



CITY OF LUMBERTON

CITY COUNCIL

AGENDA • SEPTEMBER 14, 2026

Regular Meeting

Council Chambers

11:00 AM

500 N Cedar St, Third Floor, Lumberton, NC
28358

Mayor Bruce W. Davis

Councilmember Leroy Rising, Precinct 1
Councilmember Melissa Robinson, Precinct 2
Councilmember John Carroll, Precinct 3
Councilmember Karen Higley, Precinct 4

Councilmember John Cantey, Precinct 5
Councilmember Alfred Douglas, Precinct 6
Councilmember Eric Chavis, Precinct 7
Councilmember Owen Thomas, Mayor Pro Tem

STAFF:

Wayne Horne, City Manager
Brandon Love, Deputy City Manager
Holt Moore, City Attorney
Laney Mitchell-McIntosh, City Clerk

I. Call to Order

- A. Invocation –
- B. Pledge of Allegiance –

II. Presentation of the Order of the Long Leaf Pine Award

III. Pride in Lumberton Awards:

- A. Lumberton Community Appearance Awards -- Precinct 3 — Mr. & Mrs. Robert & Susan Grooms, 3701 North Walnut Street, Ms. Emily West — 1104 E. 11th Street - Deborah Howell, 517 E. 18th Street (Precinct 6), Annie Gerald, 105 Powell Street (Precinct 6) - , City Council

IV. Presentations: Lumberton High School - Bowling Team & Lumberton High School Wrestling Team

V. Proclamation - Smart Start Day - Partnership for Children - Acceptance by Stacie Kinlaw

VI. Public Comment Period

VII. Public Hearings

- A. Craig Hartman SUP 5207 Simmons Dr -P-1 - Brian Nolley, ArTriel Kirchner, Planning & Neighborhood Services

- B. Megan Fowler rezoning of approximately 0.25 acres of property located at 1908 Elizabethtown Road, - P-3 - Brian Nolley, ArTriel Kirchner, Planning & Neighborhood Services
- C. Christopher Powers Special Use Permit for an Architecturally Integrated Subdivision, Dawn Drive/Wellington Rd- P-8 - Brian Nolley, ArTriel Kirchner, Planning & Neighborhood Services
- D. CDBG-NR 2026 Application Public Hearing - Stephanie Canady, Planning & Neighborhood Services

VIII. Consent Agenda

- A. Ratify the \$600 Donation to Clifford Bullard Memorial Golf Tournament - Councilman Thomas, City Council
- B. Ratify the Donation of \$850 to WAGR for Community Programming - Councilman Cantey, City Council
- C. Ratify the Donation of \$750 to Robeson County Agricultural Fair for Sponsorship - , City Council
- D. Ratify the Contribution of \$1,100 to the 49th Annual All-American Golf Tournament — Robeson Kiwanis - Owen Thomas, City Council
- E. Ratify - Adoption of Resolution Accepting Funding Offers for Phases 3, 4, & 5 for the Lead Line Replacement Program - Wayne Horne, City Manager
- F. Ratify the Adoption of a Resolution Declaring Property Surplus to the needs of the City - Holt Moore, City Attorney
- G. Ratify Granting an Easement to Duke Energy for Jasper Street - Holt Moore, Legal
- H. Ratify the Approval of Aclara Change Order Amounting to \$113,700 - Brandon Love, City Manager
- I. Ratify the Adoption of a Resolution Declaring Property Surplus to the needs of the City - Holt Moore, City Attorney
- J. Ratify the Ordinance Amending Chapter 23 Water and Sewers Section 104(b)(3) Relating to Pretreatment of Wastewater - , Legal
- K. Ratify the Contribution to the Patriots Cove 5th Annual Golf Tournament - , City Council
- L. Southern Carolina Housing 5th Annual Golf Tournament - Eric Chavis, City Council
- M. Ratify the Designation of \$1,100 of CRF to Hope Ministry at Sandy Grove Baptist Church for a Community Wellness Fair - Melissa Robinson, City Council

IX. Agenda Items

- A. Main Street Lumberton Downtown Development Update - Sarah Ward, City Manager
- B. Adoption of the Ten Year Comprehensive Downtown Master Plan - Sarah Ward, City Manager
- C. Main Street Lumberton Advisory Board Appointment - Sarah Ward, City Manager
- D. Approval of Location for Main Street Memories Historic Walking Tour Sign - Sarah Ward, City Manager
- E. Proposed Food Truck Ordinance – Request for Planning Board Review - Sarah Ward, City Manager
- F. Grant Acceptance Letter for Radio Upgrade at Backup Center - Tammy McLeod, Emergency Services
- G. Goode Farm Contiguous Annexation-ETJ/County - Brian Nolley, ArTriel Kirchner, Planning & Neighborhood Services
- H. Linkhaw Farms Contiguous Annexation - P-2/ETJ - Brian Nolley, ArTriel Kirchner, Planning & Neighborhood Services
- I. Lumberton Levee - Phase II Funding - Brandon Love, City Manager
- J. NC Land & Water Fund - Project Amendment - Brandon Love, City Manager
- K. Acceptance of the Award Letter of Intent to Fund a CDBG-I (Number 25-I-4257) and Adoption of Grant Acceptance Resolution - Wayne Horne, City Manager
- L. Lumberton High School Volleyball Fundraiser — Precinct 1 \$100 of CRF - Leroy Rising, City Council
- M. Approve the Designation of CRF to Carroll Middle School - Precinct 1 - Councilman Rising, City Council
- N. Approve the Designation of \$150 to the Junior Reserve Officers' Training Corps (JROTC) Program - Councilman Cantey, City Council
- O. Approve the Designation of \$150 of Community Revitalization Funds to the NAACP Program - Councilman Cantey, City Council
- P. P5 - Designation of \$150 of CRF to McCormick Chapel AME Church for the 78th Church Anniversary - John Cantey, City Council
- Q. P5 - Designation of \$150 of CRF to New Light Apostolic Church of Jesus Christ for the 30th Church Anniversary - John Cantey, City Council

- R. P5 - Request for Reimbursement - Councilman Cantey, City Council
- S. Robeson Road Runners Annual Turkey Trot 5K - Sponsorship - Councilman Owen Thomas, City Council
- T. Golf Tournament Honoring Coach Danny Graham - Owen Thomas, City Council
- U. Blue Star Welcome Week — Sponsored by Walmart of Lumberton & Lumberton Rotary Club - Owen Thomas, City Council
- V. Designation of \$100 of CRF (P8) Lumberton High School — Natural Resources II - Forestry Initiative - , City Council
- W. P8 - Designation of \$100 of CRF for the Mental Health Awareness 5K Run & 1 Mile Fun Run/Walk - Owen Thomas, City Council
- X. Approve the designation of \$100.00 of Community Revitalization Funds to the Robeson County Humane Society Bark at the Moon - Councilman Owen Thomas, City Council
- Y. P8 - \$250 of CRF to Robeson County Partnership for Children for Programming - Owen Thomas, City Council

X. Adjournment

Lumberton City Council

Item: VII.A.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: Planning & Neighborhood
Services

Submission Date: 07/22/2026

Subject: Craig Hartman SUP 5207 Simmons Dr -P-1

Summary/Background of Subject Matter:

Craig Hartman is requesting a Special Use Permit to construct a 3,600 square foot accessory structure for the property located at 5207 Simmons Dr.

Staff Recommendation:

The Planning Board and Planning Staff ask City Council to hold today's public hearing and approve the Special Use Permit request.

City Manager's Comments:

Signature: Laney Mitchell-McIntosh, City
Clerk

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. STAFF REPORT SUBMITTED (3)
2. Pics submitted by applicant
3. SUP Ordinance 2025

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
CITY OF LUMBERTON, NORTH CAROLINA
APPLICATION FOR A SPECIAL USE PERMIT

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the City Council of the City of Lumberton issue a Special Use Permit as hereinafter described:

1. Applicant:

Owner:

Legal Name: CRAIG K HARTMAN

Legal Name: PAUL F. HARTMAN

LUMBERTON, NC 28360

CLIFTON FORGE, VA 24432

LUMBERTON, NC 28359

CLIFTON FORGE, VA 24432

Name of Business: N/A

Business Address: N/A

Description of Property:

2. 5207 SIMMONS DR.

(Address)

2525

(Deed Book)

610

(Page)

14

(Map Book)

48

(Page)

178' SIMMONS DR

(Frontage)

1.81 AC

(Area)

3. Tax Map Identification (parcel number): 100203064

4. Proposed Use of Property: ADDITION OF STORAGE BUILDING

5. Zoning District Designation of Property: R-20

6. Development Site Plan: See Appendix A of Land Use Ordinance.

7. Notice of Hearing: All property owners within 150' of the perimeter of the property subject of this petition must be notified by first class mail. Please attach list of all such property owners as reflected on the current tax Assessor's Roll with current mailing addresses, Taxing Township, Map Number, Block Number, and parcel Number.

8. Supportive Information: At the Hearing, you will be responsible for providing information to the City Council to enable it to determine whether the development, if completed as proposed, will comply with the requirements of the Land Use Ordinance. You should be ready to show the following relative to the proposed development:

- That it will not materially endanger the public health or safety; and
- That it will not substantially injure the value of adjoining or abutting property; and
- That it will be in harmony with the area in which it is to be located; and
- That it will be in general conformity with the Land Use Plan Thoroughfare Plan, or other plan officially adopted by the City.

9. Application Fee: Submit the fee payment with application. The application fee is nonrefundable.

File # 7.206

5/28/21

1 of 2

ADDRESS:

10. Briefly describe Applicants intended use of the property (Applicant must attach a detailed business plan, if applicable):

BUILD 3600SQ FT ACCESSORY STORAGE BUILDING
THAT DOES NOT COMPLY WITH 35-186C

11. Notarized Signatures:

I certify that all of the information presented by the undersigned in this Application is accurate to the best of my knowledge, information and belief.

Applicant: CRAIG K HARTMAN
Name

Physical Address

Applicant:

[Signature]

Signature

LUMBERICK, NC 28360

STATE OF

NC

COUNTY OF

ROBESON

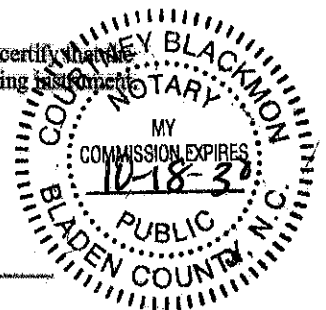
I, COURTNEY BLACKMON, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 26th day of June, 2020

Courtney Blackmon

Notary Public Signature

My Commission Expires: 10-18-2030



Owner: Paul F Hartman
Name

Physical Address

Owner:

[Signature]

Signature

STATE OF Virginia

COUNTY OF

Alleghany

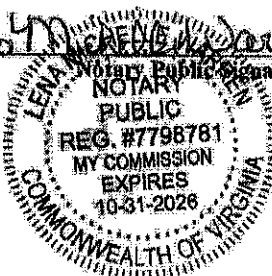
I, Lena Michelle Warren, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 26 day of June, 2020

Lena Michelle Warren

Notary Public Signature

My Commission Expires: 10-31-2026



File #

2 of 2

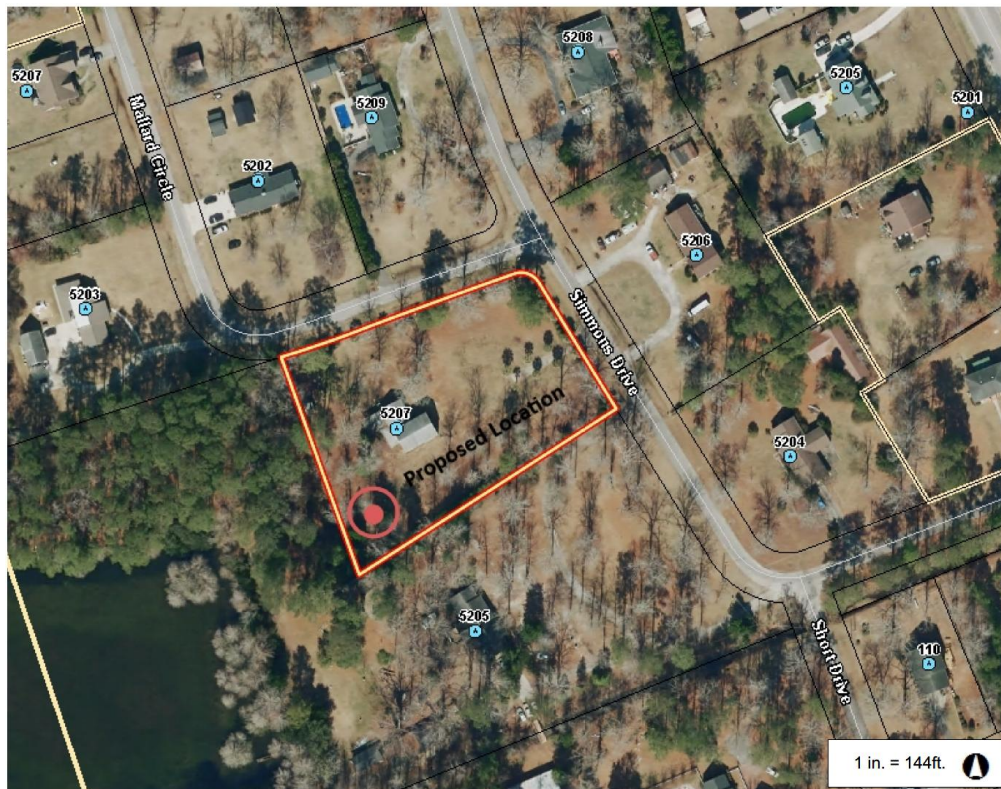
5/28/21

Special Use Permit
 Craig Hartman SUP 5207 Simmons Dr -P-1

Date of Application Submittal:

PETITIONER(S):	OWNER(S):
CRAIG HARTMAN	PAUL FRANKLIN HARTMAN
Special Use Permit Request: Craig Hartman is requesting a Special Use Permit to construct a 3,600 square feet accessory structure that does not meet the requirements of Section 35-185(c), for property located at 5207 Simmons Dr.	

LOCATION:



City of Lumberton

Planning & Neighborhood Services



PARCEL INFORMATION

Owner	Parcel #(s)	Zoning	Area	Limits of Construction
HARTMAN PAUL FRANKLIN	100203064	R-20, Residential single-family	78,843.6 sq.ft. 1.81 acres	78,843.6 sq.ft. 1.81 acres

ADJACENT PROPERTY SITE DATA

	Zoning	Land Use
Subject Property	- R-20, Residential single-family	- Single-family residential
North	- R-20, Residential single-family	- Mallard Circle ROW - Single-family residential
South	- R-20, Residential single-family	- Single-family residential
East	- R-20, Residential single-family	- Simmons Drive ROW - Single-family residential
West	- R-20, Residential single-family	- Single-family residential

ADJACENT PROPERTY ACCESSORY STRUCTURE



STAFF ANALYSIS

PROJECT OVERVIEW

Analysis: Craig Hartman is requesting a Special Use Permit to construct a 3,600 square feet accessory structure that does not meet the requirements of Section 35-185(c), for property located at 5207 Simmons Dr. (parcel # 100203064/Deed Book 02525 Page 610/Map Book 14 Page 48).

The requested accessory structure does not meet the requirements of Sec. 35-185(c), by exceeding the maximum size allowance for accessory structures. Therefore, a Special Use Permit is required.

The maximum size of residential accessory structures is fifty (50) percent of the ground floor area of the principal building.

In this case, the principal building is 4,519 sq.ft. (applicant provided with application) and the maximum size of all residential accessory structures is 2,259.5 square feet. The maximum size allowance for accessory structures shall include a total of all accessory structures on the property. **~1,340.5 square feet over the maximum allowance.**

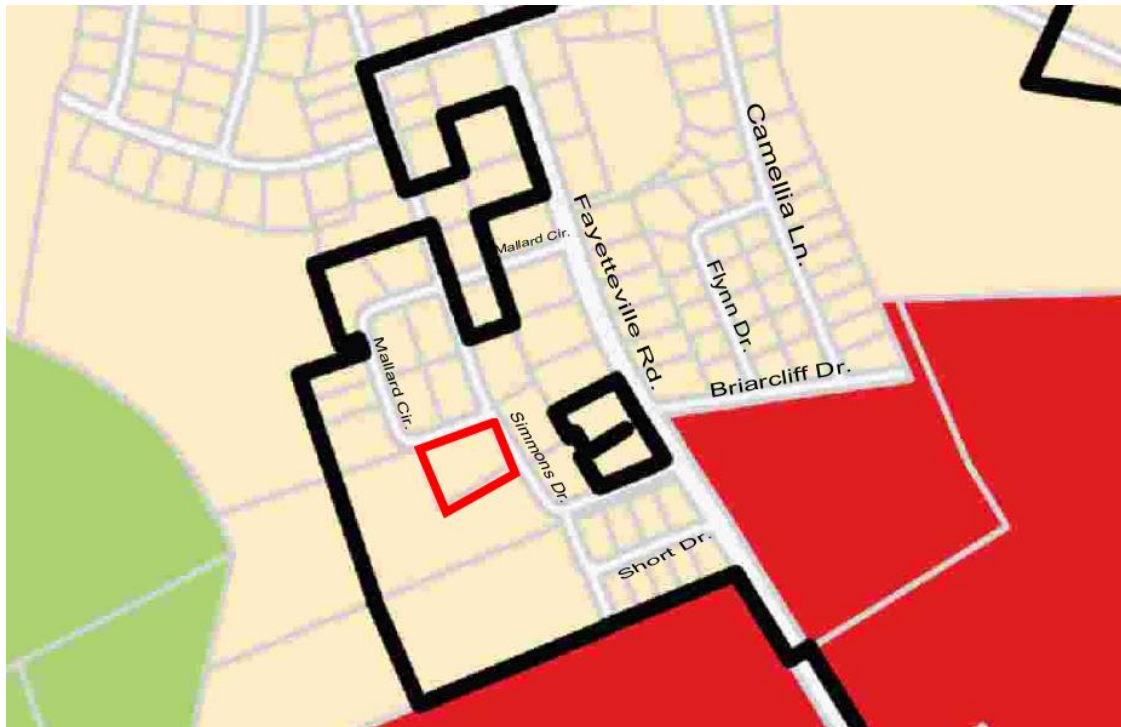
Planning & Neighborhood Services

PLANNING & ZONING

Setback and Lot Size:

Zoning District	Min. Lot Size	Min. Lot Width	Min. Front Setback (right of way)	Min. Side & Rear Setbacks	Maximum Height
R-20	20,000	100'	30'	10'	35'

Land Use Plan: The Land Use Plan designates the future use of this parcel as Low Intensity, furthermore, this property is located within Precinct 1.



LOW INTENSITY

The Low Intensity land use category is intended to accommodate both the preservation and growth of low to medium density neighborhoods (4 to 6 dwelling units / acre) consisting primarily of single family residences, as well as small scale multi-family residential development, such as two and three family dwellings. While primarily residential in character, certain low impact nonresidential uses are appropriate for development within these areas, such as small churches, daycare centers, traditional home occupations and similar uses which will not conflict with the character of these areas when they are situated and developed in a manner that is consistent with an overall low intensity land use pattern.

Planning & Neighborhood Services

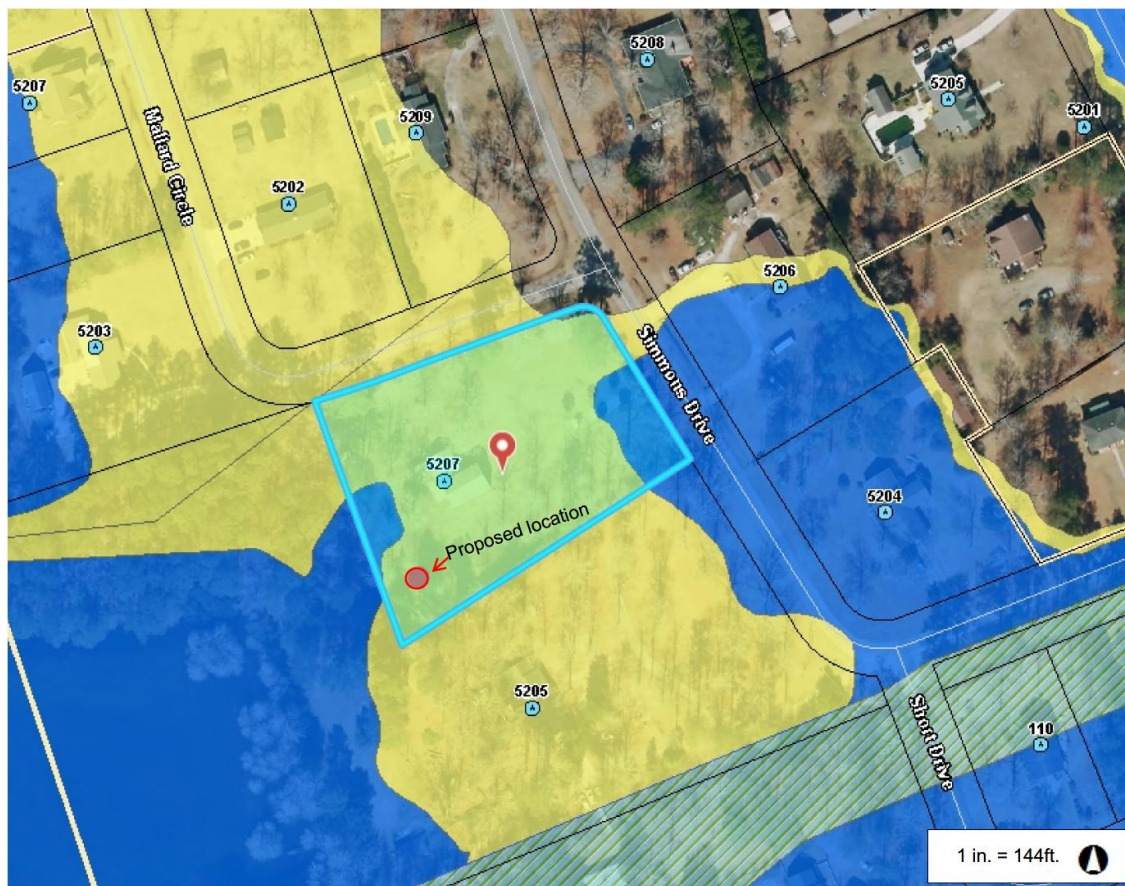
Similar approved request – Approved May 5, 2025 - Dannie Stewart Special Use Permit to construct a 1600 square feet accessory structure for property located at 328 Hood Rd. (parcel # 102006019/Deed Book 01059 Page 117). In this case, the principal building is 2,998 sq.ft. (Rob.Co. Tax) and the maximum size of all residential accessory structures are 1,490 square feet. The total square feet of all accessory structures, including existing and proposed, will be 2,582. **1,092 square feet over the maximum allowance (includes a 726 sq.ft. open carport).**

FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

Flood Zone AE – ~10,130 sq.ft./~ 0.23 acres: Special Flood Hazard Area inundated by the 100-year flood; base flood elevations are determined.

Flood Zone ‘X’ (Shaded) - ~68,713.6 sq.ft./~ 1.58 acres: 0.2 Percent Annual Chance Flood: The flood that has a 0.2% chance of being equaled or exceeded in any given year. Also known as the 500-year floodplain.

Map Number: 3710939300K **Panel Effective Date:** 12/6/2019





Planning & Neighborhood Services

DEVELOPMENT UPON APPROVAL

If this Special Use Permit is granted the applicant must submit site development plans to the City of Lumberton, and other Federal and State Departments, if applicable, for review and approval prior to development. All conditions of the Special Use Permit must be addressed prior to the issuance of a Land Use Permit and/or Certificate of Occupancy (CO).

PLANNING STAFF RECOMMENDATION TO COUNCIL

Council review the request, refer the petition to the July 21, 2026 Planning Board meeting for their review, and authorized the Planning Director to set the date of the public hearing.

NOTIFICATIONS FOR PUBLIC HEARING

On August 20, 2026 the Planning Department sent out letters to the adjacent property owners within 150 feet of the petitioned property, notifying them of the request.

On July 22, 2026 a request was sent to Public Works Department to have a sign placed on the property, notifying the adjacent property owners of the request.

On July 22, 2026 a request was sent to the Robesonian to have the legal ad for this request ran on August 22, 2026 and September 12, 2026 (CN 4280)

PLANNING BOARD RECOMMENDATION TO COUNCIL

The Planning Board held the public meeting on July 21, 2026 and, with a 5-3 vote recommends City Council approve the Rezoning request.

Voted against

Randy Hammonds (P8)

Angela Jones (P2)

Walter Smith (P5)

PLANNING STAFF RECOMMENDATION TO COUNCIL

The Planning Board and Planning Staff ask City Council to hold today's public hearing and approve the Special Use Permit request.

BUILDING PERMIT APPLICATION

Job Address:

Street # 5207 Unit # (if any): _____ Street Name: SIMMONS DRIVE Zip Code: 28360

Name of Owner: PAUL F. HARTMAN

Address of Owner: 807 PALACE BLVD.

City, ST, ZIP: CLIFTON FORGE VA. 24422 Phone: 804-638-0916

Contractor Name: _____ License # _____

Brief description of work to be done:

STORAGE GARAGE

Name of Applicant (Agent or Owner): CRAIG HARTMAN Date of Application: 6-26-26

Value of Work: \$ 69,171.66

Lien Agent: N/A

For Building Permits that add square footage to a property, enter the setbacks or furnish site plan.

Front: _____ Left Side: _____ Right Side: 10' Rear: 10'

For Building Permits:

Type of Construction Code (i.e., 5B): _____ Sprinkler System? Y _____ N ☒

For New Residential Construction:

of Stories: 1 # of Rooms: 1 # of Bedrooms 0 # of Baths 0 Fireplaces 0 Chimneys: 0

If Applicable:

of Buildings: 1 # of Units: _____ Sprinkler System Sq Footage: N/A

Square Footage Per Floor (Including Decks):

Basement: _____	5 th _____
1 st Floor: _____	6 th _____
2 nd Floor: _____	7 th _____
3 rd Floor: _____	8 th _____
4 th Floor: _____	Garage: <u>3600</u>
Total: <u>3600</u>	

Submit to:

City of Lumberton Inspections Department

P.O. Box 1388

Lumberton, NC 28359

910-671-3838/ Fax to: 910-671-3975

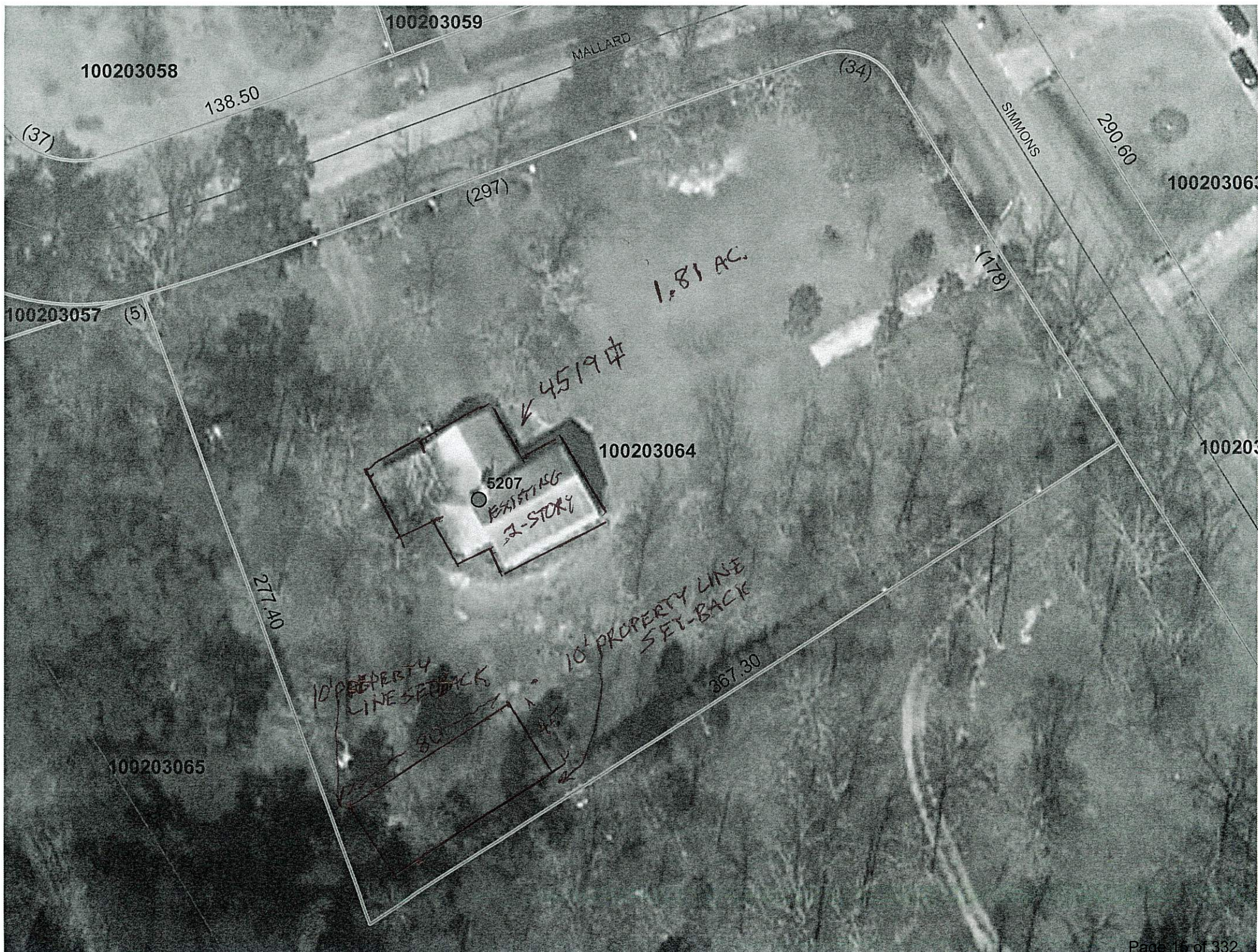
jransom@ci.lumberton.nc.us or bandrews@ci.lumberton.nc.us

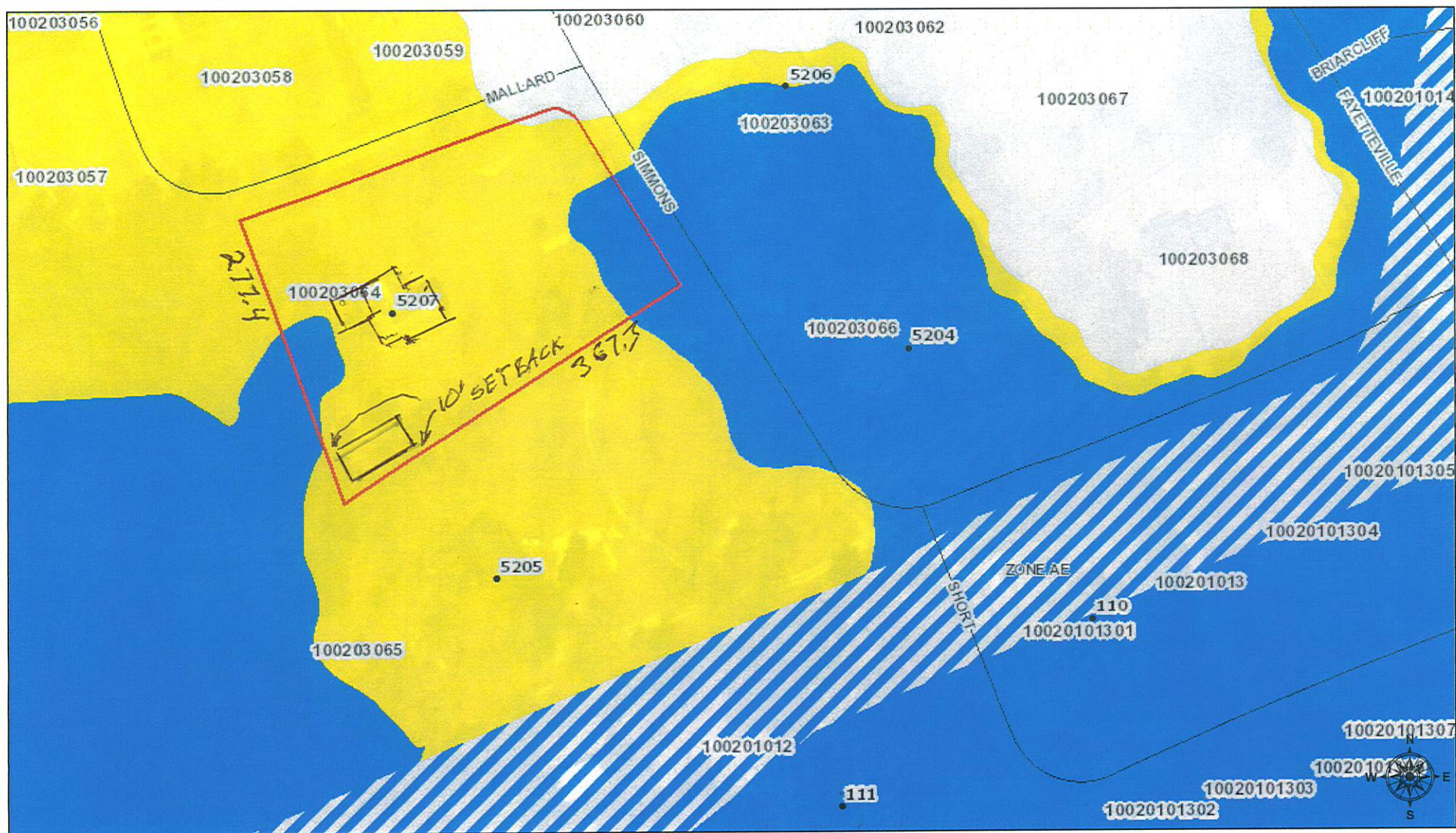
Applicant's Signature: [Signature]

Telephone: 910-258-1452 *

Permit # _____

*Albus Cat@
aol.com
#*



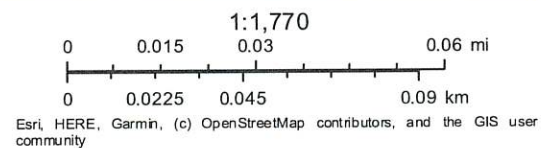


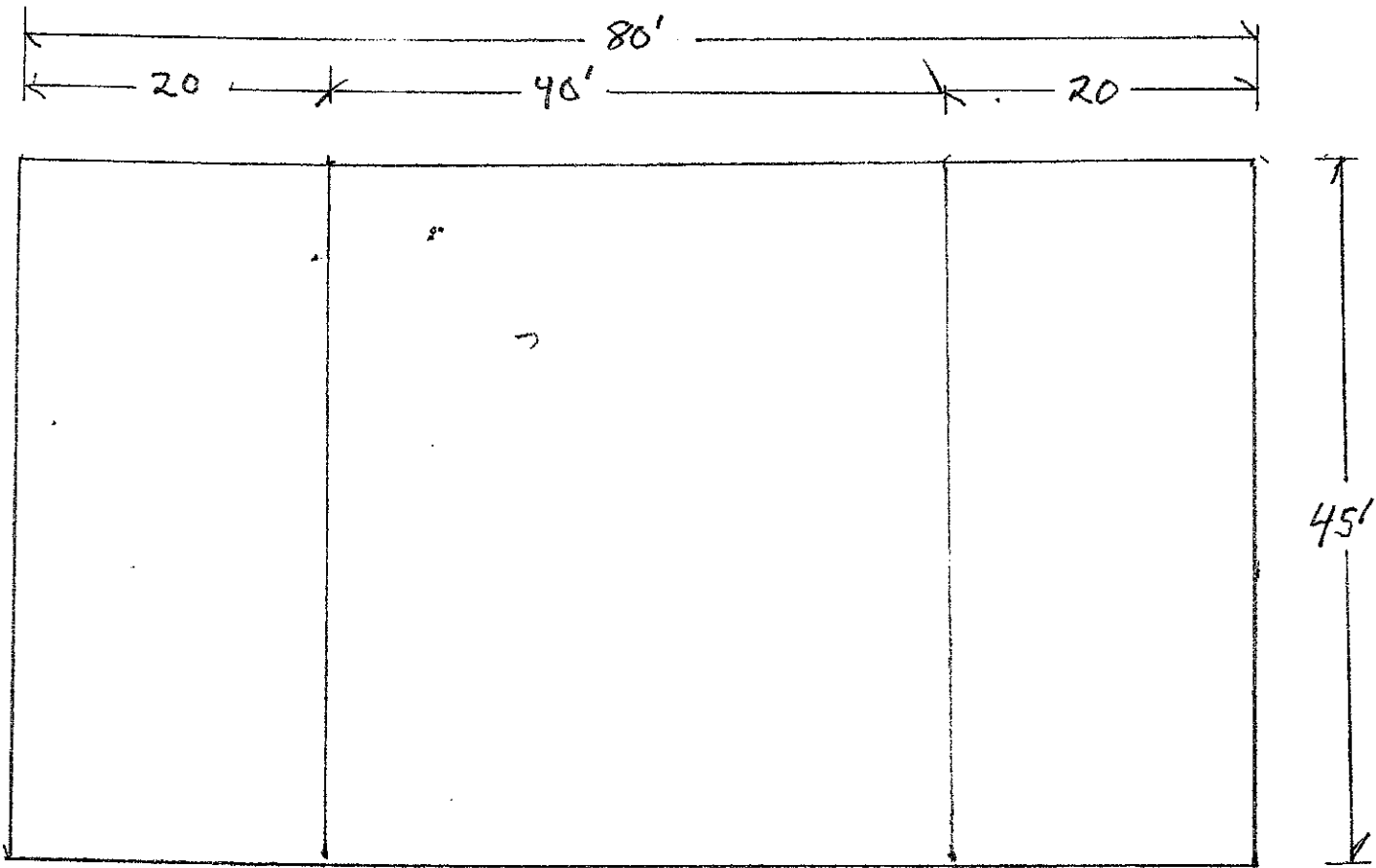
June 11, 2026

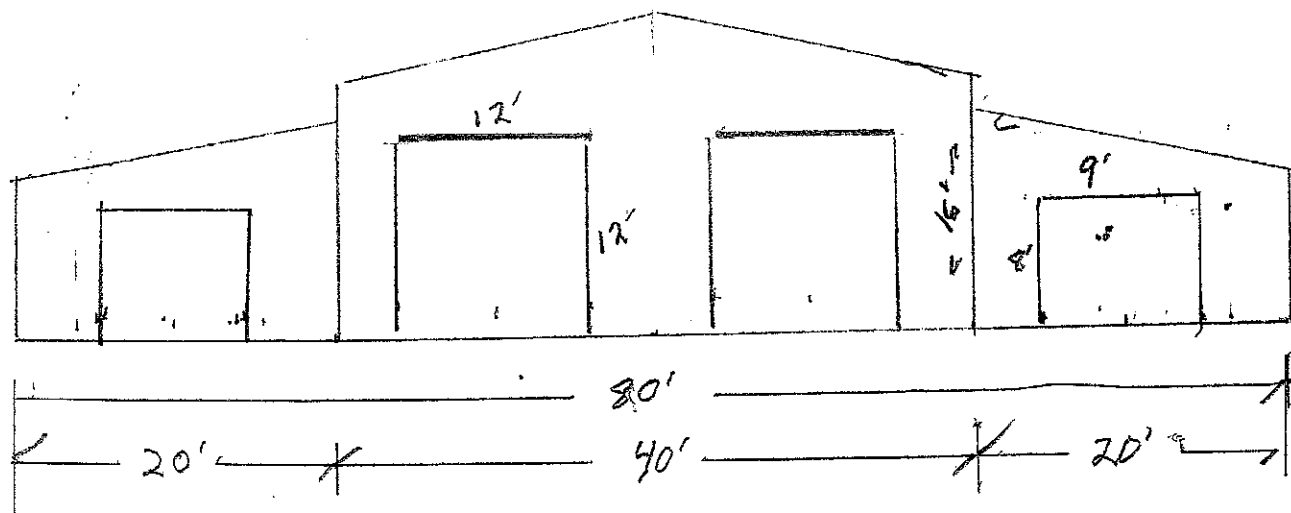
• Address Points

□ County Line

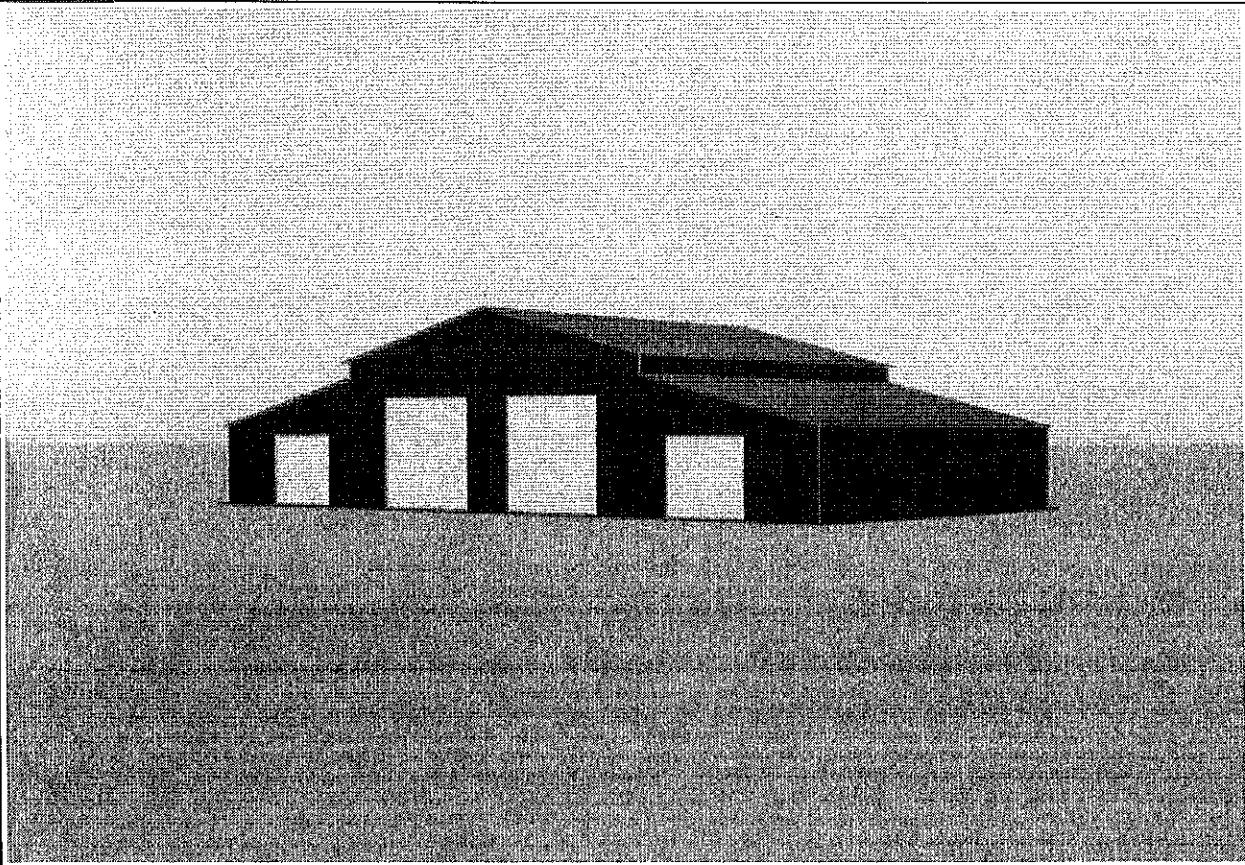
— Streets







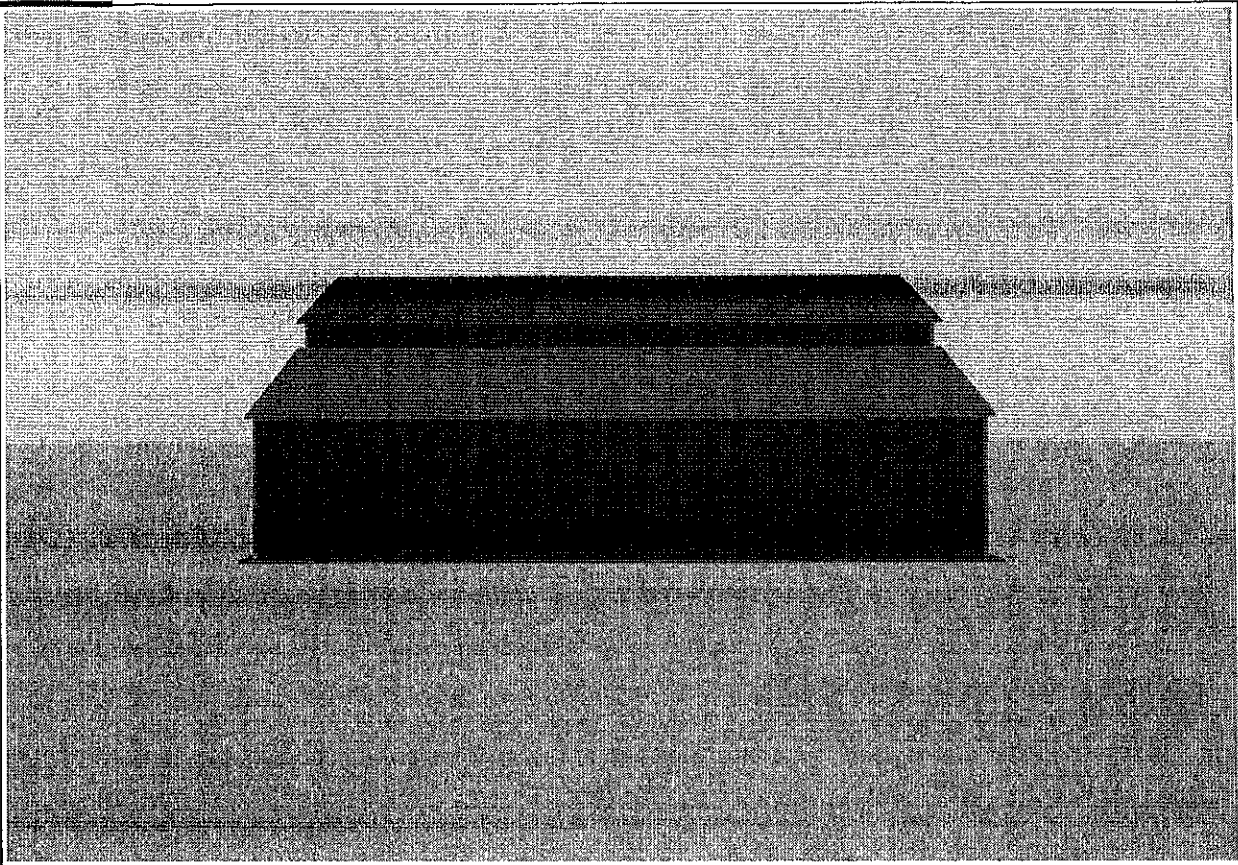
BUILDING VIEW



FRONT

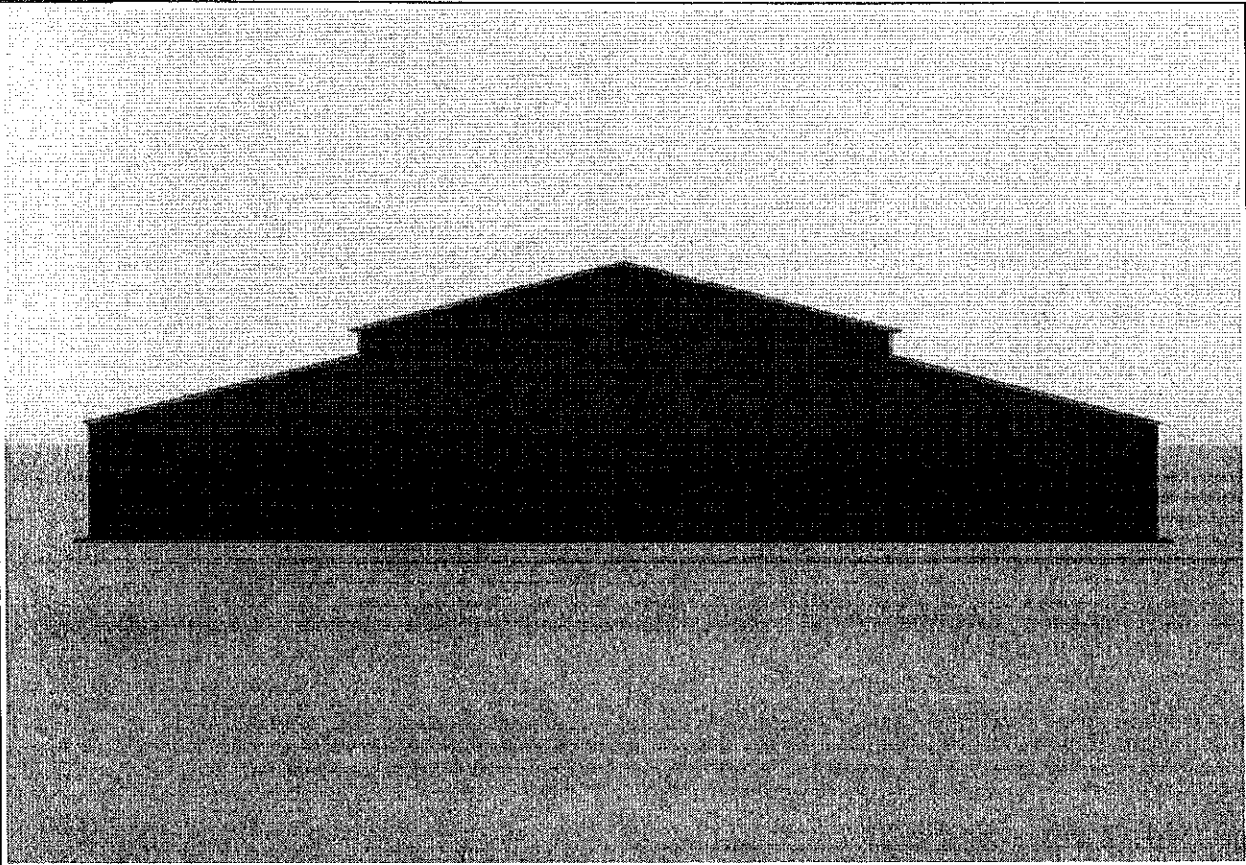
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BUILDING VIEW



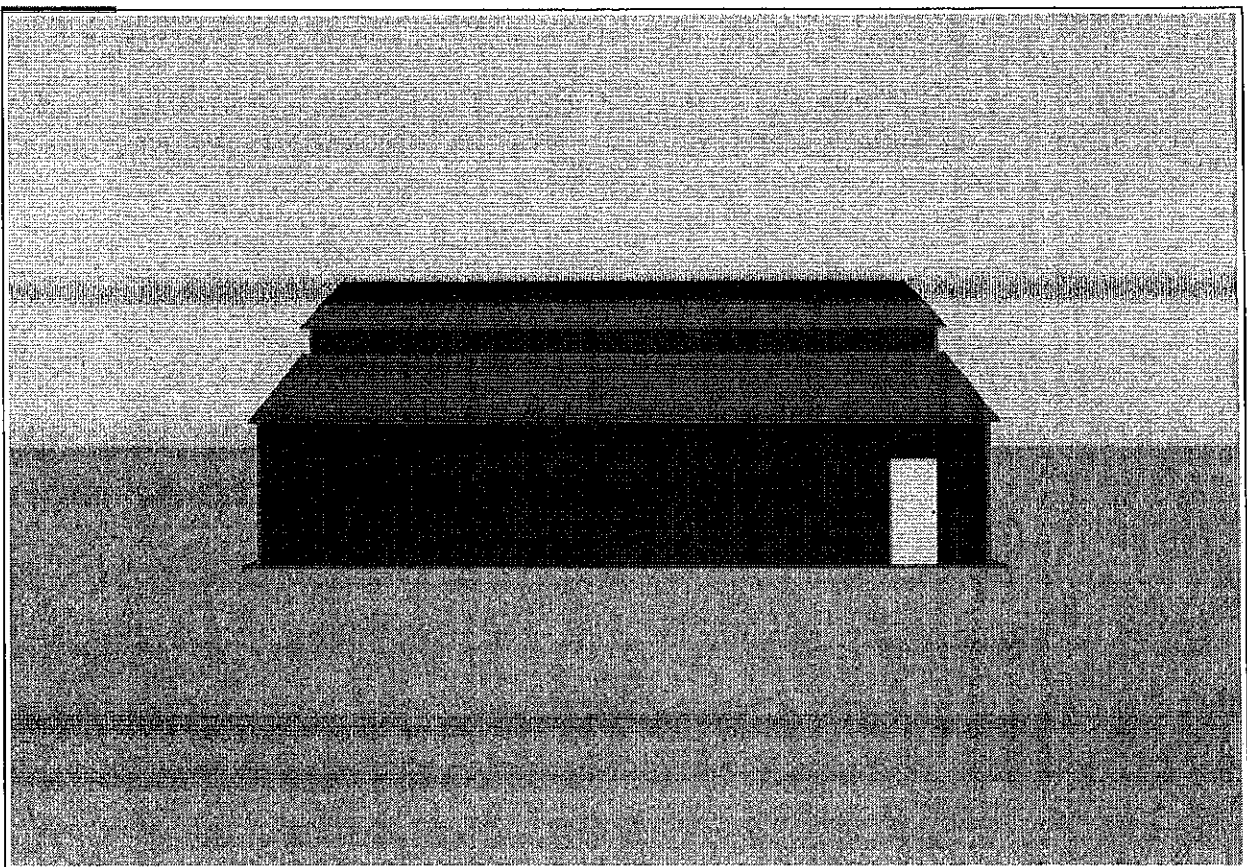
RIGHT

BUILDING VIEW

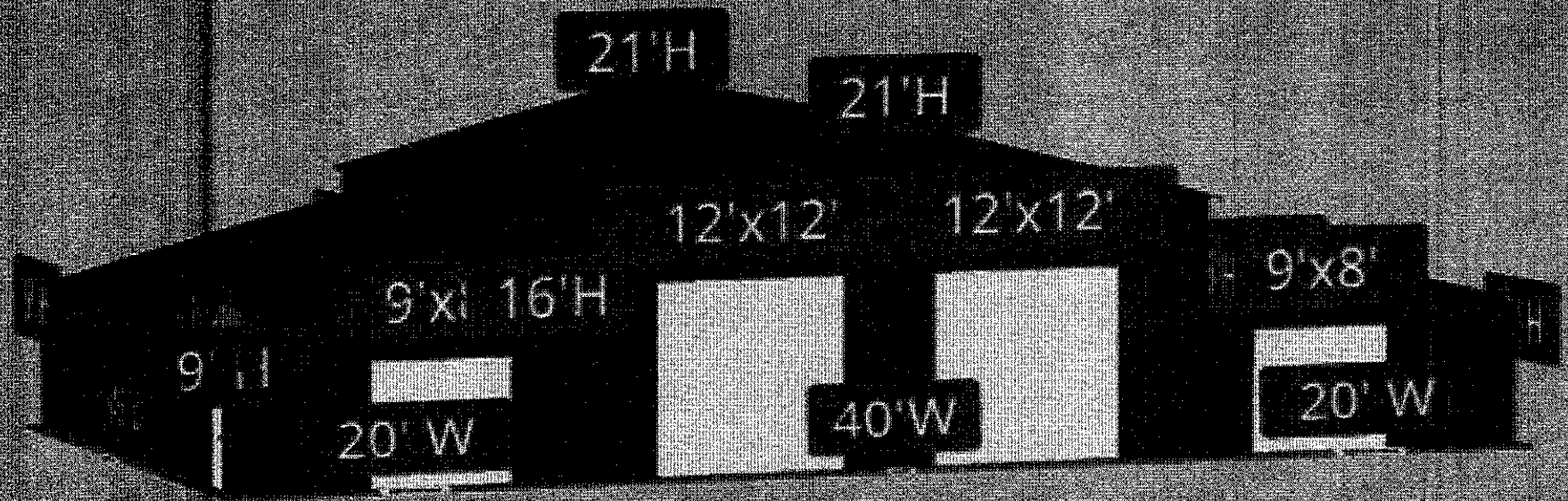


BACK

BUILDING VIEW



LEFT



III SHART

SIMMONS



5204



5205



5205

JULY SIMMONS





NORTH CAROLINA

SPECIAL USE PERMIT

ROBESON COUNTY

APPLICANT: Craig Hartman

PROPERTY OWNER: PAUL FRANKLIN HARTMAN

TAX MAP: 100203064

DEED REFERENCE: Deed Book 02525 Page 610

PROPOSED USE: Construct a 3600 square feet accessory structure for property located at 5207 Simmons Dr. {per Section 35-185(c) of the Land Use Code}.

MEETING DATE: September 14, 2026

On the date listed above, the City Council of the City of Lumberton met to consider an application to issue a Special Use Permit for the aforelisted proposed use of property at the aforelisted property location.

Having heard all the evidence and argument presented at the hearing, the Council finds that the application is complete, that the application complies with all of the applicable requirements of the Lumberton Land Use Ordinance for the development proposed, and that, therefore, the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Lumberton Land Use Ordinance and the following conditions:

(1) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Council, a copy of which is filed in the Planning and Neighborhood Services Department of the City of Lumberton, North Carolina.

(2) In granting the Special Use Permit, the Council has placed the following additional conditions or requirements upon the owner, his successors and assigns in exercising the rights granted herein:

- NO ADDITIONAL CONDITIONS

(3) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, this permit shall be void and of no effect.

Nothing authorized by the permit may be done until the property owner properly executes and returns to the City the attached acknowledgement of the issuance of this permit so that the City may have it recorded in the Robeson County Registry.

IN WITNESS WHEREOF, The City of Lumberton has caused this permit to be issued in its name, and the undersigned, being all of the property owners of the above-described property, do hereby accept this Special Use Permit, together with all its conditions, as binding on them and their successors in interest.

CITY OF LUMBERTON

BY: _____
Bruce Davis, Mayor

ATTEST:

Laney Mitchell-McIntosh, City Clerk

The undersigned, being all of the owners of the above-described property, do hereby acknowledge: (1) receipt of this Special Use Permit, (2) that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements, and (3) that this restriction shall be binding on them and their successors in interest.

_____	_____ (SEAL)
Owner Name (print/type)	Owner Signature

STATE OF NORTH CAROLINA
COUNTY OF _____

I, _____, a Notary Public in and for said County and State, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notorial Seal this _____ day of _____, 200__.

Notary Public

My Commission Expires: _____.

Lumberton City Council

Item: VII.B.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: Planning & Neighborhood
Services

Submission Date: 07/22/2026

Subject: Megan Fowler rezoning of approximately 0.25 acres of property located at 1908 Elizabethtown Road, - P-3

Summary/Background of Subject Matter:

Megan Fowler is requesting to rezone approximately 0.25 acres of property located at 1908 Elizabethtown Road, parcel # 321602006. This request is to rezone the property from R-7, Residential single family/duplex to B-4, Business general commercial, to develop a salon and wellness center at this location.

Staff Recommendation:

The Planning Board and Planning Staff ask City Council to hold today's public hearing and approve the rezoning request.

City Manager's Comments:

Signature: Laney Mitchell-McIntosh, City
Clerk

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. FOWLER APPLICATION AND REPORT
2. Ordinance

City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the Official Zoning Map of the City of Lumberton, North Carolina be amended as hereinafter described:

(NOTE: Please complete this application by typing or printing legibly.)

1. Applicant:

Owner:

Full Legal Name: Megan Fowler

Full Legal Name: Megan Fowler

2. Description of Property:

1908 E Elizabethtown Rd, Lumberton NC 28358 2402 917, 240
(Address) (Deed Book) (Page)
810 134th .62
(Map Book) (Page) (Frontage) (Area)

3. Tax Map Identification Number (parcel number):

321602006

4. Existing Zoning District Designation of Property:

B-4 & R-7

5. Requested Zoning District Designation of Property:

R-7 to B-4

6. Applicant's Interest In Property (check one):

☒ Owner

☐ Owner's Agent

☐ Lease-to-Own

☐ Tenant

☐ Family member

☐ Other (explain) _____

7. Legal Description of Property: Attach a running description of the portion of the property to be rezoned in metes and bounds sufficient to reconstruct the same on the property.

8. Site Map: Attach a map of the property in question.

9. Application Fee: Submit the fee payment with application. The application fee is **nonrefundable**.

1 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File # _____

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone : 910-671-3838 ♦ Fax : 910-671-3975



DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

10. Applicant's Intended Use of Property (Applicant should attach a detailed business plan which includes the intended use of the property):

The Intended use of the property is the development and operation of a commercial salon and wellness suite facility. The project will provide individual suites for licensed beauty and wellness professionals, including hairstylists, estheticians, nail tech., massage therapists, and similar personal services providers. The development may also include tanning services, reception/waiting areas, restroom, laundry facilities, and related support areas/spaces. The project is intended to provide new business opportunities, create jobs, and enhance commercial services available to residents of Lumberton and the surrounding area. The property will be developed and maintained in compliance with all applicable city ordinances, zoning regulations, building codes, and licensing requirements.

City of



Lumberton

DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
APPLICATION FOR ZONING MAP AMENDMENT

11. Notarized Signatures:

Applicant: Megan Fowler
Full Legal Name (type or print)

Home Address

STATE OF

NC

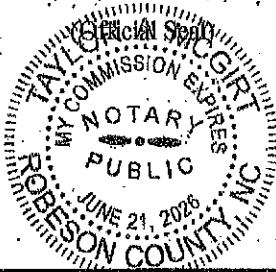
COUNTY OF

Robeson

I, Taylor A. McGirt, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Applicant: [Signature]
Signature

WITNESS my hand and official seal, this the 19th day of June, 2026.



Taylor A. McGirt
Official Signature of Notary

Taylor A. McGirt, Notary Public
Notary's printed or typed name

My Commission Expires: 6/21/2026

Owner: Megan Fowler
Full Legal Name (type or print)

Home Address

STATE OF

NC

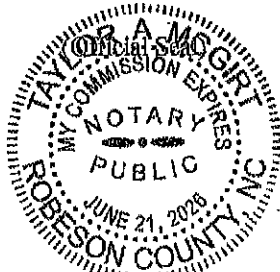
COUNTY OF

Robeson

I, Taylor A. McGirt, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Owner: [Signature]
Signature

WITNESS my hand and official seal, this the 19th day of June, 2026.



Taylor A. McGirt
Official Signature of Notary

Taylor A. McGirt, Notary Public
Notary's printed or typed name

My Commission Expires: 6/21/2026

3 of 3

All property owners must provide a physical address and sign their application. Additional signature page(s) are available upon request.

File #

2/6/2014

Updated 4/5/2012

P.O. Box 1388 ♦ 500 N. Cedar Street ♦ Lumberton, NC 28359 ♦ Phone: 910-671-3838 ♦ Fax: 910-671-3975



REAR / SIDE PERSPECTIVE



KEYLESS ENTRY



SECURITY CAMERA
SYSTEM



LED EXTERIOR
LIGHTING



ADA ACCESSIBLE



LANDSCAPING &
GREENERY



PROFESSIONAL
ENVIRONMENT

BUILDING DATA

TOTAL SQUARE FOOTAGE: ±4,760 SQ. FT.

FIRST FLOOR: ±2,380 SQ. FT.

SECOND FLOOR: ±2,380 SQ. FT.

