



meeting date: October 11, 2022

attachment(s): no

**"Vision 2040 Land Use Plan"**  
*(discussion of next steps & process)*

**STAFF COMMENTS AND/OR RECOMMENDATION:**

At the end of the 9/26 LUP presentation, PTRC directive was to make minor revisions to the draft based on Council and Planning Board feedback. The consensus was that further steps would be discussed at the October Council meeting and that the Planning Board and LUP Steering Committee would be involved in the process. Those initial revisions have been made by PTRC and should be accessible through the PTRC project page, which is also linked from the town website.

It was suggested that 1-2 Council representatives and 1-2 Planning Board representatives meet with the established LUP Steering Committee to further discuss more substantive revisions prior to holding the first required public hearing (at the Planning Board recommendation stage). The topic is on the agenda to discuss this idea and further details. It would be helpful to also think through timing and a tentative schedule as two hearings are required prior to adoption. Staff is seeking more direction of how Council wants to proceed.

**NOTES:**

**COUNCIL ACTION AND/OR DIRECTION:**



Town Hall: POB 970, 4117 Oak Ridge Road, Summerfield, NC 27358

ph: 336-643-8655 / fax: 336-643-8654 / www.summerfieldnc.gov

meeting date: October 11, 2022

attachment(s): yes

## Codifying ordinances

### STAFF COMMENTS AND/OR RECOMMENDATION:

The SOG states that ordinances (with some exceptions) must be maintained in an "ordinance book" or in a "code of ordinances" per statutes (attached). These must be filed, indexed, and available for public inspection. A major vendor's (Municode's) definition is: "*Codification is the process of consolidating your legislation of a general and permanent nature and organizing it into a logical and sequential code of ordinances.*"

The town keeps printed copies of all ordinances in binders that are available to the public and there's a corresponding index. These are also easily available on the town's website, organized by year, and have an index. Still, the indexing isn't as conducive to searching as some compilations and the town's approach is lacking from a "best practices" standpoint.

The topic is on the agenda to consider for as a future project. There are vendors who specialize in this work and as a limited-services government, the town has a relatively small number of ordinances. It should not be a complex or time-consuming process if Council wishes to budget for this in the near future.

### NOTES:

### COUNCIL ACTION AND/OR DIRECTION:

**§ 153A-48. Ordinance book.**

The clerk shall maintain an ordinance book, separate from the minute book of the board of commissioners. The ordinance book shall be indexed and shall be available for public inspection in the office of the clerk. Except as provided in this section and in G.S. 153A-47, each county ordinance shall be filed and indexed in the ordinance book.

The budget ordinance and any amendments thereto, any bond order, and any other ordinance of limited interest or transitory nature may be omitted from the ordinance book. However, the ordinance book shall contain a section showing the caption of each omitted ordinance and the page in the commissioners' minute book at which the ordinance may be found.

If a county adopts and issues a code of its ordinances, county ordinances need be recorded and indexed in the ordinance book only until they are placed in the codification. (1963, c. 1060, ss. 1, 1 1/2; 1965, cc. 388, 567, 1083, 1158; 1967, c. 495, s. 2; 1969, c. 36, s. 1; 1971, c. 702, ss. 1-3; 1973, c. 822, s. 1.)

**§ 160A-78. Ordinance book.**

Effective January 1, 1972, each city shall file a true copy of each ordinance adopted on or after January 1, 1972, in an ordinance book separate and apart from the council's minute book. The ordinance book shall be appropriately indexed and maintained for public inspection in the office of the city clerk. Effective July 1, 1973, true copies of all ordinances that were adopted before January 1, 1972, and are still in effect shall be filed and indexed in the ordinance book. If the city has adopted and issued a code of ordinances in compliance with G.S. 160A-77, its ordinances shall be filed and indexed in the ordinance book until they are codified. (1971, c. 698, s. 1.)

**§ 153A-49. Code of ordinances.**

A county may adopt and issue a code of its ordinances. The code may be reproduced by any method that gives legible and permanent copies, and may be issued as a securely bound book or books with periodic separately bound supplements, or as a loose-leaf book maintained by replacement pages. Supplements or replacement pages should be adopted and issued at least annually, unless there have been no additions to or modifications of the code during the year.

A code may consist of two parts, the "General Ordinances" and the "Technical Ordinances." The technical ordinances may be published as separate books or pamphlets, and may include ordinances regarding the construction of buildings, the installation of plumbing and electric wiring, and the installation of cooling and heating equipment; ordinances regarding the use of public utilities, buildings, or facilities operated by the county; the zoning ordinance; the subdivision control ordinance; and other similar ordinances designated as technical ordinances by the board of commissioners. The board may omit from the code the budget ordinance, any bond orders, and other designated classes of ordinances of limited interest or transitory nature, but the code shall clearly describe the classes of ordinances omitted from it.

