollinger an interim Finance Director and Deputy Tax Collector need to be appointed. The Town Manager will hold these positions until someone is hired. Mayor Wells administered the Oath of Office to Rob Taylor.

### **Adopt Resolution for Financing Vehicles**

Manager Taylor stated that in the FY 2024-25 Budget various equipment (2024 GMC Sierra, 2024 GMC 2500, 2023 Chevrolet Equinox) was expected to be financed. Requests for proposals were sent out and only one bid was received from United Community Bank. Taylor asked the Council to approve the proposal in the amount of \$105,800 with an interest rate of 6.35% for a four (4) year term.

Council Member Brinkley made a motion to adopt a Resolution Approving Financing Terms Town Vehicles (24-25-05) which was seconded by Council Member Davis and unanimously approved.

### **FY 2023-24 Budget Amendments**

Manager Taylor reminded the Council that per the budget ordinance, the transfer of monies between departments greater than 10% or transfers of monies between funds must be approved by Town Council and were presented for approval. Included in the report are budget amendments that are within the Budget Officer's authority to move, as required.

Council Member Rivas-Diaz made a made a motion to approve the budget amendments. The motion was seconded by Council Member Brinkley and approved by unanimous vote.

### **Capital Project 22.08 Budget Amendment**

Manager Taylor reported that with the award of a PARTF (Parks and Recreation Trust Fund) ADA accessibility grant in the amount of \$400,000 for the Inclusive Playground along with a \$150,000 grant from Trillium Health Services. \$100,000 has been set aside for the project along with an appropriation of \$75,000 as well as contributions of \$25,000. Taylor asked the Council to approve a Budget Amendment for these funds.

Council Member Davis made a motion to approve Budget Amendment FY25-2 that was seconded by Council Member Brinkley and approved unanimously.

### Capital Improvement Plan

Manager Taylor said that he has updated the Five-Year Capital Improvement Plan and asked them to review it over the next month. It can be approved at the next meeting which is also the time to start updating the plan for 2026-2030.

### Re-codification of Town Ordinances

Town Clerk Jackie Nicholson said that the Town's Code of Ordinances has been updated and asked the Council to adopt An Ordinance Enacting A Code Of Ordinances For The Town Of Wallace, Revising, Amending, Restating, Codifying and Compiling Certain Existing General Ordinances Of The Town Of Wallace Dealing With Subjects Embraced In Such Code Of Ordinances, And Declaring An Emergency.

Council Member Brinkley made a motion to adopt the Recodified Ordinances and "Exhibit A", seconded by Council Member Rivas-Diaz and unanimously approved.

### Purchase of Trailer for Fire Department

Manager Taylor stated that the Fire Department requested the remaining funds allocated in assigned fund balance for the department be used to purchase a tandem axel trailer. The trailer could be used for temporary storage and utilized for various functions similar to how the Police Department uses their trailer. \$10,692 remains in the allocation and the estimated cost of the trailer is \$9,500 plus some cost for upfit. Wallace Fire Association will provide any additional funds required and seek local sponsorships. A Budget Amendment is necessary for this.

Council Member Brinkley made a motion to adopt Budget Amendment FY25-3. The motion was seconded by Council Member Rivas-Diaz and approved by unanimous vote.

### Financial Reports

Manager Taylor reported that some of the % of Budget numbers look a little high but some of that is from some of the annual payments that are made at the beginning of the fiscal year, like insurance and purchasing vehicles. He informed the Council that the Audit is running behind.

### Council Reports

Council Member Brinkley project phase 2 relining.

Council Member Rivas-Diaz reminded everyone about the Latino Festival on Saturday from 10am to 6pm.

Council Member Herring expressed her thanks to those who traveled to the western part of the State to help.

Council Member Thorne also thanked those who have contributed to disaster relief and said she enjoyed Employee Appreciation Day. There are potholes on Currie Street that need repair.

### Town Manager's Report

Manager Taylor said the Water Wells project is done and the flooring at the Grist Mill is going in. He told the Town Council that they were invited to the 104<sup>th</sup> Veterans Day Parade in Warsaw.

There being no further business to discuss Council Member Brinkley made a motion to adjourn. The motion was seconded by Council Member Rivas-Diaz and approved by unanimous vote.