CEILING HEIGHT: 10'-0"

CONSTRUCTION TYPE: COMMERCIAL

EXTERIOR: STUCCO, STONE, GLASS, METAL

ROOF: TPO MEMBRANE (FLAT ROOF)

BUSINESS HOURS

MONDAY – THURSDAY 8:00 AM – 8:00 PM

FRIDAY 8:00 AM – 7:00 PM

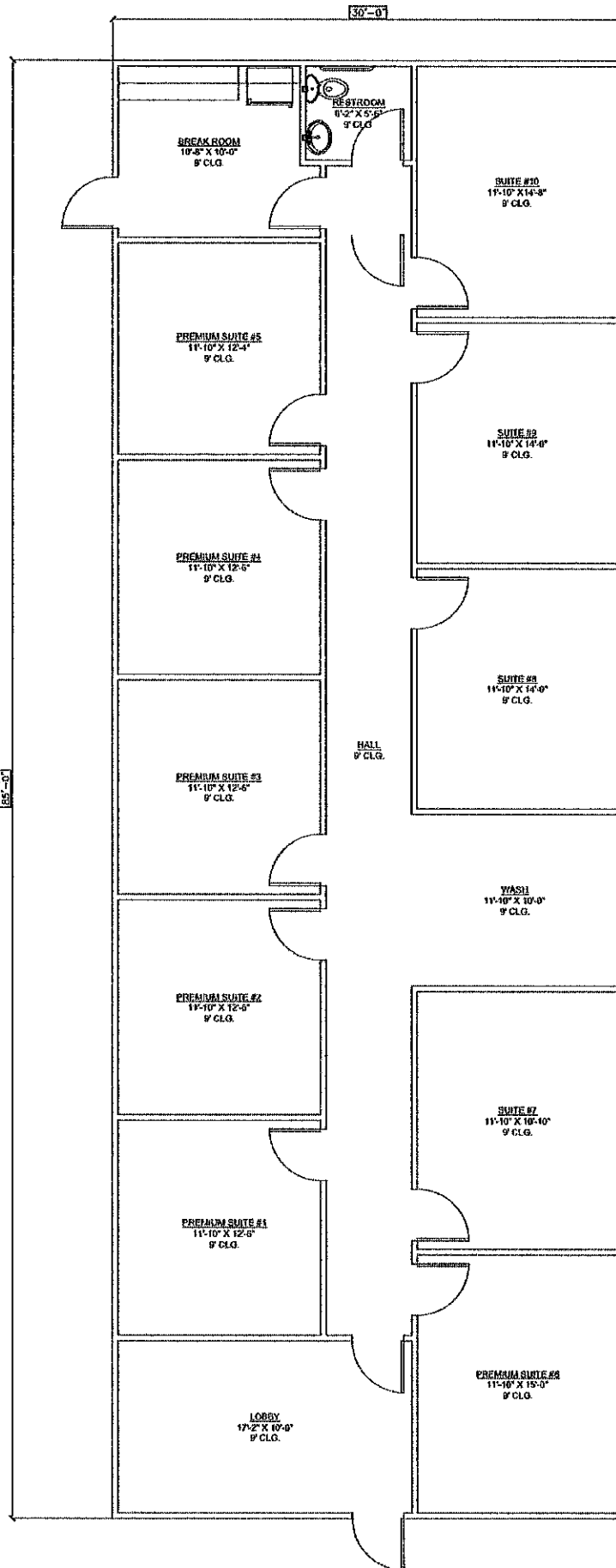
SATURDAY 8:00 AM – 5:00 PM

SUNDAY CLOSED

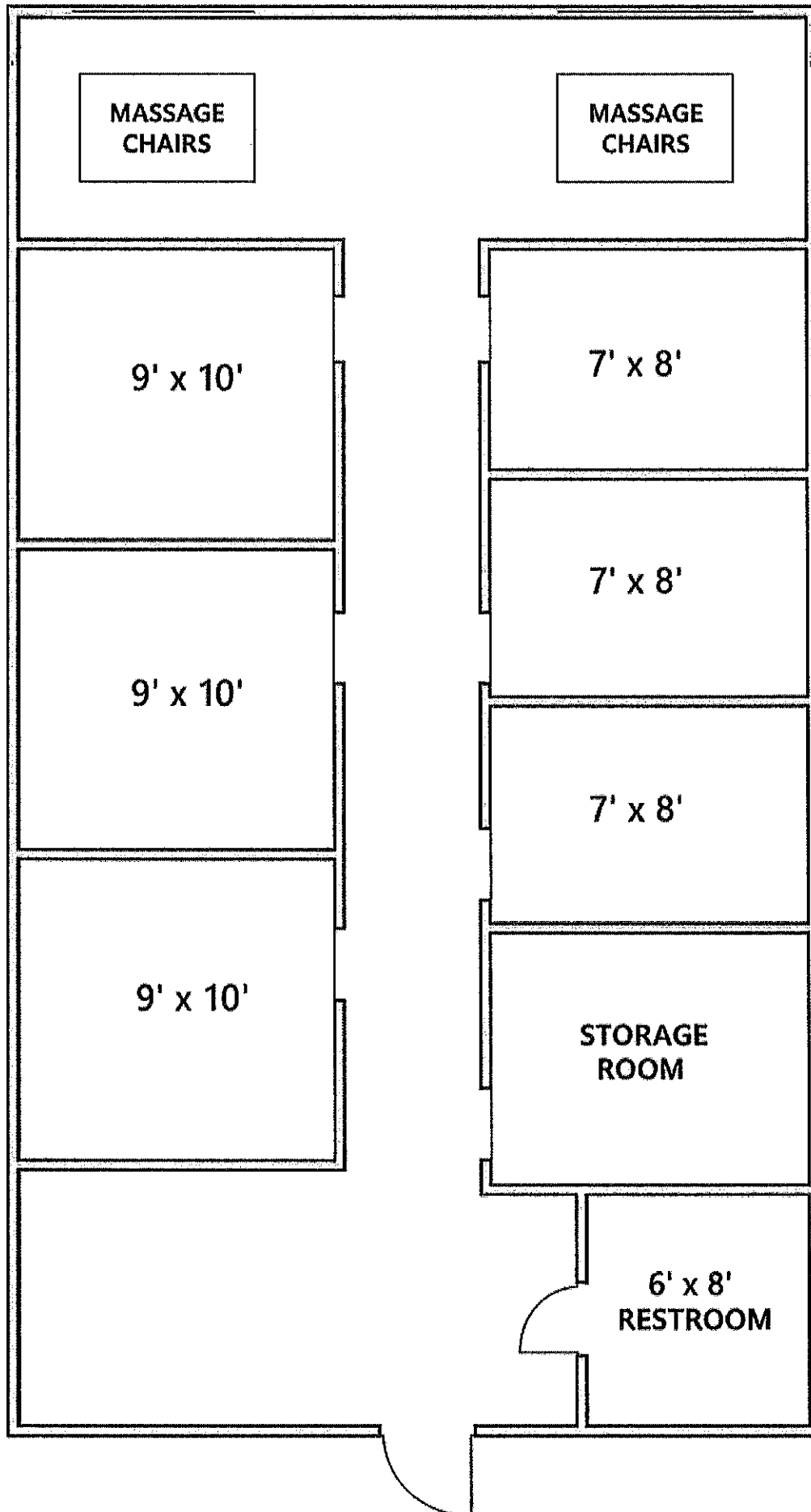
SUITE TENANTS HAVE 24/7 ACCESS TO THEIR

SUITES WITH KEYLESS ENTRY.

TANNING AREA STAFFED DURING BUSINESS HOURS.



BACK



FRONT

City of Lumberton

Planning & Neighborhood Services

Request for Rezoning
6.247 Megan Fowler

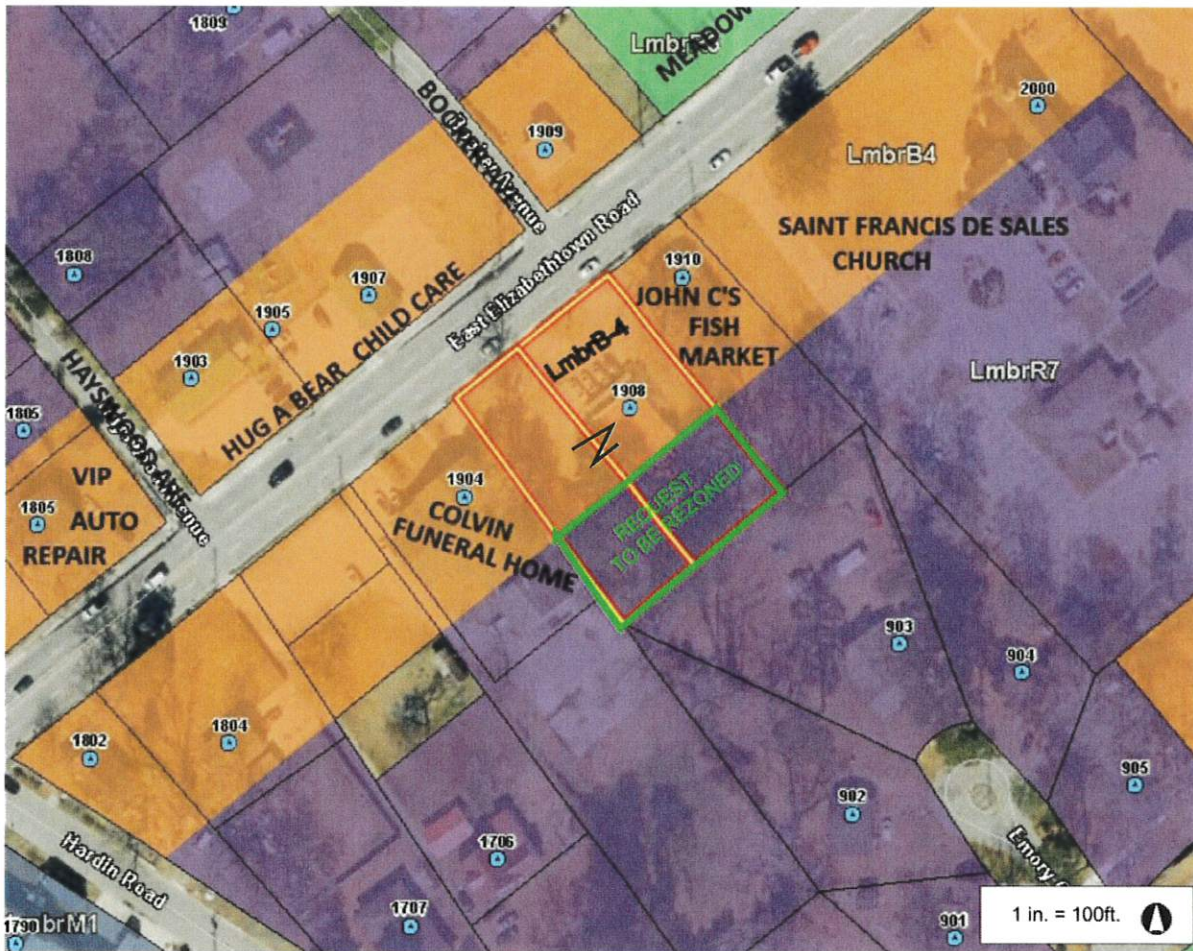
PETITIONER(S):	OWNER(S):
FOWLER, MEGAN	FOWLER, MEGAN

Rezoning Request: Megan Fowler rezoning - 1908 E. Elizabethtown Road (part of). – P-3 across from P-2

LOCATION:



City of *Lumberton*
Planning & Neighborhood Services



City of



Lumberton

Planning & Neighborhood Services

STAFF ANALYSIS

PROJECT OVERVIEW

Rezoning Request: Megan Fowler is requesting to rezone approximately 0.25 acres of property located at 1908 E. Elizabethtown Road, parcel # 321602006. This request is to rezone the property from R-7, Residential single family/duplex to B-4, Business general commercial, to develop a salon and wellness center at this location.

PARCEL INFORMATION

Owner	Parcel #(s)	Zoning	Area	Limits of Rezoning	Limits of Construction
Megan Fowler	321602006	B-4, Business general commercial and R-7, Residential single family/duplex	~0.62 acres	~0.25 acres	~0.62 acres

ADJACENT PROPERTY SITE DATA

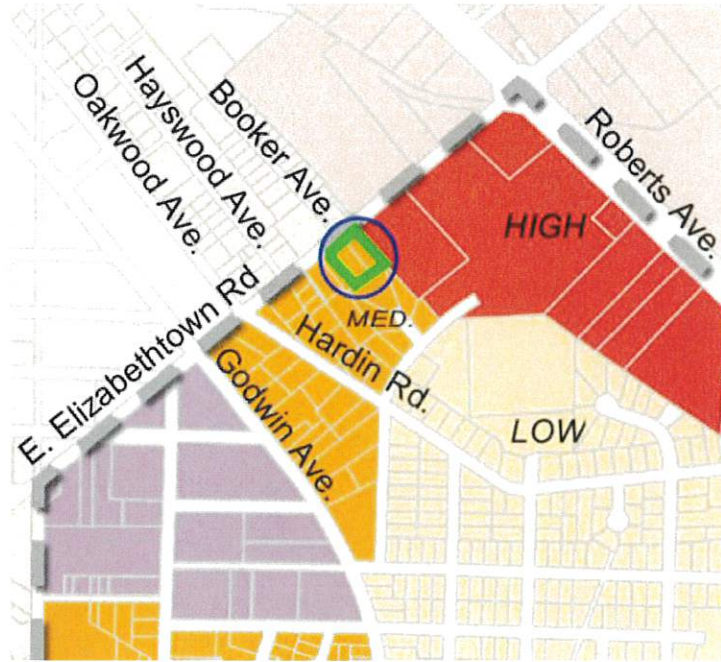
	Zoning	Zoning Description	Land Use
Subject Property	B-4, and R-7,	B-4, Business general commercial and R-7, Residential single family/duplex	Beauty salon and wellness center (3.110)
North	B-4	B-4, Business general commercial	East Elizabethtown Road Child Care Center
South	R-7	R-7, Residential single family/duplex	ASCO I ENTERPRISES LLC (owner)
East	B-4, and R-7,	B-4, Business general commercial and R-7, Residential single family/duplex	John C's Fish Market (retail)
West	B-4, and R-7,	B-4, Business general commercial and R-7, Residential single family/duplex	Colvin Funeral Home

PLANNING & ZONING

Land Use Plan: The Land Use Plan designates the future use of the parcel as medium intensity and is located within P-3 (across from P-2).

City of Lumberton

Planning & Neighborhood Services



MEDIUM INTENSITY

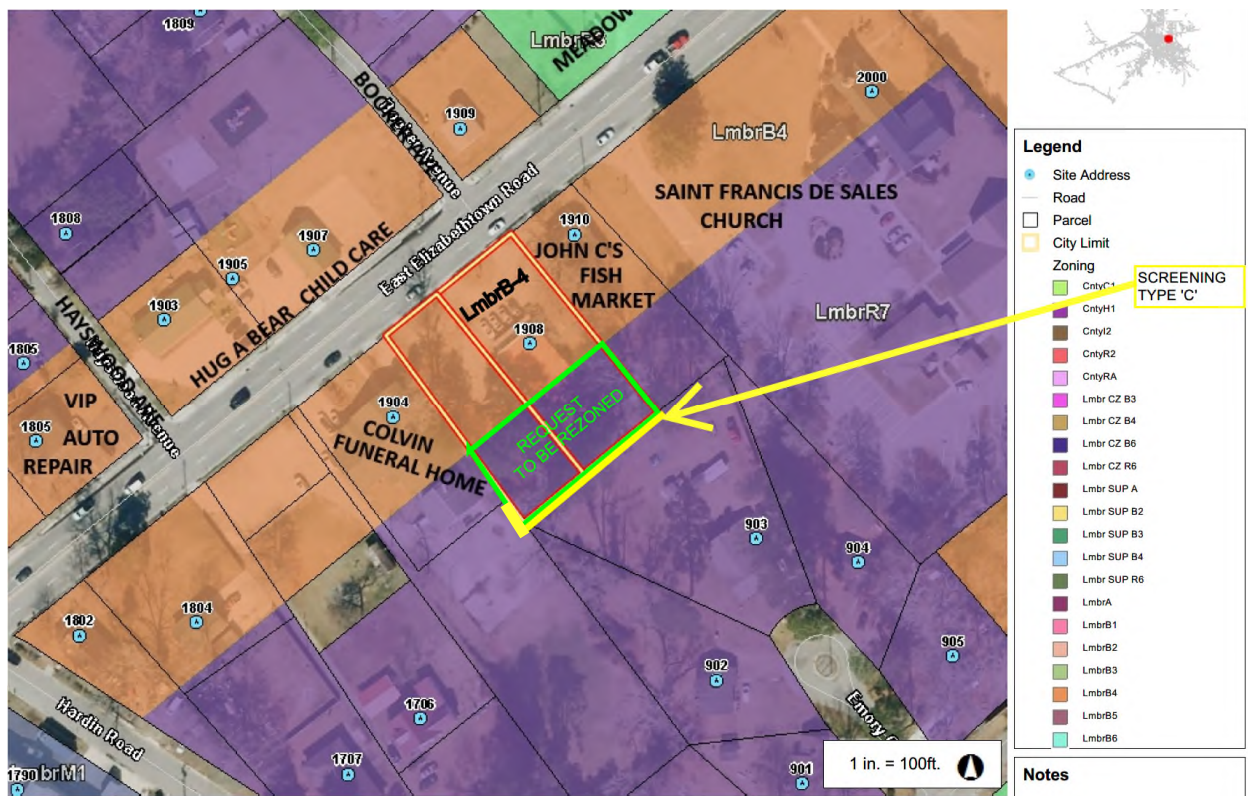
The Medium Intensity land use category is intended to accommodate medium density residential development (up to 10 dwelling units / acre), including both single family residences and larger scale multi-family dwellings. This land use category is also intended to accommodate the use and development of land for medium intensity nonresidential uses, such as churches, schools, neighborhood scale retail, professional offices and similar uses when sited in a manner that does not negatively impact adjoining residential uses located within this or an adjacent lower intensity land use category. In general, these areas are intended to provide a transition between low and high intensity land uses, as well as to facilitate redevelopment in areas where increased density and/or intensity of use is desired.



SCREENING REQUIREMENTS

Type 'C' Screen required from single-family residential (1.110).

Opaque screen, type "C." A screen that is opaque to a height of at least eight (8) feet. An opaque screen is intended to exclude completely all visual contact between uses and to create a strong impression of spacial separation. The opaque screen may be composed of a wall, fence or earth berm.



City of Lumberton

Planning & Neighborhood Services

Setback and Lot Size:

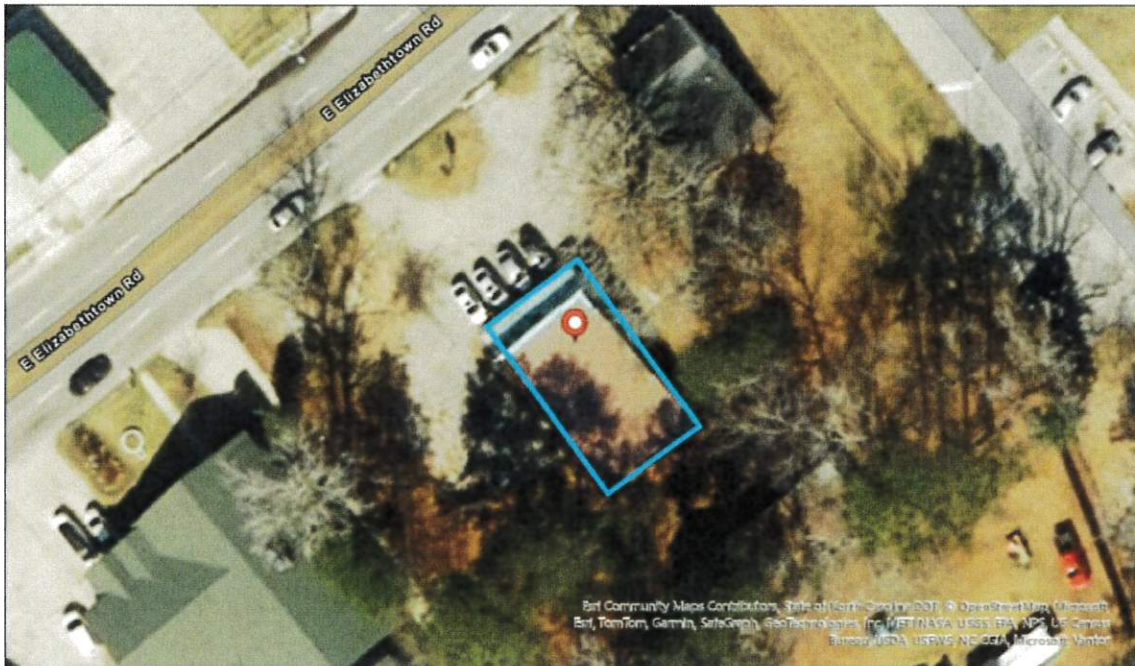
Zoning District	Min. Square Footage	Min. Road Frontage	Min. Front Setback (right of way)	Min. Side Setback	Min. Rear Setback
Existing B-4	NO MIN.	100'	40'	8'	8'
Existing R-7	7,000	70'	20'	10'	10'
Proposed B-4	NO MIN.	100'	40'	8'	8'

FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

Not in Flood Zone: Zone X is the flood insurance rate zone that corresponds to areas outside the 0.2% annual chance floodplain, areas within the 0.2% annual chance floodplain, and to areas of 1% annual chance flooding where average depths are less than 1 foot, areas of 1% annual chance flooding where the contributing drainage area is less than 1 square mile, and areas protected from the 1% annual chance flood by levees. No Base Flood Elevations or depths are shown within this zone. **Map Number:** 3720030200K **Panel Effective Date:** 12/6/2019

▲ 1908 EAST ELIZABETHTOWN RD

Jul 7, 2026



Legend	
	Panels
	Political Areas
	Stream Centerline
	Cross Sections
	Levee
	Flood Hazard Areas
	AE
	Floodway (AE)
	0.2% Chance Annual Flood Hazard
	Future Conditions 1% Annual Chance Flood Hazard

North Carolina Floodplain Mapping Program



City of



Lumberton

Planning & Neighborhood Services

DEVELOPMENT UPON APPROVAL

If this request is granted the applicant must submit site development plans to the City of Lumberton's Planning Department for approval.

PLANNING STAFF RECOMMENDATION TO COUNCIL

Council review the request, refer the petition to the July 21, 2026 Planning Board meeting for their review, and authorize the Planning Director to set the date of the public hearing.

PLANNING STAFF RECOMMENDATION TO PLANNING BOARD

The planning staff recommends that the Planning Board hold tonight's public meeting, entertain public comment and make a recommendation to City Council regarding this matter.

NOTIFICATIONS FOR PUBLIC HEARING

On August 20, 2026 the Planning Department sent out letters to the adjacent property owners within 150 feet of the petitioned property, notifying them of the request.

On July 22, 2026 a request was sent to Public Works Department to have a sign placed on the property, notifying the adjacent property owners of the request.

On July 22, 2026 a request was sent to the Robesonian to have the legal ad for this request ran on August 22, 2026 and September 12, 2026 (CN 4279)

PLANNING BOARD RECOMMENDATION TO COUNCIL

The Planning Board held the public meeting on July 21, 2026 and unanimously recommends City Council approve the Rezoning request.

PLANNING STAFF RECOMMENDATION TO COUNCIL

The Planning Board and Planning Staff asks City Council to hold today's public hearing and approve the rezoning request.

The R-7 district is designed to accommodate single-family and two-family dwelling units.

I. R-7 Zoning District Permitted Uses

1.110 Single-family residences Other than mobile homes

1.210 Duplex

1.220 Two-family conversion

1.410 Homes for handicapped or infirm, Family Care Homes (Level II & III)

1.600 Temporary emergency, construction, and repair residences

1.700 Home occupations

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

14.110 Agricultural operations, farming Excluding livestock

14.200 Silvicultural operations

18.100 Towers and antennas fifty feet in height or less

18.200 Disguised/attached antennas

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

28.200 Minor Subdivisions

II. R-7 Zoning District Requires a Special Use Permit

1.130 Single- family residences with accessory apartment

1.330 Multifamily conversion

1.420 Nursing care, intermediate care homes

1.430 Child care homes

1.440 Halfway houses

5.110 Elementary and secondary (including associated grounds and athletic and other facilities)

5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)

5.310 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development

6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school

13.100 Police stations

13.200 Fire stations

13.300 Rescue squad, ambulance service

13.400 Civil defense operation

13.520 Training Facilities Activity conducted within or outside fully enclosed building

14.400 Reclamation landfill

17.100 Neighborhood Utility Facilities

21.100 Cemetery

22.000 Nursery Schools; Day Care Centers

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access

The B-4 (general commercial) district is designed to accommodate the widest range of commercial activities.

I. B-4 Zoning District Permitted Uses

1.530 Hotels, motels, and similar businesses or institutions providing overnight accommodations

1.600 Temporary emergency, construction, and repair residences

2.111 Miscellaneous Sales and Rental of Goods, Merchandise and Equipment

2.113 Convenience stores

2.120 Low- volume traffic generation sales

2.130 Wholesale sales

2.210 High- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.220 Low- volume traffic generation, Storage and display of goods outside fully enclosed building allowed

2.230 Wholesale sales, Storage and display of goods outside fully enclosed building allowed

3.110 Offices - Operations designed to attract and serve customers or clients on the premises, such as the offices of attorneys, realtors, other professions, insurance and stock brokers, travel agents, etc.

3.120 Offices - Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use

3.130 Office or clinics of physicians or dentists

3.210 Operations designed to attract and serve customers or clients on the premises

3.220 Operations designed to attract little or no customer or client traffic other than the employees of the entity operating the principal use

4.120 Majority of dollar volume of business done without walk-in trade Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.200 Operations conducted within or outside fully enclosed building Manufacturing, Processing, Creating, Repairing, Renovating, Painting, Cleaning, Assembling of Goods, Merchandise and Equipment

4.400 Manufacturing, processing, creating, repairing, renovating, painting, cleaning, assembling of goods, merchandise and equipment Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above the finished grade.

5.120 Trade or vocational schools

5.200 Churches, synagogues and temples (including associated residential structures for religious personnel and associated buildings but not including elementary school or secondary school buildings)

5.310 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within a building designed and previously occupied as a residence or within a building having a gross floor area not in excess of 3,500 square feet

5.320 Libraries, museums, art galleries, art centers and similar uses (including associated educational and instructional activities) Located within any permissible structure

5.400 Social, fraternal clubs and lodges, union halls, and similar

6.110 Bowling alley, skating rinks, indoor tennis and squash courts, indoor athletic and exercise facilities and similar uses

6.121 Movie theatres Seating capacity of not more than 300

6.122 Movie theatres Seating capacity 301—999

6.140 Adult establishments

6.230 Golf driving ranges not accessory to golf courses, par 3 golf courses, miniature golf courses, skateboard parks, water slides, and similar uses

7.100 Hospitals or other medical (including mental health) treatment facilities

7.200 Nursing Care Institutions, Intermediate Care Institutions, Handicapped or Infirm Institutions, Child Care Institutions

8.100 Restaurants No substantial carry-out or delivery service, no drive-in service, no service or consumption outside fully enclosed structure

8.200 Restaurants No substantial carry-out or delivery service, no drive-in service, service or consumption outside fully enclosed structure

8.300 Carry-out and delivery service, consumption outside fully enclosed structure allowed

8.400 Carry-out and delivery service, drive-in service, service or consumption outside fully enclosed structure allowed

8.600 Food Truck Park as a Principal Use See Sec. 35-167.5. 17.100 Neighborhood Utility Facilities

9.100 Motor vehicle sales or rentals, excluding manufactured home sales

9.200 Sales with installation of motor vehicle parts or accessories (e.g. tires, mufflers, etc.)

9.300 Motor vehicle repair and maintenance, not including substantial body work

9.500 Gas sales

9.600 Car wash

9.700 Motor vehicles, sales, service repair Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.

9.810 Manufactured home sales office without, display units.

10.100 Automobile parking garages or parking lots not located on a lot on which there is another principal use to which the parking is related

10.210 Storage of goods not related to sale or use of those goods on the same lot where they are stored within completely enclosed structures

10.300 Parking of vehicles or storage of equipment outside enclosed structures where: (i) vehicles or equipment are owned and used by the person making use of the lot, and (ii) parking or storage is more than a minor and incidental part of the overall use made of the lot

10.400 Storage and parking Outside storage of recyclable materials greater in area than 400 sq. ft. and/or higher than 8 feet above finished grade.

12.100 Veterinarian

13.610 Temporary Emergency Aid Facilities Located within an existing building and new construction

13.620 Mobile Units (including Recreational Vehicles)

14.110 Agricultural operations, farming excluding livestock

14.200 Silvicultural operations

16.000 Dry Cleaner, Laundromat

18.100 Towers and antennas fifty feet in height or less

18.200 Disguised/attached antennas

19.000 Open-Air Markets and Horticultural Sales

20.000 Funeral Homes

22.000 Nursery Schools; Day Care Centers

23.000 Temporary Structures used in Connection With the Construction of a Permanent Building or for Some Nonrecurring Purpose

24.100 Bus stations

24.200 Train stations

24.300 Taxi stands

25.000 Commercial Greenhouse Operations

27.000 Off- Premises Signs

28.200 Minor Subdivisions

II. B-4 Zoning District Requires a Special Use Permit

2.112 ABC stores

3.140 Government Office Buildings

3.230 Banks with drive-in windows

5.110 Elementary and secondary (including associated grounds and athletic and other facilities)

5.130 Colleges, universities, community colleges (including associated facilities such as dormitories, office buildings, athletic fields, etc.)

6.130 Coliseums, stadiums and all other facilities listed in the 6.100 classification designed to seat or accommodate simultaneously more than 1,000 people

6.150 Billiard parlors/Pool Halls & Game Centers

6.160 Electronic Gaming Operations

6.210 Privately owned outdoor recreational facilities such as golf and country clubs, swimming or tennis clubs, etc., not constructed pursuant to a permit authorizing the construction of some residential development

6.220 Publicly owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc., not constructed pursuant to a permit authorizing the construction of another use such as a school

6.260 Drive-in movie theatres

6.270 Recreational vehicle parks and/or campgrounds

7.500 Organized Shelters Facilities: 7.510 Type A; 7.520 Type B; & 7.530 Type C

8.150 Restaurant without carry-out/delivery/drive-in; without outdoor dining; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.250 Restaurant without carry-out/delivery/drive-in; with outdoor dining; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.350 Restaurant with carry-out/delivery/outdoor dining; without drive-in service; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.450 Restaurant with carry-out/delivery/outdoor dining; with drive-in service; with hours of operation which include the hours of eleven-o'clock pm thru six-o'clock am

8.500 Bars, nightclubs

10.220 Storage inside or outside completely enclosed structures

13.100 Police stations

13.200 Fire stations

13.300 Rescue squad, ambulance service

13.400 Civil defense operation

13.510 & 13.520 Training Facilities Activity conducted within or outside fully enclosed building

14.400 Reclamation landfill

15.100 Post office

17.100 Neighborhood Utility Facilities

21.100 Cemetery

21.200 Crematorium

28.100 Major Subdivisions

28.300 Public utility facilities without direct or indirect access

ORDINANCE AMENDING THE LAND USE ORDINANCE AND OFFICIAL ZONING MAP
BY REZONING PROPERTY FROM R-7, (RESIDENTIAL SINGLE
FAMILY/DUPLEX) TO B-4, (BUSINESS GENERAL COMMERCIAL)

OWNER(S): FOWLER, MEGAN
APPLICANT(S) FOWLER, MEGAN
PARCEL: 321602006
DEED: DEED BOOK 02402 PAGE 0241 &
CORRECTED DEED BOOK 02402 PAGE 0817

WHEREAS, a petition requesting the rezoning of certain property was filed with the Director of Planning and Neighborhood Services on June 24, 2026;

WHEREAS, the proposed amendment initiated by said petition was submitted to the Planning Board for review and recommendation and the Planning Board did make a recommendation at its July 21, 2026, meeting;

WHEREAS, the City Council set a public hearing on the proposed amendment for September 14, 2026;

WHEREAS, the public notice of said public hearing was published in a newspaper having general circulation in the City of Lumberton on August 22, 2026 and September 12, 2026;

WHEREAS, written notice of said public hearing was mailed to the owners of the property to be rezoned as well as the owners as shown on the county tax listing of all properties, any portion of which is within one hundred fifty (150) feet of the property rezoned by the amendment, pursuant to City of Lumberton Code of Ordinances Section 35-323 on August 20, 2026;

WHEREAS, a sign containing notification of said public hearing was posted on the property to be rezoned on July 22, 2026;

WHEREAS, a public hearing on the question of rezoning was held on September 14, 2026, and all persons were given an opportunity to be heard;

WHEREAS, the City Council of the City of Lumberton does hereby determine and find that in accordance with the City of Lumberton's comprehensive zoning plan and for the purpose of promoting the health, safety, morals and the general welfare of the community, the property hereinafter described is best suited to be designated as B-4, Business General Commercial and;

WHEREAS, G.S. 160D-702 grants to the City of Lumberton the power to zone, G.S. 160D-703 permits the City of Lumberton to divide its territorial jurisdiction into districts, and G.S. 160D-601 permits the City of Lumberton to amend its zoning boundaries;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Lumberton that the Land Use Ordinance and Official Zoning Map of the City of Lumberton be and the same is hereby amended by rezoning that property more fully described herein from R-7, (RESIDENTIAL SINGLE FAMILY/DUPLEX) TO B-4, (BUSINESS GENERAL COMMERCIAL), said property being described as follows:

All that certain tract or parcel of land located in the City of Lumberton, Robeson County, North Carolina, in the eastern section of said City on the South side of, and adjacent to Elizabethtown Road (NC Highway Number 41), and more particularly described according to a map of the same prepared by Phillip B. Culbreth, Surveyor, dated September 1, 1983, as follows: BEGINNING at an iron stake in the southern right of way line (30 feet from center) of NC Highway Number 41, said point of beginning being located South 53 degrees 30 minutes West 59.74 feet from the westernmost corner of the lands conveyed to the Franciscan Friars of Atonement, Inc., by Deed of record in Book 9-J, Page 82, Robeson County Registry, and running thence as the eastern line of the lands conveyed to Maryland Chance, Jr. and wife, in Deed Book 425, Page 163, Robeson County Registry, South 36 degrees 30 minutes East 192.5 feet to an iron stake; thence as the northwest line of the lands conveyed to Maryland Chance, Jr. and wife, in Deed Book 429, Page 337, Robeson County Registry, North 53 degrees 30 minutes East 71.35 feet to an iron stake; thence as the eastern line of said lands in Book 429, Page 337, Robeson County Registry, South 18 degrees 11 minutes East 218.9 feet to an iron stake in the turnaround of the cul-de-sac of Emery Circle; thence as the right of way line of Emery Circle (50 feet from the center radius point), a chord of which is South 58 degrees 35 minutes West 48.1 feet to an iron stake; thence as the southwest line of the lands in Deed Book 429, Page 337, North 62 degrees 27 minutes West 226.06 feet to an iron stake; thence as a line of the lands of Maultsby Funeral Home, North 33 degrees 27 minutes West 192.77 feet to an iron stake in the above-mentioned right of way line of NC Highway Number 41; thence as said right of way line, North 53 degrees 30 minutes East 134.03 feet to the beginning, containing ONE AND TWENTY-FOUR HUNDREDTHS (1.24) ACRES, more or less. EXCEPTING HOWEVER from the above parcel of land, the following portion therefrom: All that certain lot or parcel of land located in the City of Lumberton, Robeson County, North Carolina, in the eastern section of said City, and more particularly described according to a map of the same prepared by W. E. Stone, Jr. Surveyor, on April 3, 1961, as follows, to-wit: BEGINNING at an iron stake in the North line of a circular street said iron stake and point of beginning being the southwest corner of a lot or parcel of land conveyed to Johnnie Ray Jolly and wife, Clara S. Jolly by Deed from W. L. Lennon, Trustee for Lumber River Real Estate Company, dated January 24, 1962, of record in Book 13-W, Page 36, Robeson County Registry, said iron stake and point of beginning being also

located 50 feet northwardly from an iron stake in the center of said circular street, and in a generally southwesterly direction 50.16 feet to an iron stake in the curved north line of said circular street, said iron stake being located 50 feet northwardly from an iron stake in the center of said circular street, which is the radius point; thence leaving the said circular street and running North 62 degrees 27 minutes West 226.06 feet to an iron stake; thence North 53 degrees 30 minutes East 215.6 feet to an iron stake in the West line of the Catholic Church lands; thence South 18 degrees 11 minutes East 218.9 feet to the beginning.

On motion of Councilman _____, seconded by Councilman _____, the foregoing Amendment was adopted on the 14th day of September, 2026.

ATTEST: _____
Bruce Davis, Mayor

Laney Mitchell-McIntosh, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

E. Holt Moore, III, City Attorney

Ordinance No.

Lumberton City Council

Item: VII.C.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: Planning & Neighborhood
Services

Submission Date: 07/22/2026

Subject: Christopher Powers Special Use Permit for an Architecturally Integrated Subdivision,
Dawn Drive/Wellington Rd- P-8

Summary/Background of Subject Matter:

Christopher Powers, Special Use Permit for an Architecturally Integrated Subdivision for
property located on Dawn Drive and Wellington Rd.

Staff Recommendation:

The Planning Board and Planning Staff ask City Council to hold today's public hearing and
approve the Special Use Permit request.

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. 1610 Land Application and Report
2. Mary Adams
3. NCDOT Comments
4. SUP Ordinance 2025

**DEPARTMENT OF PLANNING & NEIGHBORHOOD SERVICES
CITY OF LUMBERTON, NORTH CAROLINA
APPLICATION FOR A SPECIAL USE PERMIT**

TO: THE CITY COUNCIL OF THE CITY OF LUMBERTON

The undersigned hereby respectfully requests that the City Council of the City of Lumberton issue a Special Use Permit as hereinafter described:

1. Applicant:

Legal Name: 1610 Land Co, LLC

Physical Address: Wellington Rd. #

Dawn Dr.

Mailing Address: 750 S Roberts

Ave. Lumberton, NC

Owner:

Legal Name: 1610 Land Co, LLC

Physical Address: Wellington Rd. #

Dawn Dr.

Mailing Address: 750 S Roberts Ave.

Lumberton, NC

Description of Property:

2. Wellington Rd. & Dawn Dr.
(Address)

2548
(Deed Book)

442
(Page)

67

(Map Book)

158

(Page)

Lot 1 - 6.89 A, Lot 2 - 6.11 A

(Frontage)

Lot 1 - 2.45 Acres, Lot 2 - 1.94 Ac.

(Area)

3. Tax Map Identification (parcel number): 10060101221F, 10060101221FA

4. Proposed Use of Property: Townhomes

5. Zoning District Designation of Property: B2, B3

6. Development Site Plan: See Appendix A of Land Use Ordinance.

7. Notice of Hearing: All property owners within 150' of the perimeter of the property subject of this petition must be notified by first class mail. Please attach list of all such property owners as reflected on the current tax Assessor's Roll with current mailing addresses, Taxing Township, Map Number, Block Number, and parcel Number.

8. Supportive Information: At the Hearing, you will be responsible for providing information to the City Council to enable it to determine whether the development, if completed as proposed, will comply with the requirements of the Land Use Ordinance. You should be ready to show the following relative to the proposed development:

- a. That it will not materially endanger the public health or safety; and
- b. That it will not substantially injure the value of adjoining or abutting property; and
- c. That it will be in harmony with the area in which it is to be located; and
- d. That it will be in general conformity with the Land Use Plan Thoroughfare Plan, or other plan officially adopted by the City.

9. Application Fee: Submit the fee payment with application. The application fee is nonrefundable.

ADDRESS:

10. Briefly describe Applicants intended use of the property (Applicant must attach a detailed business plan, if applicable):

Townhomes Subdivision

11. Notarized Signatures:

I certify that all of the information presented by the undersigned in this Application is accurate to the best of my knowledge, information and belief.

Applicant: Christopher Powers

Name

Physical Address

Applicant:

Signature

STATE OF NC COUNTY OF Robeson

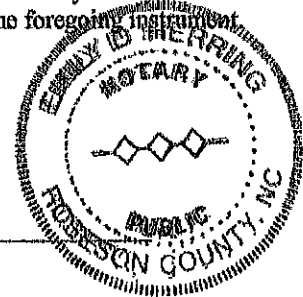
I, Emily D Herring, a Notary Public in and for said County and State, do hereby certify that the following individual personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal this 8th day of July, 2026

Emily D Herring

Notary Public Signature

My Commission Expires: 9-4-29



Owner:

Name

Christopher Powers

Physical Address

Owner:

Signature

STATE OF NC COUNTY OF Robeson

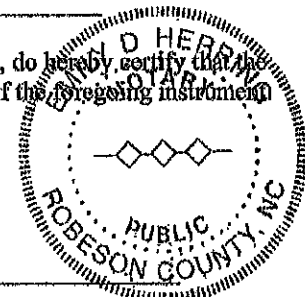
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Emily D Herring

Notary Public Signature

My Commission Expires: 9-4-29

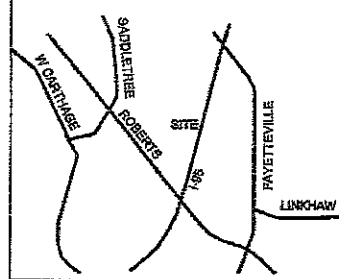


2 of 2

File #

5/28/21

LEGEND	
apk	- existing pk nail found
eis	- existing iron stake found
ecm	- existing concrete marker found
ers	- existing railroad spike found
ela	- existing iron axle found
en	- existing nail found
smn	- set mag nail
ern	- existing mag nail found
slp	- set iron pipe
slp	- existing iron pipe found
sir	- set iron rod
elr	- existing iron rod found
cp	- calculated point (no stake set)
---	right of way line plotted
---	surveyed line
---	line plotted (not surveyed)
---	fence line plotted
---	ditch line plotted
---	easement line plotted
---	centerline line plotted
---	tie line surveyed



VICINITY MAP
NOT TO SCALE

EXISTING BOUNDARY SURVEY MAP 1 OF 2
PREPARED FOR

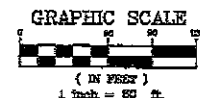
French Family Properties

Lumberton Township
Robeson County North Carolina
September 24, 2025 Scale 1" = 60'
Title Reference: Deed Book 1430, Page 572
Map Book 54, Page 173

NORTH CAROLINA
ROBESON COUNTY
JOHN D. POWERS, JR., PLS LSTTS, CERTIFY THAT
THIS MAP WAS DRAWN UNDER MY SUPERVISION
FROM AN ACTUAL SURVEY MADE UNDER MY
SUPERVISION, DEED AND DESCRIPTION RECORDED IN
MAP BOOK 54, PAGE 173, THAT THE RATIO OF
PRECISION AS CALCULATED BY LATITUDE AND
DEPARTURES IS 1/10,000; THAT THE BOUNDARIES
NOT SURVEYED ARE SHOWN AS DOTTED LINES
PLOTTED FROM INFORMATION FOUND IN BOOKS
REFERENCED, THAT THIS MAP WAS PREPARED IN
ACCORDANCE WITH G.S. 47-30 AS AMENDED WITNESS
MY HAND AND SEAL THIS 6TH DAY OF APRIL, A.D.
2025.

THIS SURVEY OF EXISTING PARCELS OF LAND WITHIN
THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS
AN ORDINANCE THAT REGULATES PARCELS OF LAND.

RETURN: CITY OF LUMBERTON



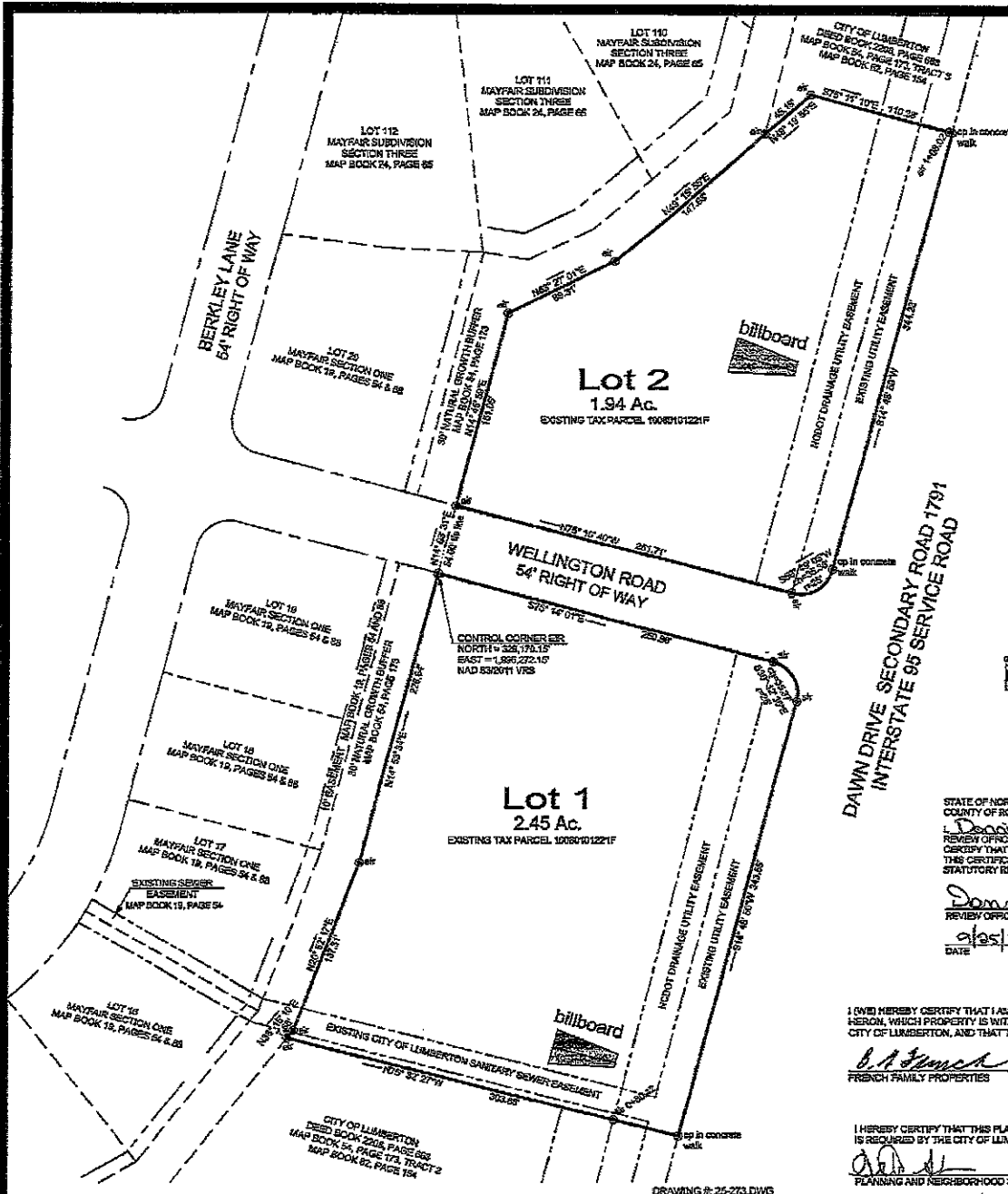
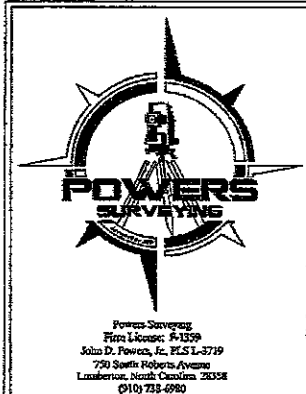
STATE OF NORTH CAROLINA
COUNTY OF ROBESON
I, Debbie Jones
REVIEW OFFICER OF ROBESON COUNTY
CERTIFY THAT THIS MAP OR PLAT TO WHICH
THIS CERTIFICATION IS AFFIXED MEETS ALL
STATUTORY REQUIREMENTS FOR RECORDING.
Dominique Jones
REVIEW OFFICER
DATE 9/25/2025

2025068538
ROBESON CO. NC REC FEE \$42.00
PREPARED & RECORDED
09-25-2025 11:20:59 AM
VICTOR LOCKLEAR
BY GCSA W/INDEPENDENT LOOKLEAR
SEAL
SK: M 67
PG: 158-159

I (WE) HEREBY CERTIFY THAT I AM (WE ARE THE) OWNERS OF THE PROPERTY DESCRIBED
HEREON, WHICH PROPERTY IS WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE
CITY OF LUMBERTON, AND THAT THESE ARE EXISTING PARCELS

B. J. French
FRENCH FAMILY PROPERTIES DATE 9/24/2025

I HEREBY CERTIFY THAT THIS PLAT SHOWN IS OF AN EXISTING PARCEL AND NO APPROVAL
IS REQUIRED BY THE CITY OF LUMBERTON FOR RECORDING. Summy any no subd
Summy
PLANNING AND NEIGHBORHOOD SERVICES DIRECTOR DATE 9/25/2025



City of



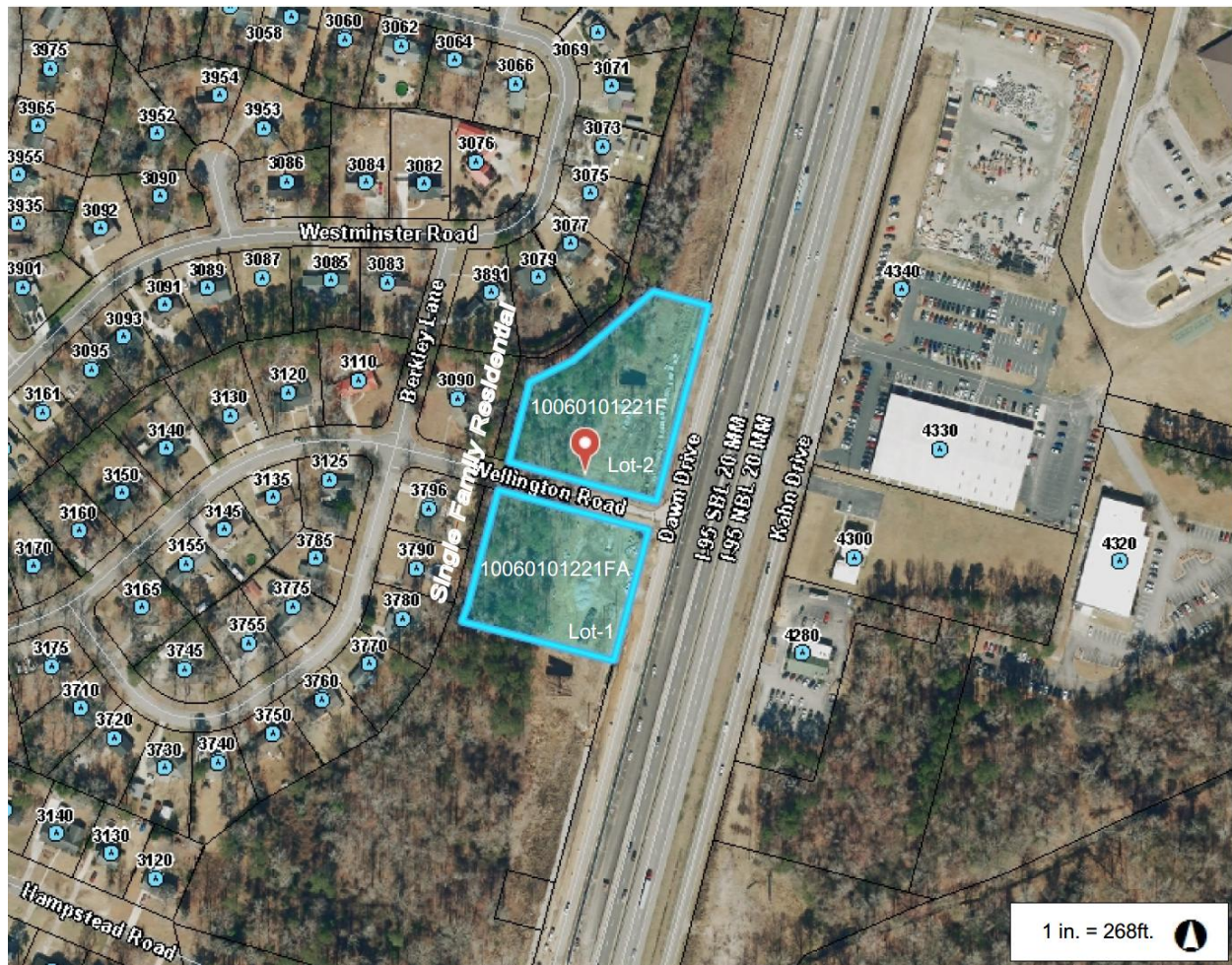
Lumberton

Planning & Neighborhood Services

7.205 - 1610 Land Co. LLC SUP-Major Subdivision -Architecturally Integrated Subdivision

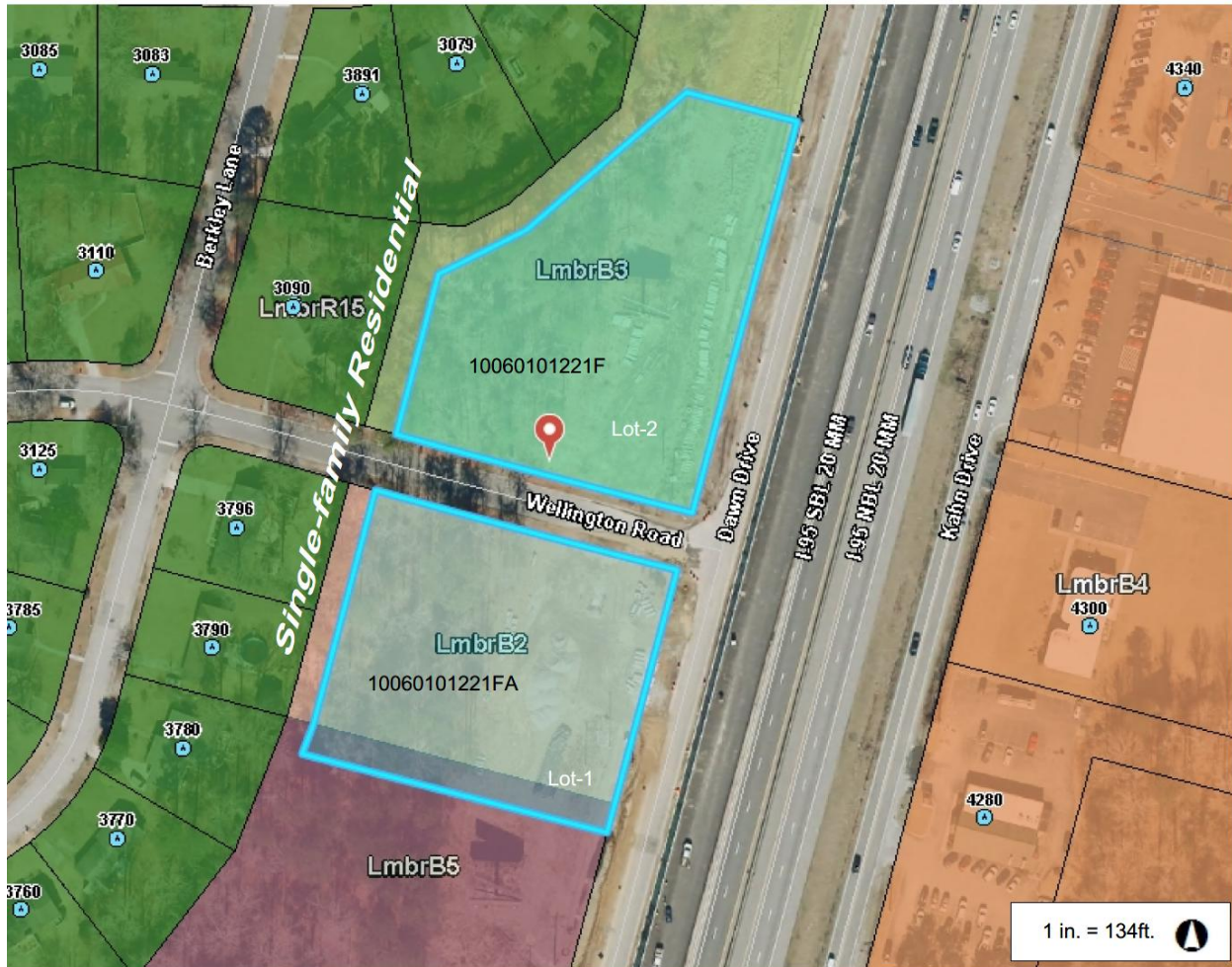
PETITIONER(S):	OWNER(S):
1610 Land Co. LLC (Christopher Powers) 750 S. Roberts Ave. Lumberton, NC 28358 (910) 738-6980 powerssurveying@gmail.com	1610 Land Co. LLC 750 S. Roberts Ave. Lumberton, NC 28358 (910) 738-6980 powerssurveying@gmail.com
Special Use Permit Request: Christopher Powers, with 1610 Land Co. LLC. is requesting a Special Use Permit for an Architecturally Integrated Subdivision for property located on Dawn Drive.	

LOCATION:



City of Lumberton

Planning & Neighborhood Services



PARCEL INFORMATION

Owner	Parcel #(s)	Zoning	Area	Limits of Construction
1610 Land Co. LLC	10060101221FA Lot#1	B-2, Business Community	~2.45 acres	~4.39 acres
1610 Land Co. LLC	10060101221F Lot#2	B-3, Office Residential	~1.94 acres	



Planning & Neighborhood Services

DENSITY AND DIMENSIONAL REGULATIONS-MULTIFAMILY

Zoning District	Minimum Lot Size	Minimum Lot Width	Minimum Setbacks from Right of Way	Minimum Setbacks from Boundary Line	Maximum Building Height
B-2	3,000 per unit if used for Multi-Family Residential purposes including Cluster & Architecturally Integrated Subdivisions, otherwise no minimum.	50 feet	20 feet	10 feet	35 feet
B-3	For Multi-Family Residential purposes including Architecturally Integrated Subdivisions, 7,000 for first two (2) dwelling units in each building and 2,500 for each additional dwelling unit, otherwise 7,000 *** Not to exceed eight (8) dwelling units per building and/or ten (10) dwelling units per acre.	70 feet	20 feet	10 feet	35 feet

DEVELOPMENT INFORMATION - MULTIFAMILY				
Owner	Parcel #(s)	Zoning	Area	Number of Apartments Allowed
1610 Land Co. LLC	10060101221FA Lot#1	B-2, Business Community	~2.45 acres	~ 35 units
1610 Land Co. LLC	10060101221F Lot#2	B-3, Office Residential	~1.94 acres	~ 19.4 units
TOTAL NUMBER OF UNITS ALLOWED - ~54 (NOT INCLUDING PARKING, STREETS, AND OPEN SPACE.				

Planning & Neighborhood Services

ADJACENT PROPERTY SITE DATA

	Zoning	Land Use
Subject Property	- B-2, Business Community - B-3, Office Residential	- Proposed Architecturally Integrated Subdivision- Townhomes
North	- B-3, Office Residential	- Vacant – City of Lumberton Property
South	- B-5, Highway Service	- Vacant – City of Lumberton Property
East	- N/A	- Dawn Drive - I-95
West	- R-15, Residential Single Family	- Single-family residences

STAFF ANALYSIS

PROJECT OVERVIEW

Analysis: Christopher Powers, with 1610 Land Co. LLC. is requesting a Special Use Permit for an Architecturally Integrated Subdivision for property located on Dawn Drive (parcel #'s 10060101221F and 10060101221FA/Deed Book 2548/Page 0442; Map Book 67/ Page 158).

PLANNING & ZONING

Land Use Plan: The Land Use Plan designates the future use of this parcel as Low Intensity, furthermore, this property is located within precinct 8.



City of *Lumberton*

Planning & Neighborhood Services

LOW INTENSITY

The Low Intensity land use category is intended to accommodate both the preservation and growth of low to medium density neighborhoods (4 to 6 dwelling units / acre) consisting primarily of single-family residences, as well as small scale multi-family residential development, such as two and three family dwellings. While primarily residential in character, certain low impact nonresidential uses are appropriate for development within these areas, such as small churches, daycare centers, traditional home occupations and similar uses which will not conflict with the character of these areas when they are situated and developed in a manner that is consistent with an overall low intensity land use pattern.

Screening Requirements (will be addressed during site plan review phase):

Type 'A' screening requirement from single family residences.

Opaque screen, type "A". A screen that is opaque from the ground to a height of at least eight (8) feet. An opaque screen is intended to exclude completely all visual contact between uses and to create a strong impression of spacial separation. The opaque screen may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species or field observation of existing vegetation. The screen must be opaque in all seasons of the year. Suggested planting patterns that will achieve this standard are included in Appendix D [which is on file in the office of the city clerk].

Existing 30' natural growth buffer from single-family residences along the western boundary line (MB 54 PG 173).

Type 'B' along the streets.

Existing utility easements may prohibit installing screening along Dawn Drive.

Broken screen, type "B". A screen composed of intermittent visual obstructions from the ground to a height of at least eight (8) feet. The broken screen is intended to create the impression of a separation of spaces without necessarily eliminating visual contact between the spaces. It may be composed of a wall, fence, landscaped earth berm, planted vegetation, or existing vegetation. Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species, or field observation of existing vegetation. No opening between opaque portions of the screen shall exceed eight (8) feet. The opaque portion of the screen must be opaque in all seasons of the year, while the unobstructed openings may contain deciduous plants. Suggested planting patterns that will achieve this standard are included in Appendix D [which is on file in the office of the city clerk].

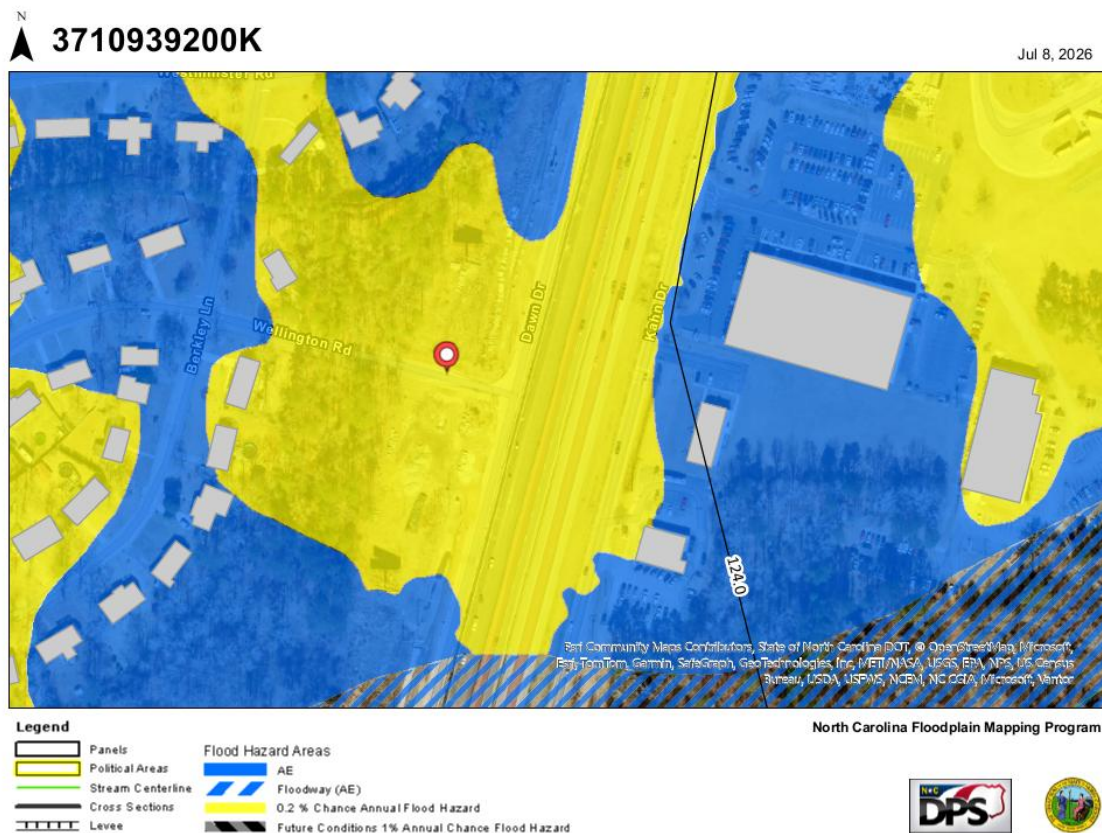
Sec. 35-279. Subdivision and multifamily development entrance signs.

At any entrance to a subdivision or multifamily development there may be not more than two (2) signs identifying such subdivision or development. A single side of any such sign may not exceed sixteen (16) square feet, nor may the total surface area of all such signs located at a single entrance exceed thirty-two (32) square feet. Notwithstanding the foregoing, if the entrance is located upon an arterial street and the sign is designed to complement, in its construction and location, the surrounding environment, then a conditional use permit may be granted to allow a larger area, but, in no event, shall a single side of any such sign exceed thirty-two (32) square feet or the total surface area of all such signs located at a single entrance exceed sixty-four (64) square feet.

FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

Flood Zone: 0.2% Annual Chance Flood Hazard/Shaded Zone X/Not in special flood hazard area: 0.2 Percent Annual Chance Flood: The flood that has a 0.2% chance of being equaled or exceeded in any given year. Also known as the 500-year floodplain.

Map Number: 3710939200K **Panel Effective Date:** 12/6/2019



City of



Lumberton

Planning & Neighborhood Services

DEVELOPMENT UPON APPROVAL

If this Special Use Permit is granted the applicant must submit site development plans, include stormwater management plans, to the City of Lumberton, and other Federal and State Departments, if applicable, for review and approval prior to development. All conditions of the Special Use Permit will be enforced.

NOTIFICATIONS FOR PUBLIC HEARING

On August 20, 2026 the Planning Department sent out letters to the adjacent property owners within 150 feet of the petitioned property, notifying them of the request.

On July 22, 2026 a request was sent to Public Works Department to have a sign placed on the property, notifying the adjacent property owners of the request.

On July 22, 2026 a request was sent to the Robesonian to have the legal ad for this request ran on August 22, 2026 and September 12, 2026 (CN 4280)

PLANNING BOARD RECOMMENDATION TO COUNCIL

The Planning Board held the public meeting on July 21, 2026 and, with a 5-3 vote recommends City Council approve the Special Use Permit request.

Voted against

Randy Hammonds (P8)

Angela Jones (P2)

Lisa Douglas (P6)

PLANNING STAFF RECOMMENDATION TO COUNCIL

The Planning Board and Planning Staff asks City Council to hold today's public hearing and approve the Special Use Permit request.

Askew, ArTriel

From: Thomas, Owen
Sent: Monday, July 20, 2026 12:15 PM
To: Horne, Wayne; Askew, ArTriel
Subject: Fw: Zoning request for Wellington Road/Dawn Drive

Get [Outlook for iOS](#)

From: maryadams714@yahoo.com <maryadams714@yahoo.com>
Sent: Monday, 20 July 2026 12:14:12
To: Thomas, Owen <othomas@ci.lumberton.nc.us>
Subject: Zoning request for Wellington Road/Dawn Drive

Mr. Thomas

I want to express my concern of building any further structures on Dawn Drive specifically between UNC Healthcare and Roberts Avenue. I have lived in Mayfair since February, 1987 - almost 40 years. The Mayfair community is my home.

When I first moved here, the land where UNC Healthcare now sits was the home of a Putt Putt course, driving range and go cart track. Since it was a green space, it took the hit and it flooded during heavy rain periods. Mayfair did not flood. We lost that protection when the hospital built on that property.

With the widening of I-95 we have lost land that could help absorb rain. Since the construction on I-95 and Dawn Drive started, I have seen the area that 1610 Land Co, LLC wishes to develop hold standing water for over a week following heavy rains. We need the space he desires to develop to help Mayfair with drainage and water retention. He wants to build on land between property that the City of Lumberton owns on both the North and South sides and very close to protected wetlands. If he is allowed to build townhouses on that land it will cause more runoff and drainage problems for the Mayfair area.

While the area he wishes to develop is not directly behind my house, I do live on Westminster Road and the ditch that is adjacent to the property in question is behind my house. During heavy rain the ditch cannot drain fast enough and sections of my backyard flood. Being in a flood plain, Mayfair cannot handle anymore development along Dawn Drive.

Since we received such short notice of the planning board meeting, I am unable to attend. I do have other concerns, but they can be expressed at another time.

Thank you for your time and what you do to help the community of Mayfair.

Mary Jones

Askew, ArTriel

From: Thomas, Owen
Sent: Monday, July 20, 2026 12:15 PM
To: Horne, Wayne; Askew, ArTriel
Subject: Fw: Zoning request for Wellington Road/Dawn Drive

Get [Outlook for iOS](#)

From: maryadams714@yahoo.com <maryadams714@yahoo.com>
Sent: Monday, 20 July 2026 12:14:12
To: Thomas, Owen <othomas@ci.lumberton.nc.us>
Subject: Zoning request for Wellington Road/Dawn Drive

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Thank you for your time and what you do to help the community of Mayfair.