The board of commissioners may provide that ordinances (i) establishing or amending the boundaries of county zoning areas or (ii) establishing or amending the boundaries of zoning districts shall be codified by appropriate entries upon official map books to be retained permanently in the office of the clerk or some other county office generally accessible to the public. (1973, c. 822, s. 1; 2014-3, s. 12.3(e).)

**§ 160A-77. Code of ordinances.**

(a) Not later than July 1, 1974, each city having a population of 5,000 or more shall adopt and issue a code of its ordinances. The code may be reproduced by any method that gives legible and permanent copies, and may be issued as a securely bound book or books with periodic separately bound supplements, or as a loose-leaf book maintained by replacement pages. Supplements or replacement pages should be adopted and issued annually at least, unless no additions to or modifications of the code have been adopted by the council during the year. The code may consist of two separate parts, the "General Ordinances" and the "Technical Ordinances." The technical ordinances may be published as separate books or pamphlets, and may include ordinances regarding the construction of buildings, the installation of plumbing and electric wiring, the installation of cooling and heating equipment, the use of public utilities, buildings, or facilities operated by the city, the zoning ordinance, the subdivision control ordinance, the privilege license tax ordinance, and other similar technical ordinances designated as such by the council. The council may omit from the code designated classes of ordinances of limited interest or transitory nature, but the code should clearly describe the classes of ordinances omitted therefrom.

(b) The council may provide that one or more of the following classes of ordinances shall be codified by appropriate entries upon official map books to be retained permanently in the office of the city clerk or some other city office generally accessible to the public:

- (1) Establishing or amending the boundaries of zoning districts;
- (2) Designating the location of traffic control devices;
- (3) Designating areas or zones where regulations are applied to parking, loading, bus stops, or taxicab stands;
- (4) Establishing speed limits;
- (4a) Restricting or regulating traffic at certain times on certain streets, or to certain types, weights or sizes of vehicles;
- (5) Designating the location of through streets, stop intersections, yield-right-of-way intersections, waiting lanes, one-way streets, or truck traffic routes; and
- (6) Establishing regulations upon vehicle turns at designated locations.

(b1) The council may provide that the classes of ordinances described in paragraphs (2) through (6) of subsection (b) above, and ordinances establishing rates for utility or other public enterprise services, or ordinances establishing fees of any nature, shall be codified by entry upon official lists or schedules of the regulations established by such ordinances, or schedules of such rates or fees, to be maintained in the office of the city clerk.

(c) It is the intent of this section to make uniform the law concerning the adoption of city codes. To this end, all charter provisions in conflict with this section in effect as of January 1, 1972, are expressly repealed, except to the extent that the charter makes adoption of a code mandatory, and no local act taking effect on or after January 1, 1972, shall be construed to repeal or amend this section in whole or in part unless it shall expressly so provide by specific reference. (1971, c. 698, s. 1; 1979, 2nd Sess., c. 1247, ss. 8, 9.)



Town Hall: POB 970, 4117 Oak Ridge Road, Summerfield, NC 27358  
ph: 336-643-8655 / fax: 336-643-8654 / www.summerfieldnc.gov

*meeting date:* October 11, 2022 *attachment(s):* no

**Scheduling of Council strategic planning retreat**

**STAFF COMMENTS AND/OR RECOMMENDATION:**

The strategic planning retreat is vital from a visioning, planning, and budgeting standpoint. The town has held both Friday-evening-and-Saturday retreats and Saturday-only retreats most recently. These are typically either off-site or at the Community Center. The Piedmont Triad Regional Council (PTRC) facility in Kernersville works well, the town is a member, and there's no direct facility cost.

An outside facilitator is normally used and this is often the most challenging logistical aspect and staff would like to proceed with inquiries and planning. The request is for Council members to come prepared with their calendars to suggest potential retreat dates for mid-to-late January and/or early-to-mid February and to give other direction about any specific preferences that might affect retreat planning.

**NOTES:**

**COUNCIL ACTION AND/OR DIRECTION:**



*meeting date:* October 11, 2022 *attachment(s):* no

**Unsealing of closed session minutes**

**STAFF COMMENTS AND/OR RECOMMENDATION:**

Per NCGS, public bodies must keep full and accurate minutes of all official meetings, including closed sessions. Statutes allow minutes to be withheld from public inspection when disclosure would frustrate the purpose of the closed session. The town attorney annually reviews closed session minutes to determine what can be opened/unsealed.

Mr. Hornik is reviewing these minutes and those recommended for release or redaction will be provided to Council under separate cover prior to the meeting, if possible.

**NOTES:**

**COUNCIL ACTION AND/OR DIRECTION:**