Respectfully submitted,

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Jason Wells, Mayor

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Jacqueline Nicholson, MMC, NCCMC  
Town Clerk

**AN ORDINANCE TO AMEND THE TOWN OF WALLACE, NORTH CAROLINA  
OFFICIAL ZONING MAP**

**Rezoning Case No. RZ-2024-02**

**THAT WHEREAS,** in order to promote the public health, safety and general welfare and to promote the best interests of the Town and community, it is necessary from time to time for the Planning Board and Town Council to consider appropriate revisions, modifications and updates to the Town of Wallace Official Zoning Map; and

**WHEREAS,** Greg Schmitt and Chris Bollino, on behalf of Two Farms, Inc., has requested and amendment of the Zoning Ordinance of the Town of Wallace by rezoning an approximate 6.10 acres tract of land located at SW quadrant of NC 11 and E. Southerland St., fronting NC 11 and also known as parcel 09-202, from RA-20 Residential/Agricultural to HB- Highway Business Conditional; and

**WHEREAS,** the Two Farms, Inc. owns two (2) adjacent tracts that are currently zoned HB – Highway Business; and

**WHEREAS,** the purpose of the HB – Highway Business District is to accommodate a diverse range of retail, service, and office uses that provide goods and services to the residents and businesses in the community at large-e.g., shopping centers, convenience stores, and retail sales establishments;

**WHEREAS,** the zoning of the land to a Conditional Zoning District is intended to provide the landowner and the Town an alternative to the base zoning designation, by allowing additional conditions or restrictions on the range of allowable uses, use standards, development intensities, development standards, and other regulations applicable in the parallel zoning district; and

**WHEREAS,** pursuant to N.C. General Statutes and Town ordinances, a public hearing, properly noticed, was held on October 10, 2024, where public comment was heard and considered by the Town Council regarding this zoning amendment; and

**WHEREAS,** the Planning Board hereby recommends adoption of the proposed UDO Text Amendments to the Town Council and finds that the amendments are consistent with the Town's 2023 Comprehensive Land Use Plan, for the following reasons:

- There are approximately 316 acres of land within the Town limits zoned HB – Highway Business and 370 acres of land in the ETJ. This accounts roughly 19.5% of the total land within the Town limits and 7.1% of the land in the ETJ.
- Large areas of HB – Highway Business Zoning are found along US117, on NC 41 at Tin City and at the interchanges of I-40 and NC-41 and NC 11 HWY.
- The proposed zoning map amendment is consistent with the adopted 2023 Town of Wallace, NC Comprehensive Land Use Plan because the primary asset in this area is for commercial development, and the property is contiguous to other properties zoned HB – Highway Business.

**WHEREAS,** the Town Council for the Town of Wallace hereby finds that the proposed Zoning Map is reasonable, is in the public's best interest, and is consistent with the Town's 2023 Comprehensive Land Use Plan for the reasons stated above;

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Wallace that:

1. The Town of Wallace Official Zoning Map is hereby amended by rezoning the following described tract from RA-20 Residential/Agricultural to HB-C – Highway Business Conditional.

BEING Lot 3 as shown on a map recorded at Map Book 35, Page 140, Duplin County Registry.

ALSO BEING, the 6.10 acres tract of land located in the Town of Wallace, Duplin County, North Carolina and located at parcel 09-202 and Duplin County PIN Number: 330604615592.

2. This action shall be shown on the Official Zoning Map for the Town of Wallace.

3. **Effective Date** – This ordinance shall be effective upon adoption this 10<sup>th</sup> day of October 2024.

Adopted this the 10<sup>th</sup> day of October, 2024.

Adopted by motion of Council Member Davis, seconded by Council Member Brinkley, and approved by a vote of 3 in favor and 0 against.

\_\_\_\_\_  
Jason Wells, Mayor

Attested to:

\_\_\_\_\_  
Jacqueline Nicholson, Town Clerk

DRAFT

**AN ORDINANCE TO AMEND THE TOWN OF WALLACE, NORTH CAROLINA  
OFFICIAL ZONING MAP**

**Rezoning Case No. RZ-2024-03**

**THAT WHEREAS**, in order to promote the public health, safety and general welfare and to promote the best interests of the Town and community, it is necessary from time to time for the Planning Board and Town Council to consider appropriate revisions, modifications and updates to the Town of Wallace Official Zoning Map; and

**WHEREAS**, Wilmer Alexis Ortiz Cruz has requested an amendment of the Zoning Ordinance of the Town of Wallace by rezoning three (3) tracts of land located at 114 Maple St., Wallace, NC 28466 from HB – Highway Business to R-6 Residential District; and