Mary Jones

Askew, ArTriel

From: Bell, Brice <bricebell@ncdot.gov>
Sent: Thursday, July 23, 2026 7:38 PM
To: Johnny Powers; Christopher Powers; Askew, ArTriel; Nolley, Brian; Jason Britt; steve hammonds
Subject: RE: [External] Fwd: Dawn Drive (Mayfair) -- Ross Ridge Village

Johnny, as a cursory review, we would require roadway improvements for the development as proposed with an additional access onto Dawn Drive. We would need a traffic count to get the specifics of those improvements. If the developer was to oppose the improvements, we would request a Traffic Impact Analysis as a reference. Let me know if there are any questions. Thanks!

Brice Bell, PE, CPM
District Engineer
Division of Highways – Division 6 – Robeson County
Department of Transportation

910 702 6030 office
910 618 5586 fax
bricebell@ncdot.gov

Post Office Box 2157
Lumberton, North Carolina 28359



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

From: Johnny Powers <powerssurveying@gmail.com>
Sent: Tuesday, July 21, 2026 9:48 AM
To: Bell, Brice <bricebell@ncdot.gov>; Christopher Powers <christopher.powers@powerssurveying.com>; Askew, ArTriel <aaskew@ci.lumberton.nc.us>; Nolley, Brian <bnolley@ci.lumberton.nc.us>; Jason Britt <jason.britt@ncfbins.com>; steve hammonds <hammerhomesinc2@yahoo.com>
Subject: [External] Fwd: Dawn Drive (Mayfair) -- Ross Ridge Village

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Good morning Mr Bell

I hope all is well with you

Just checking to see if you have had a chance to look over the attached drawing

We have a City of Lumberton Planning Board public hearing this evening and there may be some questions

Thanks and have a great day

Johnny

----- Forwarded message -----

From: **Johnny Powers** <powerssurveying@gmail.com>

Date: Wed, Jul 8, 2026 at 10:55 AM

Subject: Dawn Drive (Mayfair) -- Ross Ridge Village

To: Bell, Brice <bricebell@ncdot.gov>

Cc: Askew, ArTriel <aaskew@ci.lumberton.nc.us>, Nolley, Brian <bnolley@ci.lumberton.nc.us>, Jason

Britt <jason.britt@ncfbins.com>, steve hammonds <hammerhomesinc2@yahoo.com>, Christopher

Powers <christopher.powers@powerssurveying.com>

Good morning Brice

I hope all is well with you

Please see the attached drawing of Ross Ridge Village at Mayfair and let me know if you have any comment or concerns of the proposed drive connection to Dawn Drive

Thanks and have a great day

Johnny Powers

--

John D. Powers, Jr.

Professional Land Surveyor

(910) 674-2966

(910) 738-6980

powerssurveying@gmail.com

--

John D. Powers, Jr.

Professional Land Surveyor

(910) 674-2966

(910) 738-6980

powerssurveying@gmail.com

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

NORTH CAROLINA
ROBESON COUNTY

SPECIAL USE PERMIT

APPLICANT: Christopher Powers

PROPERTY OWNER: 1610 Land Co. LLC

TAX MAP: 10060101221F and 10060101221FA

DEED REFERENCE: Deed Book 2548/Page 0442;
Map Book 67/ Page 158)
Architecturally Integrated Subdivision Map Page

PROPOSED USE: Architecturally Integrated Subdivision with 24 lots.

MEETING DATE: September 14, 2026

On the date listed above, the City Council of the City of Lumberton met to consider an application to issue a Special Use Permit for the aforelisted proposed use of property at the aforelisted property location.

Having heard all the evidence and argument presented at the hearing, the Council finds that the application is complete, that the application complies with all of the applicable requirements of the Lumberton Land Use Ordinance for the development proposed, and that, therefore, the application to make use of the above-described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Lumberton Land Use Ordinance and the following conditions:

- (1) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by this Council, a copy of which is filed in the Planning and Neighborhood Services Department of the City of Lumberton, North Carolina.
- (2) In granting the Special Use Permit, the Council has placed the following additional conditions or requirements upon the owner, his successors and assigns in exercising the rights granted herein:
 - NO ADDITIONAL CONDITIONS
- (3) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, this permit shall be void and of no effect.

Nothing authorized by the permit may be done until the property owner properly executes and returns to the City the attached acknowledgement of the issuance of this permit so that the City may have it recorded in the Robeson County Registry.

IN WITNESS WHEREOF, The City of Lumberton has caused this permit to be issued in its name, and the undersigned, being all of the property owners of the above-described property, do hereby accept this Special Use Permit, together with all its conditions, as binding on them and their successors in interest.

CITY OF LUMBERTON

BY: _____
Bruce Davis, Mayor

ATTEST:

Laney Mitchell-McIntosh, City Clerk

The undersigned, being all of the owners of the above-described property, do hereby acknowledge: (1) receipt of this Special Use Permit, (2) that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements, and (3) that this restriction shall be binding on them and their successors in interest.

_____	_____ (SEAL)
Owner Name (print/type)	Owner Signature

STATE OF NORTH CAROLINA
COUNTY OF _____

I, _____, a Notary Public in and for said County and State, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notorial Seal this _____ day of _____, 200__.

Notary Public

My Commission Expires: _____.

Lumberton City Council

Item: VII.D.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: Planning & Neighborhood
Services

Submission Date: 08/31/2026

Subject: CDBG-NR 2026 Application Public Hearing

Summary/Background of Subject Matter:

The City has been notified by the Department of Commerce's Rural Development Division of the availability of up to \$950,000 in CDBG funds for Neighborhood Revitalization Program. The Neighborhood Revitalization category is designed to provide grants to local governments for housing, housing -related activities, and public facilities. The applicants must meet 1 of 3 national objectives: 1) Benefit low and moderate-income persons, 2) Prevent or eliminate slums or blight 3) Meeting other urgent needs (storms/disaster-related). Homes must be owner-occupied LMI real property and can include rehabilitation of housing or demolition and rebuilding. Local funds are looked upon favorably in the application scoring.

This public hearing is the first of two required public hearings that will be conducted during the planning stage of the CDBG application for Neighborhood Revitalization funds. These public hearings serve to gather input from citizens on Lumberton's use of CDBG funds. The second required public hearing will be held at the October meeting and the application for the program will be due to the NC Department of Commerce RDD on October 13, 2026.

Staff Recommendation:

Staff recommends holding the public hearing as part of the application process.

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

None

Lumberton City Council

Item: VIII.A.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Council

Submission Date: 08/03/2026

Subject: Ratify the \$600 Donation to Clifford Bullard Memorial Golf Tournament

Summary/Background of Subject Matter:

A poll was conducted for the Clifford Bullard 42nd Annual Memorial Golf Tournament on October 1, 2026.. Funds were given as indicated below.

Staff Recommendation:

Ratify the approved CRF designated as follows: P1 - \$100 P2 - \$100 P3 - \$100, P4 - \$100, P7 - \$100 and P8 - \$100 for a total of \$600 to the Clifford Bullard Memorial Golf Tournament.

City Manager's Comments:

Signature: Laney Mitchell-McIntosh, City Clerk

Department: City Council

ATTACHMENTS:

None

Lumberton City Council

Item: VIII.B.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Council

Submission Date: 08/03/2026

Subject: Ratify the Donation of \$850 to WAGR for Community Programming

Summary/Background of Subject Matter:

A poll was conducted to consider contributing CRF to WAGR (Radio Station) for community programming.

Staff Recommendation:

Ratify the donations given as follows: P1 - \$50 P2 - \$150 P3 - \$100 P4 - \$50 P5 - \$250 P6 - \$100 P7 - \$50 and P8 - \$150 = \$850.

City Manager's Comments:

Signature: Laney Mitchell-McIntosh, City Clerk

Department: City Council

ATTACHMENTS:

None

Lumberton City Council

Item: VIII.C.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Council

Submission Date: 08/03/2026

Subject: Ratify the Donation of \$750 to Robeson County Agricultural Fair for Sponsorship

Summary/Background of Subject Matter:

A poll was conducted to consider contributing CRF for sponsorship to the Robeson County Agricultural Fair. Allocations were made as listed below.

Staff Recommendation:

P1 - \$100

P2 - \$100

P3 - \$100

P4 - \$100

P6 - \$100

P7 - \$150

P8 - \$100 for a total of \$750.00 of CRF

City Manager's Comments:

Signature: Laney Mitchell-McIntosh, City Clerk

Department: City Council

ATTACHMENTS:

None

Lumberton City Council

Item: VIII.D.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Council

Submission Date: 08/03/2026

Subject: Ratify the Contribution of \$1,100 to the 49th Annual All-American Golf Tournament — Robeson Kiwanis

Summary/Background of Subject Matter:

A poll was conducted to consider contributing to the Kiwanis Club's 49th Annual All-American Golf Tournament, "Changing the World One Child, One Community at a Time," will be held August 8–9, 2026, at Pinecrest Country Club. Funds were given as indicated below.

Staff Recommendation:

Ratify the allocation of funds as follows:

Kiwanis of Robeson-Lumberton \$1,100.00

P1 - \$250

P2 - \$100

P3 - \$100

P4 - \$100

P5 - \$100

P6 - \$100

P7 - \$100

P8 - \$250 for a total of \$1,100.00

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

1. 2026 Golf Brochure

**CELEBRATING
102 YEARS OF SERVICE
In Robeson County
1924-2026**

KIWANIS empowers communities to improve the world by making an impact in the lives of children. 100% of tournament profits go to programs providing support, guidance and protection to children. YOUR support allows us to provide local programs as:

- Mac Starke Clothing Closet
- Read Across Robeson
- Scholarships - UNCP & RCC
- Lumberton High Key Club
- Robeson Young Professionals
- Take a Kid to a Game
- CIS - Backpack Pals
- Annual EC Christmas Social
- RCC Early College Key Club
- ADA Playground
- Tanglewood K-Kids



**Official
Entry Form**

GOLFER ONE

Name:

Phone:

Email:

GOLFER TWO

Name:

Phone:

Email:

(Tee-times will be emailed and published in The Robesonian)

Circle Preferred tee time:

8:00-
10AM

10AM-
Noon

Noon-
1:30PM

**\$250 due with entry
by August 1, 2026**

**Mail Check to:
Kiwanis of Robeson - Lumberton
Children's Foundation
PO Box 2705
Lumberton, NC 28359**

Kiwanis®
ROBESON - LUMBERTON



**Robeson Kiwanis
Children's Foundation**

49th Annual

**ALL- AMERICAN
GOLF TOURNAMENT**

August 8 & 9, 2026

**Pinecrest Country Club
Lumberton, NC**

**Changing the world one child,
one community at a time.**

SPONSORSHIP LEVELS

DIAMOND SPONSOR: \$1,500

- Two team Entries (\$500 value)
- Sponsor Sign & Listing on Cart Sign
- Recognition in Tournament Guide and Local newspaper
- Invitation for 2 Kiwanis Banquet (\$100 value)
- 6 tickets to Kiwanis Pancake Festival (\$48 value)

PLATINUM SPONSOR: \$1,000

- One team Entries (\$250 value)
- Sponsor Sign & Listing on Cart Sign
- Recognition in Tournament Guide and Local newspaper
- 4 tickets to Kiwanis Pancake Festival (\$32 value)

GOLD SPONSOR: \$500

- One team Entries (\$250 value)
- Sponsor Sign
- Recognition in Tournament Guide and Local newspaper

SILVER SPONSOR: \$250

- Sponsor Sign
- Recognition in Tournament Guide

BRONZE SPONSOR: \$125

- Recognition in Tournament Guide

Thank you for your support!

TOURNAMENT RULES

Format:
Two Person Best Ball
(no handicap)

Open to all golfing amateurs, 21 years of age or older, unless accompanied by adult.

Awards Sunday at 5:30pm:
First three places in each flight win prizes.

Tournament champion receives a traditional Kiwanis Blue Blazer.

Special prizes on the golf course.

Local rules will apply.

#kidsneedkiwanis

Website: <https://k01190.site.kiwanis.org/>

Twitter: @KiwanisRobeson

Instagram: [kiwanis_of_roberson_lumberton](#)

Facebook: [Kiwanis of Robeson-Lumberton](#)

BECOME A SPONSOR

Kiwanis of Robeson-Lumberton Children's Foundation, Inc. is a 501(c)(3) organization
tax id # 75-3111441.

Your sponsorship may be tax deductible. Please consult your tax advisor.
Thank You.

SPONSORSHIP

COMPANY/ORGANIZATION

CONTACT PERSON

EMAIL ADDRESS

ADDRESS

PHONE

Tournament Chairperson
Carey Read
910-258-5341

Lumberton City Council

Item: VIII.E.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Manager

Submission Date: 08/03/2026

Subject: Ratify - Adoption of Resolution Accepting Funding Offers for Phases 3, 4, & 5 for the Lead Line Replacement Program

Summary/Background of Subject Matter:

A poll was conducted to inform Council that the City has received Funding Offers for Phases 3, 4, and 5 for the Lead Service Line Replacement Program. In order to received the funding Council must adopt a Resolution Accepting the Conditions and Assurance for the grant.

Staff Recommendation:

Ratify the adoption of the resolution for Phases 3, 4, & 5 of the Lead Line Service Replacement Program.

City Manager's Comments:

Signature: Laney Mitchell-McIntosh, City Clerk

Department: City Manager

ATTACHMENTS:

1. BP-70C45_20260803_084132
2. BP-70C45_20260803_084258
3. BP-70C45_20260803_084225

**RESOLUTION OF THE LUMBERTON CITY COUNCIL OFFER AND ACCEPTANCE
OF THE DRINKING WATER STATE REVOLVING FUND – LEAD SERVICE LINE
REPLACEMENT (DWSRF-LSLR) GRANT OFFERED BY THE NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY**

WHEREAS, the Bipartisan Infrastructure Law (BIL) of 2021 and North Carolina General Statute (NCGS) 159G have authorized the making of loans to aid eligible drinking-water system owners in financing the cost of inventorying and replacing lead service lines, and

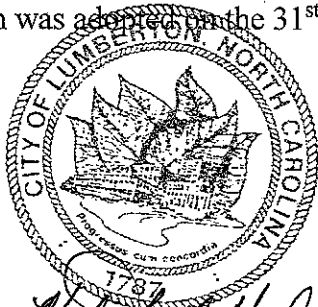
WHEREAS, North Carolina Department of Environment Quality has offered Drinking Water State Revolving Fund – Lead Service Line Replacement (DWSRF-LSLR) grant/loan in the amount of \$1,000,000.00 to conduct the inventorying and replacing lead service lines in the Lead Service Inventory Project (Phase 3), and

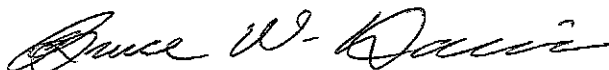
WHEREAS, the City of Lumberton intends to conduct said project in accordance with the agreed scope of work that was approved by the North Carolina Division of Water Infrastructure,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LUMBERTON:

1. That the Lumberton City Council does hereby accept the (DWSRF-LSLR) offer of \$1,000,000.00 and:
2. The Lumberton City Council does hereby give assurance to the North Carolina Department of Environment Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.
3. That T. Wayne Horne, City Manager and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.
4. The City of Lumberton has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project.

On motion of Councilman Rising seconded by Councilman Chavis, the foregoing Resolution was adopted on the 31st day of July 2026.




Bruce W. Davis, Mayor

ATTEST:


Laney Mitchell-McIntosh, City Clerk

Resolution No. 2026.07.03

**RESOLUTION OF THE LUMBERTON CITY COUNCIL OFFER AND ACCEPTANCE
OF THE DRINKING WATER STATE REVOLVING FUND – LEAD SERVICE LINE
REPLACEMENT (DWSRF-LSLR) GRANT OFFERED BY THE NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY**

WHEREAS, the Bipartisan Infrastructure Law (BIL) of 2021 and North Carolina General Statute (NCGS) 159G have authorized the making of loans to aid eligible drinking-water system owners in financing the cost of inventorying and replacing lead service lines, and

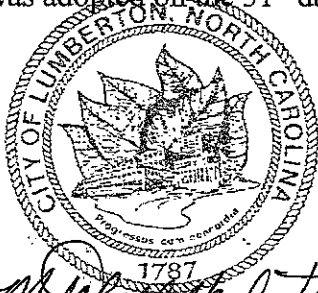
WHEREAS, North Carolina Department of Environment Quality has offered Drinking Water State Revolving Fund – Lead Service Line Replacement (DWSRF-LSLR) grant/loan in the amount of \$1,000,000.00 to conduct the inventorying and replacing lead service lines in the Lead Service Inventory Project (Phase 4), and

WHEREAS, the City of Lumberton intends to conduct said project in accordance with the agreed scope of work that was approved by the North Carolina Division of Water Infrastructure,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LUMBERTON:

1. That the Lumberton City Council does hereby accept the (DWSRF-LSLR) offer of \$1,000,000.00 and:
2. The Lumberton City Council does hereby give assurance to the North Carolina Department of Environment Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.
3. That T. Wayne Horne, City Manager and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.
4. The City of Lumberton has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project.

On motion of Councilman Rising, seconded by Councilman Chavis, the foregoing Resolution was adopted on the 31st day of July 2026.



ATTEST:

Laney Mitchell-McIntosh
Laney Mitchell-McIntosh, City Clerk

Bruce W. Davis

Bruce W. Davis, Mayor

Resolution No. 2026.07.04

**RESOLUTION OF THE LUMBERTON CITY COUNCIL OFFER AND ACCEPTANCE
OF THE DRINKING WATER STATE REVOLVING FUND – LEAD SERVICE LINE
REPLACEMENT (DWSRF-LSLR) GRANT OFFERED BY THE NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY**

WHEREAS, the Bipartisan Infrastructure Law (BIL) of 2021 and North Carolina General Statute (NCGS) 159G have authorized the making of loans to aid eligible drinking-water system owners in financing the cost of inventorying and replacing lead service lines, and

WHEREAS, North Carolina Department of Environment Quality has offered Drinking Water State Revolving Fund – Lead Service Line Replacement (DWSRF-LSLR) grant/loan in the amount of \$1,000,000.00 to conduct the inventorying and replacing lead service lines in the Lead Service Inventory Project (Phase 5), and

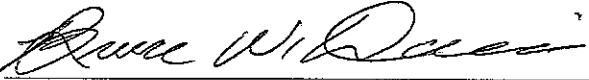
WHEREAS, the City of Lumberton intends to conduct said project in accordance with the agreed scope of work that was approved by the North Carolina Division of Water Infrastructure,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LUMBERTON:

1. That the Lumberton City Council does hereby accept the (DWSRF-LSLR) offer of \$1,000,000.00 and:
2. The Lumberton City Council does hereby give assurance to the North Carolina Department of Environment Quality that any Conditions or Assurances contained in the Award Offer will be adhered to.
3. That T. Wayne Horne, City Manager and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required by the Division of Water Infrastructure.
4. The City of Lumberton has substantially complied or will substantially comply with all Federal, State and local laws, rules, regulations, and ordinances applicable to the project.

On motion of Councilman Rising, seconded by Councilman Chavis, the foregoing Resolution was adopted on the 31st day of July 2026.





Bruce W. Davis, Mayor

ATTEST:


Laney Mitchell-McIntosh, City Clerk

Resolution No. 2026.07.05

Lumberton City Council

Item: VIII.F.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Attorney

Submission Date: 08/03/2026

Subject: Ratify the Adoption of a Resolution Declaring Property Surplus to the needs of the City

Summary/Background of Subject Matter:

A poll was conducted to consider adopting a Resolution Declaring Property Surplus (Meters) by Negotiated Offer. City Council adopted a Resolution to negotiate an offer on the old water meters that were switched out for the AMI meters. The advertisement has been submitted to the Robesonian.

Staff Recommendation:

Ratify the adoption of the Resolution Declaring Property Surplus to the Needs of the City as Surplus and Authorization to Sale by a Negotiated Offer.

City Manager's Comments:

Signature: Laney Mitchell-McIntosh, City Clerk

Department: City Attorney

ATTACHMENTS:

1. 2026.07.02 -Resolution Declaring Property Surplus (Meters) by Negotiated Offer

CITY OF LUMBERTON
RESOLUTION DECLARING PROPERTY SURPLUS TO THE NEEDS OF THE CITY
AND AUTHORIZING ITS DISPOSITION BY PRIVATE NEGOTIATED SALE

WHEREAS, the City Council of the City of Lumberton desires to dispose of certain personal property that is no longer needed for municipal purposes; and

WHEREAS, N.C.G.S. § 160A-266 authorizes municipalities to dispose of personal property by private negotiated sale;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lumberton as follows:

1. That the personal property listed below shall be advertised for disposition by private negotiated sale in exchange for store credit in a newspaper of general circulation at least once not less than ten (10) days before the date of sale.
2. That the property described below is hereby declared surplus to the needs of the City. Henry Harper is hereby designated and authorized to negotiate the private sale of the property in exchange for store credit in accordance with N.C.G.S. § 160A-266. The property shall be sold "as is," without warranty, and shall be subject to timely removal from City property.

LIST OF PROPERTY FOR SALE

Description:

- Approximately 8,000–9,000 obsolete water meters.

Upon motion of Councilman Rising, seconded by Councilman Carroll, the foregoing resolution was duly adopted this 30th day of July, 2026.

Bruce W. Davis, Mayor

ATTEST:

Laney Mitchell-McIntosh, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Holt Moore, City Attorney

Resolution No. 2026.07.02

Lumberton City Council

Item: VIII.G.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: Legal

Submission Date: 08/04/2026

Subject: Ratify Granting an Easement to Duke Energy for Jasper Street

Summary/Background of Subject Matter:

An easement is needed on Jasper Street to allow Duke Energy to install utility poles. Director Prevatte, along with the Electric Utilities Department and Public Works Department, have reviewed and approved this request.

Staff Recommendation:

Ratify the approval of an easement for Duke Energy along Jasper Street

City Manager's Comments:

Signature: Wayne Horne, City Manager

Department: Legal

ATTACHMENTS:

None

Lumberton City Council

Item: VIII.H.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Manager

Submission Date: 08/04/2026

Subject: Ratify the Approval of Aclara Change Order Amounting to \$113,700

Summary/Background of Subject Matter:

Approval was requested for a payment of \$113,700 to Aclara for additional services that were not identified at the time of the meter exchange. The additional work includes:

a. Return visits to replace meter box lids only (lids were not available at the time of the meter exchange):

- 1,200 lids @ \$27.75 each = \$33,300.00 (Inventory will need to be made available.)

b. Box adjustments to ensure lids sit flush within the service box lip:

- 750 adjustments @ \$71.50 each = \$53,625.00 (Estimated at approximately 50% of the lids requiring replacement.)

c. Replacement of service boxes, as needed:

- 150 boxes @ \$178.50 each = \$26,775.00 (Includes service boxes accommodating meters up to 2 inches.)

Total Change Order Request: \$113,700.00

Staff Recommendation:

Ratify the approval of the Change Order in the amount of \$113,700 to Aclara paid out of the contingency fund.

City Manager's Comments:

Signature: Laney Mitchell-McIntosh, City Clerk

Department: City Manager

ATTACHMENTS:

None

Lumberton City Council

Item: VIII.I.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Attorney

Submission Date: 08/06/2026

Subject: Ratify the Adoption of a Resolution Declaring Property Surplus to the needs of the City

Summary/Background of Subject Matter:

A poll was conducted to consider adopting a Resolution Declaring Property Surplus (Meters) by Negotiated Offer. City Council adopted a Resolution to negotiate an offer on the old water meters that were switched out for the AMI meters. The advertisement has been submitted to the Robesonian.

Staff Recommendation:

Ratify the adoption of the Resolution Declaring Property Surplus to the Needs of the City as Surplus and Authorization to Sale by a Negotiated Offer.

City Manager's Comments:

Signature: Laney Mitchell-McIntosh, City Clerk

Department: City Attorney

ATTACHMENTS:

None

Lumberton City Council

Item: VIII.J.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: Legal

Submission Date: 08/13/2026

Subject: Ratify the Ordinance Amending Chapter 23 Water and Sewers Section 104(b)(3) Relating to Pretreatment of Wastewater

Summary/Background of Subject Matter:

A poll was conducted to approve a revision to Section 23-104(b)(3) of the City Code relating to pretreatment of wastewater. The section was revised to read as follows:

Staff Recommendation:

City Manager's Comments:

Signature: Laney Mitchell-McIntosh, City Clerk

Department: Legal

ATTACHMENTS:

1. 2026.08.01 Sewer Use Ordinance 2026 (2)

**ORDINANCE AMENDING CHAPTER 23 OF THE CODE OF THE CITY OF
LUMBERTON, AMENDING THE PROVISIONS RELATING TO WATER AND
SEWERS**

BE IT ORDAINED by the City Council of the City of Lumberton that Chapter 23 of the Code of the City of Lumberton, be and is hereby amended as follows:

ARTICLE IV. - SEWER USE

DIVISION 1. – GENERALLY

Sec. 23-96. - Purpose and policy.

This article sets forth uniform requirements for direct and indirect contributors into the wastewater collection and treatment system for the City of Lumberton, hereafter referred to as the City, and enables the city to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code §1251 et seq.) and the general pretreatment regulations (40 CFR, Part 403).

The objectives of this ordinance are:

- (1) To prevent the introduction of pollutants and wastewater discharges into the municipal wastewater system which will interfere with the operation of the system or contaminate the resulting sludge;
 - (2) To prevent the introduction of pollutants and wastewater discharges into the municipal wastewater system which will pass through the system, inadequately treated, into any waters of the state or otherwise be incompatible with the system;
 - (3) To promote reuse and recycling of industrial wastewater and sludges from the municipal system;
 - (4) To protect both municipal personnel who may be affected by sewage, sludge, and effluent in the course of their employment as well as protecting the general public;
 - (5) To provide for equitable distribution of the cost of operation, maintenance and improvement of the municipal wastewater system; and
 - (6) To ensure that the municipality complies with its NPDES or Non-discharge Permit conditions, sludge use and disposal requirements and any other federal or state laws to which the municipal wastewater system is subject.
- (7) To aid in the prevention of sanitary sewer blockages and obstructions and accumulations of fats, oils, and greases into said sewer system from industrial or commercial establishments, particularly food preparation and serving facilities.

This article provides for the regulation of direct and indirect contributors to the municipal wastewater system, through the issuance of permits to certain non-domestic users and through enforcement of general requirements for the other users, authorizes monitoring and enforcement activities, requires user reporting and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

This article shall apply to all users of the municipal wastewater system, as authorized by N.C.G.S.

160A-312. The city shall designate an administrator of the Publicly Owned Treatment Works (POTW) and pretreatment program hereafter referred to as the POTW director. Except as otherwise provided herein, the POTW director shall administer, implement, and enforce the provisions of this article. Any powers granted to or imposed upon the POTW director may be delegated by the POTW director to other city personnel.

By discharging wastewater into the City wastewater system, industrial users located outside the city limits agree to comply with the terms and conditions established in this article, as well as any permits, enforcement actions, or orders issued hereunder.

Sec. 23-97. - Definitions and abbreviations.

- (a) Unless the context specifically indicates otherwise, the following terms and phrases, as used in this ordinance, shall have the meanings hereinafter designated:

Act or the Act. The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. §1251, et seq.

Approval authority. The director of the Division of Water Quality of the North Carolina Department of Environment and Natural Resources or his designee.

Authorized representative of the industrial user.

- (1) If the industrial user is a corporation, authorized representative shall mean:
 - a. The president, secretary, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - b. The manager of one or more manufacturing, production, or operation facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (2) If the industrial user is a partnership or sole proprietorship, an authorized representative shall mean a general partner or the proprietor, respectively.
- (3) If the industrial user is a federal, state or local government facility, an authorized representative shall mean a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
- (4) The individuals described in paragraphs (1)—(3) above may designate another authorized representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the city.
- (5) If the designation of an authorized representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of this section must be submitted to POTW director prior to or together with any reports to be signed by an authorized representative.

Biochemical oxygen demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five days at 20° centigrade, usually expressed as a concentration (e.g. mg/l).

Building sewer. A sewer conveying wastewater from the premises of a user to the POTW.

Bypass. The intentional diversion of waste streams from any portion of a user's treatment facility.

Categorical standards. National Categorical Pretreatment Standards or Pretreatment Standard.

Control Authority. Refers to the POTW organization if the POTW organization's Pretreatment Program approval has not been withdrawn.

Environmental protection agency, or EPA. The U.S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

Grab sample. A sample which is taken from a waste stream on a one-time basis without regard to the flow in the waste stream and over a period of time not to exceed 15 minutes.

Holding tank waste. Any waste from holding tanks, including but not limited to such holding tanks as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

Indirect discharge or discharge. The discharge or the introduction from any nondomestic source regulated under section 307(b), (c), or (d) of the Act, (33 U.S.C. 1317), into the POTW (including holding tank waste discharged into the system).

Industrial user or user. Any person which is a source of indirect discharge.

Interference. The inhibition, or disruption of the POTW collection system, treatment processes, operations, or its sludge process, use, or disposal, which causes or contributes to a violation of any requirement of the Control Authority's (and/or POTW's, if different from the Control Authority) NPDES, collection system, or non-discharge permit or prevents sewage sludge use or disposal in compliance with specified applicable state and federal statutes, regulations, or permits. The term includes prevention of sewage sludge use or disposal by the POTW in accordance with section 405 of the Act, (33 U.S.C. 1345) or any criteria, guidelines, or regulations developed pursuant to the Solid Waste Disposal Act (SWDA)(42 U.S.C. §6901, et seq.), the Clean Air Act, the Toxic Substances Control Act, the Marine Protection Research and Sanctuary Act (MPRSA) or more stringent state criteria (including those contained in any state sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the POTW.

Medical waste. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

National Categorical Pretreatment Standard or categorical standard. Any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the Act (33 U.S.C. §1317) which applies to a specific category of industrial users, and which appears in 40 CFR Chapter 1, Subchapter N, Parts 405—471.

National prohibitive discharge standard or prohibitive discharge standard. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in section 2.1 of this ordinance and are developed under the authority of 307(b) of the Act and 40 CFR, section 403.5.

New source. As defined in 40 CFR 403.3(m), including any subsequent amendments and additions.

Noncontact cooling water. Water used for cooling which does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

National Pollution Discharge Elimination System, or NPDES, permit. A permit issued pursuant to section 402 of the Act (33 U.S.C. § 1342), or pursuant to N.C.G.S. 143-215.1 by the state under delegation from EPA.

Non-discharge permit. A permit issued by the State pursuant to G.S. 143-215.1(d) for a waste which is not discharged directly to surface waters of the State or for a wastewater treatment works which does not discharge directly to surface waters of the State.

Pass through. A discharge which exits the POTW into waters of the State in quantities or

concentrations which, alone or with discharges from other sources, causes a violation, including an increase in the magnitude or duration of a violation, of the POTW's NPDES or non-discharge permit, or a downstream water quality standard or a downstream water quality standard even if not included in the permit.

Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. This definition includes all federal, state, and local government entities.

pH. A measure of the acidity or alkalinity of a substance, expressed as standard units, and calculated as the logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in grams per liter of solution.

Pollutant. Any "waste" as defined in N.C.G.S. 143-213(18) and dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, metals, BOD, COD, toxicity, and odor).

POTW director. The chief administrative officer of the Control Authority or his/her delegate.

POTW treatment plant. That portion of the POTW designed to provide treatment to wastewater.

Pretreatment or treatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW collection system and/or treatment plant. The reduction or alteration may be obtained by physical, chemical, or biological processes, or process changes or other means, except as prohibited by 40 CFR Part 403.6(d).

Pretreatment program. The program for the control of pollutants introduced into the POTW from non-domestic sources which was developed by the city in compliance with 40 CFR 403.8 and approved by the approval authority as authorized by N.C.G.S. 143-215.3(a)(14) in accordance with 40 CFR 403.11.

Pretreatment requirements. Any substantive or procedural requirement related to pretreatment, other than a pretreatment standard.

Pretreatment standards. Prohibited discharge standards, categorical standards, or local limits which applies to an industrial user.

Publicly owned treatment works (POTW) or municipal wastewater system. A treatment works as defined by section 212 of the Act, (33 U.S.C. §1292) which is owned in this instance by the city. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to the POTW treatment plant. For the purposes of this ordinance, "POTW" shall also include any sewers that convey wastewaters to the POTW from persons outside the city who are, by contract or agreement with the city, or in any other way, users of the POTW of the city.

Severe property damage. Substantial physical damage to property, damage to the user's treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

Significant industrial user (SIU). An industrial user that discharges wastewater into a publicly owned treatment works and that:

- (1) Discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewaters); or
- (2) contributes process wastewater which makes up five percent or more of the NPDES

or Non-discharge permitted flow limit or organic capacity of the POTW treatment plant. In this context, organic capacity refers to BOD, TSS, and Ammonia; or

- (3) is subject to Categorical Pretreatment Standards under 40 CFR Part 403.6 and 40 CFR chapter I, Subchapter N, Parts 405-471; or
- (4) is designated as such by the Control Authority on the basis that the industrial user has a reasonable potential for adversely affecting the POTW's operation, or for violating any Pretreatment Standard or requirement, or for contributing to violations of the POTW's effluent limitations and conditions in its NPDES or non-discharge permit, or for contributing to violations of the POTW's receiving stream standard, or for limiting the POTW's sludge disposal options.
- (5) Subject to Division approval under 15A NCAC 02H .0907(b), the Control Authority may determine that an Industrial User meeting the criteria in paragraphs (A) and (B) above has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standards or requirement, or for contributing to violations of the POTW's effluent limitations and conditions in its NPDES or non-discharge permit, or for contributing to violations of the POTW's receiving stream standard, or for limiting the POTW's sludge disposal options, and thus is not a Significant Industrial User.
- (6) Subject to Division approval under 15A NCAC 02H .0907(b), the Control Authority may determine that an Industrial User meeting the criteria in paragraph (C) above meets the requirements of 40 CFR Part 403.3(v)(2) and thus is a Non-Significant Categorical Industrial User.
- (7) Subject to Division approval under 15A NCAC 02H .0907(b), the Control Authority may determine that an Industrial User meeting the criteria in paragraph (C) above meets the requirements of 40 CFR Part 403.12(e)(3) and thus is a Middle Tier Significant Industrial User. Sampling and inspection requirements may be cut in half as per 40 CFR Parts 403.8 (f)(2)(v)(C).and 403.12 (e)(3).

Significant noncompliance: Significant Noncompliance or SNC is the status of noncompliance of a Significant Industrial User when one or more of the following criteria are met. Additionally, any Industrial User which meets the criteria in Subparagraph (b)(35), Parts (C), (D), or (H) shall also be SNC.

- (A) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six (66) percent or more of all the measurements taken for the same pollutant parameter (not including flow) during a six month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR Part 403.3(l);
- (B) Technical Review Criteria (TRC) violations, defined here as those in which thirty-three (33) percent or more of all the measurements taken for the same pollutant parameter during a six-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR Part 403.3(l) multiplied by the applicable TRC; (TRC = 1.4 for BOD, TSS, fats, oil and grease, 1.2 for all other pollutants (except flow and pH);
- (C) Any other violation of a Pretreatment Standard or Requirement as defined by 40 CFR Part 403.3(l) (daily maximum, long-term average, instantaneous limit, or narrative standard) that the Control Authority and/or POTW determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of POTW personnel or the general public);
- (D) Any discharge of a pollutant or wastewater that has caused imminent endangerment to human health, welfare or to the environment or has resulted in either the Control Authority's or the POTW's, if different from the Control Authority, exercise of its emergency authority under 40 CFR Part 403.8(f)(1)(vi)(B) and Section 23-121 of this SUO to halt or prevent such a discharge;
- (E) Violations of compliance schedule milestones, contained in a pretreatment permit or enforcement order, for starting construction, completing construction, and attaining final compliance by 90 days or more after the schedule date.

- (F) Failure to provide reports for compliance schedule, self-monitoring data, baseline monitoring reports, 90-day compliance reports, and periodic compliance reports within thirty (30) days from the due date.
- (G) Failure to accurately report noncompliance.
- (H) Any other violation or group of violations that the Control Authority and/or POTW determines will adversely affect the operation or implementation of the local pretreatment program.

Slug load or discharge. Any discharge at a flow rate or concentration which has a reasonable potential to cause interference or pass-Through, or in any other way violates the POTW's regulations, local limits, or industrial user permit conditions. This can include but is not limited to spills and other accidental discharges; discharges of a non-routine, episodic nature; a non-customary batch discharge; or any other discharges that can cause a violation of the prohibited discharge standards in section 23-98.

Standard industrial classification (SIC). A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1987.

Storm water. Any flow occurring during or following any form of natural precipitation and resulting therefrom.

Suspended solids. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater or other liquids, and which is removable by laboratory filtering.

Upset. An exceptional incident in which there is unintentional and temporary noncompliance with categorical pretreatment standards because of factors beyond the reasonable control of the user. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities lack of preventive maintenance, or careless or improper operation.

Wastewater. The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, mobile sources, treatment facilities and institutions, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which are contributed into or permitted to enter the POTW.

Wastewater permit. As set forth in section 23-112 of this article.

Waters of the state. All streams, rivers, brooks, swamps, sounds, tidal estuaries, bays, creeks, lakes, waterways, reservoirs and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

- (b) This article is gender neutral and the masculine gender shall include the feminine and vice-versa.
- (c) Shall is mandatory; may is permissive or discretionary.
- (d) The use of the singular shall be construed to include the plural and the plural shall include the singular as indicated by the context of its use.
- (e) The following abbreviations when used in this article shall have the designated meanings:

<i>BOD</i>	Biochemical Oxygen Demand
<i>CFR</i>	Code of Federal Regulations
<i>COD</i>	Chemical Oxygen Demand
<i>EPA</i>	Environmental Protection Agency
<i>gpd</i>	Gallons per day
<i>l</i>	Liter
<i>mg</i>	Milligrams
<i>mg/l</i>	Milligrams per liter
<i>N.C.G.S.</i>	North Carolina General Statutes

<i>NPDES</i>	National Pollution Discharge Elimination System
<i>O & M</i>	Operation and Maintenance
<i>POTW</i>	Publicly Owned Treatment Works
<i>RCRA</i>	Resource Conservation and Recovery Act
<i>SIC</i>	Standard Industrial Classification
<i>SWDA</i>	Solid Waste Disposal Act
<i>TSS</i>	Total Suspended Solids
<i>TKN</i>	Total Kjeldahl Nitrogen
<i>U.S.C</i>	United States Code.

DIVISION 2. - GENERAL SEWER USE REQUIREMENTS

Sec. 23-98.- Prohibited discharge standards.

- (a) *General prohibitions.* No user shall contribute or cause to be contributed into the POTW, directly or indirectly, any pollutant or wastewater which causes interference or pass through. These general prohibitions apply to all users of a POTW whether or not the user is a significant industrial user or subject to any national, state, or local pretreatment standards or requirements.
- (b) *Specific prohibitions.* No user shall contribute or cause to be contributed into the POTW the following pollutants, substances, or wastewater:
 - (1) Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than 140° F (60°C) using the test methods specified in 40 CFR 261.21.
 - (2) Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in interference but in no case solids greater than one-half-inch in any dimension.
 - (3) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause interference or pass through.
 - (4) Any wastewater having a pH less than 5.0 or more than 12.0 or wastewater having any other corrosive property capable of causing damage to the POTW or equipment.
 - (5) Any wastewater containing pollutants, including oxygen-demanding pollutants, (BOD, etc) in sufficient quantity, (flow or concentration) either singly or by interaction with other pollutants, to cause interference with the POTW.
 - (6) Any wastewater having a temperature greater than 150° F (66° C), or which will inhibit biological activity in the POTW treatment plant resulting in Interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104° F (40° C).
 - (7) Any pollutants which result in the presence of toxic gases, vapors or fumes within the POTW in a quantity that may cause acute worker health and safety problems.
 - (8) Any trucked or hauled pollutants, except at discharge points designated by the POTW Director in accordance with section 23-106.
 - (9) Any noxious or malodorous liquids, gases, or solids or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair.
 - (10) Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the POTW cause the POTW to be in noncompliance with slug use or disposal regulations or permits issued under section 405 of the Act; the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the slug management method being used.
 - (11) Any wastewater which imparts color which cannot be removed by the treatment

process, including, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts sufficient color to the treatment plant's effluent to render the waters injurious to public health or secondary recreation or to aquatic life and wildlife or to adversely affect the palatability of fish or aesthetic quality or impair the receiving waters for any designated uses.

- (12) Any wastewater containing any radioactive wastes or isotopes except as specifically approved by the POTW director in compliance with applicable State or Federal regulations.
 - (13) Storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact cooling water and unpolluted industrial wastewater, unless specifically authorized by the POTW director.
 - (14) Fats, oils, or greases of animal or vegetable origin in concentrations greater than 100 mg/l, or which exceeds the applicable limits set forth in the city's ordinances regulating the discharge of grease, fats and oils.
 - (15) Any sludges, screenings or other residues from the pretreatment of industrial wastes.
 - (16) Any medical wastes, except as specifically authorized by the POTW director in a wastewater discharge permit.
 - (17) Any material containing ammonia, ammonia salts, or other chelating agents which will produce metallic complexes that interfere with the municipal wastewater system.
 - (18) Any material that would be identified as hazardous waste according to 40 CFR Part 261 if not disposed of in a sewer except as may be specifically authorized by the POTW director.
 - (19) Any wastewater causing the treatment plant effluent to violate State Water Quality Standards for toxic substances as described in 15A NCAC 2B .0200.
 - (20) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test.
 - (21) Recognizable portions of the human or animal anatomy.
 - (22) Any wastes containing detergents, surface active agents, or other substances which may cause excessive foaming in the municipal wastewater system.
 - (23) At no time, shall two successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent nor any single reading over ten percent of the lower explosive limit (LEL) of the meter.
- (c) Pollutants, substances, wastewater, or other wastes prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the municipal wastewater system. All floor drains located in process or materials storage areas must discharge to the industrial user's pretreatment facility before connecting with the system.
 - (d) When the POTW director determines that a user(s) is contributing to the POTW, any of the above enumerated substances in such amounts which may cause or contribute to interference of POTW operation or pass through, the POTW director shall:
 - (1) Advise the user(s) of the potential impact of the contribution on the POTW in accordance with section 23-130; and
 - (2) Take appropriate actions in accordance with Division 4 of this article for such user to protect the POTW from interference or pass through.

Sec. 23-99.- National categorical pretreatment standards.

Users subject to categorical pretreatment standards are required to comply with applicable standards as set out in 40 CFR Chapter 1, Subchapter N, Parts 405-471 and incorporated herein.

- (1) Where a categorical pretreatment standard is expressed only in terms of either the

mass or the concentration of a pollutant in wastewater, the POTW Director may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c).

- (2) When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the POTW director shall impose an alternate limit using the combined wastestream formula in 40 CFR 403.6(e).
- (3) A user may obtain a variance from a categorical pretreatment standard if the user can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the categorical pretreatment standard.
- (4) A user may obtain a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15.
- (5) A user may request a removal credit adjustment to a categorical standard in accordance with 40 CFR 403.7.

Sec. 23-100.- Local limits.

An industrial waste survey is required prior to a user discharging wastewater containing in excess of the following average discharge limits.

	Limit
BOD	250 mg/l
TSS	250 mg/l
NH ³	25 mg/l
TKN	50 mg/l
COD	600 mg/l
Arsenic	0.003 mg/l
Cadmium	0.003 mg/l
Chromium (total chromium)	0.05 mg/l
Copper	0.061 mg/l
Cyanide	0.015 mg/l
Iron	0.5 mg/l
Lead	0.049 mg/l
Mercury	0.0003 mg/l
Nickel	0.021 mg/l
Oils, Grease & Fats	100.0 mg/l
Phenolic Compounds	5.0 mg/l
Silver	0.005 mg/l
Zinc	0.175 mg/l

Industrial waste survey information will be used to develop user-specific local limits when necessary to ensure that the POTW's maximum allowable headworks loading are not exceeded for particular pollutants of concern. User-specific local limits for appropriate pollutants of concern shall be included in wastewater permits. The POTW director may impose mass based limits in addition to, or in place of concentration based limits.

Sec. 23-101.- State requirements.

State requirements and limitations on discharges shall apply in any case where they are more stringent than federal requirements and limitations or those in this article.

Sec. 23-102.- Right of revision.

The city reserves the right to establish limitations and requirements which are more stringent than those required by either state or federal regulation if deemed necessary to comply with the objectives presented in section 23-96 or the general and specific prohibitions in section 23-98, as is allowed by 40 CFR 403.4.

Sec. 23-103.- Dilution.

No user shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the national categorical pretreatment standards, unless expressly authorized by an applicable pretreatment standard, or in any other pollutant-specific limitation

developed by the city or state.

Sec. 23-104.- Pretreatment of wastewater.

(a) *Pretreatment facilities.* Users shall provide wastewater treatment as necessary to comply with this article and wastewater permits issued under section 23-98 of this article and shall achieve compliance with all national categorical pretreatment standards, local limits, and the prohibitions set out in section 23-98 within the time limitations as specified by EPA, the state, or the POTW director, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the city for review and shall be approved by the POTW director before construction of the facility. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the city under the provisions of this ordinance. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be approved by the POTW director prior to the user's initiation of the changes.

(b) *Additional pretreatment measures.*

- (1) Whenever deemed necessary, the POTW director may require users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the user's compliance with the requirements of this article.
- (2) The POTW director may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. A wastewater discharge permit may be issued solely for flow equalization.
- (3) Grease, oil, and sand interceptors shall be provided when, in the opinion of the POTW director, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of type and capacity approved by the POTW director and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be serviced and emptied of accumulated waste content as required in order to maintain Minimum Design Capability or effective volume of the Grease Interceptor, but not less often than every thirty (30) days or at a different interval as authorized by POTW director, or the POTW director's designee.
- (4) Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

Sec. 23-105.- Accidental discharge/slug control plans.

- (a) The POTW Director shall evaluate whether each significant industrial user needs a plan or other action to control and prevent slug discharges and accidental discharges as defined in Section 23-97. All SIUs must be evaluated within one year of being designated an SIU. The POTW Director may require any user to develop, submit for approval, and implement such a plan or other specific action. Alternatively, the POTW Director may develop such a plan for any user.
- (b) All SIUs are required to notify the POTW immediately of any changes at its facility affecting the potential for spills and other accidental discharge, discharge of a non-routine, episodic nature, a non-customary batch discharge, or a slug load. Also see sections 23-113 and 23-114.
- (c) An accidental discharge/slug control plan shall address, at a minimum, the following:
 - (1) Description of discharge practices, including non-routine batch discharges;

- (2) Description of stored chemicals;
- (3) Procedures for immediately notifying the POTW director of any accidental or slug discharge, as required by section 23-113; and
- (4) Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

Sec. 23-106.- Hauled wastewater.

- (a) Septic tank waste may be introduced into the POTW only at locations designated by the POTW director, and at such times as are established by the POTW director. Such waste shall not violate Division 2 of this article or any other requirements established by the city. The POTW director may require septic tank waste haulers to obtain wastewater discharge permits.
- (b) The POTW director shall require haulers of industrial waste to obtain wastewater discharge permits. The POTW director may require generators of hauled industrial waste to obtain wastewater discharge permits. The POTW director also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this ordinance.
- (c) Industrial waste haulers may discharge loads only at locations designated by the POTW director. No load may be discharged without prior consent of the POTW director. The POTW director may collect samples of each hauled load to ensure compliance with applicable standards. The POTW Director may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.
- (d) Industrial waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

DIVISION 3. - FEES

Sec. 23-107.- Purpose.

It is the purpose of this chapter to provide for the recovery of costs from users of the wastewater disposal system of the city for the implementation of the program established herein. The applicable charges or fees shall be set forth in a schedule of sewer use charges and fees by the POTW director and approved by the city council, or in the annual budget ordinance adopted by the city council. A copy of these charges and fees will be made available from the POTW director.

Sec. 23-108.- User charges.

A user charge shall be levied on all users including, but not limited to, persons, firms, corporations or governmental entities that discharge, cause or permit the discharge of sewage into the POTW.

- (1) The user charge shall reflect, at least, the cost of debt service, operation and maintenance (including replacement) of the POTW.
- (2) Each user shall pay its proportionate cost based on volume of flow.
- (3) The manager of the city shall review annually the sewage contributions of users, the total costs of debt service, operation and maintenance of the POTW and will make recommendations to the council or board serving the city for adjustments in the schedule of charges and fees as necessary.
- (4) Charges for flow to the POTW not directly attributable to the users shall be distributed among all users of the POTW based upon the volume of flow of the users.

Sec. 23-109.- Surcharges.

The amount of the surcharges will be based upon the volume of flow and the character and concentration of the constituents of the wastewater:

- (1) The volume of flow used in determining the total discharge of wastewater for payment of user charges and surcharges shall be based on the following:
 - (a) Metered water consumption as shown in the records of meter readings maintained by the city; or
 - (b) If required by the city or at the individual discharger's option, other flow monitoring devices which measure the actual volume of wastewater discharged to the sewer. Such devices shall be accessible and safely located, and the measuring system shall be installed in accordance with plans approved by the city. The metering system shall be installed and maintained at the user's expense according to arrangements that may be made with the city.
 - (c) Where any user procures all or part of his water supply from sources other than the city, the user shall install and maintain at its own expense a flow measuring device of a type approved by the city.
- (2) The character and concentration of the constituents of the wastewater used in determining surcharges shall be determined by samples collected and analyzed by the city. Samples shall be collected in such a manner as to be representative of the actual discharge and shall be analyzed using procedures set forth in 40 CFR Part 136.
- (3) The determination of the character and concentration of the constituents of the wastewater discharge by the POTW director or his duly appointed representatives shall be binding as a basis for charges.

Sec. 23-110.- Pretreatment program administration charges.

The schedule of charges and fees adopted by the city may include charges and fees for:

- (1) Reimbursement of costs of setting up and operating the pretreatment program;
- (2) Monitoring, inspections and surveillance procedures;
- (3) Reviewing sludge control plans, including accidental and/or sludge load discharge procedures and construction plans and specifications;
- (4) Permitting;
- (5) Other fees as the city may deem necessary to carry out the requirements of the pretreatment program.

DIVISION 4. - WASTEWATER DISCHARGE PERMIT APPLICATION AND ISSUANCE

Sec. 23-111.- Wastewater dischargers.

It shall be unlawful for any person to connect or discharge to the POTW without first obtaining the permission of the city. When requested by the POTW director, a user must submit information on the nature and characteristics of its wastewater within thirty (30) days of the request. The POTW director is authorized to prepare a form for this purpose and may periodically require users to update this information.

Sec. 23-112.- Wastewater permits.

All significant industrial users shall obtain a significant industrial user permit prior to the commencement of discharge to the POTW. Existing industrial users who are determined by the POTW director to be significant industrial users shall obtain a significant industrial user permit within 180 days of receiving notification of the POTW director's determination. Industrial users who do not fit the significant industrial user criteria may at the discretion of the POTW director be required to obtain a wastewater discharge permit for non-significant industrial users.

- (1) *Significant industrial user determination.* All persons proposing to discharge non-

domestic wastewater, or proposing to change the volume or characteristics of an existing discharge of non-domestic wastewater shall request from the POTW director a significant industrial user determination. If the POTW director determines or suspects that the proposed discharge fits the significant industrial user criteria he will require that a significant industrial user permit application be filed.

(2) *Significant industrial user permit application.* Users required to obtain a significant industrial user permit shall complete and file with the city, an application in the form prescribed by the POTW director, and accompanied by an application fee in the amount prescribed in the schedule of charges and fees. Significant industrial users shall apply for a significant industrial user permit within 90 days after notification of the POTW Director's determination in 23-112(1) above. In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information:

- (a) Name, address, and location, (if different from the address);
- (b) Standard Industrial Classification (SIC) codes for pretreatment, the industry as a whole, and any processes for which categorical pretreatment standards have been promulgated;
- (c) Analytical data on wastewater constituents and characteristics including but not limited to those mentioned in Division 2 of this ordinance, any of the priority pollutants (section 307(a) of the Act) which the applicant knows or suspects are present in the discharge as determined by a reliable analytical laboratory, and any other pollutant of concern to the POTW; sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to section 304(g) of the Act and contained in 40 CFR, Part 136, as amended and as required in section 23-122 and 23-123;
- (d) Time and duration of the indirect discharge;
- (e) Average daily and 30-minute peak wastewater flow rates, including daily, monthly and seasonal variations if any;
- (f) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, floor drains, sewer connections, direction of flow and appurtenances by the size, location and elevation;
- (g) Description of activities, facilities and plant processes on the premises including all materials which are or could be accidentally or intentionally discharged;
- (h) Where known, the nature and concentration of any pollutants in the discharge which are limited by any city, state, or federal pretreatment standards, and a statement regarding whether or not the pretreatment standards are being met on a consistent basis and if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required for the user to meet applicable pretreatment standards;
- (i) If additional pretreatment and/or O&M will be required to meet the pretreatment standards; the shortest schedule by which the user will provide such additional pretreatment. The completion date in this schedule shall not be longer than the compliance date established for the applicable pretreatment standard. The following conditions apply to this schedule:
 - (1) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards. No increment in the schedule shall exceed nine months.
 - (2) No later than 14 days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the POTW Director including, at a minimum, whether or not it complied with the increment of progress, the reason for any delay, and if appropriate, the steps being taken by the user to return to the established schedule. In no

event shall more than nine months elapse between such progress reports to the POTW director.

- (j) Each product produced by type, amount, process or processes and rate of production;
 - (k) Type and amount of raw materials processed (average and maximum per day);
 - (l) Number and type of employees, and hours of operation of plant and proposed or actual hours of operation of pretreatment system;
 - (m) If subject to a categorical standard, a baseline monitoring report in accordance with 40 CFR 403.12(b) and 15A NCAC 2H.0908(a), as outlined in section 23-113.
 - (n) Any other information as may be deemed by the POTW director to be necessary to evaluate the permit application.
- (3) *Application signatories and certification.* All wastewater discharge permit applications and user reports must be signed by the current authorized representative of the user on file with the control authority and/or municipality as defined in section 23-97 and contain the following certification statement:
- "I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."
- (4) *Application review and evaluation.* The POTW director will evaluate the data furnished by the user and may require additional information.
- (a) The POTW director is authorized to accept applications for the city and shall refer all applications to the POTW staff for review and evaluation.
 - (b) Within 30 days of receipt the POTW director shall acknowledge and accept the complete application; or if not complete, shall return the application to the applicant with a statement of what additional information is required.
- (5) *Tentative determination and draft permit.*
- (a) The POTW staff shall conduct a review of the application and an on-site inspection of the significant industrial user, including any pretreatment facilities, and shall prepare a written evaluation and tentative determination to issue or deny the significant industrial user permit.
 - (b) If the staff's tentative determination in subsection 23-112(5)a. above is to issue the permit, the following additional determinations shall be made in writing:
 - (1) Proposed discharge limitations for those pollutants proposed to be limited;
 - (2) A proposed schedule of compliance, including interim dates and requirements, for meeting the proposed limitations; and
 - (3) A brief description of any other proposed special conditions which will have significant impact upon the discharge described in the application.
 - (c) The staff shall organize the determinations made pursuant to subsections 23-112(5)a. and b. above and the general permit conditions of the city into a significant industrial user permit.
- (6) *Permit supporting documentation.* The Control Authority staff shall prepare the following documents for all Significant Industrial User permits.
- (a) An allocation table (AT) listing permit information for all Significant Industrial Users, including but not limited to permit limits, permit effective and expiration

dates, and a comparison of total permitted flows and loads with Division approved maximum allowable loadings of the POTW, including flow, on forms or in a format approved by the Division. The AT shall be updated as permits are issued or renewed, and as permits are modified where the permitted limits or other AT information is revised.

(b) The basis, or rationale, for the pretreatment limitations, including the following:

- (1) documentation of categorical determination, including documentation of any calculations used in applying categorical pretreatment standards; and
- (2) documentation of the rationale of any parameters for which monitoring has been waived under 40 CFR Part 403.12(e)(2).

(7) *Final action on significant industrial user permit applications.*

(a) The POTW director shall take final action on all applications not later than 90 days following receipt of a complete application.

(b) The POTW director is authorized to:

- (1) Issue a significant industrial user permit containing such conditions as are necessary to effectuate the purposes of this ordinance and N.C.G.S. 143-215.1;
- (2) Issue a significant industrial user permit containing time schedules for achieving compliance with applicable pretreatment standards and requirements;
- (3) Modify any permit upon not less than 60 days notice and pursuant to subsection 23-112(9);
- (4) Revoke any permit pursuant to section 23-131;
- (5) Suspend a permit pursuant to section 23-131;
- (6) Deny a permit application when in the opinion of the POTW director such discharge may cause or contribute to pass-through or interference of the wastewater treatment plant or where necessary to effectuate the purposes of G.S. 143-215.1.

(8) *Hearings:* The local government may conduct hearings in accordance with its regular hearing procedure.

(a) *Initial adjudicatory hearing.* An applicant whose permit is denied, or is granted subject to conditions he deems unacceptable, a permittee/user assessed a civil penalty under section 23-131, or one issued an administrative order under section 23-182 shall have the right to an adjudicatory hearing before the POTW Director or other hearing officer appointed by the POTW Director upon making written demand, identifying the specific issues to be contested, to the POTW director within 30 days following receipt of the significant industrial user permit, civil penalty assessment, or administrative order. Unless such written demand is made within the time specified herein, the action shall be final and binding and further appeal is barred. For modified permits, only those parts of the permit being modified may be adjudicated. The hearing officer shall make a final decision on the contested permit, penalty, or order within 45 days of the receipt of the written demand for a hearing. The POTW director shall transmit a copy of the hearing officer's decision by registered or certified mail as described in paragraph (c) below. The terms and conditions of a permit under appeal shall be as follows:

- (1) New permits. Upon appeal, including judicial review in the General Courts of Justice, of the terms or conditions of a newly issued permit, the terms and conditions of the entire permit are stayed and the permit is not in effect until either the conclusion of judicial review or until the parties

reach a mutual resolution.

- (2) Renewed permits. Upon appeal, including judicial review in the general courts of justice, of the terms or conditions of a renewed permit, the terms and conditions of the existing permit remain in effect until either the conclusion of judicial review or until the parties reach a mutual resolution.
- (3) Terminated Permits. Upon appeal, including judicial review in the General Courts of Justice, of a terminated permit, no permit is in effect until either the conclusion of judicial review or until the parties reach a mutual resolution.
- (b) *Final appeal hearing.* Any decision of a hearing officer made as a result of an adjudicatory hearing held under paragraph (a) above may be appealed, to the council serving the city upon filing a written demand within ten (10) days of receipt of notice of the decision. Hearings held under this Subdivision shall be conducted in accordance with local hearing procedures. Failure to make written demand within the time specified herein shall bar further appeal. The council serving the city shall make a final decision on the appeal within ninety (90) days from receipt of the demand filed under paragraph (a) and shall transmit a written copy of its decision by registered or certified mail as described in paragraph (c) below. The decision is a final decision for the purposes of seeking judicial review.
- (c) *Official record.* When a final decision is issued paragraph (b) above, the council serving the city shall prepare an official record of the case that includes:
 - (1) All notices, motions, and other like pleadings;
 - (2) A copy of all documentary evidence introduced;
 - (3) A certified transcript of all testimony taken, if testimony is transcribed. If testimony is taken and not transcribed, then a narrative summary of any testimony taken.
 - (4) A copy of the final decision of the council or board serving the city.
- (d) *Judicial review.* Any person against whom a final order or decision of the council serving the city is entered, pursuant to the hearing conducted under paragraph (b) above, may seek judicial review of the order or decision by filing a written request for review by the Superior Court of Robeson County within thirty (30) days after receipt of notice by registered or certified mail of the order or decision, but not thereafter, with the Superior Court of Robeson County along with a copy to the city. Within 30 days after receipt of the copy of the written request for review by the Court, the council serving the city shall transmit to the reviewing court the original or a certified copy of the official record.

(9) *Permit modification.*

- (a) Modifications of permits shall be subject to the same procedural requirements as the issuance of permits except as listed below. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.
 - (1) Changes in the ownership of the discharge when no other change in the permit is indicated,
 - (2) A single modification of any compliance schedule not in excess of four months,
 - (3) Modification of compliance schedules (construction schedules) in permits for new sources where the new source will not begin to discharge until control facilities are operational.

- (b) Within nine months of the promulgation of a national categorical pretreatment standard, the wastewater discharge permit of users subject to such standards shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a user, subject to a national categorical pretreatment standard, has not previously submitted an application for a wastewater discharge permit as required by section 4.2(b), the user shall apply for a wastewater discharge permit within 180 days after the promulgation of the applicable national categorical pretreatment standard.
- (c) A request for a modification by the permittee shall constitute a waiver of the 60-day notice required by G.S. 143-215.1(b) for modifications.

(10) *Permit conditions.*

- (a) The POTW director shall have the authority to grant a permit with such conditions attached as he believes necessary to achieve the purpose of this article and N.C.G.S. 143-215.1. Wastewater permits shall contain, but are not limited to, the following:
 1. A statement of duration (in no case more than five years);
 2. A statement of non-transferability;
 3. Applicable effluent limits based on categorical standards or local limits or both;
 4. Applicable monitoring, sampling, reporting, notification, and record keeping requirements. These requirements shall include an identification of pollutants to be monitored, sampling location, sampling frequency, and sample type based on federal, state and local law;
 5. Requirements for notifying the POTW in the event of an accidental discharge or slug load as defined in section 23-97;
 6. Requirements to implement a Plan or other controls for prevention of accidental discharges and/or slug loads as defined in section 23-97), if determined by the POTW director to be necessary for the user; and
 7. Requirements for immediately notifying the POTW of any changes at its facility affecting the potential for spills and other accidental discharges, or slug load as defined in section 23-97. Also see sections 23-117 and 23-118;
 8. A statement of applicable civil and/or criminal penalties for violation of pretreatment standards and requirements and any applicable compliance schedule.
- (b) In addition, permits may contain, but are not limited to, the following:
 1. Limits on the average and/or maximum rate of discharge, and/or requirements for flow regulation and equalization.
 2. Limits on the instantaneous, daily and/or monthly average and/or maximum concentration, mass, or other measure of identified wastewater pollutants or properties.
 3. Requirements for the installation of pretreatment technology or construction of appropriate containment devices, etc., designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works.
 4. The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the system.
 5. Requirements for installation and maintenance of inspection and sampling facilities and equipment.
 6. Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types, and standards for tests,

and reporting schedules.

7. Requirements for immediate reporting of any instance of noncompliance and for automatic resampling and reporting within thirty (30) days where self-monitoring indicates a violation(s).
 8. Compliance schedules for meeting pretreatment standards and requirements.
 9. Requirements for submission of periodic self-monitoring or special notification reports.
 10. Requirements for maintaining and retaining plans and records relating to wastewater discharges as specified in section 23-125 and affording the POTW director, or his representatives, access thereto.
 11. Requirements for prior notification and approval by the POTW Director of any new introduction of wastewater pollutants or of any significant change in the volume or character of the wastewater prior to introduction in the system.
 12. Requirements for the prior notification and approval by the POTW Director of any change in the manufacturing and/or pretreatment process used by the permittee.
 13. A statement that compliance with the permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State pretreatment standards, including those which become effective during the terms of the permit.
 14. Other conditions as deemed appropriate by the POTW Director to ensure compliance with this ordinance, and State and Federal laws, rules, and regulations.
- (11) *Permit duration.* Permits shall be issued for a specified time period, not to exceed five years. A permit may be issued for a period less than a year or may be stated to expire on a specific date.
- (12) *Permit transfer.* Wastewater permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation.
- (13) *Permit reissuance.* A significant industrial user shall apply for permit reissuance by submitting a complete permit application in accordance with section 23-112 a minimum of 180 days prior to the expiration of the existing permit.

DIVISION 5. - REPORTING REQUIREMENTS

Sec. 23-113.- Baseline monitoring reports.

- (a) Within either 180 days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing categorical users currently discharging to or scheduled to discharge to the POTW shall submit to the POTW director a report which contains the information listed in subsection 23-113(b), below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that become categorical users subsequent to the promulgation of an applicable categorical standard, shall submit to the POTW director a report which contains the information listed in paragraph (b), below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.
- (b) Users described above shall submit the information set forth below.
 - (1) *Identifying information.* The name and address of the facility, including the name of the operator and owner.
 - (2) *Environmental permits.* A list of any environmental control permits held by or for

the facility.

- (3) *Description of operations.* A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such user. This description should include a schematic process diagram which indicates points of discharge to the POTW from the regulated processes.
- (4) *Flow measurement.* Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined waste stream formula set out in 40 CFR 403.6(e).
- (5) *Measurement of pollutants.*
 - a. The categorical pretreatment standards applicable to each regulated process.
 - b. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the POTW director, of regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in section 23-122.
 - c. Sampling must be performed in accordance with procedures set out in section 23-123 and 40 CFR 403.12(b) and (g), including 40 CFR 403.12(g)(4).
- (6) *Certification.* A statement, reviewed by the user's current authorized representative as defined in section 23-97 and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
- (7) *Compliance schedule.* If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O&M. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in section 23-114.
- (8) *Signature and certification.* All baseline monitoring reports must be signed and certified in accordance with subsection 23-112(3).

Sec. 23-114.- Compliance schedule progress reports.

The following conditions shall apply to the compliance schedule required by section 23-113(b)(7):

- (1) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
- (2) No increment referred to above shall exceed nine months;
- (3) The user shall submit a progress report to the POTW director no later than 14 days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the user to return to the established schedule; and
- (4) In no event shall more than nine months elapse between such progress reports to the POTW director.

Sec. 23-115.- Reports on compliance with categorical pretreatment standard; deadline.

Within 90 days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the POTW, any user subject to such pretreatment standards and requirements shall submit to the POTW director a report containing the information described in subsection 23-113(b)(4—6). For users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6(c), this report shall contain a reasonable measure of the user's long-term production rate. For all other users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with subsection 23-112(3).

Sec. 23-116.- Periodic compliance reports.

Municipalities may sample and analyze user discharges in lieu of requiring the users to conduct sampling and analysis.

- (1) All significant industrial users shall, at a frequency determined by the POTW director but in no case less than once every six months, submit a report indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards and the applicable flows for the reporting period. Sampling and analysis must be performed in accordance with procedures set out in sections 23-122 and 23-123. All periodic compliance reports must be signed and certified in accordance with subsection 23-112(3).
- (2) If a user subject to the reporting requirement in this section monitors any pollutant more frequently than required by the POTW director, using the procedures prescribed in sections 23-122 and 23-123, the results of this monitoring shall be included in the report.

Sec. 23-117.- Reports of changed conditions.

Each user must notify the POTW director of any planned significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least 30 days before the change. The permittee shall not begin the changes until receiving written approval from the Control Authority and/or Municipality. See subsection 23-118(d) for other reporting requirements.

- (1) The POTW director may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under section 23-112.
- (2) The POTW director may issue a wastewater discharge permit under section 23-112 or modify an existing wastewater discharge permit under section 23-112 in response to changed conditions or anticipated changed conditions.
- (3) For purposes of this requirement, significant changes include, but are not limited to, flow increases of 20 percent or greater, and the discharge of any previously unreported pollutants, increases or decreases to production; increases in discharge of previously reported pollutants; discharge of pollutants not previously reported to the Control Authority and/or Municipality; new or changed product lines; new or changed manufacturing processes and/or chemicals; or new or changed customers.

Sec. 23-118.- Reports of potential problems.

- (a) In the case of any discharge, including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, or a slug load as defined in section (23-97), that may cause potential problems for the POTW, the user shall immediately telephone and notify the POTW director of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.
- (b) Within five days following such discharge, the user shall, unless waived by the POTW director, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification

shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this article.

- (c) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees who to call in the event of a discharge described in subsection (a), above. Employers shall ensure that all employees, who may cause such a discharge to occur, are advised of the emergency notification procedure.
- (d) All SIUs are required to notify the POTW immediately of any changes at its facility affecting the potential for spills and other accidental discharge, discharge of a non-routine, episodic nature, a non-customary batch discharge, or a slug load as defined in section 23-97.

Sec. 23-119.- Reports from un-permitted users.

All users not required to obtain a wastewater discharge permit shall provide appropriate reports to the POTW director as the POTW director may require.

All users classified as Non-Significant Categorical Industrial Users under Section 23-97(a) shall provide appropriate reports to the POTW Director as the POTW Director may require. At a minimum, this shall include the Annual Certification of continuing to meet the Non-Significant Categorical Industrial User criteria as required under 40 CFR 403.12(q).

Sec. 23-120.- Notice of violation/repeat sampling and reporting.

- (a) If sampling performed by a user indicates a violation, the user must notify the POTW director within 24 hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the POTW director within 30 days after becoming aware of the violation. If allowed by the POTW director, the user is not required to resample:
 - (1) If the POTW director monitors at the user's facility at least once a month; or
 - (2) If the POTW director samples between the user's initial sampling and when the user receives the results of this sampling.
- (b) If the POTW director has performed the sampling and analysis in lieu of the industrial user and the POTW sampling of the user indicates a violation, the POTW director shall repeat the sampling and obtain the results of the repeat analysis within 30 days after becoming aware of the violations, unless one of the following occurs:
 - (1) The POTW director monitors at the user's facility at least once a month; or
 - (2) The POTW director samples the user between their initial sampling and when the POTW receives the results of this initial sampling; or
 - (3) The POTW director requires the user to perform sampling and submit the results to the POTW director within the 30-day deadline of the POTW becoming aware of the violation.

Sec. 23-121.- Notification of the discharge of hazardous waste.

The city prohibits the discharge of any hazardous wastes without notification to and approval by the POTW director.

- (1) Any user who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the user discharges more than 100 kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharge during the calendar month, and an estimation of the mass of constituents in the

wastestream expected to be discharged during the following 12 months. All notifications must take place no later than 180 days before the discharge commences. The user shall not begin the discharge until receiving written approval from the City. Any notification under this paragraph need be submitted only once for each hazardous waste discharge. However, notifications of changed conditions must be submitted under section 23-117. The notification requirement in this section does not apply to pollutants already reported by users subject to categorical pretreatment standards under the self-monitoring requirements of sections 23-113, 23-115, and 23-116.

- (2) Dischargers are exempt from the requirements of subsection (1), above, during a calendar month in which they discharge no more than 15 kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specific in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the user discharges more than such quantities of any hazardous waste do not require additional notification.
- (3) In the case of any new regulation under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user must notify the POTW Director, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within 90 days of the effective date of such regulations.
- (4) In the case of any notification made under this section, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- (5) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued thereunder, or any applicable federal or state law.

Sec. 23-122.- Analytical requirements.

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed by a laboratory certified by the state to perform the wastewater analyses in accordance with the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable categorical pretreatment standard or unless otherwise performed in accordance with procedures approved by EPA or City. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by EPA and the City.

Sec. 23-123.- Grab and composite sample collection.

- (a) All wastewater samples must be representative of the user's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.
- (b) Grab samples: must be used for pH, cyanide, total phenols, oil and grease, sulfide, volatile organic compounds, and any other pollutants as required by 40 CFR 136. The POTW shall determine the number of grabs necessary to be representative of the User's discharge. See 40 CFR 403.12(g)(5) for additional grab sample number requirements for BMR and 90-day compliance reports. Additionally, the POTW director may allow collection of multiple grabs during a 24-hour period which are composited prior to analysis as allowed under 40 CFR 136.
- (c) Composite samples: All wastewater composite samples shall be collected with a minimum of hourly aliquots or grabs for each hour that there is a discharge. All wastewater composite samples shall be collected using flow proportional composite collection techniques, unless time-proportional composite sampling or grab sampling is authorized by the POTW director. When authorizing time-proportional composites or grabs, the samples must be representative and the decision to allow the alternative sampling must be documented.

Sec. 23-124.- Timing.

Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

Sec. 23-125.- Recordkeeping.

Users subject to the reporting requirements of this article shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance and any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the user or the city, or where the user has been specifically notified of a longer retention period by the POTW director.

Sec. 23-126.- Electronic reporting.

The POTW director may develop procedures for receipt of electronic reports for any reporting requirements of this Ordinance. Such procedures shall comply with 40 CFR Part 3. These procedures shall be enforceable under Division 7 of this article.

DIVISION 6. - COMPLIANCE MONITORING

Sec. 23-127.- Monitoring facilities.

- (a) The city requires the user to provide and operate at the user's own expense, monitoring facilities to allow inspection, sampling, and flow measurement of the building sewer and/or internal drainage systems. The monitoring facility should normally be situated on the user's premises, but the City may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.
- (b) There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user.
- (c) Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the requirements of the city and all applicable local construction standards and specifications. Construction shall be completed within 90 days following written notification by the City.

Sec. 23-128.- Inspection and sampling.

The city will inspect the facilities of any user to ascertain whether the purpose of this article is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the city, approval authority and EPA or their representative ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination and copying or in the performance of any of their duties. The city, approval authority and EPA shall have the right to set up on the user's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the City, approval authority and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities. Denial of the City's approval authority, or EPA's access to the user's premises shall be a violation of this ordinance. Unreasonable delays may constitute denial of access.

Sec. 23-129.- Search warrants.

If the City, approval authority, or EPA has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the city designed to verify compliance with this ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the City, approval authority, or EPA may seek issuance of a search warrant from the court having jurisdiction within the city.

Sec. 23-130.- Confidential information.

- (a) Information and data provided by an industrial user to the POTW Director pursuant to this ordinance identifying the nature and frequency of a discharge, shall be available to the public without restriction. All other information which may be so submitted by an industrial user to the POTW Director in connection with any required reports shall also be available to the public unless the industrial user or other interested person specifically identifies the information as confidential upon submission and is able to demonstrate to the satisfaction of the POTW Director that the disclosure of such information or a particular part thereof to the general public would divulge methods or processes entitled to protection as trade secrets.
- (b) Information provided by an industrial user to the POTW Director that is determined to be entitled to confidential treatment shall be made available upon written request to the Division of Water Quality or any state agency for uses related to the Pretreatment Program, the National Pollutant Discharge Elimination System (NPDES) Permit, collection system permit, stormwater permit, and/or Non-discharge permit, and for uses related to judicial review or enforcement proceedings involving the person furnishing the report.
- (c) Information and data received by the Division or other state agency under paragraph (b) above shall be subject to the processes set forth in G.S. 143-215.3C.

DIVISION 7. - ENFORCEMENT

Sec. 23-131.- Administrative remedies.

- (a) *Notification of violation.* Whenever the POTW director finds that any industrial user has violated or is violating this article, wastewater permit, or any prohibition, limitation or requirements contained therein or any other pretreatment requirement the POTW director may serve upon such a person a written notice stating the nature of the violation. Within 30 days from the date of this notice, an explanation for the violation and a plan for the satisfactory correction thereof shall be submitted to the city by the user. Submission of this plan does not relieve the discharger of liability for any violations occurring before or after receipt of the notice of violation.
- (b) *Consent orders.* The POTW director is hereby empowered to enter into consent orders, assurances of voluntary compliance, or other similar documents establishing an agreement with the person responsible for the noncompliance. Such orders will include specific action to be taken by the discharger to correct the noncompliance within a time period also specified by the order. Consent orders shall have the same force and effect as an administrative order issued pursuant to subsection 23-181(d), below.
- (c) *Show cause hearing.* The POTW director may order any industrial user who causes or is responsible for an unauthorized discharge, has violated this ordinance or is in noncompliance with a wastewater discharge permit to show cause why a proposed enforcement action should not be taken. In the event the POTW director determines that a show cause order should be issued, a notice shall be served on the user specifying the time and place for the hearing, the proposed enforcement action, the reasons for such action, and a request that the user show cause why this proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten days before the hearing. Service may be made on any agent or officer of a corporation.
- (d) The POTW director shall review the evidence presented at the hearing and determine whether the proposed enforcement action is appropriate.

- (1) A show cause hearing under this section is not a prerequisite to the assessment of a

civil penalty under section 23-132 nor is any action or inaction taken by the POTW Director under this section subject to an administrative appeal under subsection 23-112(8).

(e) *Administrative orders.* When the POTW director finds that an industrial user has violated or continues to violate this article, permits or orders issued hereunder, or any other pretreatment requirement the POTW director may issue an order to cease and desist all such violations and direct those persons in noncompliance to do any of the following:

- (1) Immediately comply with all requirements;
- (2) Comply in accordance with a compliance time schedule set forth in the order;
- (3) Take appropriate remedial or preventive action in the event of a continuing or threatened violation;
- (4) Disconnect unless adequate treatment facilities, devices or other related appurtenances are installed and properly operated within a specified time period.

(f) *Emergency suspensions.*

- (1) The POTW director may suspend the wastewater treatment service and/or wastewater permit when such suspension is necessary in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons or the environment, interferes with the POTW or causes the POTW to violate any condition of its NPDES or Non-discharge permit.
- (2) Any user notified of a suspension of the wastewater treatment service and/or the wastewater permit shall immediately stop or eliminate the contribution. A hearing will be held within 15 days of the notice of suspension to determine whether the suspension may be lifted or the user's waste discharge permit terminated. In the event of a failure to comply voluntarily with the suspension order, the POTW director shall take such steps as deemed necessary including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or endangerment to any individuals. The POTW director shall reinstate the wastewater permit and the wastewater treatment service upon proof of the elimination of the noncompliant discharge. The industrial user shall submit a detailed written statement describing the causes of the harmful contribution and the measures taken to prevent any future occurrence to the POTW director prior to the date of the above-described hearing.

(g) *Termination of permit or permission to discharge.* The POTW director may revoke a wastewater discharge permit or permission to discharge for good cause, including, but not limited to, the following reasons:

- (1) Failure to accurately report the wastewater constituents and characteristics of his discharge;
- (2) Failure to report significant changes in operations, or wastewater constituents and characteristics;
- (3) Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring; or
- (4) Violation of conditions of the permit or permission to discharge, conditions of this article, or any applicable state and federal regulations.

Noncompliant industrial users will be notified of the proposed termination of their wastewater permit and will be offered an opportunity to show cause under section 23-131 why the proposed action should not be taken.

Sec. 23-132.- Civil penalties.

(a) Any user who is found to have failed to comply with any provision of this article, or the orders, rules, regulations and permits issued hereunder, may be assessed a civil penalty

up to \$25,000.00 per day per violation.

- (1) In determining the amount of the civil penalty, the POTW director shall consider the following:
 - a. The degree and extent of the harm to the natural resources, to the public health, or to public or private property resulting from the violation;
 - b. The duration and gravity of the violation;
 - c. The effect on ground or surface water quantity or quality or on air quality;
 - d. The cost of rectifying the damage;
 - e. The amount of money saved by noncompliance;
 - f. Whether the violation was committed willfully or intentionally;
 - g. The prior record of the violator in complying or failing to comply with the pretreatment program;
 - h. The costs of enforcement to the city.

- (b) Appeals of civil penalties assessed in accordance with this section shall be as provided in section subsection 23-112(8).

Sec. 23-133.- Other available remedies.

Remedies, in addition to those previously mentioned in this article, are available to the POTW director who may use any single one or combination against a noncompliant user. Additional available remedies include, but are not limited to:

- (1) *Criminal violations.* The district attorney for the applicable judicial district may, at the request of the city, prosecute noncompliant users who violate the provisions of N.C.G.S. 143-215.6B. [Note: Under North Carolina law, it is a crime to negligently violate any term, condition, or requirement of a pretreatment permit, or negligently fail to apply for a pretreatment permit, issued by local governments (G.S. 143-215.6B(f)), to knowingly and willfully violate any term, condition, or requirement of a pretreatment permit, or knowingly and willfully fail to apply for a pretreatment permit, issued by local governments (G.S. 143-215.6B(g)), to knowingly violate any term, condition, or requirement of a pretreatment permit issued by local governments, or knowingly fail to apply for a pretreatment permit, knowing at the time that a person is placed in imminent danger of death or serious bodily injury, (G.S. 143-215.6B(h)), and to falsify information required under Article 21 of Chapter 143 of the General Statutes (G.S. 143-215.6B(i)).]
- (2) *Injunctive relief.* Whenever a user is in violation of the provisions of this article or an order or permit issued hereunder, the POTW director, through the city attorney, may petition the superior court of justice for the issuance of a restraining order or a preliminary and permanent injunction which restrains or compels the activities in question.
- (3) *Water supply severance.* Whenever an industrial user is in violation of the provisions of this article or an order or permit issued hereunder, water service to the industrial user may be severed and service will only recommence, at the user's expense, after it has satisfactorily demonstrated ability to comply.
- (4) *Public nuisances.* Any violation of the prohibitions or effluent limitations of this ordinance or of a permit or order issued hereunder, is hereby declared a public nuisance and shall be corrected or abated as directed by the POTW director. Any person(s) creating a public nuisance shall be subject to the provisions of the appropriate ordinances of the city governing such nuisances, including reimbursing the POTW for any costs incurred in removing, abating or remedying said nuisance.

Sec. 23-134.- Remedies nonexclusive.

The remedies provided for in this article are not exclusive. The POTW Director may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the city's enforcement response plan. However,

the POTW director may take other action against any user when the circumstances warrant. Further, the POTW director is empowered to take more than one enforcement action against any noncompliant user.

Sec. 23-135.- Annual publication of significant noncompliance.

At least annually, the POTW director shall publish in a newspaper of general circulation that provides meaningful public notice within the jurisdiction(s) served by the POTW, a list of those industrial users which were found to be in significant noncompliance, also referred to as reportable noncompliance, in 15A NCAC 2H .0903(b)(10), with applicable pretreatment standards and requirements, during the previous 12 months.

DIVISION 8. - AFFIRMATIVE DEFENSES TO DISCHARGE VIOLATIONS

Sec. 23-136.- Upset.

- (a) An upset shall constitute an affirmative defense to an action brought for noncompliance with categorical pretreatment standards if the requirements of paragraph (b), below, are met.
- (b) A user who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
 - (1) An upset occurred and the user can identify the cause(s) of the upset;
 - (2) The facility was at the time being operated in a prudent and workman-like manner and in compliance with applicable operation and maintenance procedures; and
 - (3) The user has submitted the following information to the POTW director within 24 hours of becoming aware of the upset [if this information is provided orally, a written submission must be provided within five (5) days]:
 - a. A description of the indirect discharge and cause of noncompliance;
 - b. The period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
 - c. Steps being taken and/or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- (c) In any enforcement proceeding, the user seeking to establish the occurrence of an upset shall have the burden of proof.
- (d) Users will have the opportunity for a judicial determination on any claim of upset only in an enforcement action brought for noncompliance with categorical pretreatment standards.
- (e) Users shall control production of all discharges to the extent necessary to maintain compliance with categorical pretreatment standards upon reduction, loss, or failure of its treatment facility until the facility is restored or an alternative method of treatment is provided. This requirement applies in the situation where, among other things, the primary source of power of the treatment facility is reduced, lost, or fails.

Sec. 23-137.- Prohibited discharge standards defense.

A user shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in subsection 23-98(a) or the specific prohibitions in subsection 23-98(b)(2), (3), and (5—7) if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause pass through or interference and that either:

- (1) A local limit exists for each pollutant discharged and the user was in compliance with each limit directly prior to, and during, the pass through or interference; or
- (2) No local limit exists, but the discharge did not change substantially in nature or constituents from the user's prior discharge when the city was regularly in compliance with its NPDES permit, and in the case of interference, was in compliance with applicable sludge use or disposal requirements.

Sec. 23-138.- Bypass.

- (a) A user may allow any bypass to occur which does not cause pretreatment standards or requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (b) and (c) of this section.
- (b)
 - (1) If a user knows in advance of the need for a bypass, it shall submit prior notice to the POTW director, at least ten days before the date of the bypass, if possible.
 - (2) A user shall submit oral notice to the POTW director of an unanticipated bypass that exceeds applicable pretreatment standards within 24 hours from the time it becomes aware of the bypass. A written submission shall also be provided within five days of this time the user becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The POTW director may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.
- (c)
 - (1) Bypass is prohibited, and the POTW director may take an enforcement action against a user for a bypass, unless:
 - a. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - b. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - c. The user submitted notices as required under subsection (b) of this section.
 - (2) The POTW director may approve an anticipated bypass, after considering its adverse effects, if the POTW director determines that it will meet the three conditions listed in paragraph (c)(1) of this section.

Secs. 23-139—23-150.- Reserved.

ARTICLE V. - MISCELLANEOUS PROVISIONS

Sec. 23-151.- When connections with public sewer required.

The owner of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes, situated within the city and abutting on any street, alley or right-of-way in which there is located or may in the future be located a public sanitary or combined sewer of the city, is hereby required, at his expense, to install suitable toilet facilities therein and to connect such facilities directly with the proper public sewer in accordance with the provisions of this article within 90 days after the date of official notice to do so; provided, that such public sewer is within 200 feet of the property line.

Sec. 23-152.- Disposition of wastes from kitchen sinks, porch sinks, etc.

No person shall cause, allow or permit any kitchen sink, porch sink or other piped receptacle, where the same is used to dispose of dishwater, soapy water or any other liquid other than clear water, to drain or empty onto the premises of the owner or occupant or onto the streets, sidewalks or alleyways of the city or into any other place within the city, other than directly into the city sewer system or an approved septic tank.

Sec. 23-153.- Discharging untreated sewage or polluted waters to natural outlets.

It shall be unlawful for any person to discharge to any natural outlet within the city, or in any area under the jurisdiction of the city, any sewage or other polluted waters, except where suitable treatment has been provided in accordance with the provisions of this article.

Sec. 23-154.- Emptying sewer into drain or ditch.

No person shall empty any sewer into any open drain or ditch within the city.

Sec. 23-155.- Installation of storm drainage facilities by the city.

The city will install storm drainage facilities upon the request of the property owners, excluding developers, whenever the city has a permanent easement, upon the payment of the cost of all materials, survey, and administrative expenses to the city. Such charges shall be estimated by the public works director and paid to the city in advance of installation. The difference between the actual cost and the estimated cost shall be promptly paid to the applicable person.

Sec. 23-156.- Building sewer for each building.

A separate and independent building sewer shall be provided for every building; except, that where one building stands at the rear of another on an interior lot and no private sewer is available or can be constructed to the rear building through an adjoining alley, court, yard or driveway, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer.

Sec. 23-157.- Elevation.

Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.

Sec. 23-158.- Control manhole generally.

When required by the superintendent or plumbing inspector, the owner of any property serviced by a building sewer carrying industrial wastes shall install a suitable control manhole, together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling and measurement of the wastes. Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the superintendent. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

Sec. 23-159.- Geothermal heat pump.

Wastewater from geothermal pumps shall be disposed of in one of the following methods:

- (1) Routed directly into a storm drain. In no case shall the discharge be emitted into a combination storm and sewer system.

Check valves must be installed adjacent to the unit to prevent back up into the unit from the city storm drain. Before installation, any taps into the storm drain shall have the approval of the public works director.

- (2) Pumped back into the ground through a well. This method requires approval from the Division of Environmental Management of the North Carolina Department of Natural and Economic Resources.

- (3) Discharge into a private ditch provided same does not create a public nuisance.

Sec. 23-160.- Private sewage disposal systems—When authorized.

Where a public sanitary or combined sewer is not available under the provisions of section 23-151, the building sewer shall be connected to a private sewage disposal system. The type, capacities, location, and layout of a private sewage disposal system shall comply with all recommendations of the county health department or the state agency having legal jurisdiction and control over disposal systems.

Sec. 23-161.- Same—Connection to public sewer.

At such times as a public sewer becomes available to a property served by a private sewage disposal system, as provided in section 23-151, a direct connection shall be made to the public sewer and any septic tanks, cesspools and similar private sewage disposal facilities shall be abandoned and filled with suitable material. The connection to such sewer shall be made within 90 days, and the private sewage disposal system shall be cleaned of sludge and filled with clean bank-run gravel or dirt.

BE IT THEREFORE FURTHER ORDAINED by the City Council of the City of Lumberton that this ordinance shall be in full force and effect from and after its passage, approval and publication, as provided by law.

Upon motion of Councilman_____, and seconded by Councilman _____, the foregoing Ordinance was adopted on the 11th day of February, 2013.

Raymond B. Pennington, Mayor

ATTEST:

Laney Mitchell-McIntosh, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

James C. Bryan, City Attorney

Lumberton City Council

Item: VIII.K.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Council

Submission Date: 08/18/2026

Subject: Ratify the Contribution to the Patriots Cove 5th Annual Golf Tournament

Summary/Background of Subject Matter:

Mr. Ben Wagner is a volunteer member for Patriots Cove, which is a non-profit 501 (c) (3) organization. The organization empowers veterans, first responders, and their caregivers to heal and adapt to life after service. This event was held on August 29, 2026, at the Land O Lakes Golf Course in Whiteville, NC.

Staff Recommendation:

Ratify the designation of \$400 to Patriots Cove 5th Annual Golf Tournament as follows: P1 - \$100 P2 - \$100 P3 - \$100 P4 - \$100 P6 - \$50 and P7 - \$300 for a total of \$750.00.

City Manager's Comments:

Signature: Laney Mitchell-McIntosh, City Clerk

Department: City Council

ATTACHMENTS:

1. BP-70C45_20260817_161923

From: Ben Wagner (Volunteer member " Patriots Cove")
To: Council Members " City of Lumberton"

Subject: Patriots Cove Sponsorship

I want to thank each of you for your support of "Patriots Cove" golf tournament the past three years. We were privileged to have raised over \$45,000 dollars in support of our Firefighters,EMS,Veterans and their caregivers all over the United States. This year our tournament will be held at Land of Lakes Golf Club ,Saturday 29 AUGUST 2026 starting at 1PM. We are so thankful for the continued support of local businesses and folks like yourselves who support this event each year. God Bless each of you. We would be so grateful if you would continue your yearly sponsorship with a Gold \$500, Silver \$250 or Bronze \$100 donation. Council members our Mission is to help these young men and women in their healing process by providing an avenue that takes them away from their daily struggles and allows them to connect with others in a more relaxed atmosphere.

We would love for you to come and join us on our special day. If you have questions concerning our event please contact me at 910-740-0439. Thank you and God Bless.....

Sincerely,
Ben Wagner

A handwritten signature in black ink, appearing to read "Ben Wagner", written over the typed name.

PATRIOTS COVE 5TH ANNUAL

GOLF **TOURNAMENT**



August 29, 2026

Land O Lakes Golf Course
Whiteville, NC

Registration at 12pm

Shotgun Start 1pm

Lunch 11:45 - 12:45pm



SPONSOR PACKAGES

GOLD \$500
SILVER \$250
BRONZE \$100

Price \$70 per player
\$280 per team

Mulligans &
Red Tees Included

Contacts Mike Ivey 910-536-8408

Dennis Kinlaw 910-827-0834

Ben Wagner 910-740-0439

"Serving Those Who Served Us"

Benefits: Helping Veterans, First Responders and Care Givers

Lumberton City Council

Item: VIII.L.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Council

Submission Date: 08/18/2026

Subject: Southern Carolina Housing 5th Annual Golf Tournament

Summary/Background of Subject Matter:

Ratify the contribution of \$550 to Southern Carolina Housing, Inc, for the 5th Annual Golf Tournament. The tournament will be held on September 3rd, 2026, at the Pinecrest Country Club, located at 110 Nigel Drive, Lumberton.

Staff Recommendation:

Ratify the contribution to Southern Carolina Housing for the 5th Annual Golf Tournament as follows: P1 - \$100 P2 - \$100 P3 - \$100 P4 - \$100 P5 - \$50 P6 - \$100 P7 - \$500 P8 - \$100 for a total of \$1,150.

City Manager's Comments:

Signature: Laney Mitchell-McIntosh, City Clerk

Department: City Council

ATTACHMENTS:

1. 5th Southern Carolina Golf Tournament



**SOUTHERN CAROLINA
HOUSING**
— *5th Annual* —
GOLF
— **TOURNAMENT** —

— **THURSDAY** —
SEPTEMBER
3rd, 2026

PINECREST COUNTRY CLUB
110 Nigel Drive
Lumberton, NC 28358



All Proceeds will
go to the Danny K.
Martin-RCC
Foundation
endowed
scholarship for
**Lumberton
Housing Authority**
residents.



**LUNCH AT
11:30AM**

.....
**TEE TIME IS
1:00PM**

.....
**REGISTRATION OPENS
AT: 10:00AM**



**HOLE SPONSORS
\$150**



**TOURNAMENT
PRICES:**

**\$75/PLAYER
\$300/TEAM**

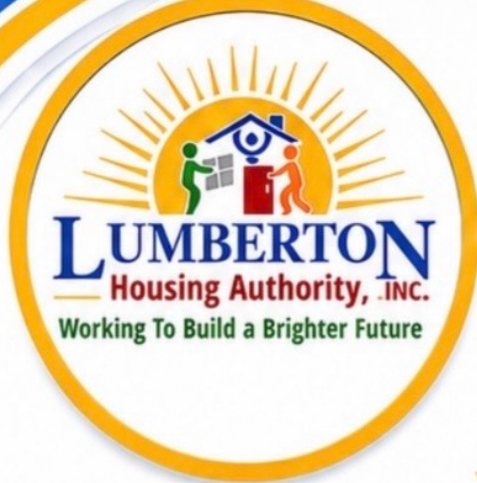
Mulligan's Included

.....
SPONSORSHIP LEVELS:

SUPER SPONSOR	\$350
GOLD SPONSOR	\$500
PLATINUM SPONSOR	\$1,000



Southern Carolina Housing, Inc.
is a 501(c)(3).
EIN 81-3178620



SOUTHERN CAROLINA HOUSING



5th Annual Tournament



SPONSORSHIP TIERS

1

**SUPER
SPONSOR**
\$350

One team &
sponsor recognition

2

**GOLD
SPONSOR**
\$500

One team & signage
on golf course

3

**PLATINUM
SPONSOR**
\$1000

Two teams &
signage

★ CASH PRIZES ★



1ST
1ST PLACE
\$400
CASH PRIZE



2ND
2ND PLACE
\$300
CASH PRIZE



3RD
3RD PLACE
\$200
CASH PRIZE



Make checks payable to
Southern Carolina Housing, Inc.
PO Box 709
Lumberton, NC 28359



TOURNAMENT DATE:
SEPTEMBER 3RD, 2026

GOLFER / TEAM INFORMATION

Company/Team Name _____
Address _____
Street name and Number _____
City _____ State _____ Zip Code _____

Golfer / Team Information

Player 1. _____
Player 2. _____
Player 3. _____
Player 4. _____

Let's make this an unforgettable event!

★ **THANK YOU FOR YOUR SUPPORT!** ★

Southern Carolina Housing, Inc.

Lumberton City Council

Item: VIII.M.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Council

Submission Date: 08/26/2026

Subject: Ratify the Designation of \$1,100 of CRF to Hope Ministry at Sandy Grove Baptist Church for a Community Wellness Fair

Summary/Background of Subject Matter:

Sandy Grove Baptist Church is hosting a Community Wellness Fair on Saturday, September 12, 2026, at Robeson County Fairgrounds from 9:00 a.m. to 2:00 p.m.

Councilwoman Robinson would like to donate \$300 of CRF to this event.

Staff Recommendation:

Ratify the designation of \$ of Community Revitalization Funds to Sandy Grove Baptist Church Ministry of Hope as follows: P1 - \$100 P2 - \$300 P-3 - \$100 P4 - \$100 P6 - \$100 P7 - \$ P8 - \$100 and from the Mayor's discretionary fund \$200 for a total of \$1,100.

City Manager's Comments:

Signature: Laney Mitchell-McIntosh, City Clerk

Department: City Council

ATTACHMENTS:

None

Lumberton City Council

Item: IX.A.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Manager

Submission Date: 09/09/2026

Subject: Main Street Lumberton Downtown Development Update

Summary/Background of Subject Matter:

Main Street Lumberton Advisory Board Chair Dencie Lambdin will provide City Council with an update on recent downtown development activities, accomplishments, ongoing projects, and upcoming initiatives.

The update will include information on business growth and private investment, façade improvements, public-space projects, downtown events, organizational activities, and other efforts supporting the continued revitalization of Downtown Lumberton.

Staff Recommendation:

This item is presented for information only. No formal action is required.

City Manager's Comments:

Signature: Laney Mitchell-McIntosh, City Clerk

Department: City Manager

ATTACHMENTS:

1. 2026_MSL_Statistics_Worksheet_Annual_Totals

2026 Main Street and Small Town Main Street Reinvestment Stats

Reporting Period: July 1, 2025-June 30, 2026

Please only include statistics that occurred in the defined downtown district and projects that were completed.

	Please type all answers in this column below (PLEASE DO NOT DELETE FORMULAS IN SPREADSHEET BELOW)
Write Name of Main Street/Small Town Main Street Community:	
Reporting Date <i>(Deadline is last working date of July)</i>	31-Jul-26
First & Last Name of Person Reporting Statistics	Sarah Beth Ward
Telephone #	(910) 880.0991
Email Address	sward@ci.lumberton.nc.us

Annual Statistics Report

Buildings & Property	
# of Facades Redone	5
# of Building Rehabilitation Projects Completed	1
# Public Improvement Projects Completed	2
# New Construction Projects Completed (In-Fill)	
Jobs	
# New Full Time Jobs Created in Downtown	15
# Full Time Jobs Lost in Downtown	3
# Net Full Time Gain (+/-) Jobs in Downtown	12
# New Part Time Jobs Created in Downtown	4
# Part Time Jobs Lost in Downtown	1
# Net Part Time Gain (+/-) Jobs in Downtown	3
Businesses	
# Businesses Opened in Downtown	8
# Businesses Closed in Downtown	3
# Net Gain (+/-) Businesses in Downtown	5
# Businesses Expanded in Downtown	0
Investment	
\$ of New PUBLIC investment	\$8,426,057
\$ of New PRIVATE Investment	\$768,500
\$ of New TOTAL Investment	\$9,194,557
Volunteer Hours	
# of Volunteer Hours contributed to Downtown	3040
# of Volunteer Hours X \$33.01 (Value of N.C. Volunteer Hour)	\$100,350
Total # of Downtown Housing Units	4
Total # of Commercial Spaces/# of Vacant Spaces	89/33
Total Tax Valuation of Downtown District	
Total # of Square Feet of Downtown Property	1,035,781 sq. ft
ANNUAL Average Rental Rate in \$/sq. ft	\$6.75/sq. ft

Lumberton City Council

Item: IX.B.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Manager

Submission Date: 09/09/2026

Subject: Adoption of the Ten Year Comprehensive Downtown Master Plan

Summary/Background of Subject Matter:

In September 2023, the City of Lumberton initiated the development of a new Comprehensive Downtown Master Plan to establish a community-supported vision and implementation strategy for Downtown Lumberton's next ten years. Benchmark Planning was selected to guide the process, which included an assessment of existing conditions, extensive community engagement, a market study, development of recommendations, and preparation of an implementation plan.

The planning process included the following milestones:

- **September 28, 2023:** Downtown community update and formal master plan kickoff.
- **2023–2024:** Downtown assessment, community survey, stakeholder interviews, and listening sessions.
- **July 25, August 29, and September 24, 2024:** Three public workshops were conducted to identify priorities, develop ideas, and refine the community's vision for downtown.
- **2025–2026:** A market study was completed to evaluate the economic feasibility and development potential of the proposed concepts and opportunity sites.
- **April 30, 2026:** The proposed recommendations and market study findings were presented to the community at the Carolina Civic Center.
- **September 14, 2026:** The final Comprehensive Downtown Master Plan is presented to City Council for consideration and adoption.

Community engagement was central to the process. More than 400 people responded to the community survey. Approximately 60 participants took part in master plan listening sessions, and another 40 participants participated in market study interviews and discussions. Four public meetings and workshops held at the Carolina Civic Center and Adams Banquet Hall attracted more than 130 participants, in addition to four committee meetings. Participants included residents, downtown business and property owners, developers, community organizations, public safety representatives, City departments, elected and appointed officials, and outside agencies. At the first workshop alone, more than 45 attendees participated in facilitated small-group discussions.

City Staff also wanted to ensure that the final plan was realistic, economically informed, and capable of guiding actual investment. Through funding associated with the City's ongoing Brownfields Assessment Grant, a market study was incorporated into the planning process

before the plan was finalized. The study evaluated regional and local market conditions using information from the U.S. Census, ESRI Business Analyst, CoStar, Retail Strategies, and stakeholder interviews.

The market analysis identified potential demand for downtown housing, retail, office, hospitality, and related development. It provided a factual basis for evaluating proposed redevelopment opportunities, including the riverfront, the former water treatment plant, upper-story and multifamily housing, public spaces, and other catalyst sites. This additional analysis helped ensure the final recommendations were supported by both community priorities and measurable market potential rather than being solely aspirational.

The resulting plan provides recommendations related to land use and redevelopment, urban design, public spaces, transportation and mobility, the Lumber River, historic properties, economic development, branding and promotion, development regulations, and implementation. Adoption will establish the plan as the City's policy guide for downtown decision-making, partnerships, capital investments, and future grant opportunities over the next ten years.

Financial Impact:

Adoption of the plan does not, by itself, authorize funding for individual projects. Projects and initiatives requiring City funding will be presented to City Council separately through the annual budget process, capital planning process, grant applications, or individual project requests.

Staff Recommendation:

Staff recommends that City Council adopt the Comprehensive Downtown Master Plan and use its recommendations and implementation strategy as a guide for the continued revitalization and development of Downtown Lumberton.

City Manager's Comments:

Signature: Laney Mitchell-McIntosh, City Clerk

Department: City Manager

ATTACHMENTS:

1. DowntownMasterPlan_CityCouncilDraft_ABBR

City of Lumberton Downtown Master Plan



June 2026



Acknowledgments

City Council

Bruce Davis, Mayor

Leroy Rising, Precinct 1 Council Member

Melissa Robinson, Precinct 2 Council Member

John Carroll, Precinct 3 Council Member

Karen Higley, Precinct 4 Council Member

John Cantey Jr., Precinct 5 Council Member

Alfred Douglas, Precinct 6 Council Member

Eric Chavis, Precinct 7 Council Member

Owen Thomas, Precinct 8 Council Member

Main Street Lumberton Advisory Board

Dencie Lambdin, Advisory Board Chair

Steve Branch, Economic Vitality Committee Chair

Angela Sumner, Promotions Committee Chair

Scott Bigelow

Joe Butler

Mica Walcott

James Bass

Project Team

Brandon Love, Deputy City Manager

Sarah Beth Ward, Downtown Development Coordinator

Benchmark Planning, Urban Design & Planning Consultant

Downtown Lumberton Stakeholders

Thank you to the residents, business owners, organizations, and everyone who participated during the development of the Downtown Lumberton Master Plan.







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1 Introduction

OVERVIEW

In late 2023, the City of Lumberton began the process to create an updated Master Plan for the Downtown area. A Downtown Master Plan is a comprehensive long term blueprint that guides how the downtown area should develop, grow, and improve over time. The Plan establishes a framework for the City's ongoing commitment to downtown revitalization, which includes the maintenance of public infrastructure, streetscapes, landscaping, lighting, public spaces, and other City-led improvements that support continued private investment and economic growth within downtown.

Downtown Lumberton, North Carolina, has a rich history that reflects the town's evolution from a small rural settlement to a regional hub. The area that is now Lumberton was originally settled in the mid-1700s, with the town being officially incorporated in 1787. Its location along the Lumber River made it a vital center for trade, particularly timber and agriculture, which played a significant role in the town's early economic development.

In the 19th century, Lumberton became an important transportation hub with the construction of railroads that connected it to larger cities like Wilmington and Fayetteville. This facilitated further growth and development, with businesses centered around timber, cotton, and tobacco thriving in the region.

Downtown Lumberton remained the commercial heart of the town throughout the 20th century, with a variety of shops, restaurants, and local businesses. In the post-World War II era, however, like many small American towns, Lumberton began to experience economic shifts due to suburbanization and changes in industry.

The town's downtown area has seen revitalization efforts in recent years, with a focus on preserving historic buildings while encouraging new development. Today, downtown Lumberton continues to be a key focal point for the community, offering a mix of historic charm and modern amenities. While this momentum has been great, new challenges and opportunities have arisen that make it crucial for Lumberton to have a strategic vision towards its future. In order for the Downtown Area to thrive, public and private investments must be made to attract residents and businesses to locate in downtown. This plan serves as a summary of the community input and visioning that has gone into preparing a development framework to guide the future for Downtown that is intended to spark reinvestment and move the vision toward reality.

THE PLANNING AREA

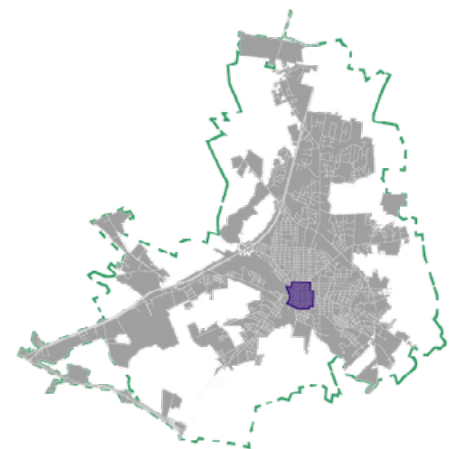
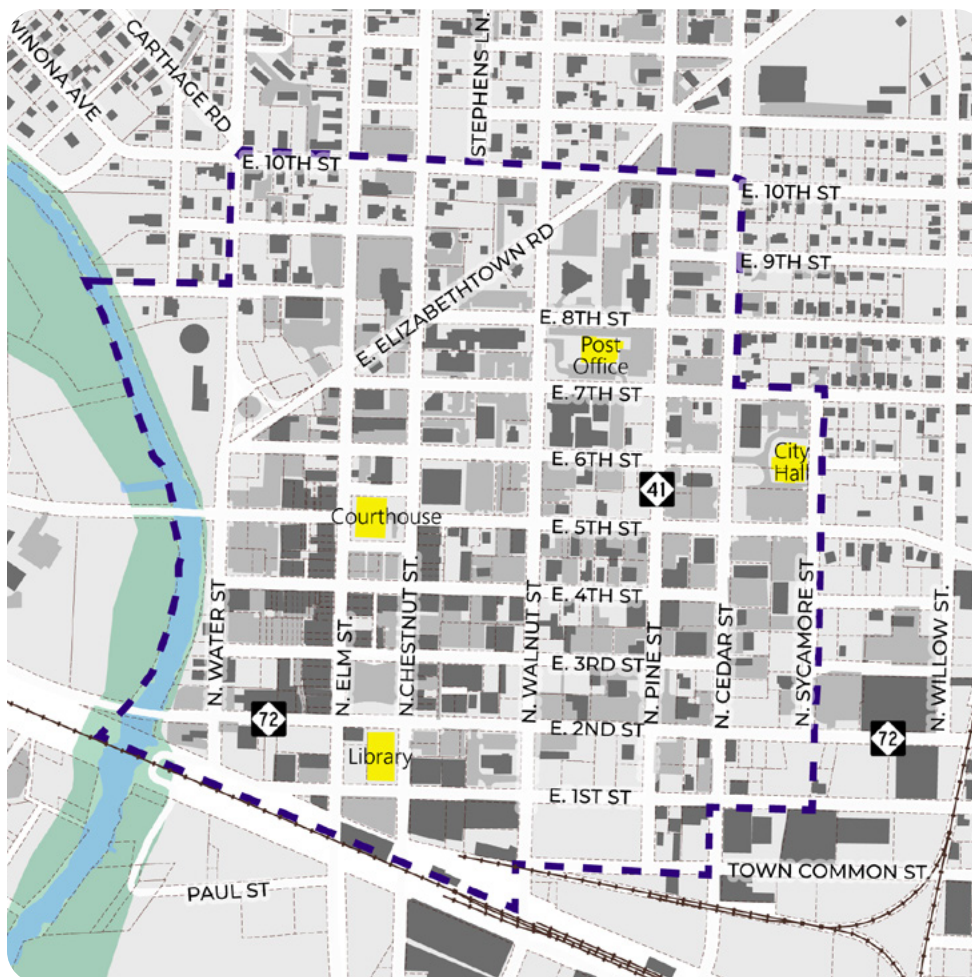
The Downtown Master Plan focused on a study area that extends from East 10th Street along the northern boundary to the East 1st Street area along the southern boundary to the CSX rail line. On the west, it is bounded by the Lumber River, while to the east it is bounded by North Sycamore Street just behind City Hall. This study area encompasses approximately 154 acres of land, which is just over 1 percent of the total 11,300 acres in the city.

The primary government uses and facilities within the study area include City Hall, the Post Office, the Robeson County Courthouse, Robeson County Administration Center, and the Robeson County Library.

The accompanying map illustrates the Downtown Study Area in relation to the City of Lumberton. Three major roadways connect the downtown study area to the broader region: I-95, NC 41, and US 74. Exit 19 on I-95 will be a future gateway into downtown with bridge enhancements that include public art and bicycle / pedestrian connections across the bridge.

Additionally, the study area is in close proximity to the Lumberton Municipal Airport, a city-owned public airport featuring two runways and averaging about 68 flights per day. CSX operates two rail lines running through Lumberton, converging to the south and east of the study area.

▼ Downtown Study Area



LEGEND

- Dashed blue line: Downtown Study Area
- Dark gray rectangle: Building Footprint
- Light gray rectangle: Impervious Parking Lot
- Dotted line: Parcel Lines
- Black line with cross-ticks: Railroad
- Blue area: River
- Green area: Floodplain

WHY PLAN?

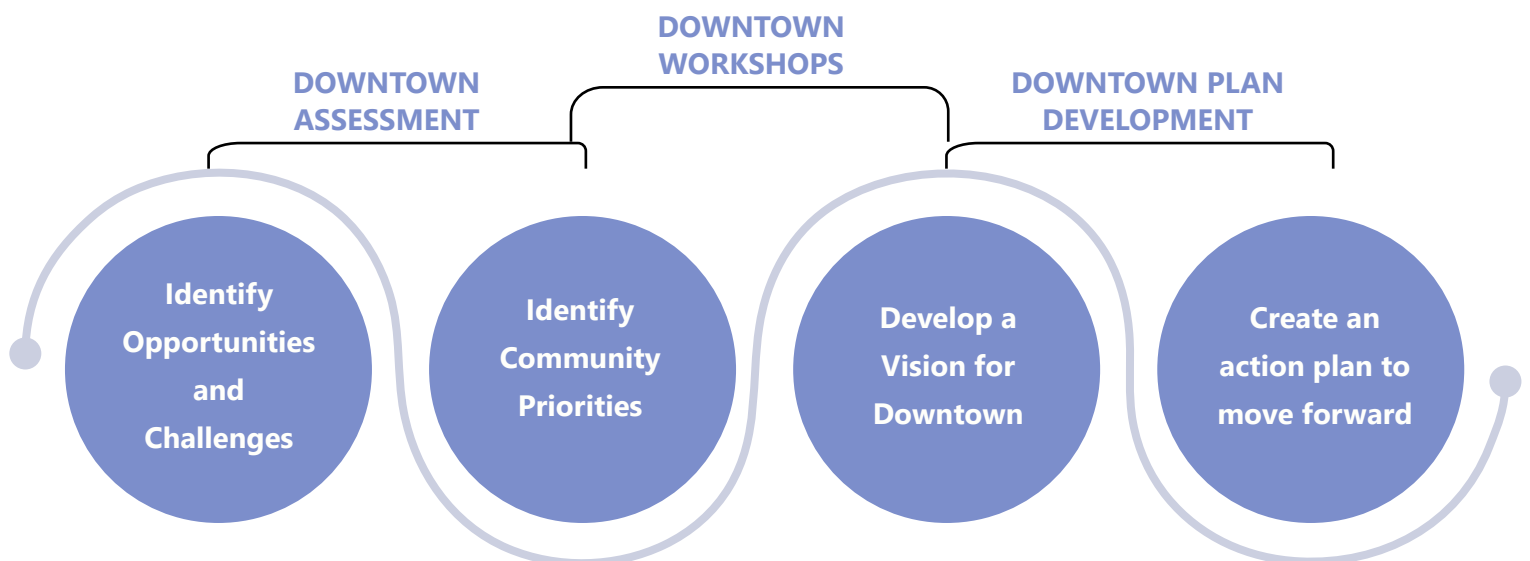
While there have already been several efforts taken to revitalize Downtown Lumberton, organizing and prioritizing future efforts is essential to maximize impact. Downtown Master Plans are important documents as they can help provide a comprehensiveness framework for action. The Downtown Master Plan will serve as a guidebook for the community, elected officials, business owners, and developers to ensure that decisions about growth align with the City’s broader goals and objectives that are laid out in this document.

PLANNING PROCESS

The Downtown Planning process began with an opening kickoff presentation in September of 2023, where the project website was announced. This marked the start of the first phase of the project: the Downtown Assessment. The assessment involved identifying opportunities and challenges for the future growth and development of Downtown Lumberton. Observations were gathered from listening sessions, a community survey, a review of past and current planning documents, and an analysis of existing condition data.

The project team used this information to pinpoint community priorities that would guide the plan. Additional community priorities were identified during the Downtown Workshops held during 2024, where planning concepts were proposed, discussed, and refined by residents. These priorities and concepts were then crafted into a vision for the downtown area, leading to Phase 3: the Development of the Downtown Plan that began in 2025.

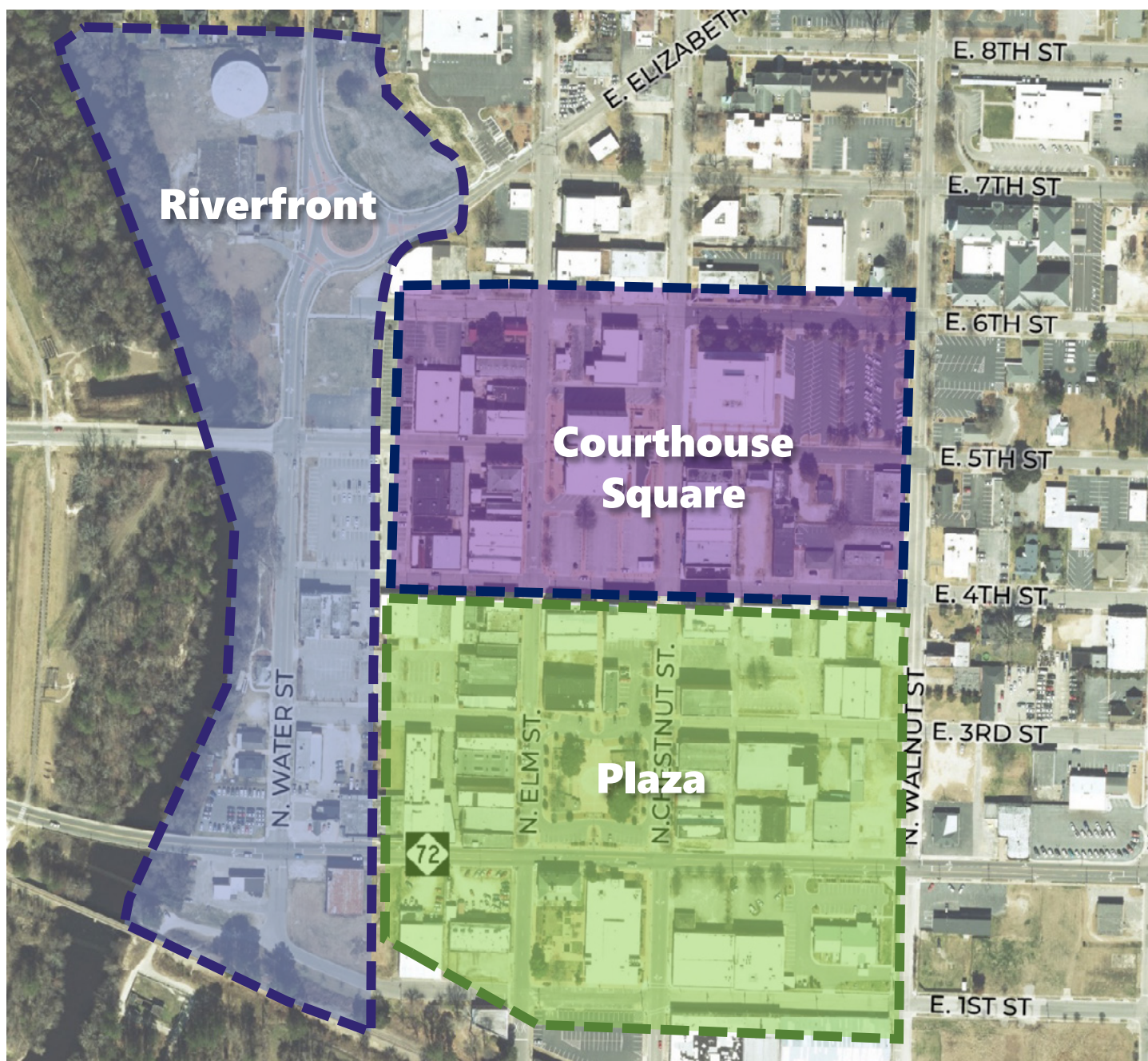
In Phase 3, the more conceptual ideas were broken down into actionable steps to facilitate the implementation of the vision. As Phase 3 was being developed, a market study was completed as part of the City’s overall brownfield planning work that included a number of properties in the downtown area. The market study provided additional guidance for the refinement and timing of the downtown concepts developed during Phase 2. The project culminated with a community review of the plan in April 2026, followed by its adoption by the City Council in TBD, 2026.



PLAN OVERVIEW

This Master Plan is divided into 4 sections. This first section, the introduction, provides information on the purpose of the plan and context. The second section focuses on community engagement and the development of the vision for downtown. Section Three sets forth the conceptual development recommendations for the plan's focus areas. While the Downtown Master Plan considers the entire downtown area, during the process, three areas of focus emerged: 1) Downtown Plaza (Dick Taylor Plaza); 2) Riverfront; and 3) Courthouse Square. These areas were chosen based on their current attractions and their potential for redevelopment to help achieve the vision. Within each of these sections, the plan outlines why these areas were chosen, opportunities that exist in each area, and proposed redevelopment and design. The final section of the plan is the implementation chapter that establishes the most important next steps.

▼ Downtown Focus Areas







▲ Downtown Sidewalk Artwork as part of
the Main Street Art Stroll

2 Visioning

PUBLIC ENGAGEMENT

Listening Sessions

At the onset of the planning process, city staff and the consulting team held listening sessions with members of the Lumberton community to gain insights into the current conditions and concerns facing Lumberton. During these sessions, representatives from various groups provided specialized input that helped identify opportunities, challenges, and a vision for the future of Downtown Lumberton.



Economic Development



Elected & Appointed Officials



Business Owners



Downtown Advocates



Major Property Owners



Real Estate Development Community



City Departments



Outside Consulting Agencies (NCDOT projects)

Community Survey

The community survey was open for responses throughout October 2023. During this 31-day period, there were a total of 403 responses. The majority of respondents either lived or worked in Lumberton, with 4.8% owning property downtown and 4.3% owning businesses downtown. Notably, 67% of respondents were between the ages of 35-65, indicating a skew towards older age groups in the city. Respondents indicated that they mostly visit downtown for dining (52%), festivals and events (46.7%), and government or legal services (33%). Many expressed that festivals and events were their favorite aspects of downtown, along with local restaurants, the Carolina Civic Center, the library, the Riverwalk, and murals. Survey participants indicated that more dining options, retail establishments, and entertainment venues would encourage them to visit downtown more frequently. Other suggestions included improving the area's appearance, reducing crime,

▼ Community Survey Page 1

enhancing the library, hosting more family events, and providing better parking facilities. The visioning element of the survey is detailed in the vision section of this plan.

Project Website

Following the project kick-off, the project team developed a website, downtownlumberton.org. The website provided information on the purpose of the plan, the planning process, existing plans and documents related to downtown, and contact information for inquiries. The site also allowed residents to view presentations from meetings, access project updates, and receive details about upcoming meetings. Additionally, it offered an invitation to join an email list for those who wanted email reminders.

Downtown Workshops

In July, August, and September 2024, the city held a series of three public workshops to develop a vision for the future of Downtown Lumberton. During each workshop, the consultants delivered presentations and

facilitated discussions around the opportunities and challenges involved in improving downtown. Meeting attendees participated in small group discussions to begin developing big ideas and a vision for making Downtown Lumberton a great place for everyone.

The first workshop focused on establishing a foundation for the planning process. Attendees reviewed community survey results and some background data, discussed three main focus areas, and broke into small groups to brainstorm ideas for placemaking, investment, and significant initiatives. This meeting attracted over 45 attendees.

In the second workshop, the community’s ideas from the first session were further developed into initial concept plans. These plans were shared alongside examples from other communities where similar ideas had been successfully implemented. Alternatives for each area were presented, allowing for small group discussions on what would work best for Lumberton.

The third workshop refined the ideas that garnered the most support during the second session into detailed plans and strategies. Although these plans were not finalized, meeting attendees were given the opportunity to review the ideas and share their thoughts on what they liked and disliked about each option. As mentioned earlier, all meeting presentations were made available online for anyone unable to attend in person.

▼ Downtown Workshop Flyer

A vertical flyer for the Downtown Lumberton Series 2024. The top section has a dark blue background with the text "PLEASE JOIN US" in white, followed by "DOWNTOWN LUMBERTON" in large white letters, and "SERIES 2024" in yellow. Below this, it says "WITH BENCHMARK PLANNING". The middle section is divided into three horizontal bands. The first band has a white background with "JULY 25" in large blue letters, "6-8 pm" in smaller blue letters, and "THE BIG IDEAS" in blue. Below this, it says "DOWNTOWN MASTER PLAN INPUT OPPORTUNITY" and "101 S Chestnut Street, Lumberton". The second band has a white background with "CONCEPTS & FEEDBACK" in blue, "THE FINAL EDITS" in smaller blue letters, and "101 S Chestnut Street, Lumberton". To the right of this band is a yellow box with "AUG 29" in large blue letters and "6-8 pm" in smaller blue letters. The third band has a white background with "SEP 24" in large blue letters, "6-8 pm" in smaller blue letters, and "THE BIG REVEAL" in blue. Below this, it says "YOUR VISION AND OUR ACTION PLAN" and "315 N Chestnut Street, Lumberton". The bottom section has a dark blue background with the website "WWW.DOWNTOWNLUMBERTON.ORG" in white. The Lumberton city seal is in the top right corner.

▼ Small Group Discussions at Workshop #1



▼ Attendees presenting ideas at Workshop #1

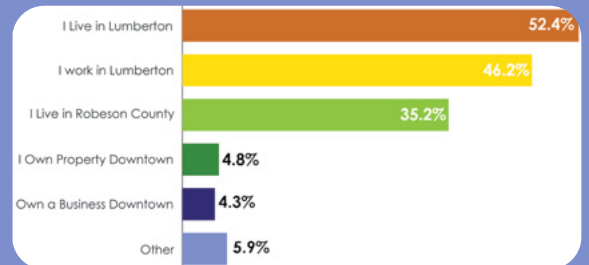


▼ Attendees presenting ideas at Workshop #2

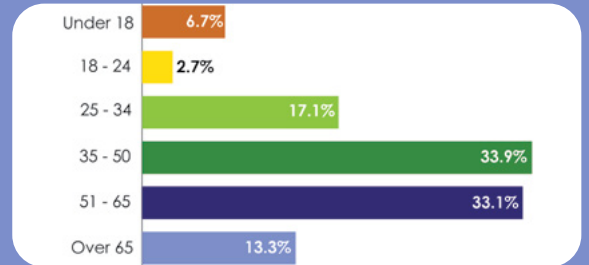


+400 took the survey

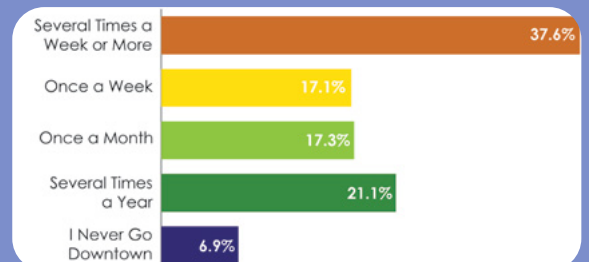
Relationship to Downtown (check all that apply)



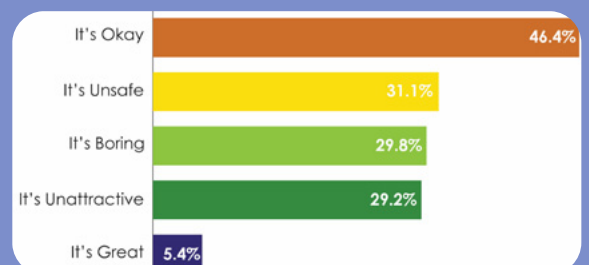
Age of Survey Respondents



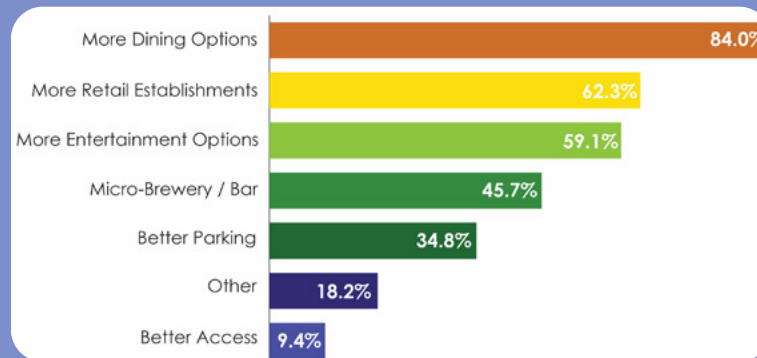
How often do you visit downtown?



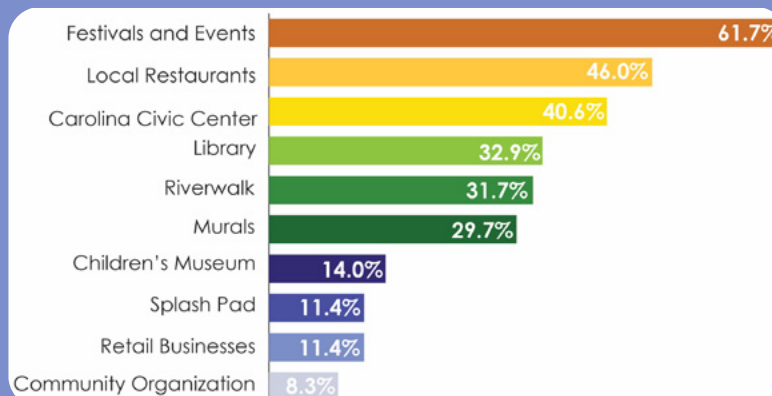
What is your perception of downtown? (check all that apply)



**What would make you visit downtown more?
(check all that apply)**



**What is your favorite thing about downtown?
(check all that apply)**



**What should the Master Plan consider over the next 10 Years?
(Key words from open ended responses)**



MARKET ASSESSMENT

Overview

The market assessment was completed in coordination with the City's brownfields planning efforts with Terracon, an environmental consulting firm that began after the master planning process. The delayed timing of the market study provided the opportunity to more closely evaluate the potential of the development concepts prior to moving forward with finalizing the master plan.

Market Study Geographies & Data

The City of Lumberton marketplace is heavily influenced by its close proximity to the larger Fayetteville and Florence markets and, to a lesser extent, the Wilmington market. Data was reviewed for the larger areas utilizing CoStar and the US Census. The market assessment also included data collected at the County level, which is mostly reflective of the primary trade area for the City. When coupled with customized drive times of 5 minutes, 10 minutes, and 20 minutes from downtown, the area is largely confined to the developed areas of the County with some spill over into Bladen County toward Bladenboro. The data sources for the assessment focused on the US Census, ESRI Business Online Analysis, CoStar, Retail Strategies, and interviews conducted with local business owners, developers, and real estate professionals. Please see the [appendix](#) for the full market assessment presentation.

Market Summary

The market demand in multifamily, office, retail, and hospitality was identified at the county level for the next 15 years. Based on a capture rate in each category for downtown, a foretasted demand for downtown study area was determined.

Multifamily

The County is expected to grow by 5.9% to 123,500 people by 2040, reversing the declining population trend observed over the last decade. Based on the current housing vacancy trends and new households that will need housing, it is estimated that the County will need 3,042 new units through 2040, with at least 456 of those new units consisting of multifamily (5 or more units). The downtown is expected to capture up to 160 of those multifamily units.

Office

Approximately 22% of jobs in the County are office occupying. It is estimated there will be a demand for 550 new office employees through 2040 that will occupy nearly 124,00 square feet of additional space. It is anticipated that downtown can support up to 18,600 square feet of that office demand through 2040.

Retail

Within a 20 minute drive of downtown, there is an estimated \$1.2B in net spending anticipated over the next 15-years, which will generate the need for about \$3.1M in square feet of retail space. It is estimated that

about 301,000 square feet can be located in close proximity to downtown. More specifically, Retail Strategies identified that there is an opportunity gap for \$11M in full-service restaurants downtown and an \$8.8M demand for bars and drinking places. Business owners can help grow downtown as a dining and entertainment destination, capturing some of this demand.

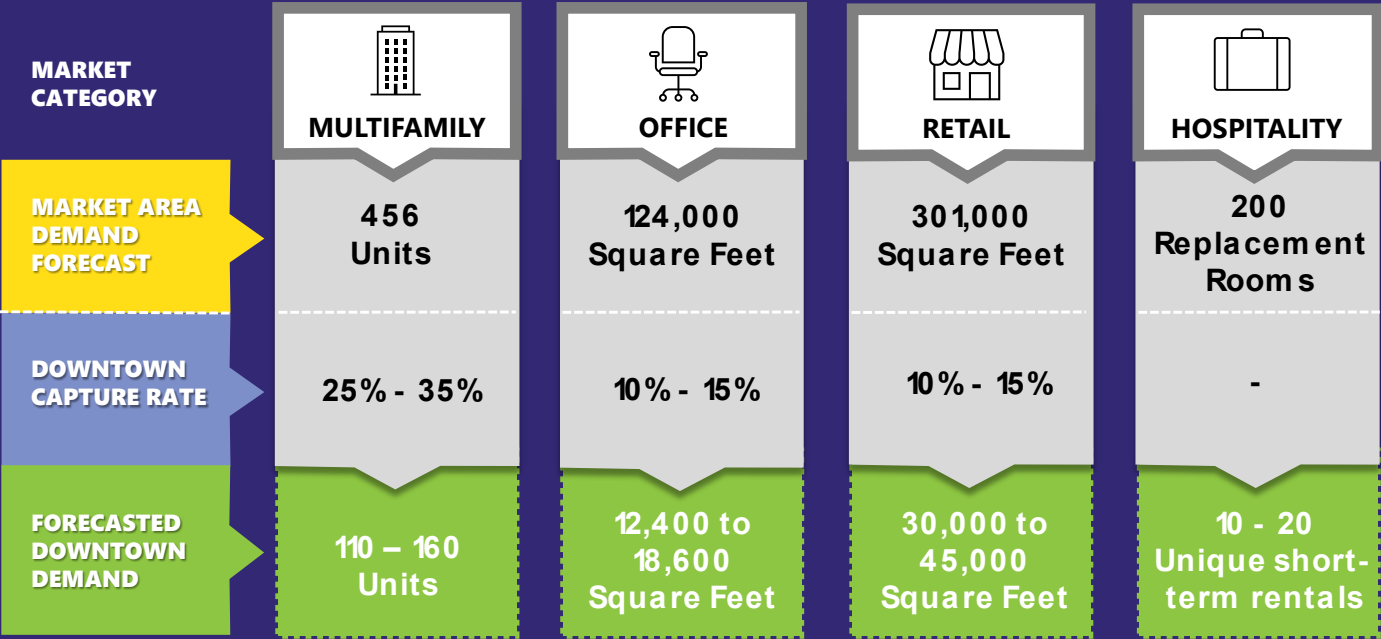
Hospitality

The Lumberton Market delivered 3 new hotel properties over the last year, adding 189 rooms to the inventory. This addition brings the total hotel rooms in Lumberton to 1,700, which is meeting the foreseeable future demand. While, the assessment does not reveal a demand for new hotel rooms, it is expected that approximately 200 replacement rooms will be added where legacy hotels will most likely be redeveloped over the next 15 years. For downtown specifically, national and regional trends suggest that 10 - 20 short-term rentals in downtown could be supported.