**WHEREAS**, the property contains a structure that has been used as a residence since 1940; and

**WHEREAS**, the applicant is seeking to amend the Zoning Map to the correct use of the property; and

**WHEREAS**, the purpose of the R-6 Residential Zoning District is to provide locations for higher intensity residential neighborhood that include opportunities for development of supporting recreational, community service, and education uses proximate to neighborhoods; and

**WHEREAS**, pursuant to N.C. General Statutes and Town ordinances, a public hearing, properly noticed, was held on October 10, 2024, where public comment was heard and considered by the Town Council regarding this zoning amendment; and

**WHEREAS**, the Planning Board hereby recommends adoption of the proposed UDO Text Amendments to the Town Council and finds that the amendments are consistent with the Town's 2023 Comprehensive Land Use Plan, for the following reasons:

- There are approximately 84 acres of land zoned as R-6 within the Town limits and 98 acres within the ETJ. This accounts for approximately 5% of the land within the Town limits and 2% of the land within the ETJ.
- Areas currently zoned R-6 include the majority of the residential areas around Old Teachey Road and residential areas North of downtown.
- The proposed zoning map amendment is reasonable and consistent with the adopted 2023 Town of Wallace Comprehensive Land Use Plan because it helps facilitate the future plans for the US 117 Corridor. This property is also in a residential area and is adjacent to other properties zoned R-6. Rezoning this property to R-6 would be consistent with the proposed use of the property.

**WHEREAS**, the Town Council for the Town of Wallace hereby finds that the proposed Zoning Map is reasonable, is in the public's best interest, and is consistent with the Town's 2023 Comprehensive Land Use Plan for the reasons stated above;

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Wallace that:

1. The Town of Wallace Official Zoning Map is hereby amended by rezoning the following described tract from HB – Highway Business to R-6 Residential.

BEING the parcels found at Duplin County Parcel Nos. 09-4066, 09-4065, and 09-4713.

ALSO BEING the tracts described in Deed Book 1696, Page 515 and Deed Book 2061, Page 87 in the Duplin County Registry.

Property Address: 114 Maple Street, Wallace, NC 28466



2. This action shall be shown on the Official Zoning Map for the Town of Wallace.

3. **Effective Date** – This ordinance shall be effective upon adoption this 10<sup>th</sup> day of October, 2024.

Adopted this the 10 day of October, 2024.

Adopted by motion of Council Member Brinkley, seconded by Council Member Rivas-Diaz and approved by vote of 3 in favor and 0 against.

\_\_\_\_\_  
Jason Wells, Mayor

Attested to:

\_\_\_\_\_  
Jacqueline Nicholson, Town Clerk

**RESOLUTION OF THE WALLACE TOWN COUNCIL  
FIXING DATE OF PUBLIC HEARING ON QUESTION OF ANNEXATION  
(AX2022-04) PURSUANT TO G.S. 160A-58.2**

**WHEREAS**, a petition requesting annexation of the non-contiguous area described herein has been received, and;

**WHEREAS**, the Wallace Town Council has by resolution directed the Town Clerk to investigate the sufficiency of the petition; and

**WHEREAS**, certification by the Town Clerk as to the sufficiency of the petition has been made;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Wallace, North Carolina, that:

Section 1. A public hearing on the question of annexation of the area described herein will be held at the Wallace Women's Club, 216 NE Railroad Street., Wallace, NC after 6:00 pm on Thursday, November 14, 2024.

Section 2. The area proposed for annexation is described as follows: 10771 US Hwy 117 N (Pender County PIN 3314-35-6827, 2.66 acres)

**Beginning** at an existing 5/8" iron rod found within the right-of-way of U.S. Highway 117 and having North Carolina State plane coordinates of N:346,217.43 E:2,323,555.31 NAD\_83 (2011):

**Thence** within said right-of-way S 40°12'48" E 457.27 feet to an existing 1/2" iron rod found along the property line of the Avery-Davis Investments LLC property:

**Thence** leaving said right-of-way and along said property line the following eight bearings and distances:

1. S 49°08'00" W 392.37 feet to an existing 1 1/2" iron pipe:
2. N 04°15'34" E 52.57 feet to an existing underwater 1" iron pipe:
3. N 31°02'32" W 149.88 feet to an existing underwater 1" iron pipe:
4. N 27°17'40" E 49.90 feet to an existing underwater 1" iron pipe:
5. N 08°45'36" E 137.15 feet to an existing underwater 1 1/2" iron pipe:
6. N 15°07'55" E 121.92 feet to an existing 1" iron pipe:
7. N 21°57'25" E 77.41 feet to an existing 5/5" iron rod:
8. N 28°02'13" W 63.10 feet to the point of beginning containing 102,197 square feet or 2.35 acres, more or less, being a portion of the Hughs, John T property as described in Deed Book 4726, Page 1935 of the Pender County Register of Deeds.