Lumbee Tribe Federal Recognition

As the market assessment was being finalized, the announcement of the long-awaited federal recognition of the Lumbee Tribe was released. This market assessment does not account for the potential changes related to the recent announcement. While it is unknown how this will impact the downtown in next five years, the recognition opens many doors for the Lumbee Tribe in building its economy and the economic future of Robeson County, which will play a significant role in shaping the future of downtown in the long-term.

Market Potential / Demand Summary



Notes: 15-Year Net Demand (2025 - 2040)
Sources: U.S. Census, ESRI Business Online, CoStar, Retail Strategies, Interviews

KEY CHALLENGES

Changing the mindset about Downtown

For many years, while some have worked hard to make a difference downtown, many people have overlooked its potential. With so many redevelopment projects happening on a regular basis now, more people are seeing that momentum and starting to believe in a better future for Lumberton.

Safety vs Reality Perceptions

Often times, people feel unsafe in a downtown environment, primarily when there is a lack of activity. People expressed in the survey the desire for more to do and sometimes feeling unsafe, and those things go hand in hand. When the police department was interviewed, they reported that the actual number of incidents in downtown was lower than other parts of the city, but the perception of crime remained top-of-mind for some people when asked about it - mostly related to the perception factor.

Lack of Traffic and People Downtown

Building on the safety topic, the lack of traffic and people in downtown that people who frequent downtown Lumberton does play into those perceptions. Although, with activity that has been building since the start of the project, foot traffic is beginning to increase.

Appearance/ Looks and Feels Empty

Redevelopment is happening in downtown. Since the time the survey was taken, the number of buildings renovated and the number of new businesses have increased in downtown. Also, the 2nd Street bridge and the Carolina Civic Center construction projects have been completed, bringing back more traffic and vibrancy to the downtown area.

Building Maintenance and Rehabilitation

One poorly maintained building on a block can negatively influence the entire block. And, several buildings on one block or within several blocks can impact the entire downtown. As buildings are sold, rehabilitated in a thoughtful way, and repurposed with an active use, downtown will begin to thrive again. The real estate market is moving in downtown with facade grants going to new business startups creating positive momentum.

Unhoused Population/ Homelessness

People across the country are experiencing life without a home today, finding themselves living on the street. In areas where there are not a lot of people and things going on, a person who is unhoused will be more visible. And, unfortunately, customers and visitors to a downtown will feel unsafe and decide not to visit. As activity, the appearance, and overall foot traffic improves in a downtown, the social stigma associated with seeing someone who is unhoused is not as prominent.

Not enough to do/ Lack of entertainment

People often commented that they enjoy the small businesses and activities in downtown. However, people expressed they want more of it.

River Visibility and Access

The river is difficult to see as it moves along the western edge of downtown. The best places to see it are from the bridges and the partially completed riverwalk. A sustainable and environmentally friendly way needs to be identified to appropriate trim, prune, and maintain vegetation along the riverfront to open up views and greater enjoyment by the public.

KEY OPPORTUNITIES

Leverage the Riverfront

A long time coming, finding ways to utilize the river to increase tourism and enjoyment of downtown Lumberton is critical. The opening of the new 2nd Street bridge, when coupled with the pedestrian improvements for the 5th Street bridge will begin to open up more views and enjoyment of the river. In addition, finding a way to activate the riverfront and complete the riverwalk will enhance the downtown and overall visitor experience.

Create Residential Opportunities

Downtowns need people living in them 24/7. One proven strategy for downtown revitalization is increasing the number of people living in downtown. People who live in downtown develop a sense of ownership for downtown and it puts more eyes on the street. The perception of safety improves and people will feel more comfortable being in a downtown that has activity and people in it around the clock.

Expand Amenities around the Carolina Civic Center

The Carolina Civic Center Expansion is now complete and the activities around the Civic Center are improving. The Dick Taylor Plaza, the connecting alleyway, downtown pocket park and nearby uses like the Inner Peace Center for the Arts are creating that concentration of amenities and potential for more activity in downtown.



Improve Transportation Facilities

As noted, the project began as the 2nd Street bridge project was underway with the 5th Street bridge project now underway. These two improvements will significantly improve the entire downtown area aesthetically and functionally, providing improved options for bicycles and pedestrians to connect safely across the river. Water Street and 2nd Street will also be improved during the construction process. In the future, plans for the Lumberton Loop and new streetscape projects proposed in this plan will continue to move downtown in the right direction, designing streets for more than just the movement of cars in and out of downtown.

Expansion of the County Courthouse

Downtown Lumberton is the heart of government for the County. It is the home of the County Courthouse, County Administration Building, City Hall, and many other related facilities. Specifically, the County Courthouse has played a pivotal role in the life of downtown for many years. It is at the center of the downtown area and creates a terminal vista for those coming into downtown from the west across the 5th Street bridge. As the County considers the future of the courthouse and expansion, it is important to consider how a new courthouse redesign can most effectively improve downtown for the long-term.



Placemaking Today

What is Placemaking?

"A collaborative process that aims to improve public spaces and the quality of life for people who use them."

- Project for Public Spaces

As part of the Downtown Master Planning process, placemaking was an important step in thinking about the future of downtown. Placemaking focuses on creating vibrant, engaging, and sustainable spaces that reflect the needs and desires of the community. In the context of the plan, it was important to use a placemaking lens to guide the development of areas so that they could foster a sense of identity, encourage economic activity, and improve the quality of life for residents

Placemaking in Lumberton Today:

The City of Lumberton has undertaken many projects to improve its public spaces. While these projects have made significant impacts, continued efforts are necessary to keep the momentum and ensure that these projects work together to make Downtown Lumberton a better place to live, work, and visit.



Plaza & Splash Pad



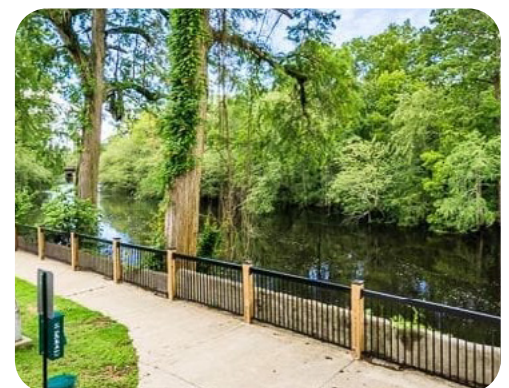
Pocket Park



Alleyway Project



Carolina Civic Center Expansion



Riverwalk

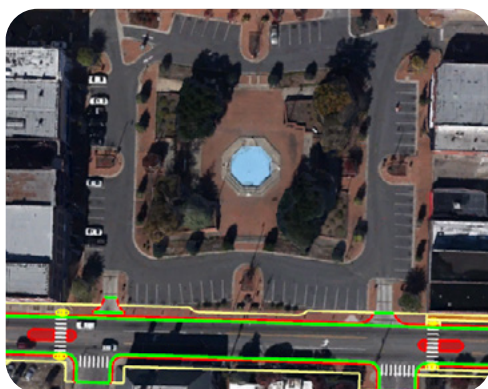
Future Placemaking Projects



Memorial Park



Lumberton Loop



Hwy 72/ 2nd St NCDOT Complete
Street Design



Water Treatment Plant

Recent Projects



Renovation Underway



Recently Renovated



Renovation Underway



Recent Mural

VISION SETTING

The visioning process for the Downtown Lumberton Master Plan began by thinking about three elements:

Our River- *The Lumber River is an important part of our future, how can we capitalize on this scenic feature moving through our downtown?*

Our History- *We have beautiful historic structures in our downtown. How do we activate these buildings and help strengthen our sense of place?*

Our Future- *Downtown should be a place for everyone. How do we transform our downtown into a vibrant place for generations to come?*

These three questions helped the community shape initial discussions and led to the identification of the following priorities and guiding principles for the future of Downtown Lumberton.



**CREATING RESIDENTIAL AND
HOUSING OPPORTUNITIES**



**ATTRACTING ENTERTAINMENT
/ DINING / THINGS TO DO**



**ACTIVATING PUBLIC SPACE/
URBAN DESIGN**



**ENCOURAGING LOCALLY OWNED-
SMALL BUSINESS/ START UPS**



**LEVERAGING PUBLICLY OWNED
SITES FOR REDEVELOPMENT**

The vision statement developed during the process is written below.

Downtown Lumberton is a Place for Everyone... ...Connected to Everything.

A vision statement is a succinct forward-looking declaration that outlines the long term aspirations for a City's Downtown area. A vision statement is an important element to any planning document as it helps to set a clear direction for decision makers moving forward, guides development and planning decisions, and helps to attract both public and private investment by providing a clear roadmap of the area's potential.



A Place for Everyone...

Downtown is a Place for Everyone -

Downtown is a place for all ages and backgrounds to gather for community events and entertainment.

...Connected to Everything.

Downtown is Connected to Everything - It

is the heart of our community - physically connected to everywhere by roads, trails, and the river; and culturally connected to our people through its historical significance and importance to our future.





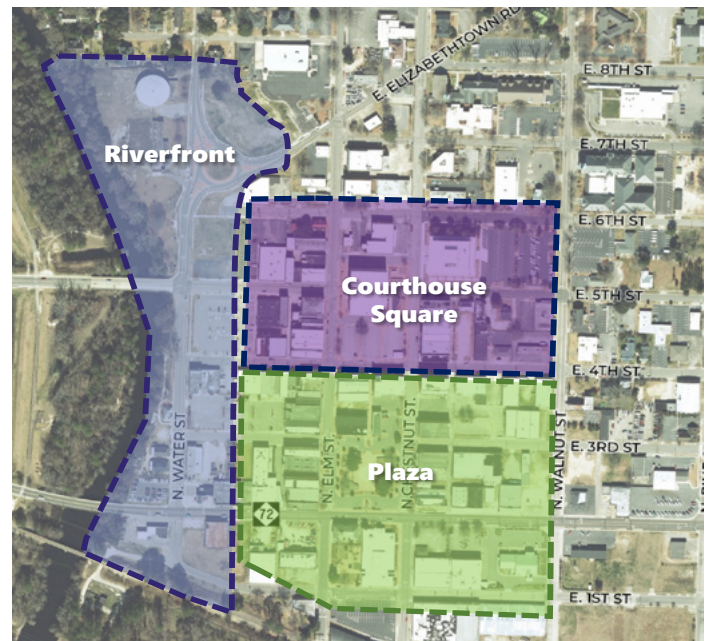


▲ Birds eye view of the Downtown Lumberton Dick Taylor Plaza and Downtown Pocket Park.

3 Downtown Focus Areas

OVERVIEW

While the Downtown Master Plan considers the entire downtown area, during the process, three areas of focus emerged 1) Plaza; 2) Riverfront; and 3) Courthouse Square. Each focus area is briefly described below with the detailed recommendations developed for each area outlined on the pages that follow.



Focus Area 1: Plaza (Dick Taylor Plaza)

The Plaza has a significant amount of energy and momentum that is building in the heart of downtown. It is centrally located with a number of amenities already in place that is helping to drive private investment. The Carolina Civic Center expansion is complete and renovations of several key buildings are underway.



Focus Area 2: Riverfront

The Riverfront will play a critical role in the development of downtown moving forward. Although the topography makes enjoyment of the riverfront by the general public challenging, the opportunity remains to better leverage this beautiful natural resource on downtown's western edge. The opportunity exist to develop the riverfront as a destination, building off its close proximity to I-95, general tourism, and future opportunities related to the Lumbee Tribe's recent federal recognition. In addition, a significant amount of the land fronting the river is currently under government ownership, which will help the City in pursuing the most beneficial development and redevelopment along the river and Water Street.



Focus Area 3: Courthouse Square

The County will be exploring the redevelopment and rebuild of the County Courthouse in the coming years. This presents an opportunity for the County and City to work together to consider how a new courthouse redesign can most effectively improve downtown for the long-term.



Focus Area 1: Dick Taylor Plaza

Downtown Lumberton's plaza was dedicated to the late Dick Taylor in 2022. The Plaza marks the center of downtown with a splash pad and stage. While the area has begun to host more events and has a lot of momentum, an opportunity exists to make the Plaza an even greater destination for residents and visitors alike.

WHY THIS AREA

The Plaza serves as the focal point of downtown due to its unique position as the heart of the community, both in terms of location and potential for revitalization. The Master Plan aims to harness the area's existing assets while also introducing transformative elements that will make it a vibrant, dynamic destination for residents and visitors alike.

Public investments in the Plaza will help concentrate and amplify the area's role as a community center. By supporting new festivals and events, the Plaza will become a year-round gathering space, drawing people from across the region. The Farmers' Market / Market Hall, centrally located within the Plaza, is a key feature of this strategy. It serves as a focal point for fresh, local produce, and artisanal goods, while also providing a venue that can host additional events and bring vibrancy to the space during the warmer months.

The introduction of a shared kitchen on private land adjacent to the well connected pocket park provides an opportunity for a restaurant and venue to open up onto the park with outdoor dining, offering a flexible space for culinary endeavors and fostering a community-oriented atmosphere. This adjacent activity will strengthen opportunities for social interaction, adding to the appeal of downtown as a gathering place.

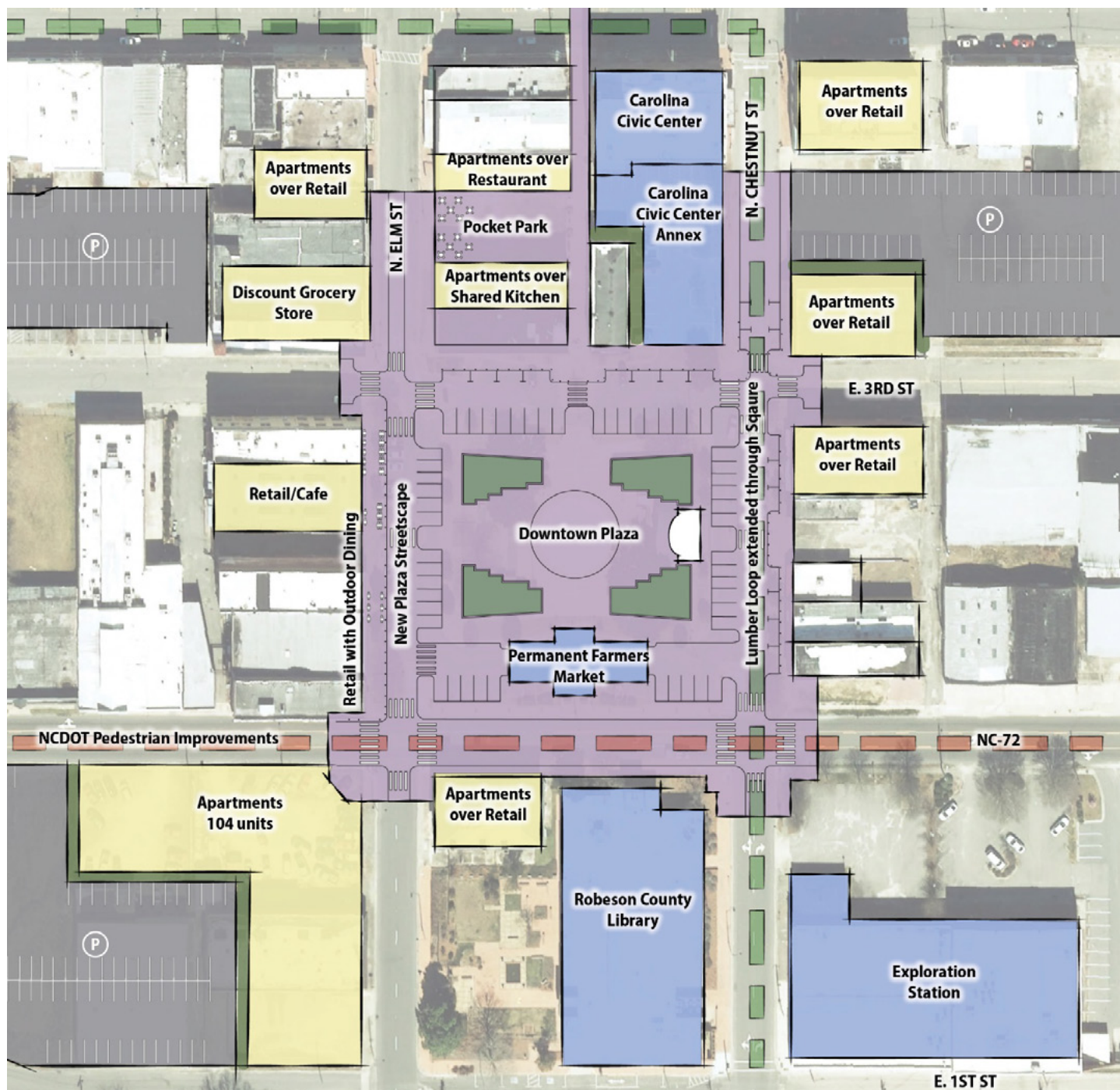
To further activate the Plaza, the redesign of the streetscape is crucial. Wider sidewalks will create a more pedestrian-friendly environment, and moving parking to the Plaza side of the street will not only improve safety but also create more space for outdoor dining for businesses fronting the streets around the Plaza. These changes will enhance the Plaza's walkability, inviting people to linger and explore the area. In addition, rerouting the Lumberton Loop onto Chestnut Street will help draw in more people, while reducing traffic congestion, further prioritizing pedestrians and cyclists in the heart of the district.

Private development momentum around the Plaza is strong. Redevelopment projects are underway at the former City Hall / Fire Station and 220 North Chestnut. In addition, the Carlyle building around the corner was recently renovated and opened as an event space. The market study identified opportunity gaps in full-service restaurants and bars and drinking places, and the Plan envisions taking advantage of this demand by developing those uses around the Plaza—such as dining, apartments, and retail—that will add to the vibrancy of the area while helping to sustain and amplify the Plaza's energy. In further support of this vision for the Plaza, a cafe is in the pipeline to open in old city hall/fire station across from the Plaza on 2nd Street.

The Plaza's location also benefits from its proximity to other important public assets, which will help strengthen its role as a community hub. The nearby Exploration Station, Library, and Carolina Civic Center (including its new expansion) already attract foot traffic and provide cultural and educational opportunities. By building on this foundation of public activity, the Plaza will become a natural extension of these community resources, offering spaces for people to gather, engage, and enjoy a variety of experiences.

Ultimately, the Plaza is being repositioned not just as a physical space, but as the social and cultural epicenter of the downtown area. By leveraging both public and private investments, along with its prime location and existing infrastructure, the Plaza will become a lively, safe, and inclusive destination that enhances the entire downtown area.

▼ **Conceptual Development Plan for Dick Taylor Plaza**





▲ Bird's eye view of Dick Taylor Plaza

▼ Artist illustration of the conceptual Plan for the Plaza and surrounding streetscape



NEW STREETSCAPE

The current streetscape in and around Dick Taylor Plaza is not particularly inviting for vehicles or pedestrians. To foster a vibrant environment in the Plaza, it is essential to enhance not just the Plaza itself but also the adjacent environment. By strategically realigning the streetscape to relocate parking closer to the Plaza, the sidewalks adjoining these buildings can be transformed to better facilitate outdoor dining and encourage pedestrian engagement. There is also space in the right-of-way to include parallel parking along these storefronts to continue to entice visitors, making the area more accessible and attractive.

Additionally, straightening the roads surrounding the plaza will create more opportunities for pedestrian crosswalks, enhancing the mobility and connectivity between various spaces. A defining material or pattern, such as the existing brick, could be used in the streetscape to delineate pedestrian areas, similar to Water Street. The proposed streetscape improvements to Elm and Chestnut Streets described later in the Courthouse Square focus area should be extended into this area, enhancing the connection and appeal of the Plaza, while connecting it the pocket park and courthouse. Finally, a variety of

street trees should be added to the Plaza and the streetscape, offering shade and elevating the overall comfort for all who frequent the space.

MARKET HALL

A market hall/farmer's market in this location would serve as a dynamic catalyst for activity within and around the Plaza, leveraging the existing community events and foot traffic. Envisioned as an open-air pavilion, the market hall would allow vendors to easily pull up with their trucks, enabling smooth unloading and setup. This design promotes a vibrant flow of visitors entering and exiting the space, creating a lively marketplace atmosphere.

Moreover, this flexible structure could serve multiple purposes when not in use for the market, providing a versatile venue for community gatherings or activities similar to the new Agricultural Marketplace in Sanford. The realignment of the streetscape on the south side of the Plaza would create temporary space for food trucks or other vendors to set up along the edge of the plaza, extending the marketplace atmosphere beyond the confines of the building. This thoughtful integration would not only attract more visitors but also create a lively community hub that celebrates local culture and commerce.

▼ Artist illustration of the Market Hall and activity in the Plaza.

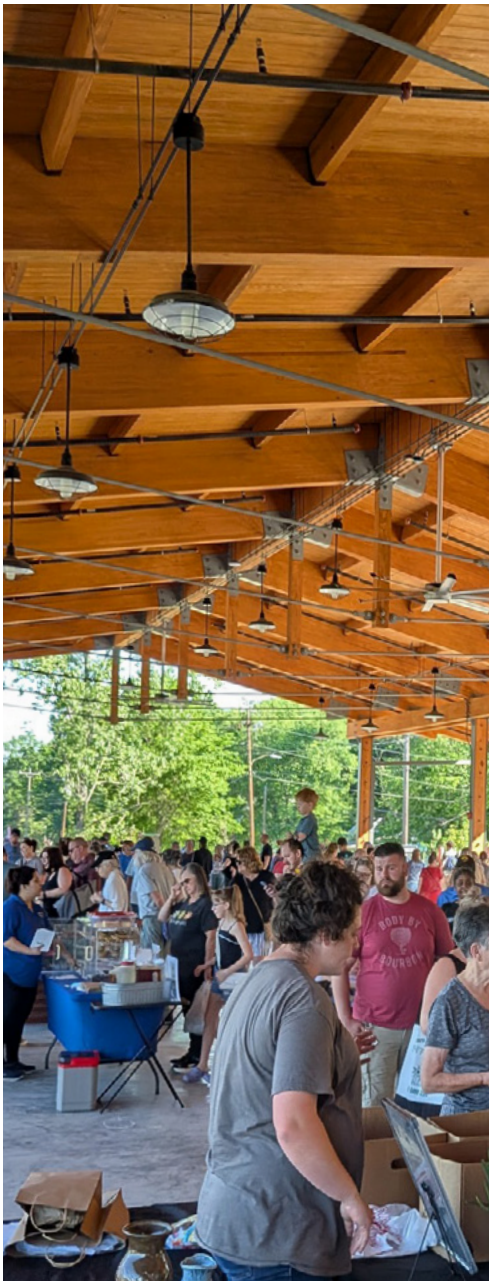


GROW YOUR OWN

Starting a small business is difficult. An opportunity exists to create an environment for starting and growing a business in downtown, which will help generate more creative energy and vibrancy to make downtown a great place to live and work. One way to facilitate the development of more small businesses is to invest in small business infrastructure and programs. Just like investing in a sewer line extension for an industrial facility, funding small business support infrastructure and initiatives in a well-planned location can generate the reinvestment that is needed

to create jobs and increase the quality of life for the City's residents.

Some of the ideas envisioned include the development of makerspaces, shared commercial kitchens, shared retail and market hall facilities, training programs, mentoring, and connection to the education and monetary resources to develop ideas into thriving businesses. This could include an entrepreneurship program that encourages graduates and others to start their business in Lumberton. Investing in local people and businesses will help grow the downtown economy for years to come.



Sanford Agricultural Marketplace

The City of Sanford and partners recently completed a new downtown Agricultural Marketplace. The building includes a covered open-air area used as a farmers market and small music event space, along with indoor office space, commercial kitchen, demonstration kitchen, a flex conference/classroom, and storage spaces. The marketplace is envisioned as a new regional hub that initiates the revitalization of Sanford's eastern downtown while providing increased food access for the Sanford community.

Goals

- ☑ Help growers and producers from the Sandhills region expand their consumer base and increase profitability.
- ☑ Build relationships between community, farmers and food.
- ☑ Connect consumers to fresh, local and wholesome food.
- ☑ Address food insecurity and food accessibility issues for our most vulnerable downtown and East Sanford residents.
- ☑ Create economic opportunities for food entrepreneurship and business innovators.
- ☑ Provide space for nutrition education and community health and wellness initiatives.

Partners

- ☑ The City of Sanford, owner
- ☑ N.C. Cooperative Extension-Lee County Center
- ☑ Downtown Sanford, Inc.
- ☑ Sanford Farmers' Market

Funding Summary

- ☑ American Rescue Plan Act: \$2.8 million
- ☑ Ruby and Ernest McSwain Worthy Lands Trust: \$1 million
- ☑ Rural Transformation Grant Fund: \$900,000
- ☑ NC Tobacco Trust Fund (commercial kitchen & pavilion): \$612,000
- ☑ Pilgrim's Hometown Strong: \$505,000
- ☑ Lee County Farm Bureau: \$50,000
- ☑ Total: \$5,867,000

MAKERSPACES

No facilities exist to support the making of new non-food products in downtown. A makerspace fulfills this need. Makerspaces are a combination of shops, tools, and mentorship that allows people to create and test new ideas, products, materials and/or to learn how to repair older appliances, furniture and electronics. It's a place where for a monthly fee you have access to an array of tools/processes and can learn how to make and repair just about anything.

RETAIL INCUBATION SPACES

Once you develop and make a product, for a small rental charge and short lease period, you can test its market potential in a retail incubator space or in a market hall. Makerspaces combined with retail incubation spaces lower the time and expense required to take an idea from generation to market testing fulfilling an especially vital role in the creation of new small business.



More about makerspaces

A makerspace is a collaborative incubator workspace for making, learning, and exploring in a variety of artistic, digital, industrial, or light industrial activities, such as machining, plasma cutting, sandblasting, ventilated painting, forging, casting, ceramics, textile production, cut and sew operations, and various other light industrial processes. Members of a makerspace have access to the tools and space needed to make their products through these various methods. Similarly, members of a shared commercial kitchen can make and package food products for sale in a commercial grade and permitted facility to start a culinary business. In addition, a shared market hall concept provides a place for entrepreneurs in a makerspace, shared commercial kitchen space, or similar space to market their products for sale until they can move into their own location in downtown.



Raleigh Denim Workshop - A "sticky" business

When communities help a local entrepreneur start a business, they tend to be more "sticky"--staying in the community that helped them get off the ground. A great example is the Raleigh Denim Workshop in Raleigh, NC. The founders of the company saved some old factory-style sewing machines, worked with retired textile pattern makers, and experimented until they learned to make their own brand of custom jeans. As the idea began to grow into a business, leaders in the community helped the owners locate the right place and navigate the permitting process to get up and running. A few years after becoming a successful company in downtown Raleigh, they were offered a number of incentives by another community to move their business; however, they turned them down. They were thankful for the assistance they received from the community during their startup phase and they did not want to leave - hence the term "sticky."

COWORKING SPACE

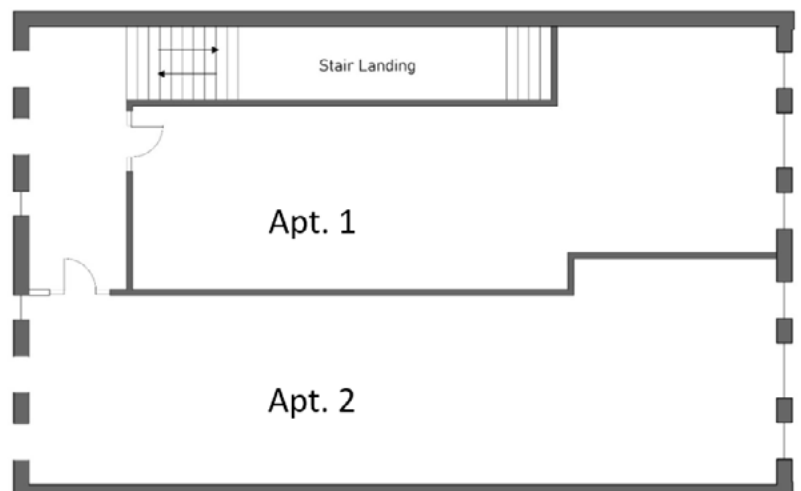
Coworking spaces allow free lancers, remote workers and home based businesses to have a landing spot in downtown. Small office spaces are for lease, but a true shared coworking space could provide much needed startup space in downtown. Shared office space helps lone entrepreneurs to develop networks, access support services and develop new business in one location.

Together, a shared kitchen & farmer's market / market hall, a makerspace, a retail incubation space, and a coworking facility could provide the infrastructure and support needed for small business success in downtown - An Integrated Grow Your Own Economic Development Strategy.

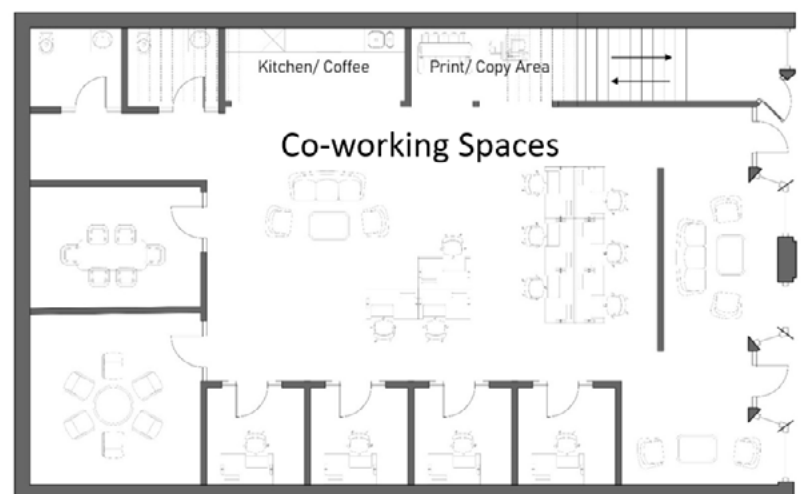
BUILDING REHABILITATION & REUSE

As previously mentioned, a number of buildings around the plaza are undergoing renovations. The opportunity exists to bring these buildings back to life, encouraging new businesses that will add to the vibrancy around the Plaza. The example below at 315 North Elm demonstrates how the building facade can be retained while transforming the interior of the building into a coworking space with two residential units above.

▼ Conceptual renovation of 315 North Elm Street with ground floor coworking space and upper story residential.



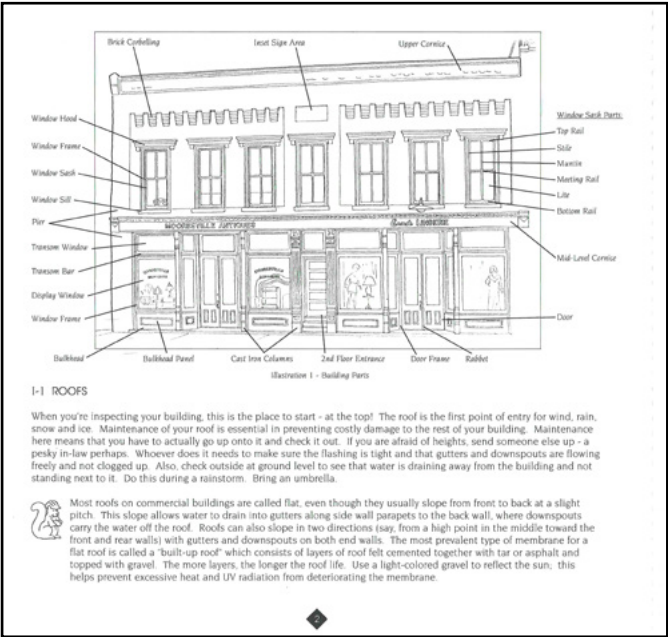
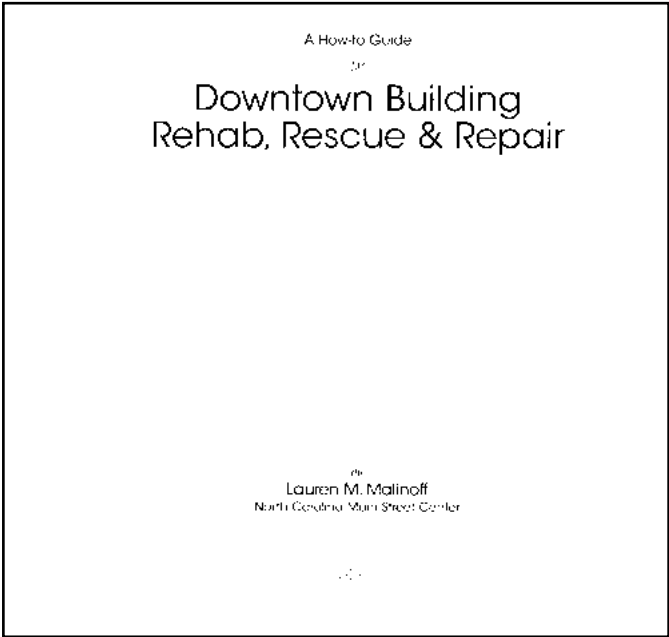
2nd Floor



1st Floor

While the reward of restoring a historic property is extremely gratifying to the property owner and greatly appreciated by the community as a whole, the path to renovating an older building in a downtown is not clearly defined and certainly not an easy task. In some cases, a new owner of a historic building will take on the task of managing the renovation of their historic property not realizing the complexities with meeting building code requirements or other rules and regulations. Many headaches can be avoided and resources saved by hiring an architect or contractor with experience working with historic properties. While minor up-fits can sometimes be easily managed, more significant renovations require a strong command of building codes and requirements to ensure costly errors are avoided during the renovation process. A good summary of some key points to consider can be found in the Downtown Building Rehab, Rescue, and Repair, which is included in the resource section. It was prepared by the NC Main Street Center a number of years ago; however, it is still very informative and relevant today.

Also, as is the case in many communities, the local government inspections department and other permitting agencies often receive undue criticism, especially when it comes to the reuse and renovation of a historic downtown property. The local inspections and permitting departments are responsible for issuing permits and inspecting. Legally, they are not able to provide design guidance or ideas to property owners as they are exploring ways to renovate their building. As a result, individuals often begin projects without the full knowledge of what might be required by the code for their renovations, often spending resources to correct issues created from construction requirements that they were not aware of or did not initially understand. New or prospective owners of historic properties should be strongly encouraged to hire an architect or contractor with historic property renovation experience as cited in the previous paragraph.



See [Appendix C: Resources](#) - Downtown Building Rehab, Rescue, and Repair, NC Main street Center.



▲ Before and After of the recent renovation complete of the Carlyle Building at 304 North Elm Street.



▲ Before and After of renovations that are underway at 220 North Chestnut Street.



▲ Before and After conceptual rendering of the Huggins Building at 501/503 North Elm Street.

ENTERTAINMENT & ACTIVITIES

During the process, participants expressed a desire for more active public spaces and things to do in downtown. As small businesses startups increase and as the Plaza receives more investment, opportunities can be encouraged in downtown to support the activation of public space and creating more things to do. In general, people enjoy being outside for dining, entertainment, and socializing. However, downtown Lumberton does not currently have a lot of opportunity for those things. The Plaza and pocket park provide some of that; however, the existing sidewalks are not large enough for meaningful outdoor seating and there are not any private uses activating outdoor space on a regular basis. The City can encourage and facilitate outdoor use of private and public space through ordinances and by making investments in the streetscape as discussed earlier. The examples below from Spartanburg, South Carolina, and Kannapolis, North Carolina, provide examples of the types of public and private outdoor space activation and placemaking improvements that can make a downtown environment more enjoyable and more memorable.



FR8yard & Sparkle City Mini Putt

The FR8yard is a private development located in downtown Spartanburg that is often cited as the first open-air biergarten and restaurant in South Carolina. It is a family-oriented activity center with a variety of food and drinks served from converted shipping containers along with live entertainment on a vacated downtown lot.

In addition to activities like ping pong, a small dog park, and bocce ball court, a free 9-hole miniature golf course is located right beside FR8yard in the rear of the lot as seen in the photo. The low to moderate skill level course, called Sparkle City Mini Putt was created through a public-private partnership between the City of Spartanburg and an anonymous donor, making it free to the public.



Private Use of Public Space & Placemaking

A number of communities are encouraging the public use of private space to activate spaces in their downtown to support local business and provide more things for people to do in downtown. One strategy is to develop parklet and outdoor dining design standards that make it easy to open outdoor dining and use public spaces in downtown. One example of a parklet is displayed in this photo where a couple of parking spaces were turned into outdoor dining and seating area in downtown Kannapolis. The private use of public space guidelines can be coupled with and/or support an outdoor public space/seating improvement grant to encourage placemaking improvements and can potentially fund improvements on privately owned outdoor spaces as well. The resource section at the end of the Plan has several examples of grant programs and public space design guidelines.

CAROLINA CIVIC CENTER

The Carolina Civic Center, located on the north side of Dick Taylor Plaza, has a rich history as a cultural hub for the region. Originally opened in 1928 as the Carolina Theatre, it served as a movie theater and entertainment venue. Over the years, the building transitioned through various uses, including a period of decline. In the 1980s, efforts were made to restore and preserve the venue, leading to its re-opening as the Carolina Civic Center in 1989. Since then, it has been a key location for the performing arts, hosting a variety of events, including theater productions, concerts, and community gatherings.

In recent years, there have been plans to expand and further develop the center to accommodate a growing demand for arts and cultural programming. The recently completed expansion includes upgrades to the facility's infrastructure, expansion of performance space, and meeting space for events. The goal is to enhance its role as a regional cultural destination and to provide more opportunities for local artists and audiences to connect with the arts. The expansion of this building should be leveraged and used as a catalyst to expand cultural tourism and programming in Downtown Lumberton.



▲ Downtown meeting held inside the new Carolina Civic Center expansion area in April 2026.



▲ Photo of the recently completed Carolina Civic Center expansion



CREATING RESIDENTIAL AND HOUSING OPPORTUNITIES

- ☒ Identify buildings around the Plaza that could accommodate residential units in the upper stories.
- ☒ Develop upper story housing strategies and incentives to include fire suppression grants for sprinkler upgrades and encouraging the use of historic tax credits.
- ☒ Revise the current Primary Fire District standards to allow for new mixed use construction with an active ground floor use with up to 5 stories of wood frame residential construction above.



ATTRACTING ENTERTAINMENT / DINING / THINGS TO DO

- ☒ Encourage more events and festivals at Dick Taylor Plaza.
- ☒ Plan for the development of a Market Hall / Farmer's Market at the Plaza.
- ☒ Create designated spaces for food trucks and vendors to set up in and around the Plaza on a temporary basis during events.
- ☒ Capitalize on the expansion of the Carolina Civic Center to attract more arts and cultural events to the Plaza
- ☒ Develop a restaurant recruitment strategy
- ☒ Consider a pilot social district program



ACTIVATING PUBLIC SPACE/ URBAN DESIGN

- ☒ Redesign the streetscape around the square to increase outdoor dining space on sidewalks.
- ☒ Add street trees in and around the plaza for shade.
- ☒ As the Plaza becomes more active, include furniture to encourage enjoyment of the space.
- ☒ Use brick material or paint crosswalks to signal a pedestrian-friendly environment.
- ☒ Utilize pedestrian scale wayfinding to direct people along the alley connection to pocket park.



ENCOURAGING LOCALLY OWNED- SMALL BUSINESS/ START UPS

- ☒ Identify key properties around the square to activate and support redevelopment.
- ☒ Continue to fund facade improvement grants and encourage County participation to help more small business owners rehabilitate storefronts and buildings around the Plaza.
- ☒ Create a makerspace, commercial kitchen, and small business infrastructure and programs.



LEVERAGING PUBLICLY OWNED SITES FOR REDEVELOPMENT

- ☒ Leverage the library, exploration station, and civic center to encourage more activities in the plaza.
- ☒ Maintain city-owned parking along 3rd Street to support continued redevelopment around square.

Focus Area 2: Riverfront

The Riverfront focus area is centered along Water Street between W. 8th Street and W. 2nd Street / NC-72. This area includes key redevelopment sites such as the Water Treatment Plant, the Riverwalk, City and County owned surface parking lots, and several private sites. The overall strategy for this area is activate the Riverfront as a tourism destination.

WHY THIS AREA

The Riverfront was chosen as one of the main focus areas due to the natural asset found in the Lumber River. The City has already worked to improve access to the river through the riverwalk; however this can be further expanded to create more of a destination. In addition, the City is currently working on evaluating the potential reuse or demolition and redevelopment of the old water treatment plant along the banks of the river. This site could be the ideal location for a waterfront residential opportunity or a nature museum/entertainment venue. In addition, the City and County together own and control a significant amount of the prime properties along Water Street and the riverfront for developing, leaving them with control of the timing and how these properties could be developed in the future. Also, there are other properties along Water Street with significant opportunity for waterfront residential with ground floor dining, retail, and entertainment uses. Finally, NCDOT recently completed construction on the 2nd Street/NC 72 bridge and is now constructing the new 5th Street bridge, which will include an expansive bike and pedestrian walkway integrated into the bridge as envisioned in previous planning efforts.

DESTINATION DEVELOPMENT CONCEPTS

This concept centers on revitalizing the riverfront as a regional destination, taking advantage of the City and County owned sites as catalysts for further redevelopment initiatives, including the former water treatment plan. To transform the riverfront into a vibrant center of activity in this concept, the public right of way and surrounding properties are designed to host new festivals, events, and public investments. Specifically, this concept includes converting Water Street into a Riverfront Promenade. While vehicular access through Water Street would be maintained, as detailed later in this section, the sidewalks would be widened to enhance the pedestrian experience and allow for potential street closures during events. Although the focus of the Plan is to establish a Farmer's Market / Market Hall at the Plaza, the concept was explored for this focus area. In this concept, the facility could be located in the City parking lot on W. 3rd Street and Market Street to support events and generate summertime activity in the riverfront area.

This destination focused concept also proposes a shared kitchen on the private land adjacent to the farmer's market, potentially in partnership with a microbrewery. The public farmer's market project could catalyze this private investment, further activating the riverfront and ensuring a steady presence of visitors in the area on a daily basis, similar to what is envisioned around the Plaza.



▲ Existing View of Riverfront Area and potential city, county, and private development sites.



▲ Riverfront Concept Diagram as a Destination Focus

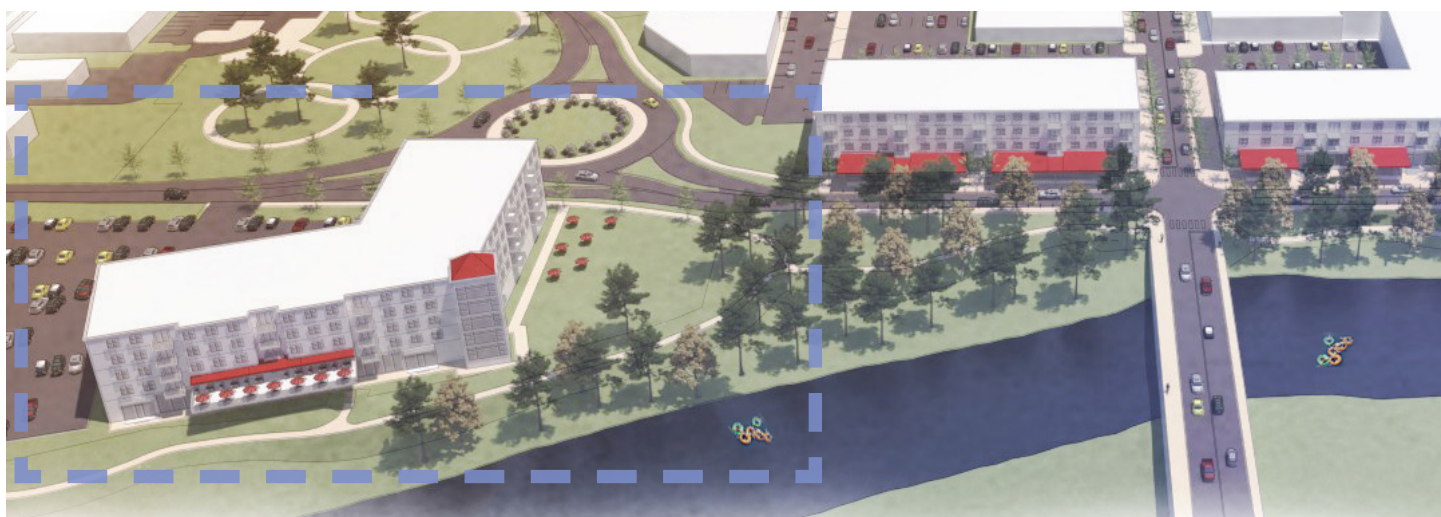


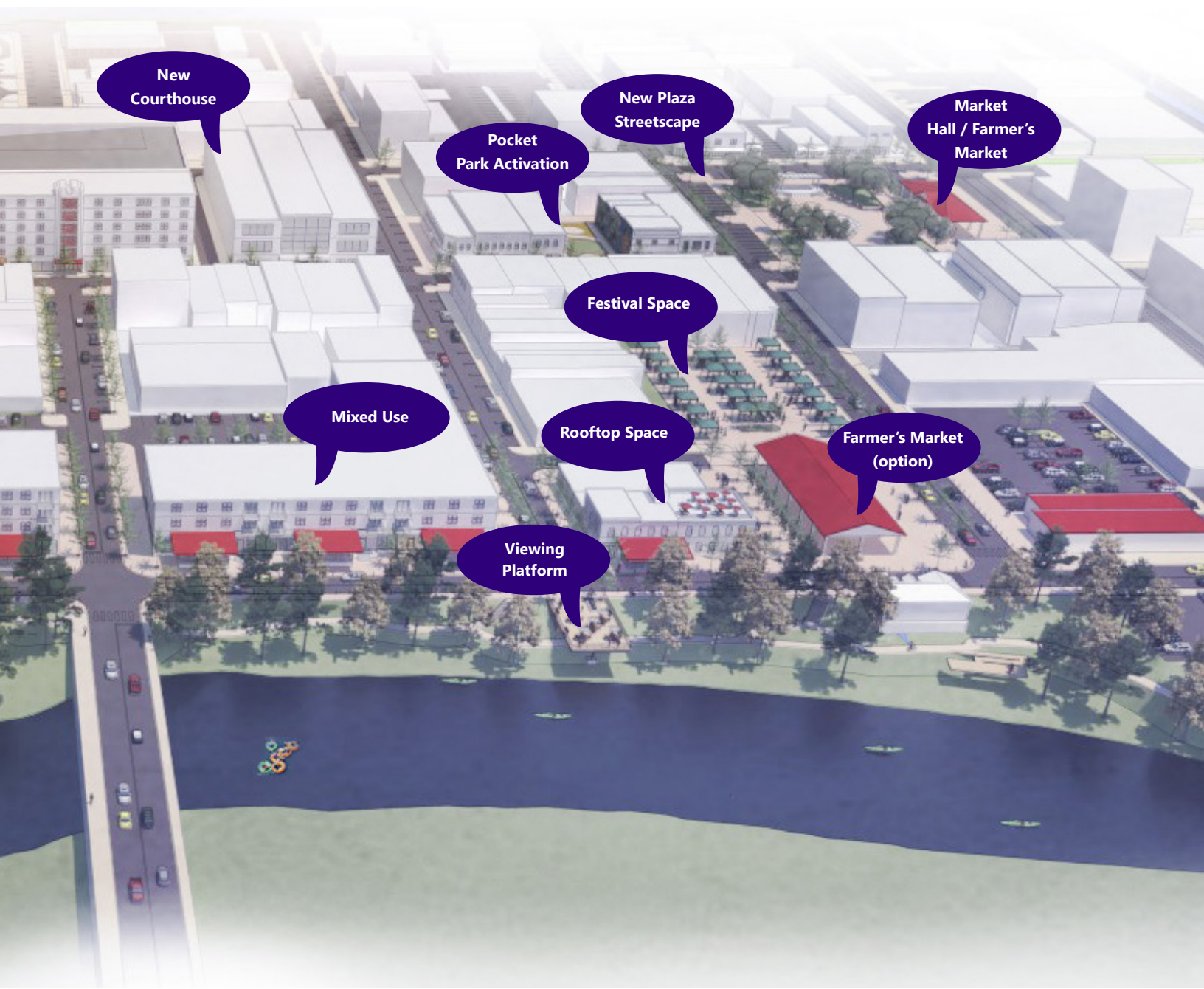
▲ Riverfront Concept Diagram as a Destination Focus

▼ Riverfront Focus Area Development Concepts



▼ Mixed Use Development Option at Water Treatment Plant





Finally, the destination concept focuses on the rehabilitation of the water treatment plant site instead of a demolition and reuse/rebuild. This scenario demonstrates the redevelopment of the existing structures on the site (the storage tank and building) into a North Carolina River Museum and an event space. Additionally, a boat launch, viewing platform, and lawn would enhance access to the river. This concept is aimed at attracting visitors from throughout the region and travelers along the Interstate.

HOUSING FOCUSED CONCEPT

This development concept centers on revitalizing the riverfront with a focus City and private owned land for residential development, highlighted by the demolition and rebuilding of a mixed use development on the former water treatment plant site. In this concept the primary market, festivals, and events are programmed around the Plaza, with a temporary event space for any riverfront focused events at the County owned lot.



▲ Existing View of Water Street headed South

▼ Rendering of Proposed Riverfront Promenade on Water Street



Water Street Streetscape

This development concept focuses on increasing pedestrian activity along Water Street. Although Water Street connects the two primary bridges over the river, it only sees around 2,000 vehicle trips per day. This road segment would better serve Downtown as an extension of the riverfront rather than as a thoroughfare.

The proposed streetscape for Water Street maintains two directions of traffic but features narrower lanes. Narrow lanes help to slow down vehicles, which is essential for creating a more pedestrian-friendly environment. Crosswalks are included in the concept

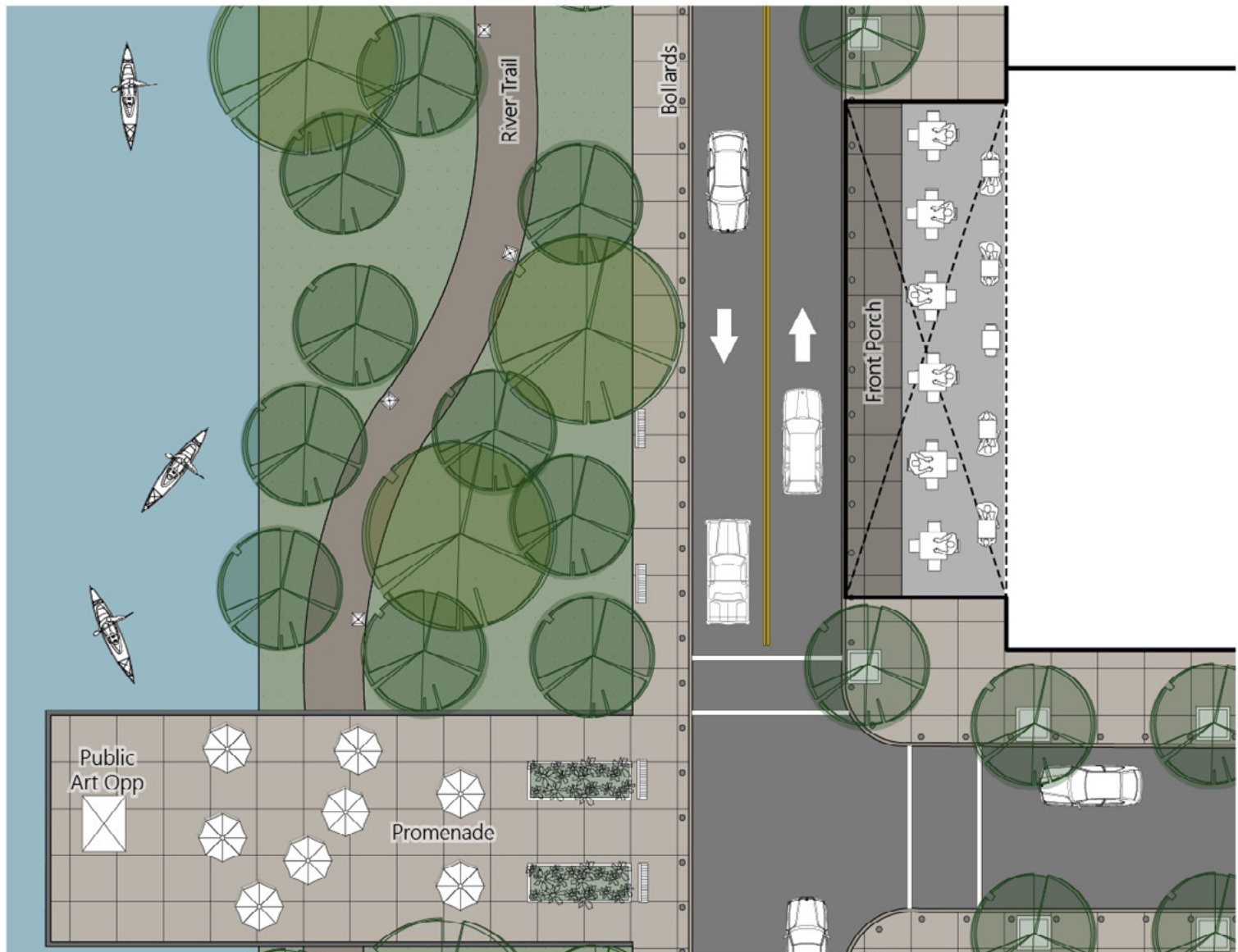
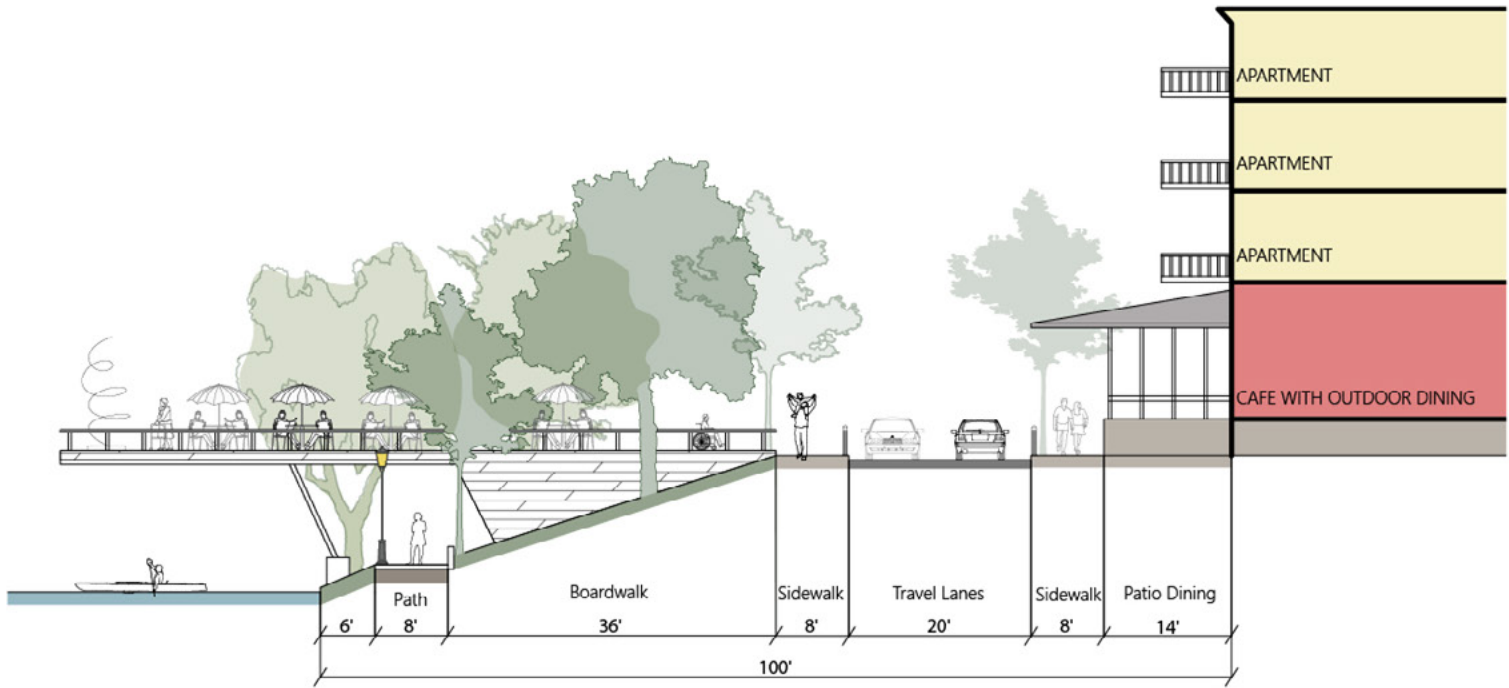
to enhance safety. Both sides of the roadway are displayed with wider 8-foot sidewalks to provide a more comfortable experience and accommodate strollers and wheelchairs.

Bollards on either side of the road will offer additional protection for pedestrians from vehicles. These bollards can also be moved to fully close the street to traffic for events. On the east side of the street, the plan includes a front porch concept where new multi-story mixed use buildings will feature ground-floor restaurants and retail spaces with upper story housing. The restaurants or cafes could have elevated outdoor dining areas that act as community patios, allowing patrons to take advantage of views of the river. Where these patios are not in place, a 22-foot sidewalk will provide ample space for benches, trees, and other street furniture.

On the west side of the street, a boardwalk will extend from W. 4th Street, offering additional outdoor dining space and providing residents and visitors a place to sit and enjoy the riverfront views. The current riverwalk has been expanded to stretch from NC-72 to the Water Treatment Plant site, with a wide and well-lit path designed to make it more comfortable for pedestrians and bicyclists to explore.



▼ Proposed Street Section of Water Street





CREATING RESIDENTIAL AND HOUSING OPPORTUNITIES

- ✓ Capitalize on the riverfront views to build market-rate housing
- ✓ Utilize public/ private partnerships to encourage housing development
- ✓ Consider publicly owned land along the riverfront for new residential/mixed use development
- ✓ Identify opportunities and regulatory barriers for residential above ground-floor retail



ATTRACTING ENTERTAINMENT / DINING / THINGS TO DO

- ✓ Activate Water Street to create a destination
- ✓ Establish a Lumber River Festival and series of events to attract people to downtown and the riverfront
- ✓ Encourage the construction of patio dining with new development along Water Street to capitalize on the riverfront views and increase pedestrian activity
- ✓ Examine zoning and development regulations for any barriers to establishing the envisioned uses in the downtown and adopt amendments as identified



ACTIVATING PUBLIC SPACE/ URBAN DESIGN

- ✓ Improve the Water Street streetscape to encourage pedestrian activity and allow the street to be closed off during events.
- ✓ Expand on the existing riverwalk, adding more lighting, more room for bikes, and connect to the Water Treatment Plant.
- ✓ Utilize brick or other paving materials, and paint to highlight pedestrian space versus vehicular spaces and create visual connections for public activity
- ✓ Continue to identify opportunities for public art along the riverfront to create an inviting and welcoming experience.
- ✓ Create a larger river overlook and promenade to open up public views of the river.



ENCOURAGING LOCALLY OWNED- SMALL BUSINESS/ START UPS

- ✓ Utilize public investment to encourage the redevelopment of surrounding private properties.
- ✓ Encourage the development of new mixed use projects that can incorporate new small businesses along the riverfront.



LEVERAGING PUBLICLY OWNED SITES FOR REDEVELOPMENT

- ✓ Utilize county and city-owned parking lots and properties for catalyst redevelopment along Water Street.
- ✓ Free up parking lots along Water Street by encouraging the construction of a parking deck large enough to accommodate court and downtown parking demands together.

Focus Area 3: Courthouse Square

The Courthouse Square focus area is centered on the existing Robeson County Courthouse and surrounding streets and properties. Other sites for potential redevelopment in this area are the Robeson County Administration Building parking lot, the City owned parking lots between E. 4th Street and the Courthouse, and the Streetscapes along North Elm and North Chestnut Streets.

WHY THIS AREA

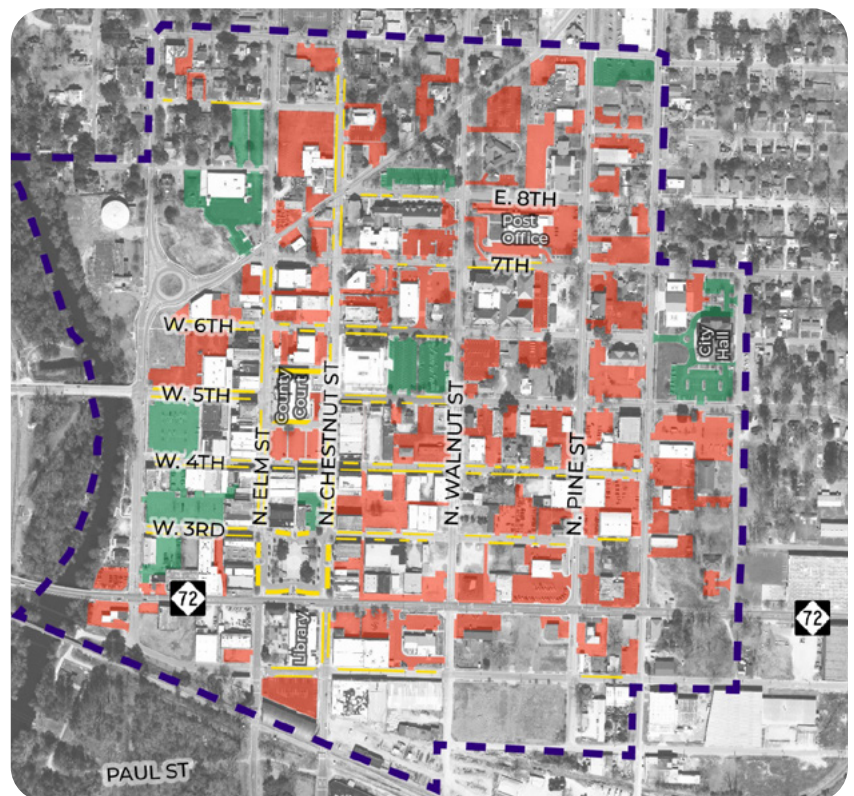
The Courthouse was chosen as a main focus area because there have been ongoing discussions about a new courthouse in the near future. A new courthouse building could serve as a catalyst to revitalize the surrounding area and expand on surrounding services and amenities. This area was also chosen because there is opportunity to provide residential housing if carefully planned with a potential parking structure to support the new courthouse. Lastly, the courthouse sits between two main downtown routes: Elm Street and Chestnut Street. Redesign of the streetscapes on these routes should accompany the future courthouse redevelopment.

PARKING

As a public structure, the Courthouse requires sufficient parking to accommodate lawyers, judges, and court attendees. While the current courthouse has several surface parking lots available, this is not necessarily the highest or best use for these lots. Additionally, there are an abundance of surface parking lots, private and public, in Downtown Lumberton that could be consolidated to expand land available for development.

The courthouse's central location in Downtown and proximity to the Plaza, City and County buildings, makes it an ideal location for a central shared parking deck that could store up to 650+ cars for public parking that would make available several public surface parking lots for redevelopment.

3,605- Total Spaces
2,275- Private Spaces (Red)
711- Public Spaces (Green)
619- On-Street Parking



RESIDENTIAL DEVELOPMENT

In addition to parking accommodation on site, the courthouse redevelopment could also provide an opportunity for housing or a mixed use project. There are several examples of residential being built as a wrap around parking decks to both improve the street frontage and provide housing opportunities. The example to the right is from Concord, NC where a county owned parking lot was converted into a parking deck and later wrapped with 43 apartment units and 7,000 sq ft of street level commercial units. This type of development is more inviting to people on the street than a parking deck and increases the amount of people living and working downtown and fostering an active streetscape. Parking in the structure accommodates visitors of the courthouse, retail customers, and downtown employees during the day, while serving the residents at night - utilizing the parking deck for 24-hour use. Also, because these types of residential units are typically smaller, they provide a great opportunity for high quality, new workforce housing for policeman, teachers, fireman, and other public sector/service employees. Many financing opportunities are available through a number of credit unions that offer attractive financing to meet this need to help with housing government employees, which could be an incentive to help a developer move forward with a project like this when the timing is right.

Additional residential opportunities exist on surrounding city and county owned surface parking lots such as the lot behind the Robeson County Administration Center. The back half of the County Administration Center site could also be developed for housing with the construction of a new county parking deck.



**Courthouse
Parking Deck**



**Parking Deck with mixed use
attached**

▲ Cabarrus County Courthouse Parking Deck with an attached with a mixed use building - Concord, NC

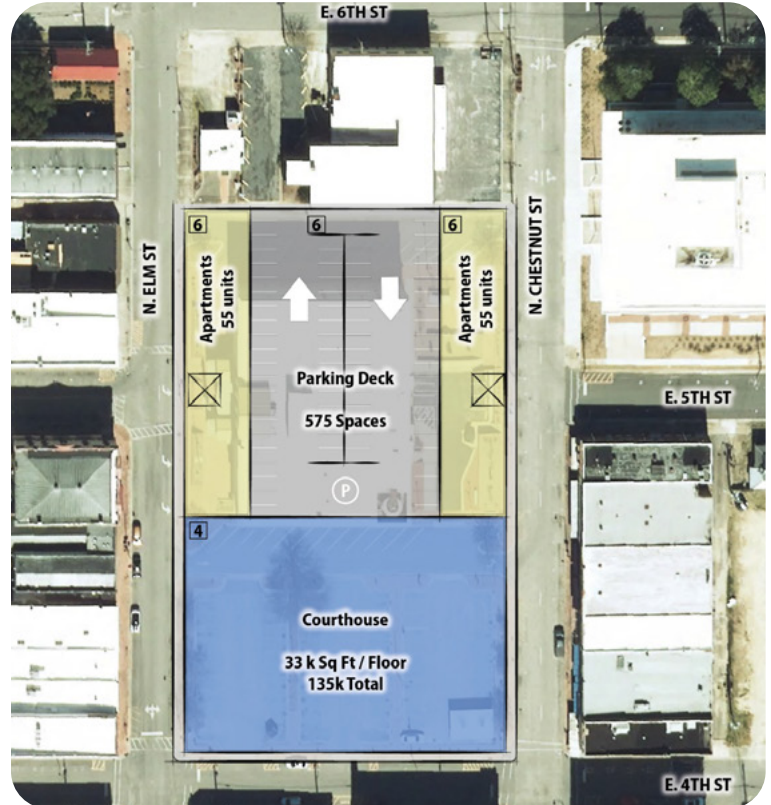
COURTHOUSE OPTIONS

Four design options were examined during the process for a new County Courthouse. All of these options utilize the current courthouse lot and the City-owned parking lots at the adjacent southern lot. While these options also utilize the right-of-way along North Court Square, the privately held commercial and office buildings on the northern lot could potentially be opportunities for expansion as well.