Section 3. Notice of the public hearing shall be placed on the Town of Wallace website and published in the Duplin Times, a newspaper having a general circulation in the Town of Wallace at least ten (10) days prior to the date of the public hearing.

**Adopted this 10 day of October, 2024 by the Wallace Town Council.**

\_\_\_\_\_  
Jason Wells, Mayor

ATTEST: Jackie Nicholson

\_\_\_\_\_  
Town Clerk

STATE OF NORTH CAROLINA

TOWN OF WALLACE

24-24-05

**Resolution Approving Financing Terms  
Town Vehicles**

**WHEREAS:** The Town of Wallace (“Town”) has previously determined to undertake a project for the financing of a tractor or mower, and the Finance Director has now presented a proposal for the financing of such project.

**BE IT THEREFORE RESOLVED,** as follows:

1. The Town hereby determines to finance the project through United Community Bank (“UCB”), in accordance with the proposal dated September 30, 2024. The amount financed shall not exceed \$105,800 with the annual interest rate (in the absence of default or change in tax status) shall not exceed 6.35%, and the financing term shall not exceed four (4) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer’s satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by the Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer’s release of an Financing Documents for delivery constituting conclusive evidence of such officer’s final approval of the Document’s final form.
4. The Borrower shall not take or omit to take any action the taking or omission of which shall cause its inters payments on the financing to be includable in the gross income for federal income tax purposes or the registered owners of the interest payment obligations. The Borrower hereby designates its obligations to make principal and interest payments under the Financing Documents as “qualified tax-exempt obligations” for the purpose of Internal Revenue Code Section 265(b)(3).
5. The Town intends that the adoption of the resolution will be a declaration of the Town’s official intent to reimburse expenditures for the project that is to be financed from the proceeds of the United financing described above. The Town intends that funds that have been advanced,

or that may be advanced, from the Town's general fund or any other Town fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or other parts thereof) in conflict with this resolution are hereby repealed to the extent of the conflict. This resolution shall take effect immediately.

Approved this 10<sup>th</sup> day of October 2024.

\_\_\_\_\_  
Jason Wells, Mayor

{seal}

Attest:

\_\_\_\_\_  
Jackie Nicholson, Town Clerk

**TOWN OF WALLACE**  
**BUDGET ORDINANCE AMENDMENT**  
**Budget Amendment FY24-12**

BE IT ORDAINED by the Town Council of the Town of Wallace, North Carolina the following amendments be made to the Airport Commission Fund		
<b>Section I:</b>	<b>Airport Commission Fund</b>	
<b>Account Number</b>	<b>Account Description</b>	<b>Increase (Decrease)</b>
65-3020-115	Pender County Contribution	\$50,000.00
65-7500-022	Salaries-part-time	\$13,000.00
65-7500-560	Fuel Purchases for Resale	\$21,000.00
65-7500-150	Repairs and Maintenance	\$5,000.00
65-3290-000	Investment Earnings	\$11,000.00

To record annual contribution from Pender County in Airport Commission Fund instead of Capital Reserve Fund and to increase line items where expenses were higher and decrease estimated Investment Earnings.

**Section II: Copy to Finance Director**

Copies of this budget amendment shall be delivered to the Finance Director for their direction in the disbursement of funds:

**Adopted this October 10, 2024**

Attest:

\_\_\_\_\_  
Jackie Nicholson  
Town Clerk

\_\_\_\_\_  
Jason Wells  
Mayor

**TOWN OF WALLACE**  
**BUDGET ORDINANCE AMENDMENT**  
**Budget Amendment FY25-2**

BE IT ORDAINED by the Town Council of the Town of Wallace, North Carolina the following amendments be made to the General Fund		
<b>Section I:</b>	<b>Capital Project Fund -General</b>	
<b>Account Number</b>	<b>Account Description</b>	<b>Increase (Decrease)</b>
15-2208-002	State Grant – PARTF	\$400,000.00
15-2208-005	Grants	\$300,000.00
15-2208-004	Contributions	(\$225,000.00)
15-2208-104	Professional Services	\$9,900.00
15-2208-740	Capital Outlay Inclusive Playground	\$465,100.00

To adjust budget to account for grant funds secured. Move amounts originally anticipated for donations to Grants.

**Section II: Copy to Finance Director**

Copies of this budget amendment shall be delivered to the Finance Director for their direction in the disbursement of funds:

**Adopted this October 10, 2024**

Attest:

\_\_\_\_\_  
Jackie Nicholson  
Town Clerk

\_\_\_\_\_  
Jason Wells  
Mayor

**AN ORDINANCE ENACTING A CODE OF ORDINANCES FOR THE TOWN OF WALLACE, REVISING, AMENDING, RESTATING, CODIFYING AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF THE TOWN OF WALLACE DEALING WITH SUBJECTS EMBRACED IN SUCH CODE OF ORDINANCES, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the present general and permanent ordinances of the Town of Wallace ("Town") are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety and general welfare of the municipality and for the proper conduct of its affairs; and

**WHEREAS**, the Acts of the Legislature of the State of North Carolina empower and authorize the Town to revise, amend, restate, codify and compile any existing ordinances and all new ordinances not heretofore adopted or published and to incorporate such ordinances into one ordinance in book form; and

**WHEREAS**, the Legislative Authority of the Town has authorized a general compilation, revision and codification of the ordinances of the Town of a general and permanent nature and publication of such ordinance in book form; and

**WHEREAS**, it is necessary to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety and general welfare of the municipality that this ordinance take effect at an early date.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Wallace, North Carolina that:

- Section 1. The general ordinances of the Town of Wallace as revised, amended, restated, codified, and compiled in book form are hereby adopted as and shall constitute the "Wallace, North Carolina, Code of Ordinances."
- Section 2. Such Code of Ordinances as adopted in Section 1 shall consist of the Titles as shown on the attachment labeled "Exhibit A," which is incorporated by reference as if fully setout herein.
- Section 3. All prior ordinances pertaining to the subjects contained/treated in such Code of Ordinances shall be deemed repealed from and after the effective date of this ordinance except as they are included and reordained in whole or in part in such Code; provided, such repeal shall not affect any offense committed or penalty incurred or any right established prior to the effective date of this ordinance, nor shall such repeal affect the provisions of ordinances levying taxes, appropriating money, annexing or detaching territory, establishing franchises, or granting special rights to certain persons, authorizing public improvements, authorizing the issuance of bonds or borrowing of money, authorizing the purchase or sale of real or personal property, granting or accepting easements, plat or dedication of land to public use, vacating or setting the boundaries of streets or other public places; nor shall such repeal affect any other ordinance of a temporary or special nature or pertaining to subjects not contained in or covered by the Code.

Section 4. Such Code shall be deemed published as of the day of its adoption and approval by the Town Council of the Town of Wallace, and the Clerk of the Town of Wallace is hereby authorized and ordered to file a copy of such Code of Ordinances in the Office of the Clerk.

Section 5. Such Code shall be in full force and effect as provided in Section 6, and such Code shall be presumptive evidence in all courts and places of the ordinance and all provisions, sections, penalties and regulations therein contained and of the date of passage, and that the same is properly signed, attested, recorded, and approved, and that any public hearings and notices thereof as required by law have been given.

Section 6. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety and general welfare of the people of this municipality, and shall take effect at the earliest date provided by law.

PASSED AND ADOPTED by the Town Council of the Town of Wallace on this the 10<sup>th</sup> day of October, 2024.

\_\_\_\_\_  
Jason Wells, Mayor

Attested to:

[SEAL]

\_\_\_\_\_  
Jacqueline Nicholson, Town Clerk



## EXHIBIT A

### CHARTER

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**TOWN OF WALLACE**  
**BUDGET ORDINANCE AMENDMENT**  
**Budget Amendment FY24-12**

BE IT ORDAINED by the Town Council of the Town of Wallace, North Carolina the following amendments be made to the General Fund		
<b>Section I:</b>	<b>General Fund</b>	
<b>Account Number</b>	<b>Account Description</b>	<b>Increase (Decrease)</b>
10-5300-740	Capital Outlay	\$10,692.00
10-2990-000	Assigned Fund Balance – Fire	\$10,692.00

Transfer remaining assigned funds for fire to fire department to purchase trailer.

**Section II: Copy to Finance Director**

Copies of this budget amendment shall be delivered to the Finance Director for their direction in the disbursement of funds:

**Adopted this October 10, 2024**

Attest:

\_\_\_\_\_  
Jackie Nicholson  
Town Clerk

\_\_\_\_\_  
Jason Wells  
Mayor