OPTION 1

Option 1 for the new Courthouse is focused on maximizing the size of a new courthouse. The Courthouse would be developed on the City parking lots and in the alleyway to allow for 33,000 sf of floor area. In this option, the courthouse would be attached to the new parking deck with internal access to the courthouse from the structure. This option shows small apartments lining the deck along N. Elm and N. Chestnut Streets. If the parking deck is 6 stories, there would be room for 110 residential units and 575 parking spaces. Between the apartments and the courthouse, there would be no dead street walls in, further activating downtown.

▼ Figure 23. Courthouse Design Option 1



▼ Figure 24. Courthouse Design Option 2



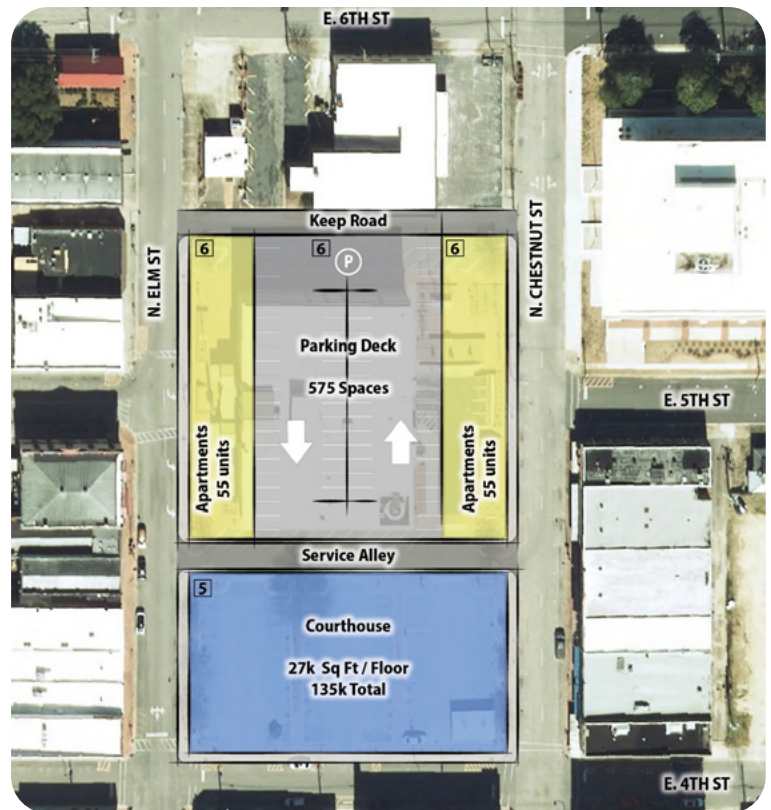
OPTION 2

Option 2 for the courthouse takes an alternative approach and focuses on maximizing the number of residential units and parking spaces that can be developed on site. This option has the smallest courthouse footprint at 22,000 sf of floor area which could still provide almost 132,000 sf total at six stories. This option also shows the courthouse attached to the parking deck with internal access. By locating the courthouse on the northern portion of the lot, the parking deck can have three sides wrapped with apartments, including along E. 4th street, providing 150 new units. Similar to the other option there are no dead street walls. However, since the court would be built over its existing footprint, a temporary court location would be needed during construction.

OPTION 3

Option 3 for the courthouse separates the courthouse and the parking deck. This option allows for the old courthouse to remain in operation while the new one is being constructed. This option retains N Court Square road and has an alleyway between the deck and courthouse that would provide access for internal services. The parking deck and apartments would remain a similar size to the first option with 575 spaces and 110 living units. This option would no eliminate any dead street walls as well.

▼ Figure 25. Courthouse Design Option 3



▼ Figure 26. Courthouse Design Option 4



OPTION 4

Option 4 was created around the idea of restoring the E. 5th Street connection through downtown and opening up vistas to the river. This new roadway would provide the most street frontage for the courthouse and enhance its presence downtown. The parking deck and residential units would be the same size as options 1 and 3 while the courthouse would have the same footprint as option 2.

NOTE: Any of these options can also include active ground floors with commercial, office, or retail uses.

PEDESTRIAN STREETScape

Courthouse Square is located between Elm Street and Chestnut Street, connecting it to Dick Taylor Plaza and the rest of downtown. These two streets are not major thoroughfares, with only about 1,500 average vehicular trips per day; however, they serve as important connectors within downtown. Currently, both streets have one-way vehicular traffic and street parking on both sides. Although the sidewalks on these streets are wider than those in other downtown areas, there is still ample room in the right of way to further expand the sidewalks, allowing for outdoor dining and an enhanced pedestrian experience.

STREETSCAPE OPTION 1

To retain some on-street parking, one option for re-imagining the streetscape involves converting one side of the on-street parking into an additional sidewalk area on both sides. This design features a 13-foot-wide sidewalk that accommodates outdoor seating and cafes, while also allowing pedestrians to walk comfortably. It includes 4-foot-wide tree planting wells to provide shade and improve the overall pedestrian experience.

STREETSCAPE OPTION 2

The second streetscape option takes a more dramatic approach. This option features a curb-less streetscape that allows for greater flexibility in using the space, especially for festivals and events. A curb-less street replaces the traditional raised curb that separates the sidewalk and roadway with a continuous level surface. While there is no physical distinction between the pedestrian and vehicular areas, various materials, textures, or colors can be used to differentiate the zones. This type of design can also improve safety and accessibility for all ages and abilities.



▲ Outdoor dining example

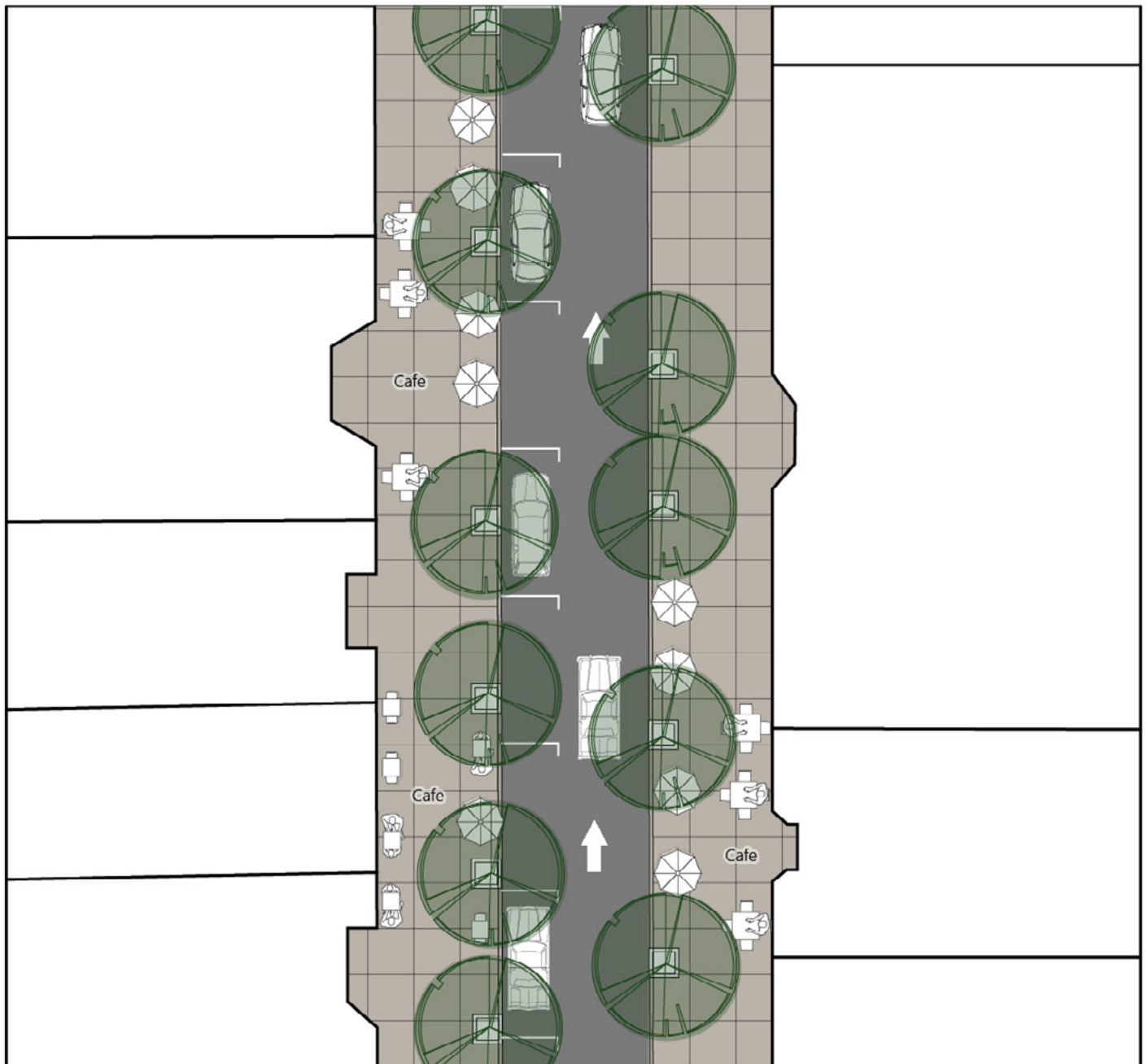
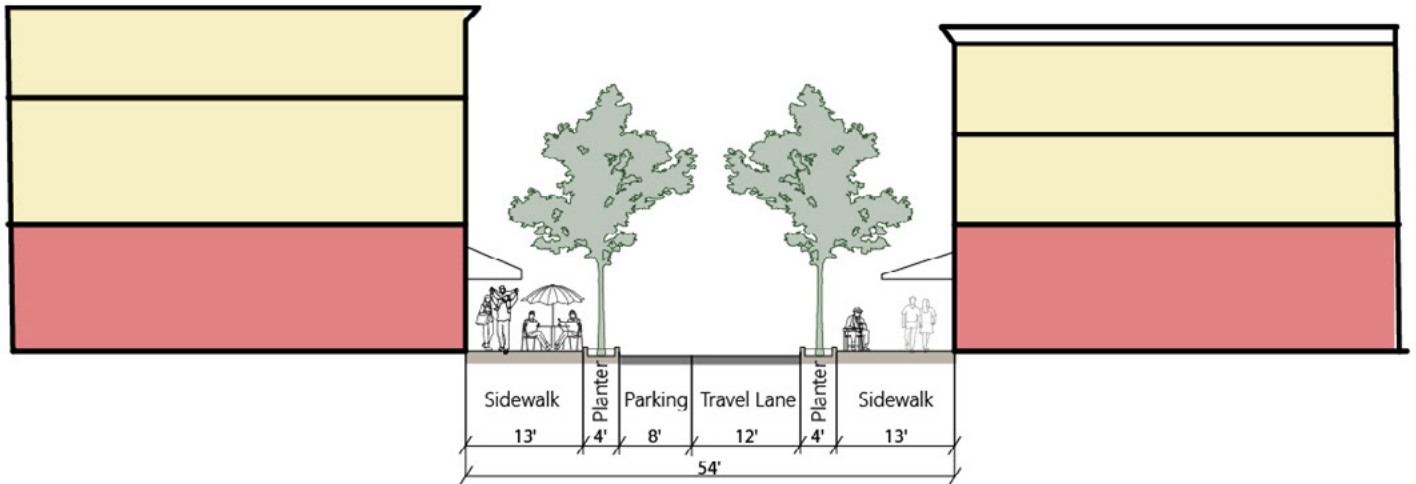


▲ Walk thru cafe example

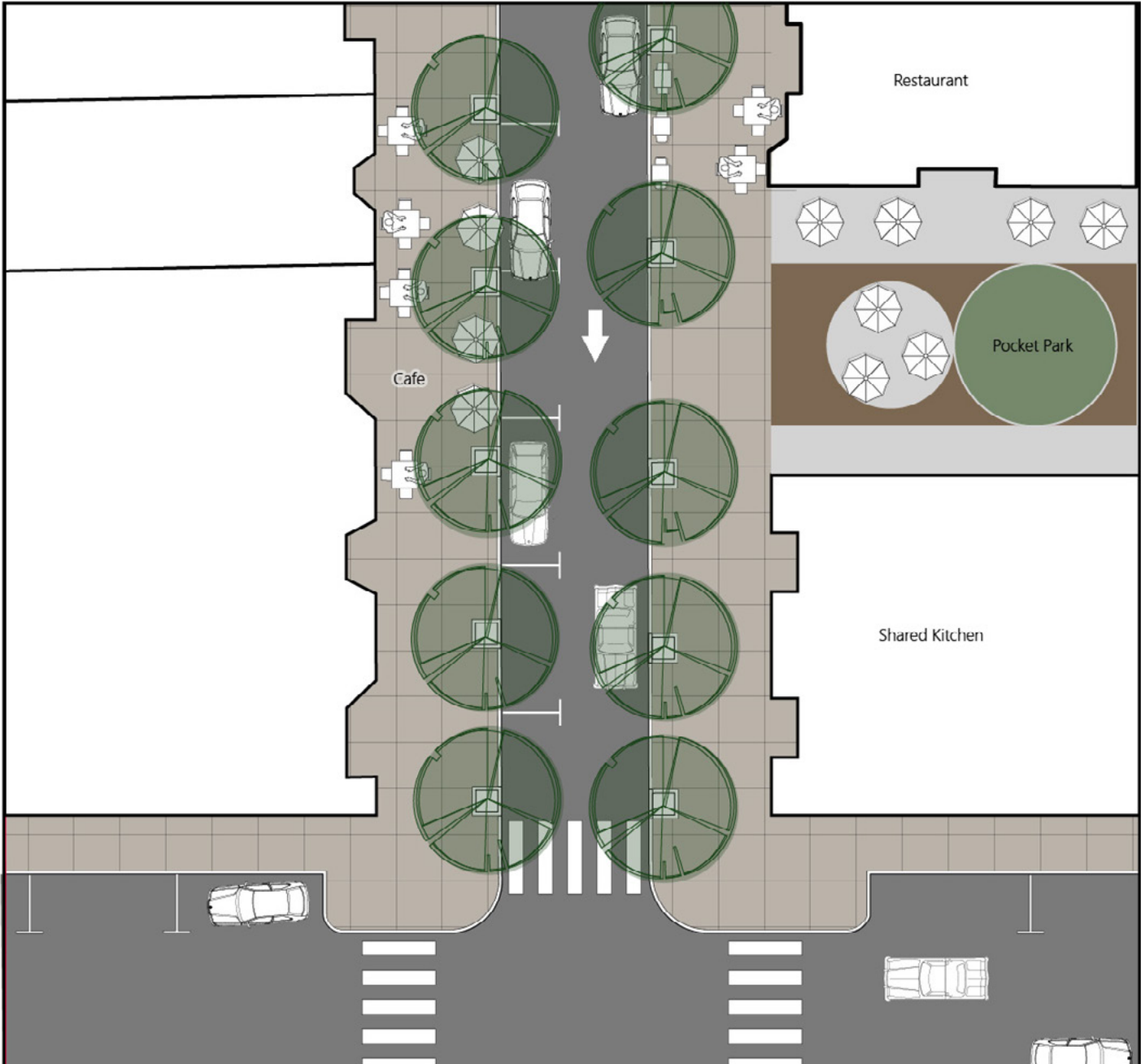
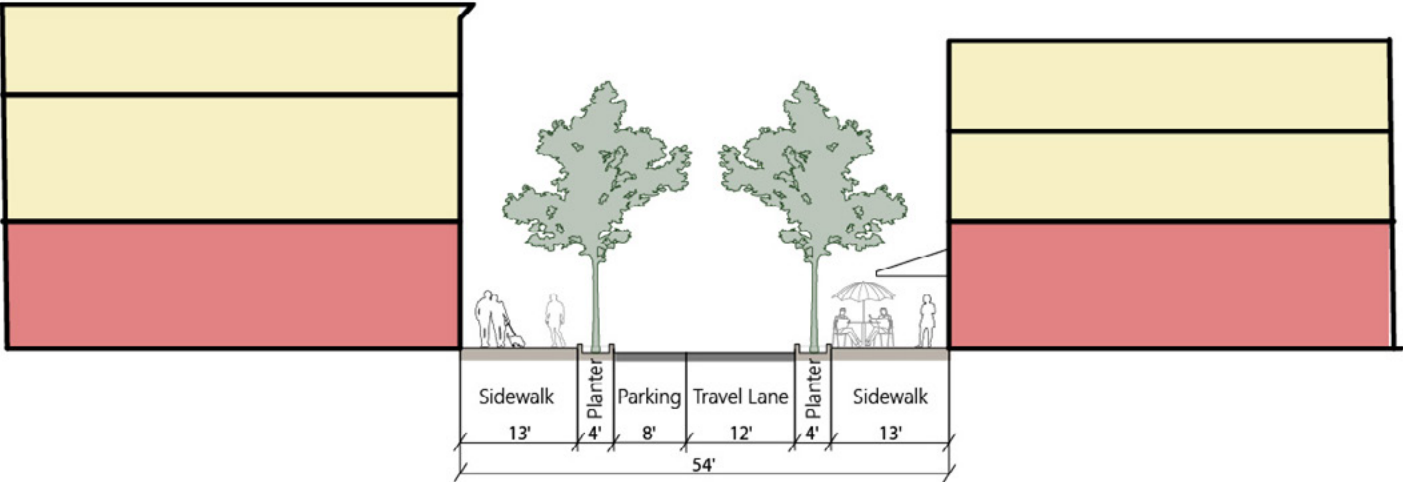


▲ Greer, SC Streetscape

▼ Streetscape Option 1 for Chestnut and Elm Streets



▼ Streetscape Option 2 on Elm Street



Curbless streets typically result in a safer and more pedestrian-friendly environment by encouraging slower vehicular speeds. They often include traffic calming measures such as landscaping and street furniture, promoting a smoother experience for strollers, individuals with disabilities, and those using mobility devices. Stormwater management is also addressed through the use of permeable pavement or slight swales incorporated into the street surface. Curb-less streets enable dynamic uses of space for street vendors, outdoor dining, public art, and other amenities that can be seamlessly integrated into the streetscape.

In this design, movable bollards are used to create a more defined barrier between pedestrian and vehicular zones while allowing for flexible use of the space. The bollards can be positioned at the edge of the sidewalk to provide extra pedestrian space or seating, or moved inward to allow for additional on-street parking. They can also be used to close off the entire street during events, making the area pedestrian-only.

This option maintains a single larger travel lane of 14 feet, with 12-foot sidewalks on either side and an additional 8 feet of space created by the movable bollards, which can be utilized for either on-street parking or pedestrian seating.



▲ Curbless Streetscape Design in Mercer Island, Washington



▲ Conceptual curbless streetscape



▲ Conceptual Elm Street Perspective



CREATING RESIDENTIAL AND HOUSING OPPORTUNITIES

- ✓ Capitalize on the redevelopment of the County Courthouse to explore opportunities for including housing.
- ✓ Encourage the development of affordable workforce housing targeted at teachers, fire-fighters, police officers, and service industry workers.
- ✓ Examine the possibility of constructing an attached residential or mixed use building around a potential parking structure to enhance the streetscape and provide additional space for residential development.
- ✓ Identify parking lots that can be redeveloped for housing or other uses with the addition of a parking deck in downtown to maximize the return on investment beyond just supporting the needs of the court system.



ATTRACTING ENTERTAINMENT / DINING / THINGS TO DO

- ✓ Consider opportunities for additional retail space on the ground floor of any planned residential structures/wraps around the parking deck.
- ✓ Improve the streetscape along Elm and Chestnut Streets to stimulate private investment and connect to the new activities planned for the Plaza area.



ACTIVATING PUBLIC SPACE/ URBAN DESIGN

- ✓ Redesign the streetscape along Elm and Chestnut to allow for outdoor dining and create a more comfortable pedestrian environment.
- ✓ Integrate public art and encourage uses that take advantage of public spaces and amenities.
- ✓ Consider placemaking grants to encourage the private use of public spaces.



ENCOURAGING LOCALLY OWNED- SMALL BUSINESS/ START UPS

- ✓ Foster small business development and identify opportunities for the City to assist businesses in growing along Elm and Chestnut Streets.
- ✓ Continue to develop building facade and rehabilitation incentives to encourage high quality redevelopment and reuse of historic buildings.



LEVERAGING PUBLICLY OWNED SITES FOR REDEVELOPMENT

- ✓ Collaborate with the County on the redevelopment of the Courthouse building to most efficiently leverage public properties and investments for the improvement of the entire downtown area.



▲ Downtown Lumberton Pocket Park



4 Implementation

OVERVIEW

The City has implemented a number of actions from the 2017 Downtown Master Plan and has been moving forward with many of the implementation strategies and actions from this planning initiative. Downtown revitalization is an ongoing process and it will be important to keep the positive momentum going through the implementation of this Master Plan. The implementation efforts will involve the public and private sectors working together with the community to achieve the vision of a revived downtown. It is hoped that the Plan will be considered a living document that is used and update regularly to guide downtown development for the next 5 to 10 years. On the pages that follow, the first steps are highlighted for each focus area. The full range of implementation strategies are included after the first steps section that extend out over the long-term.

FOCUS AREA FIRST STEPS

The Plaza focus area is considered the near-term priority focus of the Master Plan. It has the most momentum and is well-positioned to be a cornerstone in the foundation for revitalizing downtown. The secondary focus is activating the riverfront as a tourism destination. This riverfront is an important asset to leveraging investment and attracting people to downtown from Lumberton and the broader region. Finally, the Courthouse Square focus area is a long-term priority. The rebuild of the County Courthouse will be a transformative project for the entire downtown; however, it will be a number of years before formal plans and construction take place. Each area is listed below with the key first steps and actions for each focus area.

Build off the Positive Momentum around the Plaza - First Steps

- ☑ Begin discussions and continue to build partnerships with the Robeson Community College Culinary Program, Farmers' Market group, and other partners to establish a working group and organizational energy to move forward with a permanent market hall location at the Plaza.
- ☑ Begin developing more detailed plans for the streetscape improvements around the Plaza and the permanent market hall location along the southern boundary/2nd Street side of the Plaza.
- ☑ Engage existing restaurants in the downtown to begin developing a strategy to make downtown a dining destination, developing a strategy and recruitment plan to expand the restaurant offerings in downtown.
- ☑ Identify small business incentives, spaces, and opportunities in downtown to help recruit new business to fill renovated spaces around the Plaza with active and attractive uses that will keep the momentum going.
- ☑ Continue to identify partners for the facade grant program (including the County) to increase available funding, while considering expansion of the grant to include upper story upper story housing incentives like fire suppression (sprinkler) grants, and public space improvement grants.

Activate now and prepare for a redeveloped Riverfront - First Steps

- ☑ Complete the investigative environmental work for the Water Treatment Plant site to remove any unknown barriers for the potential redevelopment of the property for a mixed use redevelopment or destination focused reuse of the existing building.
- ☑ Create new events, such as a Lumber River Festival to draw people and activity to the riverfront, helping it to become a destination.
- ☑ While the environmental work is finalized, continue to explore public private partnerships for destination and housing / mixed use redevelopment options at the Water Treatment Plant site and other properties that were identified during the planning process for redevelopment.
- ☑ Establish a framework plan for a developer solicitation process for redeveloping the Water Treatment Plant site and other publicly owned sites along the riverfront.
- ☑ Work closely with the Visitor's Bureau to develop a greater understanding of the potential tourism impacts related to the anticipated completion of the I-95 improvements and the potential Lumbee Tribe investments related to the Tribe's recent federal recognition.

Leverage the courthouse rebuild to revitalize Courthouse Square - First Steps

- ☑ Continue to collaborate with County leadership as the County considers when and how to build a new courthouse, leveraging both County and City resources to ensure the most advantageous outcome for the future of downtown.
- ☑ Begin to explore plans for a more active and inviting streetscape and pedestrian environment to encourage new business development along North Elm and North Chestnut Streets, taking advantage of the opportunity and timing of the new courthouse construction.
- ☑ Evaluate opportunities to incorporate residential (market rate or teacher/public employee options) and/or mixed use development potential alongside a new courthouse parking structure, which will maximize the public investment and potential 24/7 use of a parking structure in downtown.

OVERALL IMPLEMENTATION STEPS

As outlined in the focus area section, action steps or recommendations, were outlined for the five key priorities or guiding principles for downtown. The five guiding principles included: 1) Creating residential / housing opportunities; 2) Attracting entertainment, dining, things to do; 3) Activating public space / urban design; 4) Encouraging locally owned small businesses / startups; and 5) Leveraging publicly owned sites for redevelopment. A total of 48 recommendations and actions were prepared under these guiding principles by Focus Area. The implementation matrix on the following pages identifies the resources, partners and the lead organization needed to successfully implement each action identified for the five guiding principles. In addition, the implementation matrix is preceded by tables of the key first steps identified in the Focus Area First Steps section above.

IMPLEMENTATION MATRIX

The implementation matrix identifies the timeframe, partners and resources needed to successfully implement the plan. The City should utilize the matrix to help track progress. The strategies to achieve the vision and accomplish the objectives outlined in this Plan are categorized in the matrix by theme or area. The categories include: 1) Dick Taylor Plaza; 2) Riverfront; and 3) Courthouse Square. The implementation matrix serves as a framework for the City’s ongoing commitment to downtown revitalization, which includes the maintenance of public infrastructure, streetscapes, landscaping, lighting, public spaces, and other City-led improvements that support continued private investment and economic growth within downtown. As previously mentioned, the tables presenting the first steps precedes the implementation matrix organized by category.

Priority Timeframe

The priority timeframe establishes a tentative structure for when to focus on each strategy. The categories include items to be completed (or started) during the first year as “quick wins” to strategies that will most likely be long-term (greater than 5 years).

I - Immediate - Complete / Begin in the First Year

S - Short-Term - (1 to 3 Years)

M - Mid-Term (3 to 5 Years)

L - Long- Term (More than Five Years)

Resources

This column in the matrix represents resources that are primarily related to financial resources necessary to complete the implementation action items. The tables uses the “\$” symbol to represent a theoretical range of necessary capital. Actual resources could be more or less depending on the final scope of the project or more detailed cost estimates. The ranges are as follows:

\$ - Less than \$25,000

\$\$ - \$25,000-\$100,000

\$\$\$ - \$100,000-\$500,000

\$\$\$\$ - More than \$500,000

Policy – Not outside of normal annual budget expenditures

Partners

This category highlights the primary entities that may be involved in the implementation of a particular strategy. Although the primary entities/organizations are identified in this column, other partners and assistance will be needed to implement the plan.

Partners

- » **CC** - City Council
- » **CS** - City Staff
- » **FBO** - Faith-based organizations / religious institutions
- » **LCC** - Lumberton Chamber of Commerce
- » **LVB** - Lumberton Visitor’s Bureau
- » **MS** - Main Street Lumberton
- » **NCDOT** - North Carolina Department of Transportation
- » **PB** - Planning Board
- » **PC** - Private Consultant (Engineering, Planning, Economic Development, and related professionals)
- » **PS** - Private Sector (Developers, business owners, property owners)
- » **RC** - Robeson County Government (Staff & Elected Officials)
- » **RF** - Robeson County Farmer’s Organization

Main Street

This column identifies the committee within Main Street Lumberton that will most likely shepherd or be more closely involve with during implementation of the Plan. The committee abbreviations are listed below.

P = Promotions Committee

D = Design Committee

EV = Economic Vitality Committee

O = Organizational Committee

Build of the Momentum around the Plaza - First Steps	Priority Timeframe	Resources Needed	Partners	Main Street
Begin discussions and continue to build partnerships with the Robeson Community College Culinary Program, Farmers' Market group, and other partners to establish a working group and organizational energy to move forward with a permanent market hall location at the Plaza.	I	Policy	CS, CC, RC, RF, MS	EV + P
Begin developing more detailed plans for the streetscape improvements around the Plaza and the permanent market hall location along the southern boundary/2nd Street side of the Plaza.	I	Policy - \$\$	CS, CC, RC, RF, MS	EV + D
Engage existing restaurants in the downtown to begin developing a strategy to make downtown a dining destination, developing a strategy and recruitment plan to expand the restaurant offerings in downtown.	I	Policy - \$\$	CS, MS, LCC, LVB, PS, PC	EV + P
Identify small business incentives, spaces, and opportunities in downtown to help recruit new business to fill renovated spaces around the Plaza with active and attractive uses that will keep the momentum going.	I	Policy - \$	CS, MS, LCC, LVB, PS, PC	EV + P
Continue to identify partners for the facade grant program (including the County) to increase available funding, while considering expansion of the grant to include upper story upper story housing incentives like fire suppression (sprinkler) grants, and public space improvement grants.	I	Policy - \$\$	CC, CS, MS, RC	EV + D

Activate now and prepare for a redeveloped Riverfront - First Steps	Priority Timeframe	Resources Needed	Partners	Main Street
Complete the investigative environmental work for the Water Treatment Plant site to remove any unknown barriers for the potential redevelopment of the property for a mixed use redevelopment or destination focused reuse of the existing building.	S	\$\$	CS, CC, PC	EV
Create new events, such as a Lumber River Festival to draw people and activity to the riverfront, helping it to become a destination.	I	\$	CS, MS, LVB	P
While the environmental work is finalized, continue to explore public private partnerships for destination and housing / mixed use redevelopment options at the Water Treatment Plant site and other properties that were identified during the planning process for redevelopment.	I	\$\$	CS, CC, RC, LCC, PC, PS	EV
Establish a framework plan for a developer solicitation process for redeveloping the Water Treatment Plant site and other publicly owned sites along the riverfront.	S	\$	CS, MS, PC	EV + D
Work closely with the Visitor's Bureau to develop a greater understanding of the potential tourism impacts related to the anticipated completion of the I-95 improvements and the potential Lumbee Tribe investments related to the Tribe's recent federal recognition.	S	Policy - \$\$	MS, LCC, LVB, CS, CC, RC, PC	P + EV

Leverage the courthouse rebuild to revitalize Courthouse Square - First Steps	Priority Timeframe	Resources Needed	Partners	Main Street
Continue to collaborate with County leadership as the County considers when and how to build a new courthouse, leveraging both County and City resources to ensure the most advantageous outcome for the future of downtown.	I	Policy	CC, CS, RC	EV + D
Begin to explore plans for a more active and inviting streetscape and pedestrian environment to encourage new business development along North Elm and North Chestnut Streets, taking advantage of the opportunity and timing of the new courthouse construction.	S	Policy - \$\$	CC, CS, RC, MS	D + EV
Evaluate opportunities to incorporate residential (market rate or teacher/public employee options) and/or mixed use development potential alongside a new courthouse parking structure, which will maximize the public investment and potential 24/7 use of a parking structure in downtown.	M	Policy - \$\$	CC, RC, CS, MS	D + EV



▲ View of Water Street and the 5th Street Bridge Replacement across the Lumber River.

Dick Taylor Plaza Strategies	Priority Timeframe	Resources Needed	Partners	Main Street
Creating residential / housing opportunities				
Identify buildings around the Plaza that could accommodate residential units in the upper stories.	I	Policy - \$	CS, MS, PS	EV + D
Develop upper story housing strategies and incentives to include fire suppression grants for sprinkler upgrades and encouraging the use of historic tax credits.	S	Policy - \$\$	CC, CS, MS, RC	EV + D
Revise the current Primary Fire District standards to allow for new mixed use construction with an active ground floor use with up to 5 stories of wood frame residential construction above.	S	Policy	CS, PB, CC, MS	EV + D
Attracting entertainment, dining, things to do				
Encourage more events and festivals at Dick Taylor Plaza.	I	\$	CS, MS, LVB	P
Plan for the development of a Market Hall / Farmer's Market at the Plaza.	S	\$\$	CS, MS, LCC, LVB, RC, RF, PS	P + EV
Create designated spaces for food trucks and vendors to set up in and around the Plaza on a temporary basis during events.	S	Policy - \$	CS, MS	P
Capitalize on the expansion of the Carolina Civic Center to attract more arts and cultural events to the Plaza.	I	Policy	CS, MS, LCC, LVB	P
Develop a restaurant recruitment strategy.	S	Policy - \$	CS, MS, LCC, LVB, PS, PC	P + EV
Consider a pilot social district program.	M	Policy - \$	CC, CS, MS, LCC, LVB	P
Activating public space / urban design				
Redesign the streetscape around the square to increase outdoor dining space on sidewalks.	S	\$\$-\$	CS, PC, NCDOT, MS	D
Add street trees in and around the plaza for shade.	M	\$\$	CS, MS	D
As the Plaza becomes more active, include furniture to encourage enjoyment of the space.	S	\$\$-\$	CS, MS	D + P
Use brick material or paint crosswalks to signal a pedestrian-friendly environment.	M	\$\$-\$	CS, MS	D
Utilize pedestrian scale wayfinding to direct people along the alley connection to pocket park.	M	\$	CS, MS	D + P
Encouraging locally owned small business/startups				
Identify key properties around the square to activate and support redevelopment.	S	Policy	CS, MS, PS	EV
Continue to fund facade improvement grants and encourage County participation to help more small business owners rehabilitate storefronts and buildings around the Plaza.	I	\$\$-\$-\$	CC, RC, MS, LVB, CS	D + EV
Create a makerspace, commercial kitchen, and small business infrastructure and programs.	S	Policy - \$\$	CC, RC, MS, LVB, CS, PS	EV
Leveraging publicly owned sites for redevelopment				
Leverage the library, exploration station, and civic center to encourage more activities in the plaza.	I	Policy	CS, MS, LVB	P
Maintain city-owned parking along 3rd Street to support continued redevelopment around square.	I	Policy	CS, CC	P

Riverfront Strategies	Priority Timeframe	Resources Needed	Partners	Main Street
Creating residential / housing opportunities				
Capitalize on the riverfront views to build market-rate housing.	M	Policy	PS, CC, RC	EV
Utilize public/ private partnerships to encourage housing development.	M	Policy - \$\$	PS, CC, RC	EV
Consider publicly owned land along the riverfront for new residential/mixed use development.	M	Policy	PS, CC, RC	EV
Identify opportunities and regulatory barriers for residential above ground-floor retail.	M	Policy - \$	PS, CC, RC	EV
Attracting entertainment, dining, things to do				
Activate Water Street to create a destination.	M	Policy - \$\$	CC, CS, MS, PS	P
Establish a Lumber River Festival and series of events to attract people to downtown and the riverfront.	M	Policy - \$\$	CC, CS, MS, LCC, LVB, PS	P
Encourage the construction of patio dining with new development along Water Street to capitalize on the riverfront views and increase pedestrian activity.	L	Policy	CC, CS, MS	D + EV
Examine zoning and development regulations for any barriers to establishing the envisioned uses in the downtown and adopt amendments as identified.	M	Policy - \$	PB, CC, CS, MS	EV
Activating public space / urban design				
Improve the Water Street streetscape to encourage pedestrian activity and allow the street to be closed off during events.	L	\$\$-\$	CC, CS, PC, NCDOT, MS	D
Expand on the existing riverwalk, adding more lighting, more room for bikes, and connect to the Water Treatment Plant.	L	\$\$\$-\$\$\$\$	CC, CS, PC, RC, LCC, LVB, MS	D + P
Utilize brick or other paving materials, and paint to highlight pedestrian space versus vehicular spaces and create visual connections for public activity.	M	\$	CS, MS	D
Continue to identify opportunities for public art along the riverfront to create an inviting and welcoming experience.	M	Policy - \$\$	MS, LCC, LVB, CS	D + P
Create a larger river overlook and promenade to open up public views of the river.	L	\$\$\$-\$\$\$\$	CC, CS, PC, RC, LCC, LVB, MS	D + P
Encouraging locally owned small business/startups				
Utilize public investment to encourage the redevelopment of surrounding private properties.	M	Policy - \$\$\$\$	CC, RC, PS	EV
Encourage the development of new mixed use projects that can incorporate new small businesses along the riverfront.	M	Policy - \$\$	CS, MS	EV
Leveraging publicly owned sites for redevelopment				
Utilize county and city-owned parking lots and properties for catalyst redevelopment along Water Street.	L	Policy - \$\$	CS, CC, RC	EV
Free up parking lots along Water Street by encouraging the construction of a parking deck large enough to accommodate court and downtown parking demands together.	L	Policy - \$\$\$\$	CS, CC, RC	EV

Courthouse Square Strategies	Priority Timeframe	Resources Needed	Partners	Main Street
Creating residential / housing opportunities				
Capitalize on the redevelopment of the County Courthouse to explore opportunities for including housing.	L	Policy	CS, CC, RC, MS	EV
Encourage the development of affordable workforce housing targeted at teachers, fire-fighters, police officers, and service industry workers.	L	Policy - \$\$	CS, CC, RC, MS	EV
Examine the possibility of constructing an attached residential or mixed use building around a potential parking structure to enhance the streetscape and provide additional space for residential development.	L	Policy - \$\$	CS, CC, RC, MS	EV + D
Identify parking lots that can be redeveloped for housing or other uses with the addition of a parking deck in downtown to maximize the return on investment beyond just supporting the needs of the court system.	L	Policy - \$	CS, CC, RC, MS	EV + D
Attracting entertainment, dining, things to do				
Consider opportunities for additional retail space on the ground floor of any planned residential structures/wraps around the parking deck.	L	Policy	CS, CC, RC, MS	EV
Improve the streetscape along Elm and Chestnut Streets to stimulate private investment and connect to the new activities planned for the Plaza area.	L	\$\$\$\$	CS, CC, RC, NCDOT, MS	D
Activating public space / urban design				
Redesign the streetscape along Elm and Chestnut to allow for outdoor dining and create a more comfortable pedestrian environment.	M	\$\$	CS, CC, RC, NCDOT, MS	D
Integrate public art and encourage uses that take advantage of public spaces and amenities.	M	Policy - \$\$	MS, LCC, LVB, CS, CC, RC	D + P
Encouraging locally owned small business/startups				
Foster small business development and identify opportunities for the City to assist businesses in growing along Elm and Chestnut Streets.	M	Policy - \$\$	CC, CS, MS, PS	EV
Continue to develop building facade and rehabilitation incentives to encourage high quality redevelopment and reuse of historic buildings.	I	\$\$-\$\$\$	CC, RC, MS, LVB, CS	D + EV
Leveraging publicly owned sites for redevelopment				
Collaborate with the County on the redevelopment of the Courthouse building to most efficiently leverage public properties and investments for the improvement of the entire downtown area.	I - L	Policy - \$\$	CC, RC, CS, MS	D + EV







Lumberton City Council

Item: IX.C.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Manager

Submission Date: 09/09/2026

Subject: Main Street Lumberton Advisory Board Appointment

Summary/Background of Subject Matter:

Staff requests that City Council approve the appointment of Tre Pone to the Main Street Lumberton Advisory Board.

Mr. Pone's experience as a downtown business owner, entertainer, and community volunteer will provide a valuable perspective to the Advisory Board. His continued investment in downtown Lumberton and involvement in the community align with the Board's mission to support downtown revitalization, economic development, and community engagement.

Biography:

Tre Pone is a comedian, actor, and founder of Pee Wee's Comedy Club in Lumberton. He has traveled throughout the country performing comedy and has also appeared as an actor. His downtown Lumberton comedy club was destroyed by fire in the summer of 2023; however, he has continued his entertainment and community work by hosting local comedy events at Inner Peace Center for the Arts.

Mr. Pone also volunteers with the Southeastern Family Violence Center. His experience as an entrepreneur, performer, downtown stakeholder, and community volunteer will be an asset to the Main Street Lumberton Advisory Board.

Staff Recommendation:

Staff recommends that City Council approve the appointment of Tre Pone to the Main Street Lumberton Advisory Board.

City Manager's Comments:

Signature: Laney Mitchell-McIntosh, City Clerk

Department: City Manager

ATTACHMENTS:

None

Lumberton City Council

Item: IX.D.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Manager

Submission Date: 09/09/2026

Subject: Approval of Location for Main Street Memories Historic Walking Tour Sign

Summary/Background of Subject Matter:

Main Street Memories is a self-guided historic walking tour designed to share the history of Downtown Lumberton while encouraging residents and visitors to explore the downtown district. The project will feature 33 historic properties, each identified by a plaque containing a QR code. Visitors can scan the codes to access historical narratives and learn more about the people, businesses, and events connected to each location.

The central sign will include a map of the walking tour and serve as its primary starting point. The Main Street Lumberton Design Committee is coordinating the sign design, historical narratives, QR-code plaques, and other project components.

The project is a partnership between Friends of Main Street Lumberton, Main Street Lumberton, the Lumberton Visitors Bureau, and Historic Robeson. Funding is provided through a Lumberton Visitors Bureau grant awarded to Friends of Main Street Lumberton.

Main Street Lumberton proposes installing the sign at the location shown in the attached photograph.

Staff Recommendation:

Staff recommends that City Council approve the proposed location and authorize staff to coordinate installation.

City Manager's Comments:

Signature: Laney Mitchell-McIntosh, City Clerk

Department: City Manager

ATTACHMENTS:

1. MainStreetMemoriesSign

A large, ornate sign for Historic Downtown Lumberton. The sign features a map of the downtown area with street names like 6TH, 5TH, 4TH, 3RD, 2ND, 1ST, and 0TH. The map is surrounded by a decorative border. Below the map is a section titled 'EXPLORE DOWNTOWN' with a grid of 22 QR codes numbered 01 to 22. The sign is sponsored by the Lumberton Visitor's Bureau.

Main Street Memories

Sponsored by
Lumberton Visitor's Bureau

Lumberton City Council

Item: IX.E.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Manager

Submission Date: 09/09/2026

Subject: Proposed Food Truck Ordinance – Request for Planning Board Review

Summary/Background of Subject Matter:

Staff has developed a proposed ordinance to establish regulations for food trucks and itinerant vendors within the Downtown B-1 District. The proposed ordinance is intended to create a clear permitting and operating framework while addressing location, safety, compatibility with existing businesses, and overall downtown operations.

Before the ordinance can move forward for final consideration, staff is requesting authorization to present the proposed regulations to the Lumberton Planning Board for review and recommendation.

Staff Recommendation:

Authorize staff to submit the proposed Food Truck Ordinance to the Planning Board for review and recommendation prior to bringing the ordinance back to City Council for consideration.

City Manager's Comments:

Signature: Laney Mitchell-McIntosh, City Clerk

Department: City Manager

ATTACHMENTS:

None

Lumberton City Council

Item: IX.F.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: Emergency Services

Submission Date: 09/08/2026

Subject: Grant Acceptance Letter for Radio Upgrade at Backup Center

Summary/Background of Subject Matter:

The North Carolina 911 Board Grant Committee has reviewed the 2027 Grant Program Application and recommended the City of Lumberton project "Upgrading Radios at The Backup Center" for grant funding. The 911 Board unanimously approved the recommendation and awarded the City of Lumberton \$120,949.11 to complete the project as submitted in the grant application. The project will upgrade the radio communication capabilities at the Lumberton Emergency Services Backup Center, enhancing reliable communications and the sustainability of emergency operations. The City of Lumberton is required to provide an Intent of Acceptance confirming its willingness to accept the awarded amount.

Staff Recommendation:

Emergency Services recommend that Council accept the grant award in the amount of \$120,949.11, from the 911 Board Grant Committee for 2027 to upgrade radio communication capabilities in the Lumberton Emergency Backup Center.

City Manager's Comments:

Signature:

Department: Emergency Services

ATTACHMENTS:

1. 20260904 Lumberton FY2027 Grant Program Award Letter XXX (002)



NATHANIEL S. DENNY
SECRETARY & STATE CHIEF
INFORMATION OFFICER
NC 911 BOARD CHAIRMAN

MELANIE A. JONES
NC 911 BOARD VICE CHAIR

L. V. POKEY HARRIS
NC 911 BOARD EXECUTIVE DIRECTOR

September 4, 2026

Ms. Tammy Mcleod
911 Director
Lumberton Communications
500 N. Cedar St
Lumberton, NC 28359

Dear Tammy,

The North Carolina 911 Board Grant Committee completed the FY2027 Grant Program review process and subsequently made recommendations to the 911 Board on August 28, 2026. Via electronic submission of this letter, I am pleased to advise the recommendation was unanimously approved by the Board for the award of Lumberton's grant project, *Upgrade Radios at Backup Center*, in the amount of \$120,949.11.

To continue the process for the award of grant funding, an intent of acceptance is required by City of Lumberton. Once this acceptance is received, preparation of the grant agreement that will outline the terms and conditions of the grant award will begin. Please advise of the City of Lumberton's willingness to accept the noted award amount and to complete the grant project in its entirety as submitted in the grant application. Your acceptance of the grant award must be received no later than Tuesday, September 15, 2026, by a letter uploaded electronically in the PSAP portal via Salesforce.

The grant agreement will be presented to the City of Lumberton no later than Monday, November 2, 2026. The City must then advise of acceptance of the grant agreement no later than Wednesday, December 2, 2026. The signed grant agreement will be due back to me no later than Tuesday, January 5, 2027, for countersignature. The execution of the grant agreement will be handled electronically. Exchange of hard copies via USPS or in-person will not be necessary. You are being notified of these key dates to ensure the award process can be finalized appropriately. Therefore, please note failure to meet any deadline outlined in this letter will result in the award being de-obligated.

Congratulations on the award for your project! We look forward to working with you on it.

Sincerely,

L. V. Pokey Harris

L.V. Pokey Harris
Executive Director
North Carolina 911 Board

Lumberton City Council

Item: IX.G.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: Planning & Neighborhood
Services

Submission Date: 07/22/2026

Subject: Goode Farm Contiguous Annexation-ETJ/County

Summary/Background of Subject Matter:

Goode Farm request for contiguous annexation of parcel 100402078

Staff Recommendation:

The City Clerk has certified the sufficiency of the petition and the Planning Department recommends City Council set the date of the public hearing for their October 2026 meeting.

City Manager's Comments:

Signature: Laney Mitchell-McIntosh, City
Clerk

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. SIGNED_Goode Farm Annexation Application shortened

PETITION FOR ANNEXATION OF CONTIGUOUS PROPERTY

NORTH CAROLINA

CITY OF LUMBERTON

ROBESON COUNTY

**IN THE MATTER OF THE ANNEXATION)
OF CERTAIN LANDS INTO THE CITY)
OF LUMBERTON)**

P E T I T I O N

TO THE CITY COUNCIL OF LUMBERTON

1. We the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed to the City of Lumberton.

2. The area to be annexed is contiguous to the City of Lumberton and the boundaries of such territory are described in the attached legal description labeled as Exhibit "A".

3. A map showing the area to be annexed is attached hereto as Exhibit "B".

4. Tax Parcel Number: 100402078 _____
(Map #) (Block #) (Parcel #)

5. Deed Book: 445 Page: 149 A portion of Blocks 9 & 10

This the 23 day of June, 2026.

PROPERTY OWNER(S)

Name: GOODE DAVID J /

Address: _____

Telephone: _____

Signature: _____

Signature.

David J Goode (Jun 25, 2026 16:33:03) Charlotte, NC 28210

Name: Susan Goode Batten

Address: _____

Telephone: _____

Signature: _____

Email Address(s): _____

Dan Batten: _____

PETITION FOR ANNEXATION OF CONTIGUOUS PROPERTY

NORTH CAROLINA

CITY OF LUMBERTON

ROBESON COUNTY

IN THE MATTER OF THE ANNEXATION)
OF CERTAIN LANDS INTO THE CITY)
OF LUMBERTON)

P E T I T I O N

TO THE CITY COUNCIL OF LUMBERTON

1. We the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed to the City of Lumberton.

2. The area to be annexed is contiguous to the City of Lumberton and the boundaries of such territory are described in the attached legal description labeled as Exhibit "A".

3. A map showing the area to be annexed is attached hereto as Exhibit "B".

4. Tax Parcel Number: 100402078 _____
(Map #) (Block #) (Parcel #)

5. Deed Book: 445 Page: 149 A portion of Blocks 9 & 10

This the 23 day of June, 2026.

PROPERTY OWNER(S)

Name: GOODE DAVID J /s/

Address: _____

Telephone: _____

Signature: _____

Charlotte, NC 28210

Name: Susan Goode Batten

Address: _____

Telephone: _____

Signature: Susan Goode Batten
Susan Goode Batten (Jun 25, 2026 17:14:27 EDT)

Email Address(s): _____

Dan Batten: _____

City of



Lumberton

Planning & Neighborhood Services

Goode Farms Contiguous Annexation Request

DEVELOPER(S):	OWNER(S):
Susan Batten	Susan Batten
David Goode	David Goode

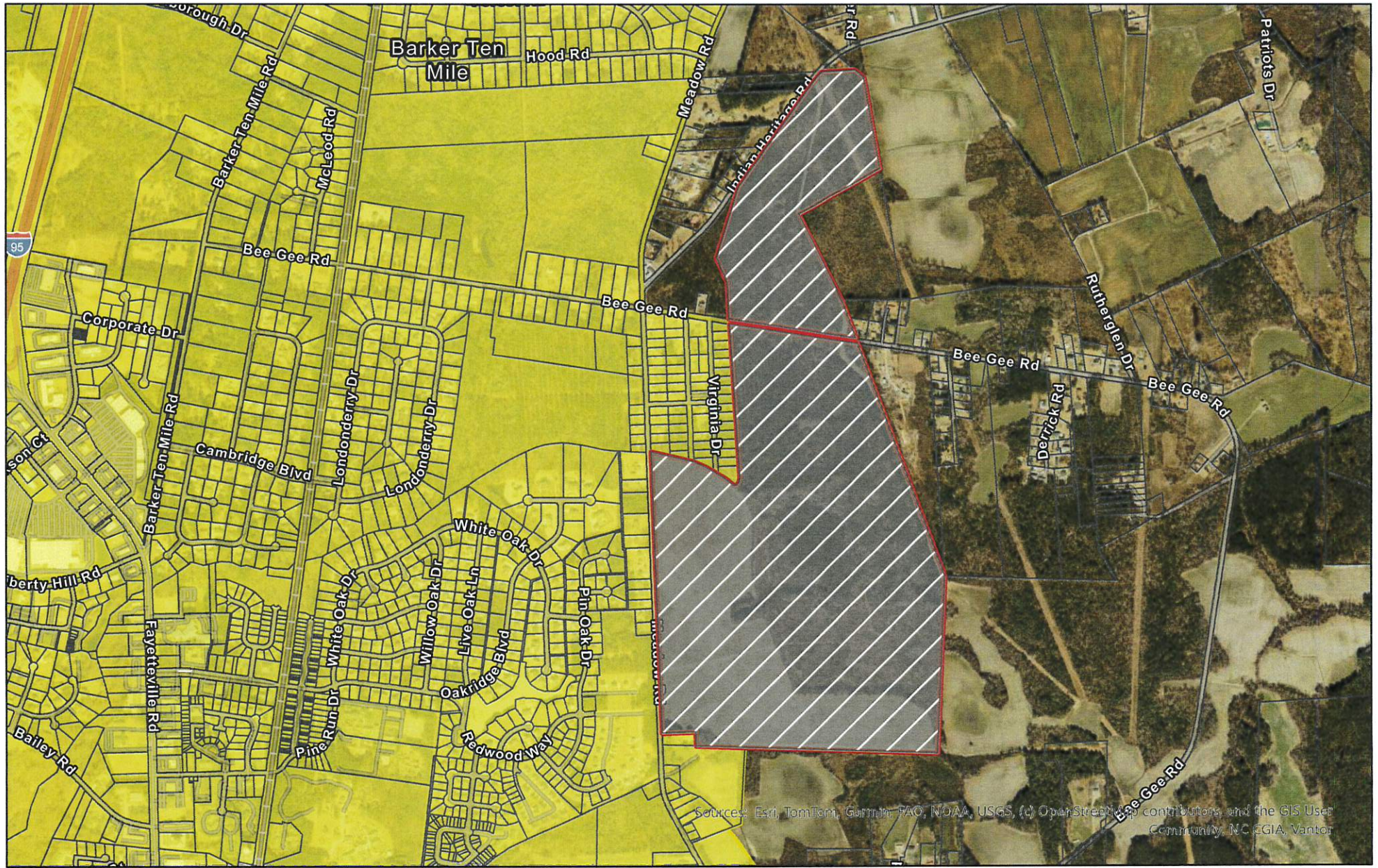
STAFF ANALYSIS

Analysis: Contiguous Annexation- David Goode & Susan Batten annexation request for property located on Meadow Road. We request the portion located within the County be zoned M-2, Heavy manufacturing.

The proposed development is a planned residential community.

PARCEL INFORMATION

Project Name	Parcel #(s)	Zoning	Area	Limits of Construction
Goode Farms Project	100402078	M2 Heavy Manufacturing	~388.39 Acres	~388.39 Acres



22 S Pack Square,
Suite 800
Asheville, North
Carolina, 28801
Tel: 828.683.8500
www.rviplanning.com

GOODE FARMS • ANNEXATION MAP

📍 City of Lumberton, NC

📅 Date: 6/22/2026

P26007734

👤 DBC Partners

📐 Parcels

🔴 SUBJECT BOUNDARY

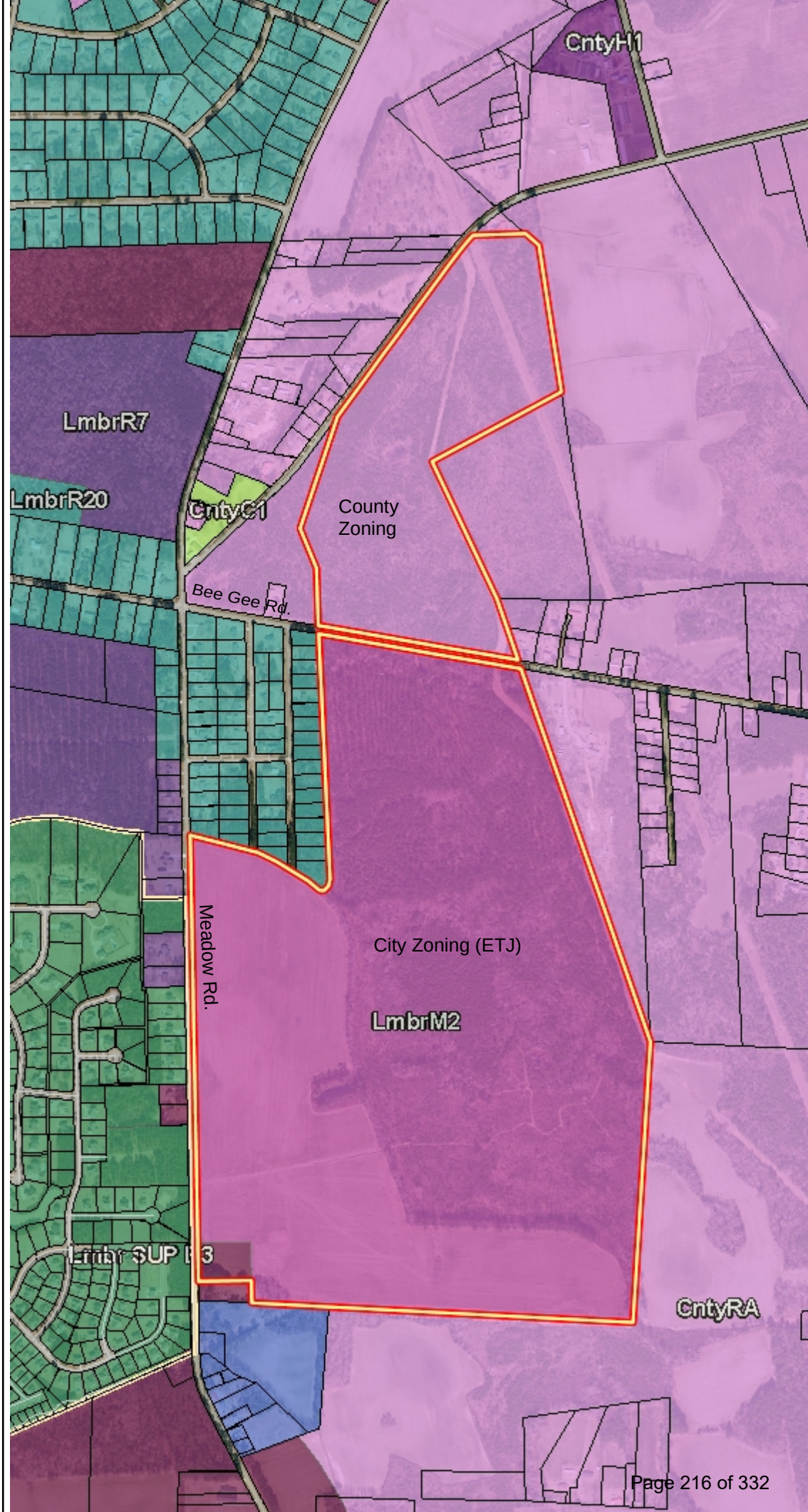
🔲 AREA TO BE ANNEXED

🟡 CITY OF LUMBERTON LIMITS



0 420 840 1,680
Feet

Information furnished regarding this property is from sources deemed reliable. RVI has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.



CntyH1

LmbrR7

LmbrR20

CntyC1

County
Zoning

Bee Gee Rd.

City Zoning (ETJ)

LmbrM2

Meadow Rd.

Lmbr SUP 13

CntyRA

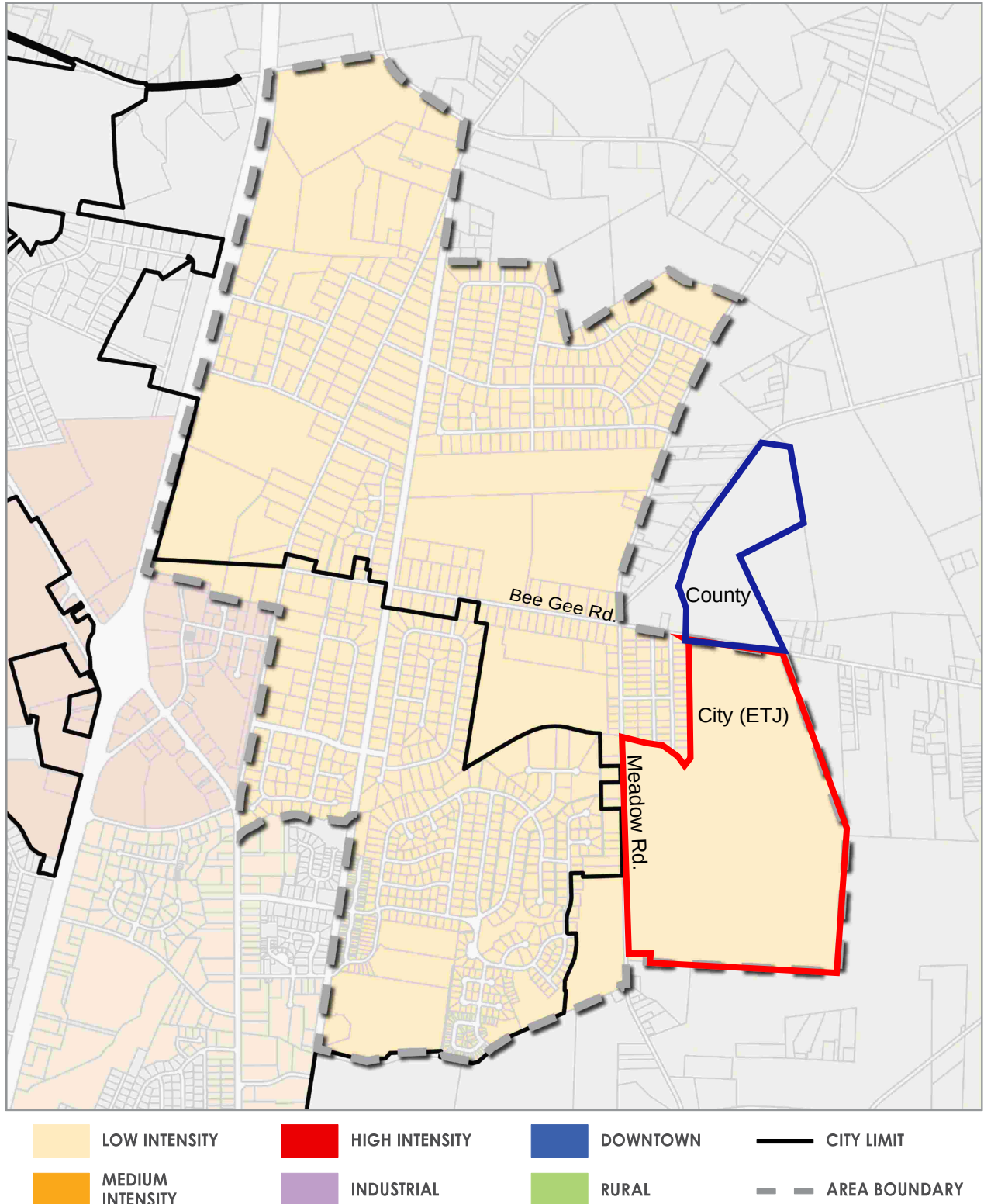
*Planning & Neighborhood Services*

ADJACENT PROPERTY SITE DATA		
	Zoning	Land Use
Subject Property	- M-2, Heavy manufacturing - County residential agriculture	- Planned Residential Subdivision
North	- County residential agriculture	- Single Family Residential - Farmland
South	- County residential agriculture - R-6, class 'A' manufactured homes - Agriculture	- Single Family Residential - Farmland
East	- County residential agriculture	- Single Family Residential - Farmland
West	- R-20, residential single family - R-7, residential single family/duplex - County residential agriculture - B-3, office residential - Agriculture - R-6, class 'A' manufactured homes	- Single Family Residential - Farmland

Land Use Plan: The Land Use Plan designates the future use of the parcels as low intensity (area 2), furthermore, this property is located within the ETJ and County.

AREA 2 FUTURE LAND USE

MAP 3.143 AREA 2 FUTURE LAND USE



FUTURE LAND USE

The Future Land Use Map is intended to serve as a guide for the City's elected leaders, the Planning Board, planning staff, property owners and developers as the City moves forward with the implementation of the Land Use Plan. This map supports the City's vision and goals for its future by establishing a spatial plan for the ongoing growth, development and redevelopment of the City that focuses on its core assets and takes advantage of past investments in utility and transportation infrastructure. This, in turn, will allow the City to maximize its return on those investments and better plan for additional strategic investments that are coordinated with its vision for growth.

LAND USE CATEGORIES

LOW INTENSITY

The Low Intensity land use category is intended to accommodate both the preservation and growth of low to medium density neighborhoods (4 to 6 dwelling units / acre) consisting primarily of single family residences, as well as small scale multi-family residential development, such as two and three family dwellings. While primarily residential in character, certain low impact nonresidential uses are appropriate for development within these areas, such as small churches, daycare centers, traditional home occupations and similar uses which will not conflict with the character of these areas when they are situated and developed in a manner that is consistent with an overall low intensity land use pattern.

FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

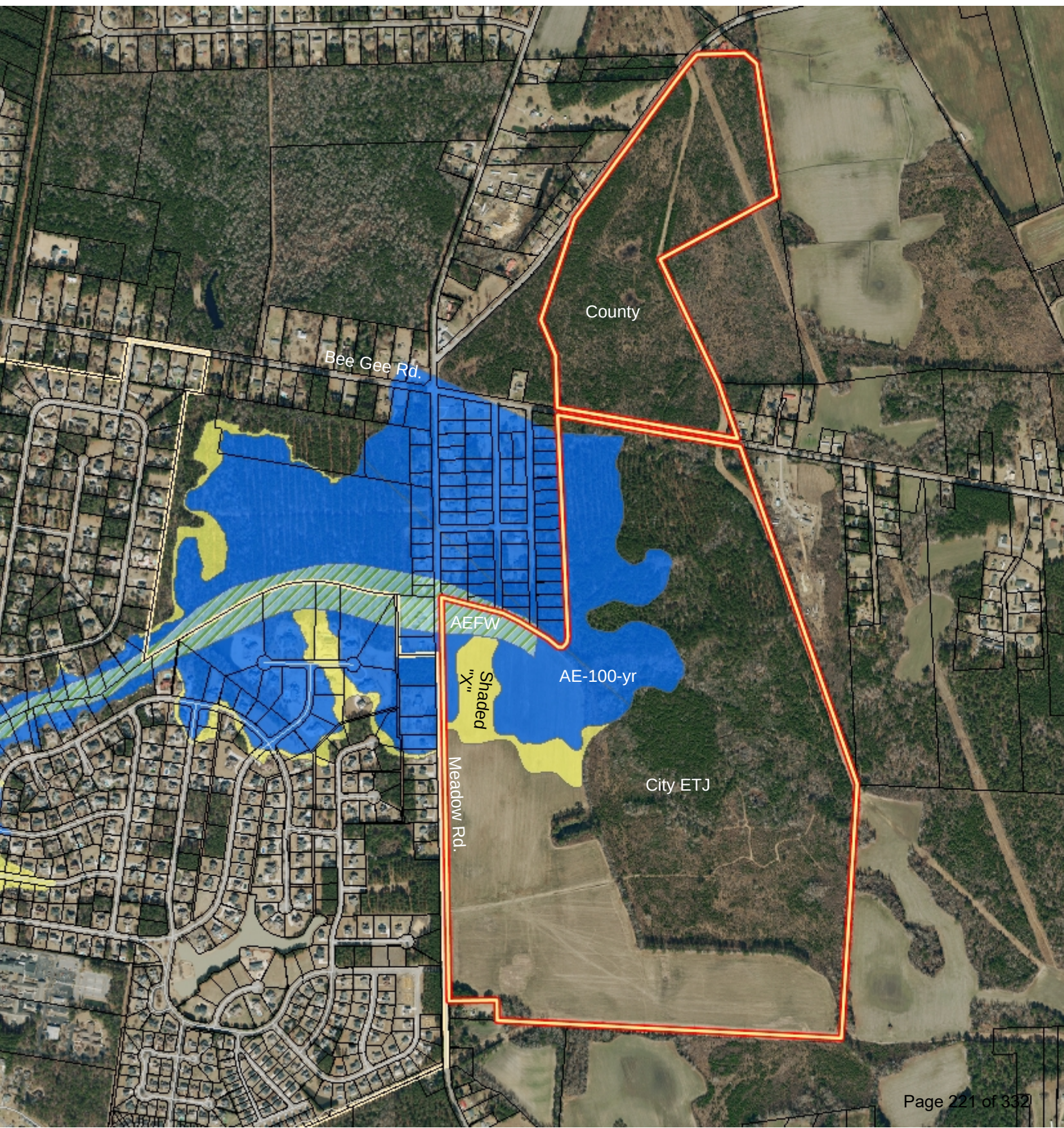
Flood Zones:

~ 46 acres - Zone AE Special Flood Hazard Area inundated by the 100-year flood; base flood elevations are determined.

~ 4.22 acres AE (Floodway)

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Map Number: 3720030300K **Panel Effective Date:** 12/6/2019



Goode Farms

Contiguous Annexation Application

June 26, 2026

PREPARED FOR:
DBC Partners, LLC

SUBMITTED TO:
City of Lumberton
Planning and Neighborhood Services
500 N. Cedar St.
Lumberton, NC 28359



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COVER LETTER & NARRATIVE STATEMENT



GOODE FARMS ANNEXATION Request Statement

I. REQUEST

DBC Partners, LLC. ("Applicant") requests the annexation of two parcels containing 388.39± acres located contiguous to the City of Lumberton. The properties are generally located at the intersection of Meadow Rd. and Bee Gee Rd. within the City of Lumberton's Extra-Territorial Jurisdiction (ETJ). The property included in this request has been collectively known as Goode Farms and includes the following tax map number: 100402078.

The property is located within the Low to Medium Intensity Future Land Use Category (FLUC) and has a zoning designation of M-2 (heavy manufacturing) and County Residential Agriculture. The Applicant is seeking to annex the property into the City of Lumberton to provide an innovative multi-family master planned community. The parcel in question is part of unincorporated Robeson County within the City of Lumberton ETJ.

A discussion was held in June 2026, and it was understood that the City is generally favorable to the annexation of this property. This annexation request, if approved, will form a contiguous and logical city boundary and provide the City with greater control over the form of development. The request complies with the intent and processes identified in the North Carolina General Statutes, City of Lumberton Land Use Ordinance, and the City's long-term plan for expansion as evidenced by the inclusion of the properties within the Lumberton ETJ.

The proposed annexation allows for the property to connect to City utilities. As a result, this annexation request also ensures continuity of public services throughout the entire project and compliance with all State and local requirements for annexations.

II. PROPERTY HISTORY & EXISTING CONDITIONS

The Goode Farms property is divided in two by Bee Gee Rd. The parcel facing Meadow Rd. is zoned M2, whereas the parcel located north and facing Bee Gee Rd. is zoned County Residential Agricultural (RA-20).

The property is surrounded by a mix of commercial, office, residential and agricultural uses. Surrounding uses are further identified in Table 1 below.

Table 1: Inventory of Surrounding Lands

	Future Land Use	Zoning	Current Land Use
North	Low Intensity	R-20 (Residential); County Residential Agriculture	Single Family Housing
South	Low Intensity	R-20 (Residential); County Residential Agriculture; R6 (Residential)	Single Family Housing; Farmland
East	Low Intensity	B3 (Office/Residential); CUP B-3 (Conditional Use Permit - Office/Residential)	Multi-Family Apartments; Professional Office Uses; Single-Family Residential; Church; Farmland

West	Medium Intensity	County Residential Agriculture;	Single Family Housing
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III. PUBLIC INFRASTRUCTURE

Roads

The property has direct access to the following public? roads:

- Bee Gee Rd., a two-lane road,
- Meadow Rd., a two-lane road,
- Indian Heritage Rd., a two-lane road.

Utilities

The Property is not currently served by potable water or sanitary sewer services; however, The City Public Works Department is amenable to extending water and sanitary sewer service to this site. Since water and sewer service is proposed to be extended to the Property, LDC Section 23-60 requires the submittal of a petition for annexation. Extensions of existing service required to connect the site to City water and sewer will be through developer funded improvements.

VI. DECISION-MAKING COMPLIANCE

Proposed annexations shall be reviewed in accordance with the requirements of NC General Statutes Chapter 160A – Article 4A – Extension of Corporate Limits.

G.S. 160A-31. Annexation by petition.

(a) The governing board of any municipality may annex by ordinance any area contiguous to its boundaries upon presentation to the governing board of a petition signed by the owners of all the real property located within such area. The petition shall be signed by each owner of real property in the area and shall contain the address of each such owner.

APPLICANT: The attached application includes signatures by all owners of all the real property located within the project boundary.

(b) The petition shall be prepared in substantially the following form:

DATE:

To the _____ (name of governing board) of the (City or Town) of _____

1. We the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed to the (City or Town) of _____

2. The area to be annexed is contiguous to the (City or Town) of _____ and the boundaries of such territory are as follows:

APPLICANT: The attached application satisfies the required format of annexation petitions.

(c) Upon receipt of the petition, the municipal governing board shall cause the clerk of the municipality to investigate the sufficiency thereof and to certify the result of the investigation. For petitions received under subsection (b1) or (j) of this section, the clerk shall receive the evidence provided under subsection (l) of this section before certifying the sufficiency of the petition. Upon receipt of the certification, the municipal governing board shall fix a date for a public hearing on the question of annexation, and shall cause notice of the public hearing to be published once in a



newspaper having general circulation in the municipality at least 10 days prior to the date of the public hearing; provided, if there be no such paper, the governing board shall have notices posted in three or more public places within the area to be annexed and three or more public places within the municipality.

APPLICANT: Acknowledged.

(d) At the public hearing persons resident or owning property in the area described in the petition and persons resident or owning property in the municipality shall be given an opportunity to be heard. The governing board shall then determine whether the petition meets the requirements of this section. Upon a finding that the petition that was not submitted under subsection (b1) or (j) of this section meets the requirements of this section, the governing board shall have authority to pass an ordinance annexing the territory described in the petition. The governing board shall have authority to make the annexing ordinance effective immediately or on the June 30 after the date of the passage of the ordinance or the June 30 of the following year after the date of passage of the ordinance.

APPLICANT: Acknowledged.

(d1) Upon a finding that a petition submitted under subsection (j) of this section meets the requirements of this section, the governing body shall have the authority to adopt an annexation ordinance for the area with an effective date no later than 24 months after the adoption of the ordinance.

(d2) Upon a finding that a petition submitted under subsection (j) of this section meets the requirements of this section, the governing body shall have the authority to adopt an annexation ordinance for the area with an effective date no later than 24 months after the adoption of the ordinance.

APPLICANT: This petition is not submitted under subsection (j).

(d3) Municipal services shall be provided to an area annexed under subsections (b1) and (j) of this section in accordance with the requirements of Part 7 of this Article.

APPLICANT: Extensions of existing municipal services, including centralized water and sewer, will be through developer funded improvements.

(e) From and after the effective date of the annexation ordinance, the territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in such municipality and shall be entitled to the same privileges and benefits as other parts of such municipality. Real and personal property in the newly annexed territory on the January 1 immediately preceding the beginning of the fiscal year in which the annexation becomes effective is subject to municipal taxes as provided in G.S. 160A-58.10. If the effective date of annexation falls between June 1 and June 30, and the effective date of the privilege license tax ordinance of the annexing municipality is June 1, then businesses in the area to be annexed shall be liable for taxes imposed in such ordinance from and after the effective date of annexation.

APPLICANT: Acknowledged.

(f) For purposes of this section, an area shall be deemed "contiguous" if, at the time the petition is submitted, such area either abuts directly on the municipal boundary or is separated from the municipal boundary by the width of a street or street right-of-way, a creek or river, or the right-of-way of a railroad or other public service corporation, lands owned by the municipality or some other



political subdivision, or lands owned by the State of North Carolina. A connecting corridor consisting solely of a street or street right-of-way may not be used to establish contiguity. In describing the area to be annexed in the annexation ordinance, the municipal governing board may include within the description any territory described in this subsection which separates the municipal boundary from the area petitioning for annexation.

APPLICANT: All properties are located abutting the corporate limits, separated from the corporate limits only by a street right-of-way, or by other property in common ownership with the site to be serviced.

(g) The governing board may initiate annexation of contiguous property owned by the municipality by adopting a resolution stating its intent to annex the property, in lieu of filing a petition. The resolution shall contain an adequate description of the property, state that the property is contiguous to the municipal boundaries and fix a date for a public hearing on the question of annexation. Notice of the public hearing shall be published as provided in subsection (c) of this section. The governing board may hold the public hearing and adopt the annexation ordinance as provided in subsection (d) of this section.

APPLICANT: Acknowledged.

(h) A city council which receives a petition for annexation under this section may by ordinance require that the petitioners file a signed statement declaring whether or not vested rights with respect to the properties subject to the petition have been established under G.S. 160D-108 or G.S. 160D-108.1. If the statement declares that such rights have been established, the city may require petitioners to provide proof of such rights. A statement which declares that no vested rights have been established under G.S. 160D-108 or G.S. 160D-108.1 shall be binding on the landowner and any such vested right shall be terminated.

APPLICANT: Acknowledged.

(i) A municipality has no authority to adopt a resolution or petition itself under this Part for annexation of property it does not own or have any legal interest in. For the purpose of this subsection, a municipality has no legal interest in a State-maintained street unless it owns the underlying fee and not just an easement.

APPLICANT: The request is for an annexation by petition of the landowners and not by the City of Lumberton. No portion of any State-maintained street is included in this annexation request.

(j) Using the procedures under this section, the governing board of any municipality may annex by ordinance any distressed area contiguous to its boundaries upon presentation to the governing board of a petition signed by at least one adult resident of at least two-thirds of the resident households located within such area. For purposes of this subsection, a "distressed area" is defined as an area in which at least fifty-one percent (51%) of the households in the area petitioning to be annexed have incomes that are two hundred percent (200%) or less than the most recently published United States Census Bureau poverty thresholds. The municipality may require reasonable proof that the petitioner in fact resides at the address indicated.

APPLICANT: The request is not for annexation of a distressed area.

(k) The petition under subsection (j) of this section shall be prepared in substantially the following form:



DATE:

To the _____ (name of governing board) of the (City or Town) of _____

1. We the undersigned residents of real property believe that the area described in paragraph 2 below meets the requirements of G.S. 160A-31(j) and respectfully request that the area described in paragraph 2 below be annexed to the (City or Town) of _____

2. The area to be annexed is contiguous to the (City or Town) of _____, and the boundaries of such territory are as follows:

APPLICANT: Acknowledged.

(l) For purposes of determining whether the percentage of households in the area petitioning for annexation meets the poverty thresholds under subsections (b1) and (j) of this section, the petitioners shall submit to the municipal governing board any reasonable evidence that demonstrates the area in fact meets the income requirements of that subsection. The evidence presented may include data from the most recent federal decennial census, other official census documents, signed affidavits by at least one adult resident of the household attesting to the household size and income level, or any other documentation verifying the incomes for a majority of the households within the petitioning area. Petitioners may select to submit name, address, and social security number to the clerk, who shall in turn submit the information to the Department of Revenue. Such information shall be kept confidential and is not a public record. The Department shall provide the municipality with a summary report of income for households in the petitioning area. Information for the report shall be gleaned from income tax returns, but the report submitted to the municipality shall not identify individuals or households.

APPLICANT: Acknowledged.

VII. CITY OF LUMBERTON ORDINANCE COMPLIANCE

In accordance with the City of Lumberton General and Land Use Ordinances, the proposed annexation complies with the following sections:

Section 23-60. Petition for Annexation.

Any person that petitions for water and/or sewer services for a proposed or existing residential, commercial or industrial building situated upon property abutting the corporate limits or separated from the corporate limits only by either a street right-of-way or by other property in common ownership with the site to be serviced, or a combination thereof, shall first petition the city council for annexation of the area consisting of the property whereupon the building to be serviced is situated and all tracts of land in common ownership with the property to be serviced which about said property.

APPLICANT: The companion rezoning application All properties are located abutting the corporate limits, separated from the corporate limits only by a street right-of-way, or by other property in common ownership with the site to be serviced.

Section 35-346. Voluntary Annexation.

A petition for annexation filed with the city under G.S. 160A-31 or G.S. 160A-58.1 shall contain a signed statement declaring whether or not any zoning vested right with respect to the properties subject to the petition has been established under G.S. 160A-385.1 or G.S. 153A-344.1. A statement that declares that no zoning vested right has been established under G.S. 160A-385.1 or G.S. 153A-344.1, or the failure to sign a statement declaring whether or not a zoning vested right has been established, shall be binding on the landowner and any such zoning vested right shall be terminated.



APPLICANT: Acknowledged.

VIII. CONCLUSION

The proposed annexation has demonstrated that it meets the state and local requirements for approval. Due to the Property's designation in the Lumberton Tomorrow Land Use Plan and the Lumberton ETJ, the annexation into the City of Lumberton implements the planned growth of the City.

Annexing will maintain cost-effective delivery of public services by connecting to City utilities, create a logical extension of the City boundary, and increase opportunities for housing diversity.

For these reasons, the Applicant respectfully requests approval of this annexation request as proposed.

COMPLETED PETITION

Lumberton City Council

Item: IX.H.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: Planning & Neighborhood
Services

Submission Date: 07/22/2026

Subject: Linkhaw Farms Contiguous Annexation - P-2/ETJ

Summary/Background of Subject Matter:

Linkhaw Farms request for contiguous annexation of parcels 1009-01-005,1009-01-00509,1009-01-00509A,1009-01-00509B,1009-01-020,1010-02-001

Staff Recommendation:

The City Clerk has certified the sufficiency of the petition and the Planning Department recommends City Council set the date of the public hearing for their October 2026 meeting.

City Manager's Comments:

Signature:

Department: Planning & Neighborhood
Services

ATTACHMENTS:

1. Annexation Petition Linkhaw Farms - shortened application

PETITION FOR ANNEXATION OF CONTIGUOUS PROPERTY

NORTH CAROLINA

CITY OF LUMBERTON

ROBESON COUNTY

**IN THE MATTER OF THE ANNEXATION)
OF CERTAIN LANDS INTO THE CITY)
OF LUMBERTON)**

P E T I T I O N

TO THE CITY COUNCIL OF LUMBERTON

1. We the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed to the City of Lumberton.

2. The area to be annexed is contiguous to the City of Lumberton and the boundaries of such territory are described in the attached legal description labeled as Exhibit "A".

3. A map showing the area to be annexed is attached hereto as Exhibit "B".

4. Tax Parcel Number: _____
(Map #) (Block #) (Parcel #)
100901005, 10090100509, 10090100509
A, 10090100509B, 100901020, 101002001

5. Deed Book: _____ Page: _____

This the 23 day of June, 2026.

PROPERTY OWNER(S)

Name: DBC Partners, LLC

Address: 430 Exton Square Parkway

Telephone: [REDACTED]

P.O. Box 1191 Exton, PA 19341

Signature:  Managing Director

Name: John Harper III

Address: 221 Namar Ave

Telephone: [REDACTED]

Exton, PA 19341

Signature: 

Email Address(s): Jharper@DBCPartnersLLC.Com

City of



Lumberton

Planning & Neighborhood Services

Linkhaw Farms Contiguous Annexation Request

DEVELOPER(S):	OWNER(S):
DBC Partners, LLC Attn: John Harper, III PO Box 1191 Exton, PA 19341 [REDACTED]	DBC Partners, LLC Attn: John Harper, III PO Box 1191 Exton, PA 19341 [REDACTED]

STAFF ANALYSIS

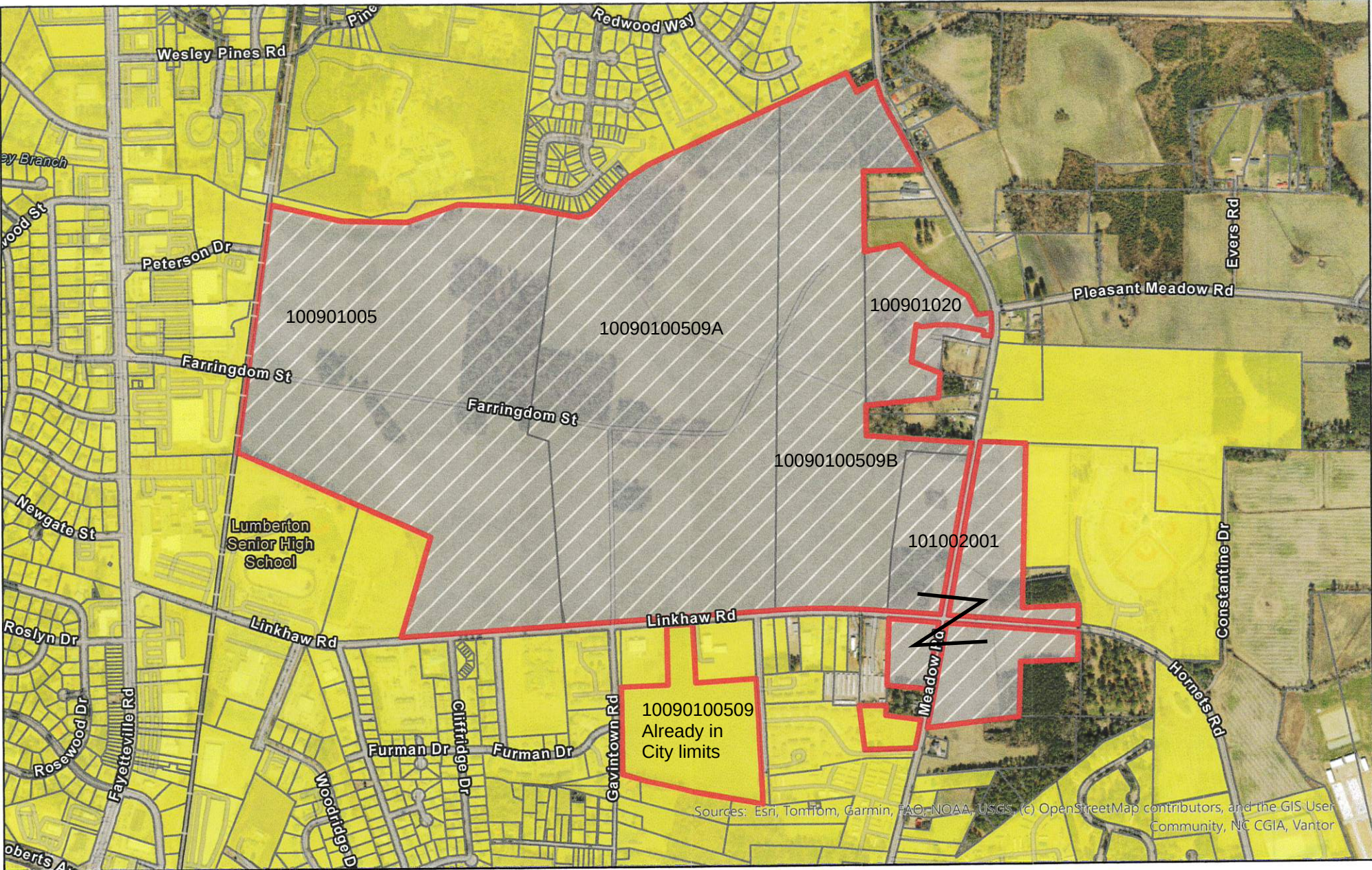
Analysis: Contiguous Annexation- John Harper, III with DBC Partners, LLC annexation request for property located on Linkhaw Road and Meadow Road.

The proposed development is a mixed-use subdivision which may include retail, general commercial, professional offices, a school and a mix of residential uses.

PARCEL INFORMATION

Project Name	Parcel #(s)	Zoning	Area	Limits of Construction
Linkhaw Farms Project	1009-01-005; 1009-01-00509A; 1009-01-00509B; 1010-02-001; and 1009-01-020 (1009-01-00509 already in city limits)	Various - R-20 - B-2 - B-3 - PCU-B4 (expired)	~395.51 Acres	~395.51 Acres

LOCATION:



22 S. Park Square,
Suite 800
Asheville North
Carolina, 28801
Tel: 828.683.8500
www.rviplanning.com

LINKHAW FARMS • ANNEXATION MAP

- City of Lumberton, NC
- Date: 6/22/2026
- # P26007734
- DBC Partners



Subject Boundary



Parcels



City of Lumberton Jurisdiction

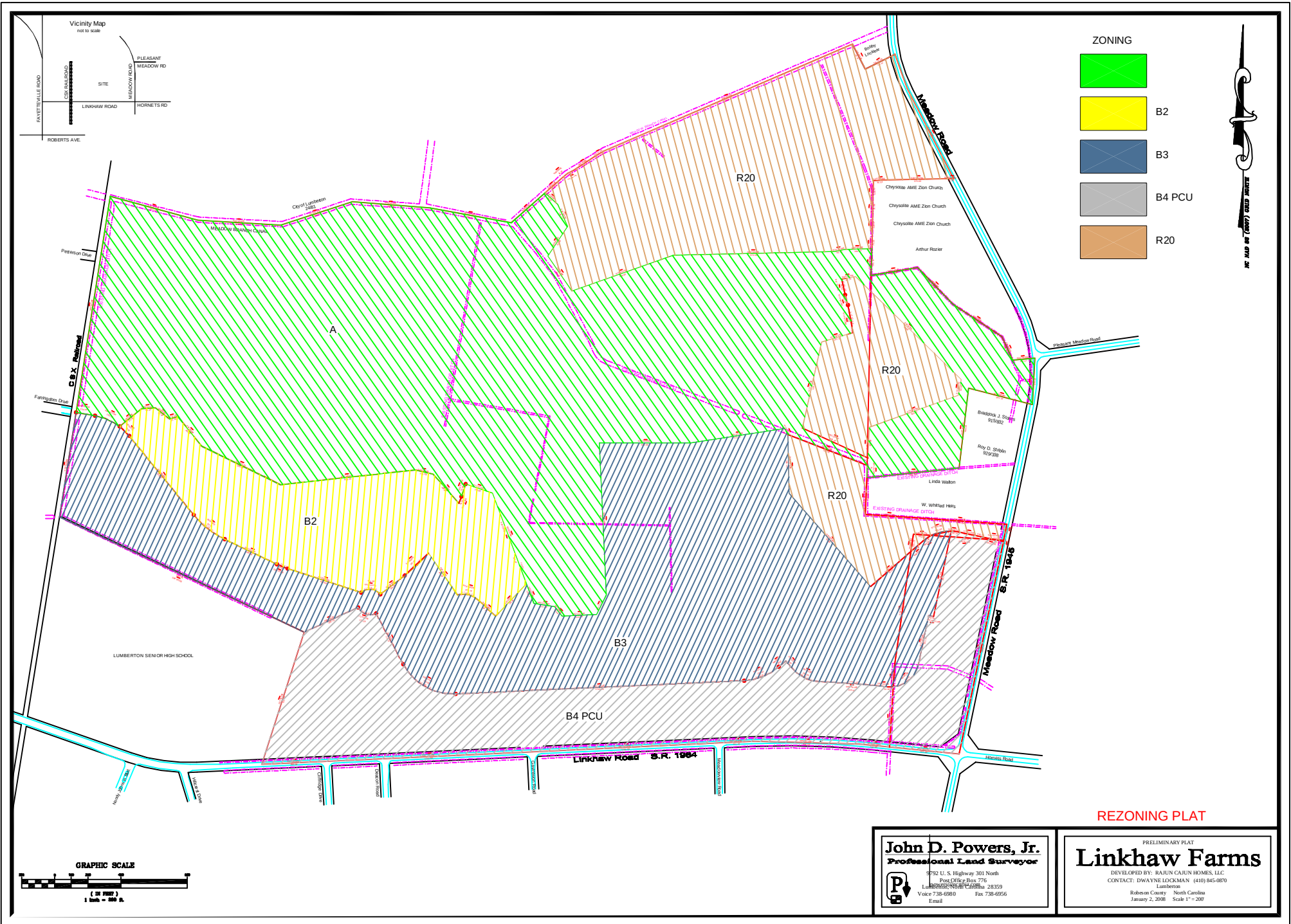


Area to be Annexed



0 280 560 1,120
Feet

Information furnished regarding this property is from sources deemed reliable. RVI has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.





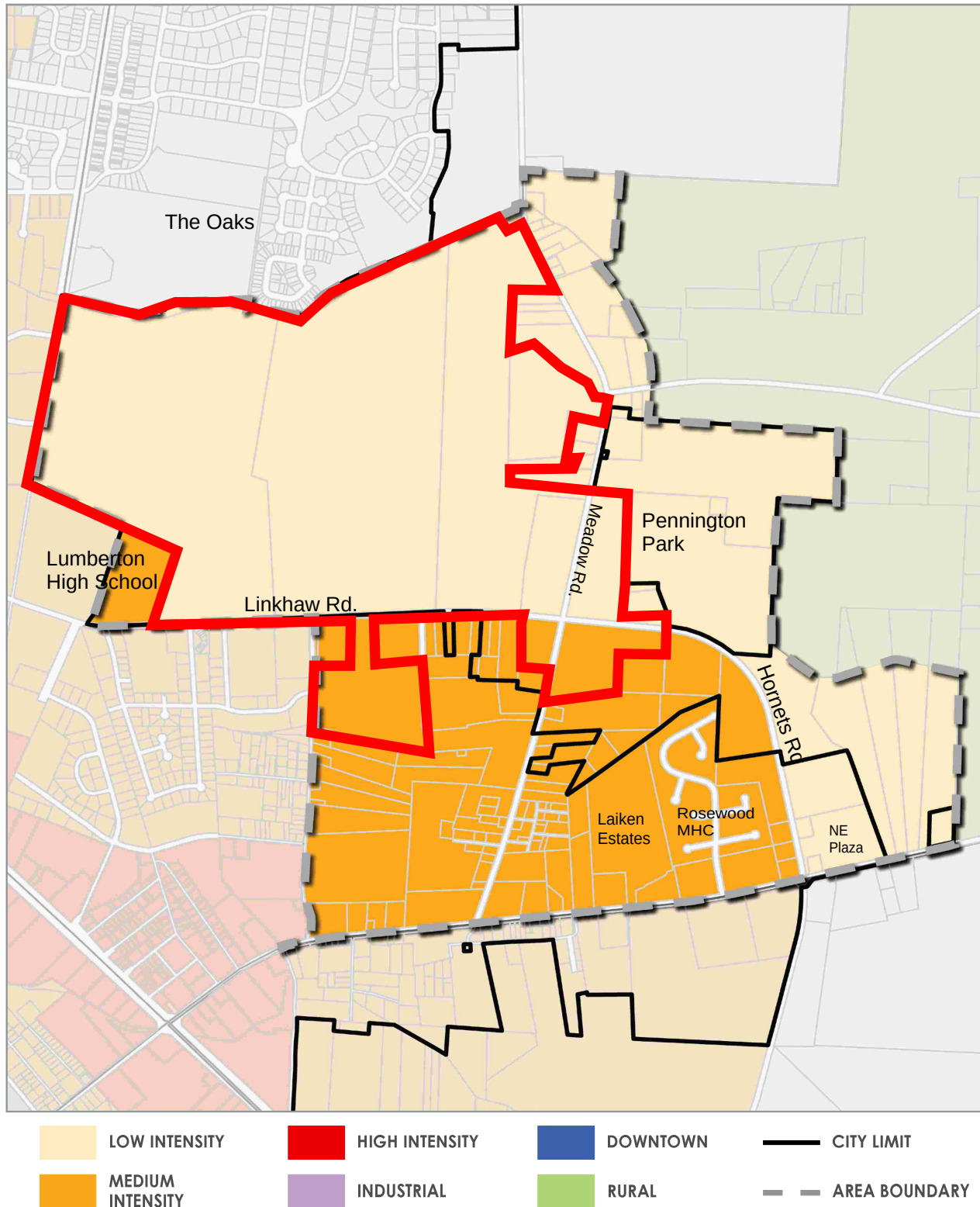
Planning & Neighborhood Services

ADJACENT PROPERTY SITE DATA		
	Zoning	Land Use
Subject Property	- Various: - R-20, Residential Single Family - B-2, Business Community - B-3, Office Residential - PCU-B4, Business General Commercial (expired)	- Combination/Mixed Use Subdivision
North	- B-3, Office Residential	- Mixed Residential Subdivision - Oakridge Subdivision - Wesley Pines Retirement Home
South	- 'A' Agriculture - B-3, Office Residential - B-2, Business Community - B-4, Business General Commercial - M-1, Light Manufacturing	- Multifamily Family Residential - Highland Acres Retirement Home - Medical (Kidney Care) - Church - Daycare - Dance Studio - Pool Supplies - Lawn Care - Storage Units
East	- R-6 Residential Single Family - 'A' Agriculture	- Single Family Residential - Farmland - Northeast Park
West	- R-15, Residential Single Family - B-4, Business General Commercial - B-3, Office Residential	- Lumberton High - Bank - Retail Complex - Railroad

Land Use Plan: The Land Use Plan designates the future use of the parcels as low and medium intensity (area 3), furthermore, this property is located within Precinct 2 and the ETJ.

AREA 3 FUTURE LAND USE

MAP 3.144 AREA 3 FUTURE LAND USE



FUTURE LAND USE

The Future Land Use Map is intended to serve as a guide for the City's elected leaders, the Planning Board, planning staff, property owners and developers as the City moves forward with the implementation of the Land Use Plan. This map supports the City's vision and goals for its future by establishing a spatial plan for the ongoing growth, development and redevelopment of the City that focuses on its core assets and takes advantage of past investments in utility and transportation infrastructure. This, in turn, will allow the City to maximize its return on those investments and better plan for additional strategic investments that are coordinated with its vision for growth.

LAND USE CATEGORIES

LOW INTENSITY

The Low Intensity land use category is intended to accommodate both the preservation and growth of low to medium density neighborhoods (4 to 6 dwelling units / acre) consisting primarily of single family residences, as well as small scale multi-family residential development, such as two and three family dwellings. While primarily residential in character, certain low impact nonresidential uses are appropriate for development within these areas, such as small churches, daycare centers, traditional home occupations and similar uses which will not conflict with the character of these areas when they are situated and developed in a manner that is consistent with an overall low intensity land use pattern.

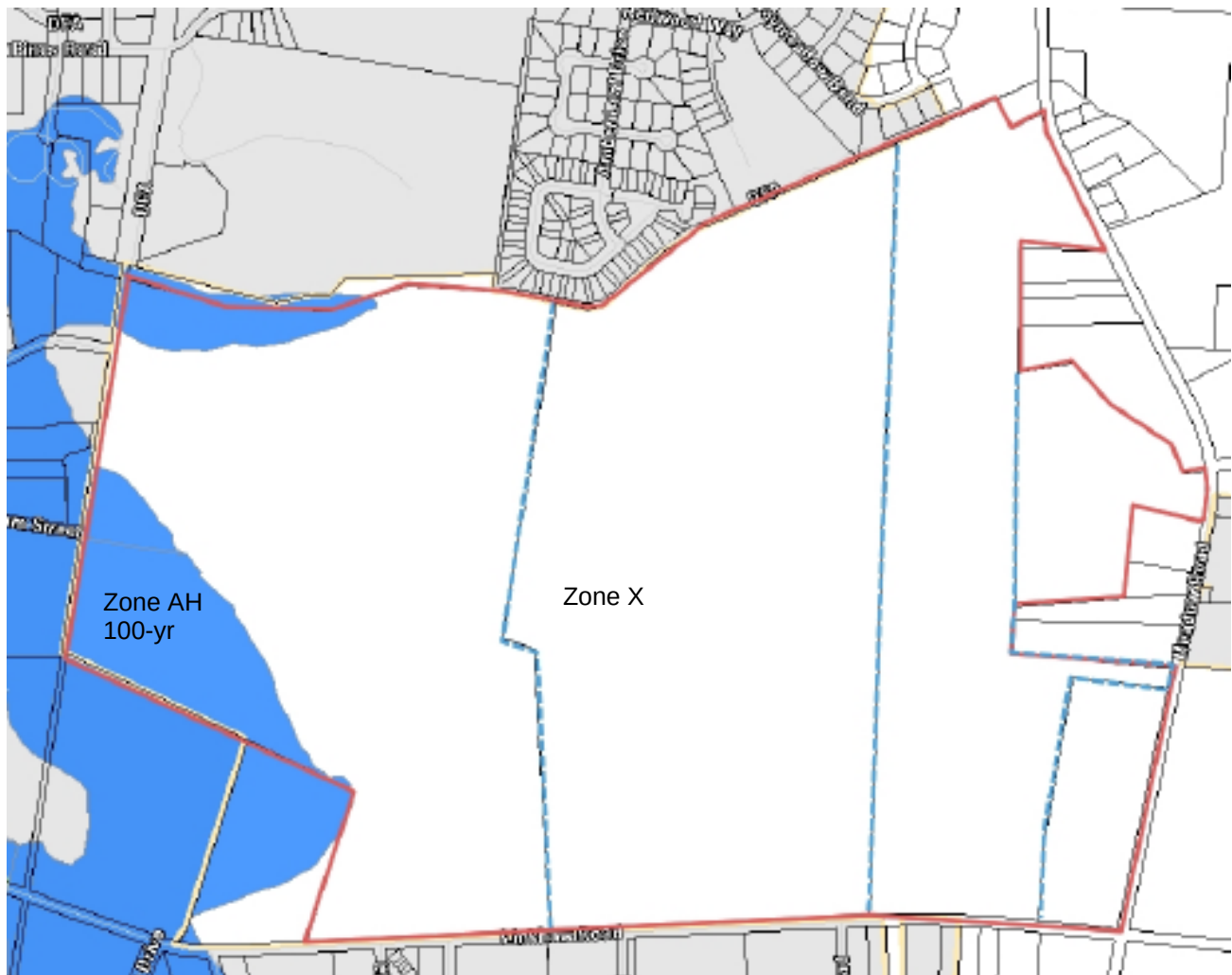
MEDIUM INTENSITY

The Medium Intensity land use category is intended to accommodate medium density residential development (up to 10 dwelling units / acre), including both single family residences and larger scale multi-family dwellings. This land use category is also intended to accommodate the use and development of land for medium intensity nonresidential uses, such as churches, schools, neighborhood scale retail, professional offices and similar uses when sited in a manner that does not negatively impact adjoining residential uses located within this or an adjacent lower intensity land use category. In general, these areas are intended to provide a transition between low and high intensity land uses, as well as to facilitate redevelopment in areas where increased density and/or intensity of use is desired.

FLOOD RISK INFORMATION SYSTEM (FRIS) INFORMATION

Flood Zone: ~ 25.26 acres - Zone AH is the flood insurance rate zone used for areas of 1-percent-annual-chance shallow flooding with a constant water-surface elevation (usually areas of ponding) where average depths are between 1 and 3 feet. BFEs derived from detailed hydraulic analyses are shown at selected intervals within this zone. Mandatory flood insurance purchase requirements apply.

Map Number: 3720030200K **Panel Effective Date:** 12/6/2019



Linkhaw Farms Contiguous Annexation Application

June 26, 2026

PREPARED FOR:
DBC Partners, LLC

SUBMITTED TO:
City of Lumberton
Planning and Neighborhood Services
500 N. Cedar St.
Lumberton, NC 28359



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COVER LETTER & NARRATIVE STATEMENT



LINKHAW FARM SITE ANNEXATION Request Statement

I. REQUEST

DBC Partners, LLC. ("Applicant") requests the annexation of five parcels, containing 452.9± acres located contiguous to the City of Lumberton. The properties are generally located at the intersection of Linkhaw Rd. and Meadow Rd. within the City of Lumberton's Extra-Territorial Jurisdiction (ETJ). The properties included in this request have been collectively known as Linkhaw Farms and include the following tax map numbers:

- 100901005,
- 10090100509,
- 10090100509A,
- 10090100509B,
- 100901020, and
- 101002001.

The properties are located within the Low Intensity and Medium Intensity Future Land Use Categories (FLUC) and have various zoning designations, including "A" Agriculture, "R-20" Residential Single Family, "B-2" Business Community, "B-3" Office Residential, and "PCU-B4" Business General Commercial (expired). The Applicant is seeking to annex the five properties into the City of Lumberton to provide an innovative mix of commercial, office, residential, and agricultural uses within a master planned community. Approximately 26 acres of the overall 452.9± acre project are currently within the city limits (parcel 10090100509 and a portion of parcel 101002001), while the remaining 433± acres are in unincorporated Robeson County within the City of Lumberton ETJ.

A meeting was held on October 5, 2023, with further discussion between May-June, 2026, it was understood that the City is generally favorable to the annexation of these properties. The annexation request, if approved, will form a contiguous and logical city boundary and provide the City with greater control over the form of development. The request complies with the intent and processes identified in the North Carolina General Statutes, City of Lumberton Land Use Ordinance, and the City's long-term plan for expansion as evidenced by the inclusion of the properties within the Lumberton ETJ.

The proposed annexation allows for the property to connect to City utilities. As a result, this annexation request also ensures continuity of public services throughout the entire project and compliance with all State and local requirements for annexations.

II. PROPERTY HISTORY & EXISTING CONDITIONS

The Linkhaw Farm Site properties have been historically used for agricultural purposes. The Property is largely cleared with some existing vegetated areas. Remnants of historic tobacco processing buildings are found in the central area of the Property. The Ivey Branch has been channelized along the northern boundary of the Property, and portions of the Lumber River Floodplain on site.

The property was rezoned in 2008 from "A" Agriculture to "A" Agriculture, "R-20" Residential Single Family, "B-2" Business Community, "B-3" Office Residential, and "PCU-B4" Business General Commercial (expired) to allow for the development of a mixed-use subdivision. While the zoning approvals do not expire, the subdivision plat was not recorded and the Parallel Conditional Use Permits expired in 2009.

The property is surrounded by a mix of commercial, office, residential and agricultural uses. The Property is also adjacent to the Lumberton High School and Northeast Park. Surrounding uses are further identified in Table 1 below and in the attached Surrounding Uses Map.

Table 1: Inventory of Surrounding Lands

	Future Land Use	Zoning	Current Land Use
North	Low Intensity	B-3 (Office/Residential);	Wesley Ridge Apartments; Wesley Pines ALF; The Oaks (Mixed Residential Subdivision)
South	Medium Intensity	CUP B-3 (Conditional Use Permit - Office/Residential)	Multi-Family Apartments; Childcare Facility; Medical (Kidney Care); Highland Acres Retirement Home; Churches; Professional Office Uses; Dance Studio; Pool Supplies; Self-Storage
East	Low Intensity	B3 (Office/Residential);	Single-Family Residential; Church; Farmland; Northeast Park
West	Medium Intensity	A (Agricultural);	CSX Railroad; Commercial Shopping Center; Lumberton High School

III. PUBLIC INFRASTRUCTURE

Roads

The property has direct access to the following public roads:

- Linkhaw Rd., a two-lane road,
- Meadow Rd., a two-lane road,
- Farringdom St., a multi-lane road containing both paved and unpaved portions,
- Gavintown Rd. Extension, an unpaved road, and
- Hornets Rd., a two-lane road.

Utilities

The Property is not currently served by potable water or sanitary sewer services; however, the City Public Works Department is amenable to extending water and sanitary sewer service to this site. Since water and sewer service is proposed to be extended to the Property, LDC Section 23-60 requires the submittal of a petition for annexation. Extensions of existing service required to connect the site to City water and sewer will be through developer funded improvements.

IV. DECISION-MAKING COMPLIANCE

Proposed annexations shall be reviewed in accordance with the requirements of NC General Statutes Chapter 160A – Article 4A – Extension of Corporate Limits.

G.S. 160A-31. Annexation by petition.

(a) The governing board of any municipality may annex by ordinance any area contiguous to its boundaries upon presentation to the governing board of a petition signed by the owners of all the real property located within such area. The petition shall be signed by each owner of real property in the area and shall contain the address of each such owner.

APPLICANT: The attached application includes signatures by all owners of all the real property located within the project boundary.

(b) The petition shall be prepared in substantially the following form:

DATE:

To the _____ (name of governing board) of the (City or Town) of _____

1. We the undersigned owners of real property respectfully request that the area described in paragraph 2 below be annexed to the (City or Town) of _____

2. The area to be annexed is contiguous to the (City or Town) of _____ and the boundaries of such territory are as follows:

APPLICANT: The attached application satisfies the required format of annexation petitions.

(c) Upon receipt of the petition, the municipal governing board shall cause the clerk of the municipality to investigate the sufficiency thereof and to certify the result of the investigation. For petitions received under subsection (b1) or (j) of this section, the clerk shall receive the evidence provided under subsection (l) of this section before certifying the sufficiency of the petition. Upon receipt of the certification, the municipal governing board shall fix a date for a public hearing on the question of annexation, and shall cause notice of the public hearing to be published once in a newspaper having general circulation in the municipality at least 10 days prior to the date of the public hearing; provided, if there be no such paper, the governing board shall have notices posted in three or more public places within the area to be annexed and three or more public places within the municipality.

APPLICANT: Acknowledged.

(d) At the public hearing persons resident or owning property in the area described in the petition and persons resident or owning property in the municipality shall be given an opportunity to be heard. The governing board shall then determine whether the petition meets the requirements of this section. Upon a finding that the petition that was not submitted under subsection (b1) or (j) of this section meets the requirements of this section, the governing board shall have authority to pass an ordinance annexing the territory described in the petition. The governing board shall have authority to make the annexing ordinance effective immediately or on the June 30 after the date of the passage of the ordinance or the June 30 of the following year after the date of passage of the ordinance.

APPLICANT: Acknowledged.

(d1) Upon a finding that a petition submitted under subsection (j) of this section meets the requirements of this section, the governing body shall have the authority to adopt an annexation ordinance for the area with an effective date no later than 24 months after the adoption of the ordinance.

(d2) Upon a finding that a petition submitted under subsection (j) of this section meets the requirements of this section, the governing body shall have the authority to adopt an annexation

ordinance for the area with an effective date no later than 24 months after the adoption of the ordinance.

APPLICANT: This petition is not submitted under subsection (j).

(d3) Municipal services shall be provided to an area annexed under subsections (b1) and (j) of this section in accordance with the requirements of Part 7 of this Article.

APPLICANT: Extensions of existing municipal services, including centralized water and sewer, will be through developer funded improvements and as established in the proposed Developers Agreement with the City of Lumberton.

(e) From and after the effective date of the annexation ordinance, the territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in such municipality and shall be entitled to the same privileges and benefits as other parts of such municipality. Real and personal property in the newly annexed territory on the January 1 immediately preceding the beginning of the fiscal year in which the annexation becomes effective is subject to municipal taxes as provided in G.S. 160A-58.10. If the effective date of annexation falls between June 1 and June 30, and the effective date of the privilege license tax ordinance of the annexing municipality is June 1, then businesses in the area to be annexed shall be liable for taxes imposed in such ordinance from and after the effective date of annexation.

APPLICANT: Acknowledged.

(f) For purposes of this section, an area shall be deemed "contiguous" if, at the time the petition is submitted, such area either abuts directly on the municipal boundary or is separated from the municipal boundary by the width of a street or street right-of-way, a creek or river, or the right-of-way of a railroad or other public service corporation, lands owned by the municipality or some other political subdivision, or lands owned by the State of North Carolina. A connecting corridor consisting solely of a street or street right-of-way may not be used to establish contiguity. In describing the area to be annexed in the annexation ordinance, the municipal governing board may include within the description any territory described in this subsection which separates the municipal boundary from the area petitioning for annexation.

APPLICANT: All properties are located abutting the corporate limits, separated from the corporate limits only by a street right-of-way, or by other property in common ownership with the site to be serviced.

(g) The governing board may initiate annexation of contiguous property owned by the municipality by adopting a resolution stating its intent to annex the property, in lieu of filing a petition. The resolution shall contain an adequate description of the property, state that the property is contiguous to the municipal boundaries and fix a date for a public hearing on the question of annexation. Notice of the public hearing shall be published as provided in subsection (c) of this section. The governing board may hold the public hearing and adopt the annexation ordinance as provided in subsection (d) of this section.

APPLICANT: Acknowledged.

(h) A city council which receives a petition for annexation under this section may by ordinance require that the petitioners file a signed statement declaring whether or not vested rights with respect to the properties subject to the petition have been established under G.S. 160D-108 or

G.S. 160D-108.1. If the statement declares that such rights have been established, the city may require petitioners to provide proof of such rights. A statement which declares that no vested rights have been established under G.S. 160D-108 or G.S. 160D-108.1 shall be binding on the landowner and any such vested right shall be terminated.

APPLICANT: Acknowledged.

(i) A municipality has no authority to adopt a resolution or petition itself under this Part for annexation of property it does not own or have any legal interest in. For the purpose of this subsection, a municipality has no legal interest in a State-maintained street unless it owns the underlying fee and not just an easement.

APPLICANT: The request is for an annexation by petition of the landowners and not by the City of Lumberton. No portion of any State-maintained street is included in this annexation request.

(j) Using the procedures under this section, the governing board of any municipality may annex by ordinance any distressed area contiguous to its boundaries upon presentation to the governing board of a petition signed by at least one adult resident of at least two-thirds of the resident households located within such area. For purposes of this subsection, a "distressed area" is defined as an area in which at least fifty-one percent (51%) of the households in the area petitioning to be annexed have incomes that are two hundred percent (200%) or less than the most recently published United States Census Bureau poverty thresholds. The municipality may require reasonable proof that the petitioner in fact resides at the address indicated.

APPLICANT: The request is not for annexation of a distressed area.

(k) The petition under subsection (j) of this section shall be prepared in substantially the following form:

DATE:

To the _____ (name of governing board) of the (City or Town) of _____

1. We the undersigned residents of real property believe that the area described in paragraph 2 below meets the requirements of G.S. 160A-31(j) and respectfully request that the area described in paragraph 2 below be annexed to the (City or Town) of _____

2. The area to be annexed is contiguous to the (City or Town) of _____, and the boundaries of such territory are as follows:

APPLICANT: Acknowledged.

(l) For purposes of determining whether the percentage of households in the area petitioning for annexation meets the poverty thresholds under subsections (b1) and (j) of this section, the petitioners shall submit to the municipal governing board any reasonable evidence that demonstrates the area in fact meets the income requirements of that subsection. The evidence presented may include data from the most recent federal decennial census, other official census documents, signed affidavits by at least one adult resident of the household attesting to the household size and income level, or any other documentation verifying the incomes for a majority of the households within the petitioning area. Petitioners may select to submit name, address, and social security number to the clerk, who shall in turn submit the information to the Department of Revenue. Such information shall be kept confidential and is not a public record. The Department shall provide the municipality with a summary report of income for households in the petitioning area. Information for the report shall be gleaned

from income tax returns, but the report submitted to the municipality shall not identify individuals or households.

APPLICANT: Acknowledged.

VII. CITY OF LUMBERTON ORDINANCE COMPLIANCE

In accordance with the City of Lumberton General and Land Use Ordinances, the proposed annexation complies with the following sections:

Section 23-60. Petition for Annexation.

Any person that petitions for water and/or sewer services for a proposed or existing residential, commercial or industrial building situated upon property abutting the corporate limits or separated from the corporate limits only by either a street right-of-way or by other property in common ownership with the site to be serviced, or a combination thereof, shall first petition the city council for annexation of the area consisting of the property whereupon the building to be serviced is situated and all tracts of land in common ownership with the property to be serviced which about said property.

APPLICANT: The companion rezoning application All properties are located abutting the corporate limits, separated from the corporate limits only by a street right-of-way, or by other property in common ownership with the site to be serviced.

Section 35-346. Voluntary Annexation.

A petition for annexation filed with the city under G.S. 160A-31 or G.S. 160A-58.1 shall contain a signed statement declaring whether or not any zoning vested right with respect to the properties subject to the petition has been established under G.S. 160A-385.1 or G.S. 153A-344.1. A statement that declares that no zoning vested right has been established under G.S. 160A-385.1 or G.S. 153A-344.1, or the failure to sign a statement declaring whether or not a zoning vested right has been established, shall be binding on the landowner and any such zoning vested right shall be terminated.

APPLICANT: Acknowledged.

VIII. CONCLUSION

The proposed annexation has demonstrated that it meets the state and local requirements for approval. Due to the Property's designation in the Lumberton Tomorrow Land Use Plan and the Lumberton ETJ, the annexation into the City of Lumberton implements the planned growth of the City.

Annexing will maintain cost-effective delivery of public services by connecting to City utilities, create a logical extension of the City boundary, and increase the City's supply of commercial space, and increase opportunities for housing diversity within the City as a potential mixed-use development with multi-family housing.

For these reasons, the Applicant respectfully requests approval of this annexation request as proposed.

COMPLETED PETITION

Lumberton City Council

Item: IX.I.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Manager

Submission Date: 09/09/2026

Subject: Lumberton Levee - Phase II Funding

Summary/Background of Subject Matter:

As the Lumberton floodgate project nears completion, we are focused ahead on the ultimate accreditation of the levee. This effort will be a lengthy process involving complex geotechnical analysis, civil engineering, USACE permitting/approval, and potential levee upgrades to include additional flood walls at 2nd and 5th Streets, encroachment removal, increased freeboard, and permanent pump station(s). McGill and Associates has been in contact with the NC Department of Commerce on behalf of the City of Lumberton to inquire about the potential for funding this crucial work. We have received a favorable response with the potential of providing a significant allocation towards this effort (see attached spreadsheet). We will need to proceed with the project closeout of the floodgate prior to initiating a formal grant request to the NC Department of Commerce. At this time, we do not have the final closeout change order(s) from Crowder Construction - Heavy Civil nor CSX, but we would ask City Council to approve the attached final funding approvals at a "not to exceed" price. This will allow for project closeout and finalization of the grant documents once the final totals are received in the coming weeks. Additionally, we would ask City Council to set the date of a public hearing for October 12th to apply for NC Department of Commerce grant funding for Phase II of the Lumberton levee project.

Staff Recommendation:

Staff recommends that City Council approve the attached floodgate project closeout amount with a "not to exceed" total of \$547,558 and direct staff to execute any final closeout change order documentation accordingly. Staff also recommends that City Council set the date of a public hearing for October 12th with the purpose of applying to the NC Department of Commerce for a grant to fund Phase II (levee accreditation) of the Lumberton Levee project.

City Manager's Comments:

Signature:

Department: City Manager

ATTACHMENTS:

1. LFG CBDG 2026 Narrative - 9-3-2026 (002)

West Lumberton Flood Gate Internal Drainage Grant Narrative

The City of Lumberton has undertaken a comprehensive effort to improve flood resiliency within southwestern Lumberton through construction of the West Lumberton Flood Gate. The flood gate completes the Lumberton Levee System providing flood protection from the Lumber River for an area of low- to moderate-income residents housing and commercial businesses. A necessary component of levee system design is provision for management of internal drainage during times of flood.

The city recently completed an Internal Drainage Analysis that identified the need for additional internal drainage infrastructure to maintain acceptable drainage conditions during periods when the flood gate and associated sluice gates are closed due to elevated stages on the Lumber River. The analysis concluded that localized flooding within the protected area can be mitigated through strategically located pumping facilities supported by improvements to the internal storm drainage conveyance system. Subsequent evaluations consolidated this result to a single triplex pump station located near the Flood Gate project site with an improved drainage network serving the area east of I-95 and south of SR 72 (W. 5th St.). The area north of SR 72 (W. 5th St.) would be managed by expanding the flood storage capacity of the existing lake system.

As an extension of the current Flood Gate project the city proposes to undertake the detailed engineering design of the single triplex pump station and associated stormwater conveyance system improvements that will collect runoff from the protected area and efficiently route flows to the proposed pump stations. This project requires a multidisciplinary approach integrating hydrologic and hydraulic modeling, storm drainage engineering, open channel design, utility coordination, permitting support, and preparation of complete construction documents.

The grant request as detailed below includes the following:

Items 1 thru 4 - Additional funds to complete the Flood Gate project

Items 5 and 6 - design costs for the pump station and all drainage improvements east of I-95 and south of SR 72 (W. 5th St.). However, in order to avoid the need for additional environmental reviews, the grant request is limited to construction of the pump station only which lies within the proximity of the original Flood Gate project. Construction of the drainage improvements and the NE area lake expansion will be borne by the City.

The proposed pump station location is on parcel 322101002 - West Lumberton Baptist Church and will require approximately 600 SF for the pump station plus a 250 FT x 15 FT ingress/egress easement to 5th St. This results in a total easement area of 0.1 acre. The current parcel area is 2.17 acres with a tax value of \$1,269,000 (\$584,793/acre). Based on proportional area the estimated easement cost is \$58,479 (see figure 1).

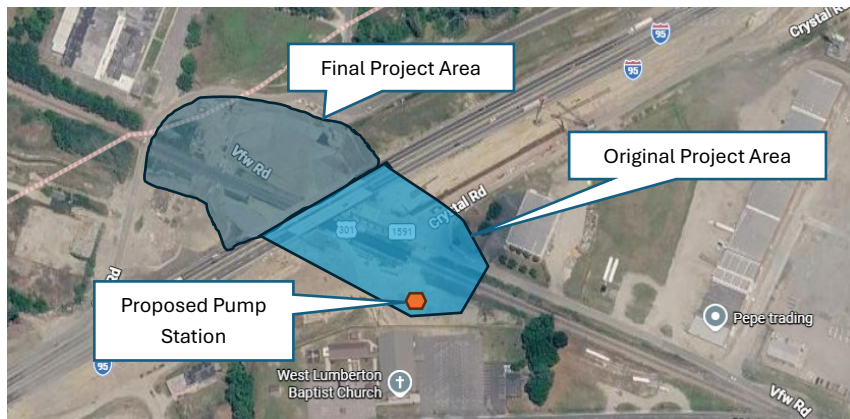


Figure 1. Flood Gate and Proposed Pump Station Site

A breakdown of anticipated costs is shown below.

	Funding Source	
Lumberton Floodgate	NCDC - CDBG	City
August 31, 2026 Dept. of Commerce Funds Request		
1. Flood Gate Construction Extension (2 months) – Completed by December 31, 2026		
Construction Engineering and Inspection	\$	\$ 128,558
2. Dam Safety Approvals		
Dam Safety Application Processing and Compliance Fee*	\$	\$ 50,000
Emergency Action Plan	\$	\$ 24,000
Record Drawings and Certification	\$	\$ 20,000
3. Levee Certification Feasibility Study	\$	\$ 25,000
4. Project Contingency including CSX final cost	\$	\$ 300,000
Flood Gate Subtotals	\$	\$ 547,558
5. Levee Recertification (allotment not including improvements)	\$ 1,500,000	\$ -
6. Internal Drainage		
Property Acquisition		
Pump Station Easement	\$ 60,000	\$ -
Design		
Pump Station Design & Construction Plans (design of Site civil, H&H (SWMM) and drainage connection to existing network)	\$ 315,000	\$ -

Design of drainage improvements for levee protected area between 5th St. and Hester Rd (Not w/in original project area and therefore not grant eligible)	\$ 155,000	\$ -
Pump Station Electrical (design controls/grid power/generator)	\$ 41,250	\$ -
Pump Station Structural/Pumps	\$ 50,000	\$ -
Geotechnical Design (allotment)	\$ 125,000	\$ -
Pump Station PM/QC	\$ 100,000	\$ -
Design of drainage improvements for north-east portion of levee protected area	\$ 300,000 -	\$ -
Contingency	\$ 350,000	\$ -
OPCC		
Permanent Pump Station Construction	\$ 4,562,050	\$ -
Con A	\$ 579,500	\$ -
Record Dwg, O&M, Cert.	\$ 30,000	\$ -
Construction of drainage improvements for levee protected area between 5th St. and Hester Rd (Not w/in floodgate project area and therefore not grant eligible)	\$ 1,100,000	\$ -
Geotechnical during construction (allotment)	\$ 125,000	\$ -
Construction Contingency	\$ 650,000	\$ -
Construction of Nature Based Solution for north-east portion of levee protected area	\$ 2,000,000	\$ -
Internal Drainage Subtotals	\$ 12,042,800	\$ -
Overall Totals (1-4) and (5-6)	\$ 12,042,800	\$ 547,558
Assumptions		
1. Triplex pump station designed to meet full capacity with all pumps operable (3 – vertical pumps with electric motors, 2 – trash rakes, 20’x20’ wet well (13’ deep) on piles (2’ thick base slab, 18” walls)) 2. Staged float controls with SCADA monitoring. 3. Power supply from grid with local generator back-up and automated switching. 4. Master pump station capacity estimated at 25 CFS		

Lumberton City Council

Item: IX.J.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Manager

Submission Date: 09/09/2026

Subject: NC Land & Water Fund - Project Amendment

Summary/Background of Subject Matter:

The Five Mile Branch & Saddletree Swamp flood mitigation project continues to move forward with engineering design for the improvements to take place near the former Fuller's restaurant site. The real estate closings have been completed, and Wildlands Engineering is in the process of designing the floodplain improvements to include increased floodwater storage, wetlands restoration, and a trailhead to access the Lumberton Loop walking and biking trail system.

Attached you will find a "no cost" budget amendment to the contract with Wildlands requiring Council approval. We are reallocating \$23,000 from the line item for FEMA-LOMR approval, to the structural engineering budget. It has been determined that FEMA-LOMR approval will not be required for this project. Additionally, you will find a concept map of the project area which shows the work to be completed through this grant.

Staff Recommendation:

Staff recommends that City Council approve the attached "no cost" budget amendment from Wildlands Engineering.

City Manager's Comments:

Signature:

Department: City Manager

ATTACHMENTS:

1. Wildlands Budget Adjustment Memo 6.2026
2. Lumberton Overall Site Analysis_Context Scale_NCLWF
3. Lumberton Site Analysis_Site Scale_Update_NCLWF



MEMORANDUM

PREPARED FOR: City of Lumberton
PROJECT: **Five Mile Branch and Saddletree Swamp**
DATE: August 3, 2026
TO: Brandon Love, *Assistant City Manager*
FROM: Jeff Keaton, *Project Manager*

The purpose of this Memorandum is to summarize proposed changes to the project budget that are required to fund additional structural engineering work beyond what was originally scoped for the project. Originally, the structural engineering was limited to a single boardwalk that was planned as a component of the project. During development of the final concept design, the design team and client agreed on a design that includes two boardwalk features and a pedestrian bridge across Five Mile Branch. The additional boardwalk and bridge structures will also need to be designed by the structural engineer and the structural engineering budget must be increased from \$7,000 to \$30,000 to cover the additional work.

Wildlands proposes to move \$23,000 from Task 8 – FEMA Flood Study to fund the additional structural engineering and increase the budget for that work to \$30,000. This is appropriate because Wildlands believes that the flood study will result in a no-rise condition and that no significant changes to flood boundaries are likely. This should eliminate the need for a Letter of Map Revision (LOMR) which is included in the original scope and has a budget of \$27,720. The FEMA Flood Study resulting in a no-rise will still be completed under Task 8 with the remaining budget. If the flood study ultimately does require a LOMR, the remaining project budget will be evaluated to determine how much of a short fall exists. It is possible that additional funding would be required to complete that task. Table 2 shows the revised task budget proposed by this memo. Note that this table shows the budget increase for Task 2 that was completed in 2024 to fund additional boundary survey work requested by the City. By signing below, both the City and Wildlands agree to the proposed budget amendment described in this memo.

Wildlands Engineering, Inc.

City of Lumberton

By: _____

By: _____

Title: _____

Title: _____

Date: _____

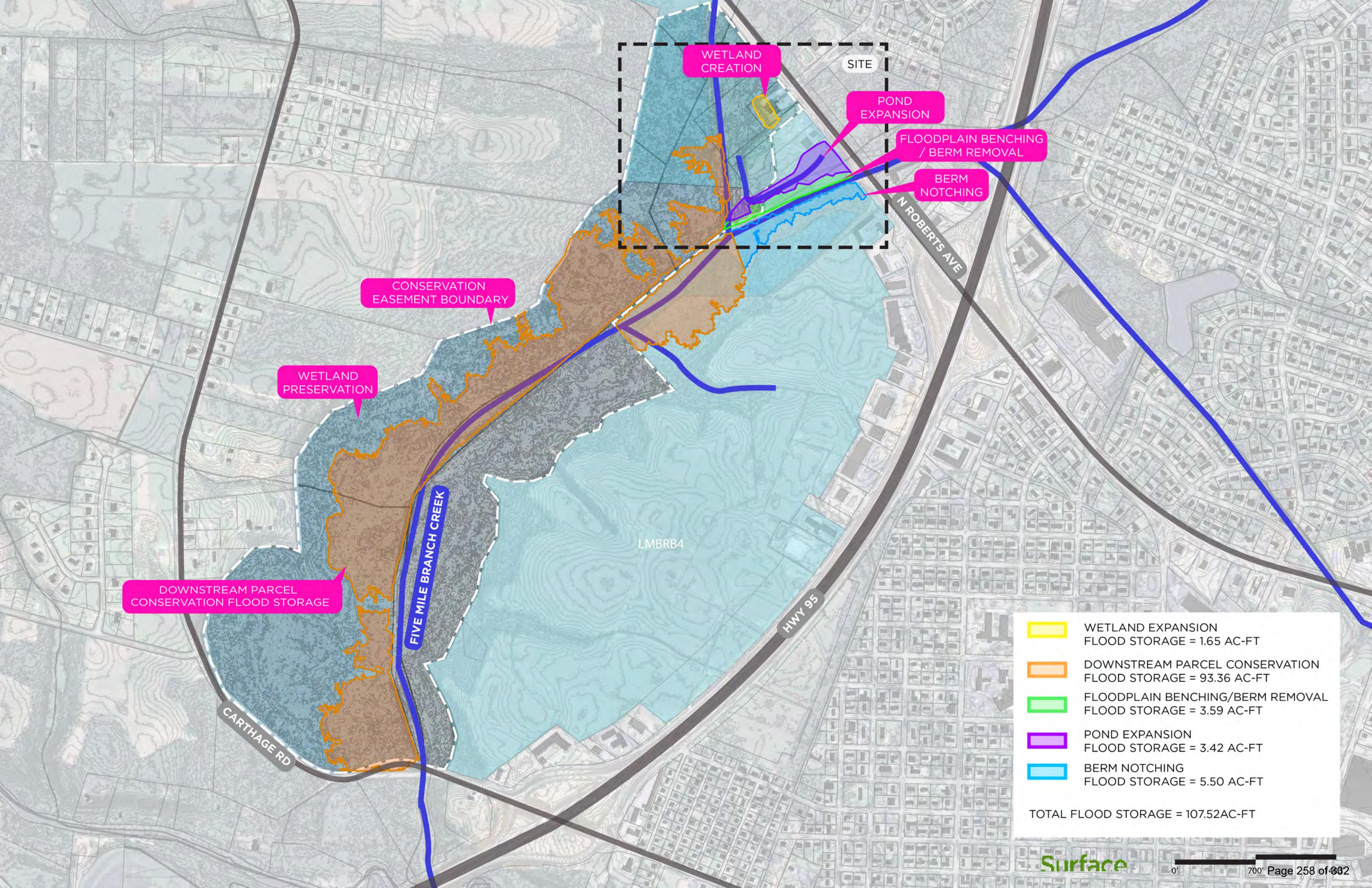
Date: _____

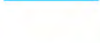


Table 1. Updated Project Account Summary

Task #	Task	Original Task Budget	Budget Amendments	Revised Task Budget	Percent Complete	Total Invoiced To Date	Remaining Budget
1	Project Management	\$ 19,160.00		\$ 19,160.00	74.00%	\$ 14,270.00	\$ 4,890.00
2	Concept Design ¹	\$ 96,625.00	\$ 17,250	\$ 113,875.00	96.00%	\$ 109,365.00	\$ 4,510.00
3	Site Design	\$ 101,080.00	\$ 23,000	\$ 124,080.00	0.00%	\$ -	\$ 124,080.00
4	Permitting	\$ 16,860.00		\$ 16,860.00	0.00%	\$ -	\$ 16,860.00
5	Site Protection Instrument	\$ 11,800.00		\$ 11,800.00	50.00%	\$ 5,900.00	\$ 5,900.00
6	Construction Management	\$ 67,635.00		\$ 67,635.00	0.00%	\$ -	\$ 67,635.00
7	Public Outreach	\$ 9,480.00		\$ 9,480.00	0.00%	\$ -	\$ 9,480.00
8	FEMA Flood Study (Optional)	\$ 58,640.00	\$ (23,000)	\$ 35,640.00	23.00%	\$ 13,738.00	\$ 21,902.00
	TOTALS	\$ 381,280.00	\$ 17,250.00	\$ 398,530.00	34.53%	\$ 143,273.00	\$ 255,257.00

1. The concept design task budget was increased by \$17,250 in 2024 to provide funding for additional property boundary survey work requested by the City.



	WETLAND EXPANSION FLOOD STORAGE = 1.65 AC-FT
	DOWNSTREAM PARCEL CONSERVATION FLOOD STORAGE = 93.36 AC-FT
	FLOODPLAIN BENCHING/BERM REMOVAL FLOOD STORAGE = 3.59 AC-FT
	POND EXPANSION FLOOD STORAGE = 3.42 AC-FT
	BERM NOTCHING FLOOD STORAGE = 5.50 AC-FT
TOTAL FLOOD STORAGE = 107.52AC-FT	

SITE DESIGN - 10 YEAR FLOOD EVENT



Lumberton City Council

Item: IX.K.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Manager

Submission Date: 08/26/2026

Subject: Acceptance of the Award Letter of Intent to Fund a CDBG-I (Number 25-I-4257) and Adoption of Grant Acceptance Resolution

Summary/Background of Subject Matter:

The City applied for and received a Letter of Intent to Fund a CDBG-I Number 25-I-4257 in the amount of \$764,588 to assist with the South Lumberton Sewer Improvement Project. The proposed project will rehabilitate approximately 3,165 linear feet of sewer piping, 11 manholes, and associated appurtenances in the areas of MLK Jr and surrounding streets. In order to receive the grant award, the city must adopt the attached Grant Acceptance Resolution and authorize the Mayor to execute the grant agreement.

Staff Recommendation:

Staff recommends council adopt the attached Grant Acceptance Resolution and authorize the execution of the attached grant agreement for the CDBG-I grant funding in the amount of \$764,588 to assist with the South Lumberton Sewer Improvements.

City Manager's Comments:

Signature:

Department: City Manager

ATTACHMENTS:

1. CDBG-I_Lumberton_NOIF_Letter_2026 (002)
2. Resolution-Grant Acceptance - 2026 CDBG DEQ Grant Acceptance
3. Lumberton CDBG-I_FY25_Grant Contract (003)

JOSH STEIN
Governor
D. REID WILSON
Secretary
SHADI ESKAF
Director



August 19, 2026

Mr. Wayne Horne, City Manager
City of Lumberton
P.O. Box 1388
Lumberton, North Carolina 27828
whorne@ci.lumberton.nc.us

SUBJECT: Letter of Intent to Fund
Spring 2026 Application Cycle
“South Lumberton Sewer Improvements”
CDBG-I Number: 25-I-4257
HUD Federal CDBG Grant - Assistance Listing Number (ALN) 14.228

Dear Mr. Horne,

As mentioned in your August 11, 2026, award letter, the State Water Infrastructure Authority approved your above referenced project as eligible to receive a federal CDBG grant totaling **\$764,558**.

The City of Lumberton proposes to rehabilitate approximately 3,165 LF of sewer piping, 11 manholes, and associated appurtenances. The proposed project will be in the areas of MLK Jr. Dr., Chambers St., Crandlemire Rd., Caple St., Marion Rd., McCollum St., Walker St., and along an outfall between Chambers St., Walker St., and Caple St. Replacement activities will be “like-for-like” where there will be no increase in capacity. The low-to-moderate income (LMI) percentage of the project area is 97.6 percent, and the poverty level for the entire town is 31 percent.

Please note that this intent to fund is contingent on meeting **all** the following milestones. **Failure to meet any milestone may result in the forfeiture of CDBG funding for the proposed project.**

Grant Milestones for All Grants	Date
Grant Contracts with DWI Executed by all Parties	2/23/2027
Engineering Report Submitted & Received	5/4/2027
Environmental Information Document/Environment Review Record (EID/ERR) and Request for Release of Funds Submitted	5/4/2027
Engineering Report Approved by Division	7/6/2027
Funding Approval Conditions Submitted & Received	7/6/2027
Environmental Information Document/Environment Review Record (EID/ERR) and Request for Release of Funds Approved by Division	8/10/2027



North Carolina Department of Environmental Quality | Division of Water Infrastructure
512 N. Salisbury Street | 1633 Mail Service Center | Raleigh, North Carolina 27699-1633
919.707.9160

Mr. Wayne Horne, City Manager
City of Lumberton
August 19, 2026
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Bid and Design Package Submitted & Received	12/15/2027
Bid and Design Package Approved by Division	3/8/2028
Bid Information Submitted (Final Bid Notice, Itemized Bid Tabulation, etc.)	4/5/2028
Execute Construction Contracts (Submit e-copies of Construction Agreement, Notice of Award, Notice of Proceed, Project Schedule, Start of Construction Card with required documentation)	6/2/2028
Grant Contract Expiration (All construction needs to be complete)	6/7/2029
Final Report and Final Reimbursement Submitted & Received	7/24/2029
Grant Closeout Submitted & Received (Closeout package and required documentation)	9/8/2029
Milestones for Compliance Plans*	Date
Attendance at a Mandatory Procurement Workshop (Virtual via Webex)	9/18/2026
Attendance at a Mandatory Compliance Workshop (In-Person)	10/14/2026
Attendance at a Mandatory ERR/EID Workshop (In-Person)	10/15/2026
Adopted Equal Employment Opportunity Plan and Policy, Submitted & Received	4/2/2027
Adopted Procurement Plan and Policy, Submitted & Received	4/2/2027
Adopted Citizen Participation Plan, Submitted & Received	4/2/2027
Adopted Section 3 Resolution and Plan, Submitted & Received	4/2/2027
Adopted Residential Anti-Displacement and Relocation Assistance Plan, Submitted & Received	4/2/2027
Adopted Excessive Force Provision, Submitted & Received	4/2/2027
Adopted Code of Conduct Policy, Submitted & Received	4/2/2027
Adopted Section 504 Grievance Procedures, Submitted & Received	4/2/2027
Completed Section 504 Self-Evaluation Survey, Submitted & Received (<i>plan requires unique information about the LGU</i>)	4/2/2027
Adopted Language Access Plan, Submitted & Received (<i>plan must be completed - plan requires unique information about the subrecipient and a plan of action</i>)	4/2/2027
Adopted Fair Housing Complaint Procedure, Submitted & Received	4/2/2027
Adopted Equal Housing Opportunity Resolution, Submitted & Received	4/2/2027
Completed Fair Housing Certification, Submitted & Received (<i>This requires unique information about the subrecipient and will aid in creating the Fair Housing Plan</i>)	4/2/2027
Completed and Adopted Affirmatively Furthering Fair Housing Plan & Policy, Submitted & Received (<i>Subrecipient action plan is unique, addressing the needs of the area identified in the AI</i>)	4/2/2027

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 August 19, 2026
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Responses to Requests for Additional Information must be received by the Division at least 15 days prior to these milestones.

**Failure to adopt the most current template language may result in needing to readopt the plan and policy.*

The first three milestones are attendance at **mandatory** workshops presented by the Division of Water Infrastructure. The first workshop on procurement will be virtual via Webex. The second covers the Federal compliance requirements that are attached to an awarded CDBG-I grant. The third workshop covers the development of the required environmental review documents. The specific training session information is below.

- CDBG Procurement Training
 This virtual training will guide local governments on how to procure grant administrators and project engineers for your recently funded CDBG-I project. This training should be attended by the authorized representative(s) who will oversee procurement of these services.
 - **Via Webex on September 18, 2026, via Webex, from 10:30 a.m. to 12:00 p.m.**
A Webex invite has been emailed out to the local government authorized representative listed on the funding application.
- CDBG Compliance Training
 This in-person workshop will guide local governments through the key CDBG program compliance areas attached to a federal CDBG-funded project. This training is **mandatory** for the local official designated as the authorized representative(s) for the grantee and local compliance officer. A registration email will be sent to the local government authorized representative listed on the funding application. The training will run from 9:00 a.m. to 4:30 p.m.
 - **October 14, 2026, at The Albemarle Building (Department of Administration), 325 N. Salisbury Street, Raleigh, NC.**
 - Parking is available in Visitor Lot 2 (Deck 75) on N. Salisbury Street. Main entrance is on N. Salisbury Street. Please check in with the receptionist.
- Environmental Review Record / Environmental Information Document (ERR/EID) Training
 This in-person workshop will discuss the CDBG-I environmental review process with detailed information on the environmental information document development and release of funds requirements for local governments and their ERR/EID preparers. This training is **mandatory** for two grantee representatives to function as Certifying Officers. These representatives need to hold management or elected official positions such as Mayor, City Administrator/ Manager, or Clerk. A registration email will be sent to the local government authorized representative listed on the funding application. The training will run from 9:00 a.m. to 2:30 p.m.
 - **October 15, 2026, at The Albemarle Building (Department of Administration), 325 N. Salisbury Street, Raleigh, NC.**

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City of Lumberton
August 19, 2026
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- Parking is available in Visitor Lot 2 (Deck 75) on N. Salisbury Street. Main entrance is on N. Salisbury Street. Please check in with the receptionist.

In addition, please find enclosed two copies of each Grant Contract for each grant. **No funds may be obligated or expended in any project activity until the Grantee and Grantor (Division) signs and dates the Grant Contract. It is highly recommended to have the Town Attorney review the Grant Contracts prior to signature.**

Please sign both grant contracts and return both via FedEx to the Division of Water Infrastructure at: 512 N. Salisbury Street, Archdale Bldg., 8th Floor, Raleigh, NC 27604, Attention: CDBG-I Program.

Once the Division signs the contracts, one will be mailed back to the local government for your file, in addition, a scanned copy will be sent via email. No third-party contracts can be executed until the Division has signed the grant contract.

We look forward to collaborating with you on this important project. **Please call Eric Karis at 919-218-4158 or via email at eric.karis@deq.nc.gov if you have any questions.**

Sincerely,

DocuSigned by:


6300A872077B4C5...
Shadi Eskaf, Director
Division of Water Infrastructure

Attachments – Grant Contract (Agreement)

cc: Brandon Love, City of Lumberton, blove@ci.lumberton.nc.us
Eric Karis, (DWI, via e-mail)
Nikita D. Moye, AICP (DWI, via e-mail)
Stacey Starkey (DWI, via e-mail)
Emily Bacon (DWI, via e-mail)
CDBG-I Laserfiche and File Room: Funding Commitment

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LUMBERTON
AUTHORIZING THE ACCEPTANCE OF THE 2026 COMMUNITY DEVELOPMENT
BLOCK GRANT-INFRASTRUCTURE (CDBG-I) FUNDING WITH NC DEPARTMENT
OF ENVIRONMENTAL QUALITY**

WHEREAS, Lumberton has applied for 2026 Community Development Block Grant-Infrastructure (CDBG-I) funding with the NC Department of Environmental Quality; and,

WHEREAS, Lumberton has received notice from the NC Department of Environmental Quality that their 2026 CDBG-I Application has received preliminary approval for funding; and,

WHEREAS, the NC Department of Environmental Quality is offering Grant No. 25-I-4257 (South Lumberton Sewer Improvements) under the CDBG-I Program; and,

WHEREAS, Lumberton wishes to accept this CDBG-I Grant for the betterment of its citizens and the improvement of the City of Lumberton,

NOW, THEREFORE BE IT RESOLVED, by the City Council of Lumberton that the Town hereby accepts Grant No. 25-I-4257 and authorizes Bruce Davis as Mayor to execute the Grant Agreement and the Funding Approval and any other documents as necessary to accept this grant offer.

Adopted this the 14th day of September 2026 at Lumberton, North Carolina.

Bruce W. Davis, Mayor

ATTEST:

Laney S. Mitchell-McIntosh, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

E. Holt Moore, City Attorney

**STATE OF NORTH CAROLINA
COMMUNITY DEVELOPMENT BLOCK GRANT
DIVISION OF WATER INFRASTRUCTURE
GRANT CONTRACT**

CDBG-I PROJECT NUMBER: 25-I-4257

GRANTOR: NC DEPARTMENT OF ENVIRONMENTAL QUALITY (“DEQ”), an agency of the State of North Carolina (“State”)

CONTRACT ADMINISTRATOR: **Nikita D. Moye, AICP**
1633 Mail Service Center
Raleigh, North Carolina 27699-1633
Phone: 919-707-9058
Email: nikita.moye@deq.nc.gov

GRANT SUBRECIPIENT: City of Lumberton, a North Carolina Local Government Unit

CONTRACT ADMINISTRATOR: **Mr. Wayne Horne, Town Manager**
City of Lumberton
P.O. Box 1388
Lumberton, North Carolina 27828
Email: whorne@ci.lumberton.nc.us

FEDERAL I.D. NUMBER: 56-6001274

FISCAL YEAR END DATE: June 30

FEDERAL ASSISTANCE LISTING NUMBER (formerly CFDA): 14.228

SUBAWARD DATE: July 15, 2026 (the “Award Date”)

GRANT AMOUNT: up to **\$764,558** (the “Grant”)

CONTRACT EFFECTIVE DATE: Date of Last Signature (the “Effective Date”)

EXECUTE CONSTRUCTION CONTRACT DATE: **June 2, 2028**

GRANT CONTRACT EXPIRATION DATE: **June 7, 2029** (the “Expiration Date”)

FINAL REPORT & FINAL REIMBURSEMENT DATE: **July 24, 2029**

GRANT CLOSEOUT DATE: **September 8, 2029**

THIS GRANT CONTRACT (the “Grant Contract”) is made and entered into as of the Effective Date by and between the DEQ and the Subrecipient, or collectively as the “Parties”.

Inclusion of fields required by 2 CFR Part 200.332:

Per requirements in 2 CFR Part 200.332, required information for this grantee is as follows:

- i) **Subrecipient name:** City of Lumberton, North Carolina.
- ii) **Subrecipient's unique entity identifier (UEI):** W62KLWWQW1N4
- iii) **Federal Award Identification Number (FAIN):** B-25-DC-37-0001
- iv) **Federal Award Date:** September 25, 2025
- v) **Subaward Period of Performance Start and End Date:**
 - a. **Start Date:** Contract Execution Date (date signed by all parties)
 - b. **End Date:** September 8, 2029
- vi) **Amount of Federal Funds obligated by this action by the pass-through entity to the subrecipient:** \$764,558
- vii) **Total Amount of Federal Funds Obligated to the subrecipient by the pass-through entity including the current obligation:** \$2,762,058
- viii) **Total Amount of the Federal Award committed to the subrecipient by the pass-through entity:** \$2,762,058
- ix) **Federal award project description, required to be responsive to the Federal Funding Accountability and Transparency Act (FFATA):** See Exhibit A for the project description.
- x) **Name of Federal awarding agency, pass-through entity, and contact information for awarding official of the Pass-through entity:** Federal awarding agency: U.S. Department of Housing and Urban Development. Pass-through entity: North Carolina Department of Environmental Quality, Division of Water Infrastructure. Awarding 2025 official pass-through entity: Eric G. Karis
- xi) **CFDA (Assistance Listing) Number and Name; the pass-through entity must identify the dollar amount available under each Federal award and the CFDA number at the time of disbursement:**
 - a. CFDA Number: 14.228
 - b. Name: Community Development Block Grants/States' Program and Non-Entitlement Grants in Hawaii.
 - c. Dollar Amount to the State of North Carolina: **\$46,162,390**
 - d. Dollar Amount to the Department of Environmental Quality: **\$18,764,588**
- xii) **Is the grant for research and development?** No
- xiii) **Indirect cost rate for the Federal award (including if the de minimis rate is charged per §200.414 Indirect (F&A) costs):** The indirect cost rate is zero.

W I T N E S S E T H:

WHEREAS, Subrecipient has submitted to the DEQ an application requesting a grant of monies (hereinafter the “Grant Application”) to engage in **public sanitary sewer improvements** as more particularly described on Exhibit A (the “Project”).

WHEREAS, the Subrecipient is a qualified applicant for Community Development Block Grant (CDBG) assistance under Title I of the Housing and Community Development Act of 1974, (P.L. 93-383), as amended.

WHEREAS, the Project shall be carried out for the purposes and in accordance with the schedule set out in the Notice of Intent to Fund letter, and pursuant to the budget set forth on Exhibit B based on the Subrecipient’s application.

WHEREAS, the State Water Infrastructure Authority determined the Subrecipient’s application at its meeting on February 18, 2026, is eligible for funding from the CDBG-I program.

WHEREAS, the Parties desire to enter into this Grant Contract and intend to be bound by its terms.

NOW, THEREFORE, for and in consideration of the Grant, the mutual promises each to the other made, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties mutually agree as follows:

1. **Grant Documents.** The documents described below are hereinafter collectively referred to as the “Grant Documents.” In the case of conflict between any of these documents, each shall have priority over all others in the order listed below. Upon execution and delivery of this Grant Contract, it and the other Grant Documents and items required hereunder will constitute a valid and binding agreement between the Parties, enforceable in accordance with the terms thereof. The Grant Contract constitutes the entire agreement between the Parties, superseding all prior oral and written statements or agreements.

The Grant Documents consist of:

- a. This Grant Contract
- b. Exhibit A – Project description, Conditions, and Schedule
- c. Exhibit B – Project Budget, Distribution of Funds, and Refunds
- d. Exhibit C – Reporting and Audit Requirements
- g. Exhibit D – DEQ Quarterly Progress Report Form
- h. Exhibit E – DEQ Request for Reimbursement Form
- i. Exhibit F – Definitions
- k. Exhibit G – General Terms and Conditions.

Upon execution and delivery of the Grant Contract, and once the Department of Environmental Quality has encumbered the grant, and the Subrecipient has received its counterpart original of the Grant Contract, fully executed and with all dates inserted where indicated on the cover sheet of the Grant Contract, then the Grant Contract will constitute a valid and binding agreement between the Parties, enforceable with the terms thereof.

2. **Purpose.** The purpose of the Grant is for the “**South Lumberton Sewer Improvements**” project as described in Exhibit A.

3. **DEQ's Program Duties.** Subject to the appropriation, allocation, and availability of funds for the Project, DEQ hereby agrees to pay the grant funds to the Subrecipient in accordance with the payment procedures set forth herein.
4. **Subrecipient's Duties.** The Subrecipient shall carry out the Project pursuant to the terms of this Contract and all applicable federal and State laws, executive orders, rules, and regulations that are generally applicable for public assistance programs and those specific to the CDBG program, including, but not limited to, the following:
 - a. Title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301 et seq).
 - b. The State CDBG program requirements, laws, rules, regulations, and requirements, as may be amended, including those set forth in 24 CFR Part 570, Subpart I.
 - c. Environmental Review Procedures for the CDBG Program and the CDBG regulations contained in 24 CFR Part 58.□
 - d. Uniform Administrative Requirements set forth in 24 CFR § 570.489 and the applicable provisions of 2 CFR Part 200 (as specified in the most current version of DEQ's "CDBG-I Program Policy on Adoption of 2 CFR 200 Uniform Administrative Requirements").
 - e. Conflict of Interest provisions, including but not limited to those found at N.C. Gen. Stat. § 14-234, 2 C.F.R. § 200.112-113, 318-319, 320-321, 323-326, and 24 C.F.R. § 570.489 (g) and (h), and 24 CFR 570.611. Certain limited exceptions to the conflict of interest rules listed in 24 C.F.R. § 570.489 may be granted in writing by HUD and/or DEQ upon written request and the provision of information specified in 24 CFR § 570.489(h)(ii)(4).

In addition, the Subrecipient shall ensure all contracts and subcontracts contain appropriate provisions to also meet applicable CDBG program requirement, including, but not limited to, the above listed items.

5. **National Objective.** All activities funded with CDBG funds must meet one of the CDBG program's National Objectives. For the CDBG-I program, this National Objective is benefitting low- and moderate-income (LMI) people, as defined in 24 CFR § 570.483(b). If at any point an activity falls below the minimum LMI percentage, that activity will no longer be eligible for CDBG funds and the Subrecipient will be subject to enforcement action by DEQ pursuant to Exhibit G.
6. **Contract Period.** The DEQ's commitment to disburse Grant funds under this Grant Contract shall cease on the Final Reimbursement Date. It is the responsibility of the Subrecipient to ensure that the Project is completed by the Grant Contract Expiration Date and that all final costs to be reimbursed have been submitted to the DEQ by the Final Reimbursement Date. After the Grant Contract Expiration Date, any Grant monies remaining under this Grant Contract will no longer be available to the Subrecipient except to pay proper invoices for budgeted costs incurred by the Grant Contract Expiration Date. **The burden is on the Subrecipient to request a possible extension of the Grant Contract if the Subrecipient anticipates that the Project will not be completed by the Grant Contract Expiration Date.**
 - a. The formal request for an extension must be made in writing, on Subrecipient official letterhead and addressed to the DEQ Contract Administrator, explaining why an extension is needed and proposing a new Grant Contract Expiration Date for the Grant Contract. DEQ

must receive this request in its Division of Water Infrastructure at least 15 business days before the Grant Contract Expiration Date. **The Grant Contract Expiration Date milestone may not be extended beyond 45 days unless specific criteria are met.**

- b. DEQ, within its discretion, may or may not approve the extension, based on Project performance and other contributing factors.
 - c. **The DEQ is not responsible for notifying the Subrecipient of an approaching Grant Contract Expiration Date.**
 - d. Debarment and Suspension (Executive Orders 12549 and 12689). No funds may be obligated or expended in any project activity except the administration activity until the Subrecipient provides DEQ with documentation of active registration in the System for Award Management (SAM). Active registration, without exclusions, must be kept during the duration of the project. The SAM may be accessed online at www.sam.gov. Annually, the Subrecipient will provide, with their “Certification Regarding Debarment, Suspension, and Other Responsibility Matters” form, support documentation illustrating their active, without exclusions status. If Subrecipient’s status changes, funds will be frozen until the Subrecipient provides the DEQ with documentation of an active, without exclusions, registration with sam.gov.
7. **Grant Withdrawal for Failure to Get Release of Funds.** This Grant Award shall be withdrawn if funding conditions required for release of funds are not completed within one year of the Executed Contract Date, unless DEQ finds that the Subrecipient has good cause for failure. If DEQ finds good cause for Subrecipient’s failure, the DEQ must set a date by which the Subrecipient must act or forfeit the grant.
8. **Grant Withdrawal for Failure to Enter into a Construction Contract.** This Grant Award shall be withdrawn if Subrecipient fails to enter into a construction contract for the project within two and half (2.5) years of the Award Date, unless DEQ finds that the Subrecipient has good cause for failure. If DEQ finds good cause for Subrecipient’s failure, the DEQ must set a date by which the Subrecipient must act or forfeit the grant.
9. **Local Economic Benefit (Section 3 Regulation).** The Subrecipient must comply with Section 3 of the Housing and Urban Development Act of 1968 and the amended implementation regulations at 24 CFR Part 75 each year the CDBG project is active. For each year that a CDBG is active, the Recipient must, to the greatest extent feasible, make good faith efforts to establish priorities for training, employment and contracting opportunities for Targeted Section 3 Workers, Section 3 Workers, and Section 3 Business Concerns. Recipients certify to follow the prioritization in 24 CFR 75.19 and meet or exceed the new benchmarks in 24 CFR 75, subpart C.
10. **Equal Employment Opportunity.** The Subrecipient, except as otherwise provided under 41 CFR Part 60, must include in all contracts and adhere to the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 CFR part 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.”

11. **Equal Housing Opportunity and Affirmatively Furthering Fair Housing.** As a Subrecipient of Housing and Urban Development (HUD) federal financial assistance, the recipient must comply with several executive state and federal laws and executive orders, including but not limited to: Title VI of the Civil Rights Act as amended in 1984; The Fair Housing Act (Title VIII of the Civil Rights Act of 1968, as amended); Executive Order 11063, as amended by Executive Order 12259; Section 104(b) of Title I of the Housing and Community Development Act of 1974, as amended; Section 109 of Title I of the Housing and Community Development Act of 1974, as amended; Section 3 of the Housing and Urban Development Act of 1968, as amended; the Age Discrimination Act of 1975, as amended; Executive Order 12892; Executive Order 12898; Executive Order 11246 (as amended by Executive Orders 12375 and 12086); and North Carolina State Fair Housing Act (NCGS Chapter 41A); and HUD implementation regulations 24 CFR 570.495(b), 24 CFR Part 91.325(b)(5), 24 CFR 570.495(b), 24 CFR Part 5.106, 24 CFR Part 570.490(a) and (b), and 24 CFR 570.490(b).
12. **Section 504 of the Rehabilitation Act of 1973.** The Subrecipient must comply with the provision of Section 504 of the Rehabilitation Act of 1973, as amended, and HUD implementing regulations at 24 C.F.R., Parts 8 and 9. Recipient must complete the Section 504 Survey and adopt a Grievance Procedure as well as complete a Transition Plan, if applicable. The Grant contract requires recipients to complete the Section 504 Survey and Transition Plan (if applicable), covering policies, practices, and physical accessibility and notify affected persons that it does not discriminate on the basis of the handicap.
13. **Americans with Disabilities Act (ADA).** State and local governments (Subrecipients) are required to comply with the provisions of Title I of the Americans with Disabilities Act (ADA) which protects qualified individuals with disabilities from discrimination in all state and local government programs and activities including employment.

Governments with 25 or more employees were subject to the law after July 26, 1992, and governments with 15 or more employees after July 26, 1994. If a government is not covered by Title I of the Act, Section 504 of the Rehabilitation Act of 1973 applies. All governments receiving federal financial assistance will continue to be covered by Section 504. The Division will continue to monitor for only Section 504 compliance until otherwise required by HUD.
14. **Language Access Plan (LAP).** The Subrecipient of Federal financial assistance has an obligation to reduce language barriers that can preclude meaningful access by Limited English Proficient (LEP) persons to important government programs, services, and activities. Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000(d) and its implementing regulations require that Subrecipients take responsible steps to ensure meaningful access by LEP persons.
15. **Procurement Standards.** Where applicable, the Subrecipient shall follow and adopt the procurement standards established in the most current version of the CDBG-I Program Procurement Policy, as may be amended, based on the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" (2 CFR § 200.317-318, 320-321, 323-326), NCGS 143-129, 143-131, and 143-64.31, and HUD implementing regulations contained in 24 C.F.R. § 570.489(g), which explicitly prohibit cost plus a percentage of cost and percentage of construction cost methods of contracting. In addition, all purchase orders and contracts shall include any clauses required by Federal Statutes, executive orders, and implementing regulations including Section 3 clause, per 24 CFR 570.489 (g) and 24 CFR 75.

16. **Uniform Relocation Assistance and Real Acquisition Act of 1970 (URA).** The Subrecipient must adhere to the URA if federal assistance is used in any phase of a project involving acquisition, rehabilitation, or demolition. The URA establishes minimum federal requirements for real property acquisition and relocation assistance for federally funded projects. The implementation regulations include 24 CFR 570.488, 49 CFR 24.101(b)(1)-(5) and must comply with the full subpart B requirements of 49 CFR part 24, as may be amended.
17. **Relocation, Anti-Displacement and Relocation Assistance Plan.** The Subrecipient must adhere to Section 104(d) of the Housing and Community Development Act of 1974, as amended. Thus, subrecipients must have a plan to minimize residential displacement and to provide relocation assistance to displaced residents in a timely manner. Implementation regulations include 24 CFR part 42, subpart C and Section 104(d).
18. **Financial Management.** The Subrecipient shall agree to follow applicable sections of the *Uniform Administration Requirements, Cost Principles, and Audit Requirements*, 2 CFR Part 200, concerning cost principles and prior approval with exceptions outlined in 24 CFR § 570.489(p).
19. **Labor Standards.** The Subrecipient shall follow all applicable laws, rules and regulations concerning the payment of wages, contract work hours, safety, health standards, and equal opportunity for CDBG-I programs, including but not limited to the rules set forth in 24 CFR § 570.603 and the following (as may be applicable to CDBG-I projects):
 - a. Davis-Bacon Act (40 U.S.C.A. 276a). Among other provisions, this act requires that prevailing local wage levels be paid to laborers and mechanics employed on certain construction work assisted with CDBG funds.
 - b. Contract Work Hours and Safety Standards Act (40 U.S.C.A. 327 through 333). Under this act, among other provisions, laborers and mechanics employed by contractors and subcontractors on construction work assisted with CDBG funds must receive overtime compensation at a rate not less than one and one-half the basic rate of pay for all hours worked in excess of forty hours in any workweek. Violators shall be liable for the unpaid wages and in addition for liquidated damages computed in respect to each laborer or mechanic employed in violation of the act.
 - c. Fair Labor Standards Act (29 U.S.C. 201 et seq.), requiring among other things that covered employees be paid at least the minimum prescribed wage, and also that they be paid one and one-half times their basic wage rate for all hours worked in excess of the prescribed workweek.
 - d. Federal anti-kickback laws (18 U.S.C. 874 and 40 U.S.C. 276), which, among other things, outlaws and prescribes criminal penalties for "kickbacks" of wages in federally financed or assisted construction activities. Weekly statements of compliance and weekly payrolls must be provided by all contractors and subcontractors.
20. **Architectural Barriers.** Per 24 C.F.R. § 570.487 and other applicable laws, all applicable buildings or facilities designed, constructed, or altered with CDBG Grant funds shall be made accessible and useable to the physically handicapped as may be required by applicable laws, rules, regulations, or requirements. Additionally, the Subrecipient must comply with the following (as may be applicable to CDBG projects):

- a. Architectural Barriers Act of 1968 (P.L. 90-480). This act requires Subrecipient to ensure that certain buildings constructed or altered with CDBG funds are readily accessible to the physically handicapped.
 - b. Minimum Guidelines and Requirements for Accessible Design 36 C.F.R. Part 1190.
 - c. Americans with Disabilities Act ["ADA"] and the ADA Accessibility Guidelines for Buildings and Facilities or the Uniform Federal Accessibility Standards.
 - d. North Carolina Building Code, Volume I, Chapter II-X. These provisions describe minimum standards the Subrecipient must meet in constructing or altering buildings and facilities, to make them accessible to and usable by the physically handicapped.
21. **Build America, Buy America (BABA).** The Subrecipient must comply with the requirements of the Build America, Buy America (BABA) Act, 41 USC 8301 note, and all applicable rules and notices, as may be amended, if applicable to the Subrecipient's infrastructure project. Pursuant to HUD's Notice, "Public Interest Phased Implementation Waiver for FY 2022 and 2023 of Build America, Buy America Provisions as Applied to Recipients of HUD Federal Financial Assistance" (88 FR 17001), any funds obligated by HUD on or after the applicable listed effective dates, are subject to BABA requirements, unless excepted by a waiver.
 22. **Excessive Force Provision.** Per Section 519 of Public Law 101-144, (1990 HUD Appropriations Act), the Subrecipient acknowledges its responsibility to enforce the policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any and all individuals engaged in non-violent civil rights demonstrations, and will enforce a policy of enforcing applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstration within the local government.
 23. **Environmental Review.** The Subrecipient of CDBG funds are required to comply with the requirements of the National Environmental Policy Act of 1969 (NEPA) found at 24 CFR Part 58.
 24. **Complaints and Grievance Procedures for Compliance Plans.** The Subrecipient must address complaints to the North Carolina Department of Commerce and DEQ, only if the Compliance Plan covers multiple grants awarded by both departments. Recipients must address complaints to DEQ, only if the Compliance Plans cover a grant or multiple grants awarded by DEQ.
 25. **Deobligations of Unused Funds.** When project costs are less than the grant award amount, excess award funds shall be deobligated back to DEQ. Administration funds shall be deobligated in proportion (the maximum grant administration is 10% of the total new expenditures) to the amount of program funds being deobligated to DEQ.

IN WITNESS WHEREOF, the Subrecipient and the Fund have executed this Grant Contract in two originals as of the Effective Date. One original shall be retained by each Party. If there is any controversy among the documents, the document on file in the Fund's office shall control.

GRANT SUBRECIPIENT:

By: _____

Name: _____

Title: _____

Date: _____

[SEAL]

ATTEST:

By: _____

Name: _____

Title: _____

APPROVED AS TO FORM:

Town/City/County Attorney

Department of Environmental Quality

By: _____

Name: Shadi Eskaf

Title: Director, Division of Water Infrastructure

Date: _____

EXHIBIT A
Project No. 25-I-4257

Project Description: The City of Lumberton proposes to rehabilitate approximately 3,165 LF of sewer piping, 11 manholes, and associated appurtenances. The proposed project will be in the areas of MLK Jr. Dr., Chambers St., Crandlemire Rd., Caple St., Marion Rd., McCollum St., Walker St., and along an outfall between Chambers St., Walker St., and Caple St.

Replacement activities will be “like-for-like” where there will be no increase in capacity. **The low-to-moderate income (LMI) percentage of the project area is 97.6 percent, and the poverty level for the entire town is 31 percent.**

The project area map is illustrated in Exhibit H.

Changes to this project description must be requested in writing and formalized in a program/project amendment to this grant agreement, prior to any action taken by the grantee.

Project Schedule: [from Notice of Intent to Fund]

1. **Execute Construction Contract Date: June 2, 2028.** Enter into a construction contract by this date for the work identified as construction in Exhibit A. Failure to enter into a construction contract by this date will result in withdrawal of the Grant, unless the DEQ has found the Subrecipient had good cause for such failure and the Board of Trustees has set a date by which the Subrecipient must take action.
2. **Grant Contract Expiration Date: June 7, 2029.** Complete the Project Scope of Work and submit the Grant Contract Final Report (items in Exhibit F, item 2 and as otherwise specified in Exhibit A) by this date. The DEQ will not reimburse the Subrecipient for Project costs incurred after this date.
3. **Final Report and Final Reimbursement Date: July 24, 2029.** The DEQ must receive the Final Request for Payment and Final Report for the Project by this date. The DEQ will not accept or process for payment any request for payment received after this date. The DEQ will not reimburse the Subrecipient for costs incurred after the Contract Grant Contract Expiration Date.
4. **Grant Closeout Date: September 8, 2029.** Submit the final closeout completed packet containing the required forms and public hearing requirements (items will be specified after the “Construction Contract Date”). The DEQ will not allow extensions to the Grant under any circumstances after the Final Grant Closeout Date.

Project Milestones: The following schedule must be followed, or funds will be forfeited. Times indicated for each activity are maximum time allowable.

Grant Milestones for All Grants	Date
Grant Contracts with DWI Executed by all Parties	2/23/2027
Engineering Report Submitted & Received	5/4/2027
Environmental Information Document/Environment Review Record (EID/ERR) and Request for Release of Funds Submitted	5/4/2027
Engineering Report Approved by Division	7/6/2027
Funding Approval Conditions Submitted & Received	7/6/2027
Environmental Information Document/Environment Review Record (EID/ERR) and Request for Release of Funds Approved by Division	8/10/2027
Bid and Design Package Submitted & Received	12/15/2027
Bid and Design Package Approved by Division	3/8/2028
Bid Information Submitted (Final Bid Notice, Itemized Bid Tabulation, etc.)	4/5/2028
Execute Construction Contracts (Submit e-copies of Construction Agreement, Notice of Award, Notice of Proceed, Project Schedule, Start of Construction Card with required documentation)	6/2/2028
Grant Contract Expiration (All construction needs to be complete)	6/7/2029
Final Report and Final Reimbursement Submitted & Received	7/24/2029
Grant Closeout Submitted & Received (Closeout package and required documentation)	9/8/2029
Milestones for Compliance Plans	Date
Attendance at a Mandatory Procurement Workshop (Virtual via Webex)	9/18/2026
Attendance at a Mandatory Compliance Workshop (In-Person)	10/14/2026
Attendance at a Mandatory ERR/EID Workshop (In-Person)	10/15/2026
Adopted Equal Employment Opportunity Plan and Policy, Submitted & Received	4/2/2027
Adopted Procurement Plan and Policy, Submitted & Received	4/2/2027
Adopted Citizen Participation Plan, Submitted & Received	4/2/2027
Adopted Section 3 Resolution and Plan, Submitted & Received	4/2/2027
Adopted Residential Anti-Displacement and Relocation Assistance Plan, Submitted & Received	4/2/2027
Adopted Excessive Force Provision, Submitted & Received	4/2/2027
Adopted Code of Conduct Policy, Submitted & Received	4/2/2027
Adopted Section 504 Grievance Procedures, Submitted & Received	4/2/2027
Completed Section 504 Self-Evaluation Survey, Submitted & Received (<i>plan requires unique information about the LGU</i>)	4/2/2027
Adopted Language Access Plan, Submitted & Received (<i>plan must be completed - plan requires unique information about the subrecipient and a plan of action</i>)	4/2/2027
Adopted Fair Housing Complaint Procedure, Submitted & Received	4/2/2027

Adopted Equal Housing Opportunity Resolution, Submitted & Received	4/2/2027
Completed Fair Housing Certification, Submitted & Received <i>(This requires unique information about the subrecipient and will aid in creating the Fair Housing Plan)</i>	4/2/2027
Completed and Adopted Affirmatively Furthering Fair Housing Plan & Policy, Submitted & Received <i>(Subrecipient action plan is unique, addressing the needs of the area identified in the AI)</i>	4/2/2027
<i>Responses to Requests for Additional Information must be received by the Division at least 15 days prior to these milestones. Failure to adopt the most current template language may result in needing to readopt the plan and policy.</i>	

Funding Approval Conditions: For reference, grant administration activities include activities required for the **preparation of the environmental document**, as well as the **engineering report**.

1. **Completion of the Environmental Review Process.** No funds may be obligated or expended in any project activity except for the administration activity in the project until the Subrecipient has complied with the Environmental Review Procedures for the CDBG Program and the CDBG environmental regulations contained in 24 CFR Part 58.
2. **Grant Administration Contracts/Inter-Local Agreements.** No funds may be obligated or expended in any project activity except the grant administration activities until the Subrecipient has submitted either a copy of the contract/inter-local agreement awarded for the administration of this grant, or a statement signed by the chief elected official stating that the contract will be administered internally.
3. **Project Engineering Services Agreements.** No funds may be obligated or expended in any project activity except the grant administration activities until the Subrecipient has submitted either a copy of the contract(s) awarded for the engineering services, or a statement signed by the chief elected official stating that the contract will be engineered internally.
4. **Capital Project Ordinance.** No funds may be obligated or expended in any project activity except the grant administration activities until the Subrecipient has submitted a copy of the adopted project ordinance per N.C.G.S. §159.13.2.

EXHIBIT B

CDBG-I Project No. 25-I-4257

PROJECT BUDGET, DISTRIBUTION OF FUNDS, AND REFUNDS

1. Project Budget

- a. To obtain payment, the Subrecipient must submit itemized documentation substantiating direct costs incurred in the implementation of the project.
- b. Matching funds are contributed by:

<i>Funder</i>	Type of funding & Status of Funding	Matching Funds	Percent
CDBG-I	Grant	\$ 764,558	100%
Local – specify	Bonds, reserves, in-kind etc.	\$ 0	0%
Other public funding source(s) – specify	SRF loan, state grants, Golden Leaf, ARC, etc.	\$ 0	0%
<i>Total</i>		\$ 764,558	100%

2. Disbursement of Grant Funds for Incurred Costs.

- a. To reduce the incidences of monitoring and audit findings or concerns, each preliminary financial activity listed below shall be implemented prior to disbursing any CDBG funds.
 - (i) Adopt a project budget ordinance and establish a capital project fund (N.C.G.S. §159.13.2.). This ordinance must be readopted if a budget revision is completed and approved by the DEQ.
 - (ii) Establish a separate checking account (non-interest or interest bearing) for each CDBG grant.
 - (iii) Establish an internal control system.
 - (iv) Develop a comprehensive financial filing system that establishes a sufficient audit trail for each expenditure.
- b. No funds may be obligated or expended in any project activity except the administration activity until the Subrecipient has submitted all their funding approval conditions and the Division has removed all said conditions and released funds.
- c. Requests for CDBG Funds. Disbursement of grant funds for incurred costs for the project shall be made **at least monthly for reimbursement** of Subrecipient's expenditures on the Project as set forth in Exhibits A and B. To obtain disbursement of grant funds, the Subrecipient shall submit to the DEQ's Contract Administrator the following documentation:

- (i) A completed and signed Payment Request form and Grantee Pay Request Checklist, as provided by the DEQ and as shown in Exhibit E, accompanied by appropriate itemized documentation supporting all expenses claimed and that clearly identifies each expenditure for which reimbursement is claimed. The supporting documentation must be organized in a manner that clearly relates the expenses shown in the supporting documentation to the line items shown on Exhibit E.
 - (ii) Any application for disbursement of grant funds that does not clearly identify each expenditure and relates each expenditure to the line items shown on Exhibit E will not be processed and will be returned to the Subrecipient for correction and re-submittal. **Subrecipient shall identify any sales tax for which reimbursement has been or will be obtained from the State Department of Revenue, and such monies shall not be reimbursed.**
- d. Certification by Engineer. At the option of the DEQ, disbursement of grant funds may be made only on the certificate and seal of an appropriately qualified registered Professional Engineer, that the improvements for which the reimbursement is requested have been completed in accordance with approved plans and specifications, to which certificate shall be attached an estimate by the construction contractor setting forth items to be paid out of the proceeds of each such reimbursement. The DEQ, at its option, may further require a certificate from such appropriately qualified registered Professional Engineer that the portion of the Project completed as of the date of the request for reimbursement has been completed according to schedule and otherwise as approved by the DEQ and according to applicable engineering standards and requirements. However, the DEQ may, at its discretion, make disbursements without requiring such certificates or construction contractor's estimate, in which event the Subrecipient shall furnish the DEQ a list of and the amounts of items to be paid out of the disbursement, or such other evidence as the DEQ may require.
- e. Required Documents for First Payment: To ensure timely disbursements the following documents are required (See Exhibit I):
 - (i) Signatory Card: The Signatory Card must be signed by the Claim Submitter in designated in EBS. If they do match the disbursement could be delayed. The local government unit is responsible for ensuring the Signatory Card is current. Maintain a copy of the Signatory Card.
 - (ii) Certification of Sales Tax Reimbursement
 - (iii) Vendor Electronic Form
 - (iv) Substitute W-9
- f. Enterprise Business Service (EBS): As of July 1, 2025, the Division will only accept disbursements utilizing EBS. The Claim Submitter identified on the Signatory Card must Register for North Carolina Identity Management (NCID) account to be able to register for an EBS Account. The Claim Submitter must be designated by the local government unit and cannot be either a grant administrator or engineer consultant.

- (i) Register for North Carolina Identity Management (NCID) account.
<https://idpprod.nc.gov:8443/nidp/saml2/sso?id=6&sid=3&option=credential&sid=3>
 - (ii) Register for EBS using your NCID account.
<https://www.ebs.nc.gov/sap/crmaccess/index.html>
- g. Disbursement of Funds Based on Progress. The Subrecipient agrees to proceed with diligence to accomplish the Project according to the schedule set out in Exhibit A and shall show appropriate progress prior to each disbursement of grant funds. Disbursement of grant funds for incurred costs may be withheld or delayed if Subrecipient fails to make progress on the Project satisfactory to the DEQ. Amounts withheld shall be reimbursed with subsequent disbursements in the event that Subrecipient is able to demonstrate an ability to resume satisfactory progress toward completion of the Project.
- h. Proof of Payment. The Subrecipient agrees to pay, as the work progresses, all bills for labor and materials going into the accomplishment of the Project and agrees to submit to the DEQ all such receipts, affidavits, canceled checks, or other evidences of payment as may be requested from time to time and, when and if requested by the DEQ, furnish adequate proof of payment of all indebtedness incurred in the development of the Project.
- i. Alternate Disbursement of Grant Funds. DEQ may, upon request from the Grant Recipient, disburse grant funds prior to actual project payments by the Subrecipient if costs are documented by unpaid third-party invoices. For DEQ to disburse grant funds to the Subrecipient based upon unpaid third-party invoices, the Subrecipient shall indicate its review and approval of the unpaid third-party invoice in writing and certify to the DEQ that the unpaid third-party invoice will be paid within three (3) working days of receipt of the disbursed grant funds. The Subrecipient will confirm to DEQ that the required payment has been made within three banking days of receipt of funds. Failure to comply will result in being placed on reimbursement status per the CDBG-I Program's Three-Day Rule Violation Policy.
- j. Payment of Construction Retainage Funds. Construction retainage is a percentage of the amount of payment the Subrecipient withholds until the construction project has been satisfactorily completed. Retaining is not allowed on projects costing less than \$100,000 per N.C.G.S §143-134.1. For projects costing \$100,000 or more, specific requirements apply to the amount of payment that may be withheld ("retain") and when payments may be withheld at various points during the construction project:
 - (i) Until the project is 50% complete, the Subrecipient cannot retain more than 5% per periodic payment owed to the prime contractor.
 - (ii) When the project is 50% complete, no further retainage is allowed as long as performance is satisfactory.
 - (iii) When a certificate of substantial completion is issued or upon beneficial occupancy, all remaining retainages must be released, although the Subrecipient may retain up to 2 ½ times the value of remaining work to secure completion or correction of that work.

- (iv) “Line-item” release of retained funds is required for “early finishing trades” (subcontractors who complete 100% of their work before the project is 50% complete). In addition to these requirements, Subrecipients may also withhold additional amounts in certain instances generally involving unsatisfactory performance and defective workmanship. [G.S. 143-134.1]
- k. Change Orders. A written order to the contractor signed by the Subrecipient, and recommended by the Project Engineer (with signature), authorizing an addition, deletion, or revision in the work within the general scope of the construction contract documents, or an adjustment in the contract price or the contract time issued after executing the contract agreement. All change orders must be provided to the CDBG-I Program Engineer for review of eligibility prior to the change occurring.
- l. Construction Costs. All costs must be specific to the scope of work defined in the grant contract and/or project amendments, applicable change orders, and consistent with the amount of work completed as confirmed by the contractor’s payment application. Confirmation shall be in the form of signature by the engineer who observed and can confirm that the work is consistent with the amount of grant funds requested, and final approval by the Subrecipient in the form of a signature.
- m. Equipment. Grant funds for equipment should be expended only when such equipment has been installed. Partial payment for equipment that has not been installed is acceptable if the amount requested is for the material cost of the equipment and not any labor that is to be performed. Only equipment specified in the grant contract may be purchased with grant funds.
- n. Connection / Hookup Fees (“access fees”). Using grant funds to pay access fees on behalf of LMI residents to tap/connect into public water and sewer lines is generally eligible under the provisions of 24 CFR § 570.482(b), Special assessments under the CDBG program. CDBG funds may not be used to connect nonLMI residential, non-residential, or vacant units. This access fee is a one-time charge made as a condition to access the public improvement. CDBG funds may be used to pay water/sewer tap and/or connection costs only under limited circumstances if the public improvement itself is or was being funded in whole with CDBG funds and thus meets a national objective and is fully compliant with all CDBG Program requirements. Other fees, such as impact, capacity, or development fees for LMI residences to public water and sewer must be waived or paid with non-CDBG funds, since these fees are ineligible for CDBG funds.

To ensure that LMI households receive the benefits of connecting to a public water or sewer system, the connection must be provided to LMI households at no cost to the LMI household as a direct beneficiary. CDBG funds may only be used for:

- (i) Reasonable hookup or connection fee to connect to the public line, if 24 CFR § 570.482(b) and its restrictions are met;
- (ii) Cost for the physical service connection (private lateral) and appurtenances for the private property;
- (iii) Cost for the use of special equipment such as grinder pumps or vacuum pits to transport residential wastewater to the existing sewer lines;
- (iv) Cost for the removal and/or crushing septic tanks or cap wells, as required by the health department; and

- (v) If applicable, any building permits and inspections if the local government building department requires them.
- o. Costs of Acquisition. Expenditures for all activities budgeted in the grant contract specific to acquisition can be paid with grant funds in the amount(s) specified in CDBG-I Application Budget if the HUD acquisition process is followed. These activities include appraisal, review appraisal, survey, property purchases, legal condemnation costs, abstractor, legal fees, filing/recording fees, relocation assistance to displaced property owners or businesses, and associated costs such as postage and publication. To ensure cost reasonableness, copies of acquisition documentation will be required for request over \$10,000.
- p. Costs of Engineering Services. The DEQ agrees to disburse grant funds to the Subrecipient for engineering services consisting only of costs of labor for engineering work conducted exclusively for this Project and outlined, in detail, in the executed engineering contract(s). The Subrecipient's requests for such disbursements shall be made under either the Grant Administration [see o(i) below] or the public improvement activity line item, as a service deliverable expense, of Exhibit B and shall conform with the following:
 - (i) If expenditures for these services are included in the grant agreement, payment must be made on a pro-rate basis consistent with the fee payment schedules specified in the applicable professional service contract. Payment over these amounts shall not be made with grant funds. Additionally, payment for "additional services" shall not be made unless prior approval has been obtained from the CDBG-I Program Manager.
- q. Costs of Grant Administration. The DEQ agrees to disburse grant funds to the Subrecipient for administrative costs consisting only of costs of labor for administrative work conducted exclusively on this Project. The Subrecipient's requests for such disbursement shall be made under the Grant Administration line item of Exhibit B and shall conform with the following:
 - (i) Costs allowable under the Grant Administration line item shall be only costs of labor needed to comply with the general conditions of the Grant Contract (e.g., progress reports, the environmental review, the engineering report, compliance activities, payment requests, preparing the project final report, revisions to the Grant Contract).
 - (ii) Allowable Grant Administration labor costs may include any of the following: (a) pay to the Subrecipient's payroll employees, plus the Subrecipient's cost of paying benefits on such pay (usually employees' pay times an audited or auditable benefits multiplier) with the submission of timesheets identifying hours worked on CDBG-I project tasks; (b) pay to contract employees of the Subrecipient (e.g., temporary office support), payable at the Subrecipient's actual cost, without application of a benefits multiplier; and/or (c) cost of professional services labor contracted by the Subrecipient (e.g., engineering firm or consultant), payable at the Subrecipient's actual cost for that labor.
 - (iii) Costs of any other work described in the Project Scope of Work in Exhibit A are not allowable under the Grant Administration line item of Exhibit B.

(iv) Thresholds for Grant Administration. Subrecipients can request and drawdown from the Grant Administration line item stated in Exhibit B, up to a specific percentage when these thresholds are met:

- a) Actual costs up to 25% maximum at time of removal of grant conditions, lesser amounts may be drawn prior to this milestone.
- b) Actual costs up to 50% maximum at time of approval of 1st Contractor Application for Payment, lesser amounts may be drawn prior to this milestone.
- c) Actual costs up to 75% maximum at time of 50% construction draw, lesser amounts may be drawn prior to this milestone.
- d) 100% based on actual costs at final report after all required paperwork has been submitted and approved.

Once a project is under construction, requests for funds for only administrative and service delivery (i.e., engineering, and related expenses) costs will not be processed without public improvement and/or limited housing rehabilitation activity (i.e., contractor applications) costs are included and approved by authorized parties (contractor, engineering, and owner). Subrecipients must request project improvement and/or limited housing rehabilitation activity, service delivery, and administration once construction has started.

- r. DEQ Retaining Portion of Funds Until Project Completion. The DEQ will withhold payment from the Subrecipient in the amount of five percent (5%) of the Grant Administration line item until the Subrecipient has resolved all monitoring findings and the final report has been approved.
- s. No Excess Costs. The DEQ agrees to disburse grant funds to the Subrecipient only for costs actually incurred by the Subrecipient that do not exceed the funds budgeted for the Project shown on Exhibit B.
- t. All “Other” Expenditures. These expenditures must be justified in writing and approved by the CDBG-I Program Manager prior to payment to determine allowability. Questions regarding specific costs should be discussed with the Grants Coordinator for eligibility determinations and grant agreement amendments (if necessary) prior to expenditure of grant funds.
 - (i) If indirect costs are charged, the Subrecipient shall develop an indirect cost allocation plan for determining the appropriate Grant Recipient’s share of said costs and shall submit such plan to the DEQ for approval, in a form specified by the DEQ.
- u. Period for Incurring Reimbursable Expenditures. The DEQ will reimburse the Subrecipient only for allowable project expenditures that are incurred by the Subrecipient or the Subrecipient’s consultants, contractors, or vendors during the period between the Award Date and the Grant Contract Expiration Date of the Grant Contract. The DEQ will not reimburse the Subrecipient or project expenditures that are not incurred during this period.
 - (i) Claims for expenses must be made in the appropriate fiscal year. Subrecipients should submit requests for reimbursements for the fiscal year prior to June 30 of each year. Claims should not include expenses incurred over multiple fiscal years.

- (ii) Only the final reimbursement will be allowed after the Grant Contract Expiration Date.
- v. Program Income. Subrecipients must adhere to program income requirements set forth in 24 CFR § 570.489(e). Thus, at the end of the program year, the Subrecipient is required to remit all, or part of any program income balances held by the Subrecipient to the DEQ.

3. Refunds, Reversion of Unexpended Funds, and Reduction of the Grant based on Construction Cost less than Budgeted Construction Cost.

- a. Refunds. The Subrecipient shall repay to the DEQ any compensation it has received that exceeds the payment to which it is entitled herein, including any interest earned on funds reimbursed pursuant to the Grant Contract. The Subrecipient shall repay the DEQ administration funds in proportion (the maximum grant administration is 10% of the total new expenditures) to the program funds being repaid.
- b. Reversion of Unexpended Funds. Any unexpended Grant monies shall revert to the CDBG-I upon termination of the Grant Contract. The Subrecipient shall repay to the DEQ administration funds in proportion to the program funds being repaid.
- c. Reduction of the Grant based on construction costs less than budgeted construction cost. The DEQ may reduce the Grant amount if the Subrecipient expects actual construction costs to be less than budgeted construction costs, as follows:
 - (i) The Subrecipient shall provide to the DEQ a construction contract pricing document(s), consisting minimally of a statement of the scope of the construction work included in the pricing, a schedule of construction payment items, agreed-upon construction or vendor pricing for each item, and a total anticipated construction cost based on the pricing.
 - (ii) The Subrecipient shall deliver the construction contract pricing document to the DEQ's Contract Administrator within 30 days of executing a construction contract for the Project.
 - (iii) The DEQ may, at its discretion, after comparing the total anticipated construction cost with the Grant Contract project budget, choose to reduce the Grant. If the DEQ chooses to reduce the Grant, the DEQ's Contract Administrator will prepare an amendment to the Grant Contract for this purpose, and the DEQ will approve requests for reimbursement of the Subrecipient's construction costs only after the amendment has been signed by both the Subrecipient and the DEQ. Grant administration funds shall be reduced in proportion to the project funds being reduced (the maximum grant administration is 10% of the total new expenditures).
- d. Reimbursement to DEQ for Improper Expenditures. The Subrecipient will reimburse DEQ for any amount of Grant assistance improperly expended, either deliberately or non-deliberately, by any person or entity. Additionally, a contract for administrative services must include a clause holding the administrator organization responsible for reimbursement to the Recipient for any improperly expended grant funds that had to be returned to DEQ.

EXHIBIT B

PROJECT BUDGET
(see next page)

PROJECT BUDGET FOR: City of Lumberton, CDBG-I# 25-I-4257							
CDBG Grant Amount Approved:					\$764,558.00		
Use of Funds	Total Cost	A. CDBG	B. Appalachian Regional Commission	C. Other Federal Funds	D. State/Local Funds	E. Private Funds	F.Other: _____
C. Public Facilities and Improvements							
(9) Street Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(10) Flood and Drainage Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(11) Pedestrian Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(12) Other Public Facilities	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(13) Public Sewer Improvements	\$ 688,130.00	\$ 688,130.00	\$ -	\$ -	\$ -	\$ -	\$ -
(14) Public Water Improvements	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(15) Housing Rehab - water connections	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
(16) Housing Rehab - sewer connections	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
Planning	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Administration (10% max new expenditure)	\$ 76,428.00	\$ 76,428.00	\$ -	\$ -	\$ -	\$ -	\$ -
TOTAL	\$ 764,558.00	\$ 764,558.00	\$ -	\$ -	\$ -	\$ -	\$ -

EXHIBIT C

REPORTING, RECORD KEEPING, AND AUDIT REQUIREMENTS

1. Project Quarterly Progress Reports (QPR). Subrecipient shall submit a written detailed narrative progress report describing the work accomplished on the Project and progress toward meeting the Project objectives to the CDBG-I's Contract Administrator, quarterly beginning with the next quarter after the Effective Date in the format set forth on Exhibit D. Quarters shall be defined as January-March, April-June, July-September, and October-December. **Reports shall be received by the DEQ's Contract Administrator within 30 days after the end of the quarter.**
2. Semi-Annual Labor Standards Enforcement Report (SALSER). Subrecipient shall submit a SALSER every March 30th and September 30th to the CDBG-I compliance Specialist until the grant is closed out.
3. Annual Performance Report (APR). Subrecipient shall submit an Annual Performance Report by January 31st to the Division on the work accomplished on the Project until the grant closeout package has been received.
4. Grant Contract Final Report. Subrecipient shall submit to the CDBG-I's Contract Administrator a grant contract final report in accordance with the schedule shown on Exhibit A. **If the final report is not acceptable to DEQ, it shall be returned to the Subrecipient for correction. Final payment will not be made until the final report is acceptable to DEQ.** The grant contract final report shall parallel the scope and conditions of the Grant Contract as defined in Exhibit A. The required format for this report is set forth on Exhibit D, and the report shall include:
 - a. A narrative statement evaluating and summarizing the completed Project including a concise statement of the Scope of Work in Exhibit A, a detailed description of the objectives the Subrecipient hoped to accomplish with the Project, and comparison of the objectives with accomplishments.
 - b. A summary of changes made to the Project Scope of Work (Exhibit A) and Project Budget (Exhibit B) and reasons for the changes.
 - c. Any other documents, reports or other evidence, including photographs, necessary to verify that the Project has been concluded in compliance with this Grant Contract.
 - d. Engineer's Certification of Completion.
 - e. Owner's Certification of Completion.
5. Closeout of Grant. DEQ will close out the CDBG subaward when it determines that the Subrecipient has completed all CDBG approved activities and/or expended all CDBG funds in conformance with program guidelines Subrecipient. The close-out process encompasses a series of activities that together verify that CDBG funds have been properly spent and that the recipient complied with all applicable rules and requirements in the implementation of its program.

Subrecipients will be expected to carry out the project as proposed in the application stated in this grant contract (Exhibit A), or an approved program amendment(s). The activities should be completed, and the beneficiaries should be served prior to project close-out.

- b. Close Out Grant. In preparation for grant closeout, the Subrecipient must conduct the following:
 - (i) All third-party invoices and expenses must be paid/expended by the time the closeout public hearing is held.
 - (ii) Cover letter for documents submitted; describe anticipated program income or deobligated funds. Also include a statement in this cover letter stating all third-party invoices (primes and subs) are paid in full.
 - (iii) If improvements were made to Mobile Home Parks (HMP), there must be a No Change of Use statement signed by MHP owner on file, where no changes in use will occur for at least one year after completion of improvements.
 - (iv) Engineer's Final Inspection Letter.
 - (v) DWI CDBG-I Project Closeout Checklist – completed, signed, and dated.
 - (vi) Public Participation Documentation:
 - a. Copy of adopted minutes from the closeout public hearing or certification signed by Authorized Representative (AR).
 - b. Copy of closeout public hearing advertisement from newspaper.
 - c. Copy of affidavit of publication of the closeout public hearing advertisement or tear sheet.
 - (vii) Closeout Package Reports:
 - a. Certificate of Completion, signed by AR.
 - b. Applicable Accomplishments and Beneficiaries Form(s).
 - c. Property Disposition Form.
 - d. Use of Non-ED Program Income Form.
 - (viii) Grantee Section 3 Reporting Form.
6. Change of Use of Real Property. The Subrecipient, including activities undertaken by subrecipients, who acquired or improved in whole or in part using CDBG funds more than the threshold for small purchase procurement, the following standards shall apply from the date CDBG funds are first spent for the property until five (5) years after closeout of the Subrecipient's grant.
 - a. The Subrecipient may not change the use or planned use of any such property (including the beneficiaries of such use) from that for which the acquisition or improvement was made, unless the unit of general local government provides affected citizens with reasonable notice of and opportunity to comment on any proposed change, and either:
 - (i) The new use of the property qualifies as meeting one of the national objectives and is not a building for the general conduct of the government; or
 - (ii) The requirements in paragraph 4(b) are met.

- b. If the Subrecipient determines, after consultation with affected citizens, that it is appropriate to change the use of the property to a use which does not qualify under paragraph (4)(a) of this section, it may retain or dispose of the property for the changed use if the Subrecipient's CDBG program is reimbursed or the State's CDBG program is reimbursed, at the discretion of the State. The reimbursement shall be in the amount of the current fair market value of the property, less any portion of the value attributable to expenditures of non-CDBG funds for acquisition of, and improvements to, the property, except that if the change in use occurs after grant closeout but within 5 years of such closeout, the Subrecipient shall make the reimbursement to the State's CDBG program account. Following the reimbursement of the CDBG program in accordance with this section, the property no longer will be subject to any CDBG requirements.
7. Recordkeeping Requirements. Subrecipient will maintain all records and comply with all responsibilities as required under CDBG recordkeeping for example, 24 CFR 570.490 ("Recordkeeping Requirements") and 2 CFR § 200.334-338 ("Retention and Access Requirements for Records") as may be modified by HUD as well as records to document compliance with CDBG requirements. Recipient agrees to comply with any additional record-keeping requirements now or hereinafter set forth by DEQ, HUD or any other federal or state entity.
8. Project Financial Records. Subrecipient agrees that the Fund and the State have the right to audit the books and records of the Subrecipient pertaining to this Grant Contract both during performance and for five (5) years after the completion or termination of this Grant Contract or until all audit exceptions, if any, have been resolved, whichever is longer. The Subrecipient shall retain complete accounting records, including all audit reporting, original invoices, payrolls, contracts, and other documents clearly showing the nature of all costs incurred under this Grant Contract, for that same period. The Subrecipient agrees to make available at all reasonable times to the Fund all bid documents, and accurate books and records of all expenditures for costs applicable to this Grant Contract which will facilitate the audit of the Grant Subrecipient's records.
9. Audit Reporting. The DEQ must ensure that Subrecipients meet applicable audit requirements outlined in 2 CFR 200 Subpart F.
 - a. Open Grants. All Subrecipients, with active open grants, are required to either complete and submit an Audit Certification Form (ACF), or a Single Audit Report (SA), depending on if the Subrecipient expends the federal audit threshold [2 CFR 200.501(a)] or more during the entity's fiscal year in all federal funds (received directly from federal awarding agencies or indirectly from pass-through entities).
 - b. Closed Pending Final Audit Grants. All Subrecipients with closed pending final audit status must file an SA or a Program-Specific Audit (PSA) with financial statements and schedule of expenditures of the CDBG grant, in accordance with the provisions of 2 CFR 200 Subpart F.
 - c. Report Submission. Audit requirements must be completed and submitted within the earlier of 30 calendar days after receipt of the auditor's reports(s), or 9 months after the end of the audit period. If the due date falls on a Saturday, Sunday, or Federal or State holiday, the reporting package is due the next business day.

- (i) The ACF must be submitted to the DEQ, CDBG-I Unit, no later than the last business day of November of each calendar year. Submitting an ACF to the DEQ does not release the Subrecipient from preparing and submitting audits or other financial reports required by State law.
 - (ii) The SA or PSA must be submitted to the North Carolina Department of State Treasurer and Federal Audit Clearinghouse (FAC) no later than March 31st of each calendar year.
 - (iii) Subrecipients must submit to the DEQ, CDBG-I Unit, the record of submission of the SA or PSA to the FAC (i.e., a copy of the FAC email confirmation of submission) upon report submission.
 - (iv) Any findings noted in that audit will be the responsibility of the Subrecipient.
- d. Sanctions. Failure to submit the required audit reporting by the above-mentioned due dates, the DEQ will, per 2 CFR 200.505 (200.339), suspend the draw-down of grant funds for active open grants and suspend review and/or acceptance of applications until the Subrecipient is current on their audit reporting requirements (200.339). If during the life of the grant, the Subrecipient continues to fail to comply with the audit reporting requirement, DEQ will impose stricter sanctions allowed per in 2 CFR 200.505 (200.339).
10. Access to Records and Retention. The Subrecipient shall provide any duly authorized representative of DEQ, the State of North Carolina, the federal Department of Housing and Urban Development (HUD), and the Comptroller General, the Inspector General and other authorized parties at all reasonable times access to and the right to inspect, copy, monitor, and examine all of the books, papers, records, and other documents relating to the grant for a period of five years following the completion of all closeout procedures. All original files shall be maintained at the Local Government offices for access purposes.
11. Release of Personal Financial and Identifying Information. To ensure and document compliance with CDBG income requirements as well as other matters, Subrecipient shall obtain and retain personal, income-related, financial, tax and/or related information from companies, individuals and families that are benefitting from Grant or Program funds. Additionally, Subrecipient is obligated to provide access to all information relating to the Program to DEQ, HUD or other appropriate federal or state monitoring entity, upon DEQ's request. This obligation includes, but is not limited to, the personal, financial, and identifying information of individuals assisted by the Program. As such, Subrecipient shall obtain any releases or waivers from all individuals or entities necessary to ensure that this information can be properly and legally provided to appropriate federal and state entities, including DEQ and HUD, without issue or objection by the individual or entity.

EXHIBIT D

**DEQ FORM FOR QUARTERLY PROGRESS REPORT
(see next page)**

Electronic version of the Quarterly Progress Report is found at
<https://www.deq.nc.gov/about/divisions/water-infrastructure/i-have-funding/cdbg-i-reports>

CDBG-I QUARTERLY PROGRESS REPORT (Activities and Benefit)

Grantee: _____
 Period Covered (Month/Year) : _____

Grant No: _____
 Calendar Quarter: January-March

Amount Awarded: _____
 Date Prepared: _____

A. Activity	LF, #Properties Connected, Treatment Plan Rehab Proposed (Describe)	LF or # Completed This Quarter (Describe)	LF or # Completed To Date (Describe)
TOTAL			

Note: Please report benefits (indirect and direct) for the project, if any. Otherwise, explain the reason of no benefit during project.

B. Activity	# Persons Proposed	# Households Proposed	# Persons AMI	# Households AMI	# Persons MI	# Households MI	# Persons Li	# Households Li	# Persons VLI	# Households VLI	Race
TOTAL	0	0	0	0	0	0	0	0	0	0	

CDBG-I QUARTERLY PROGRESS REPORT (Grant Finances)

Grantee: _____ Grant No: _____ Amount Awarded: _____
 Period Covered (Month/Year) : _____ Calendar Quarter: _____ Date Prepared: _____

C. Activity	Activity Code	CDBG Budget	Expended This Quarter	Expended To Date	Amount Requested This Quarter	Amount Requested to Date	Local Funds Obligated	Local Funds Expended To Date
TOTAL		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

D. Activity - Administration*	Activity Code	CDBG Budget	Expended This Quarter	Expended To Date	Amount Requested This Quarter	Amount Requested To Date	Local Funds Obligated	Local Funds Expended To Date
TOTAL		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

*Please provide a brief description of budget expended in activities within administration.

Notes:

Authorized Representative: _____

Title: _____

Instructions

Table A.

Activity: Choose from the dropdown menu the activity to be covered for the report
LF, #Properties Connected, Treatment Plan Rehab Proposed (Describe): Describe with details the activities that have taken place during the quarter
LF or # Completed This Quarter (Describe): Provide (numbers) details of activities completed for the quarter
LF or # Completed To Date (Describe): Provide (numbers) details of activities completed from day one of grant awarded until the last day of this quarter

Table B.

Activity: Choose from the dropdown menu the activity to be covered for the report
Persons Proposed: Proposed number of persons benefiting from this project
Households Proposed: Proposed number of households benefiting from this project
Persons AMI: Number of persons Above Moderate Income
Households AMI: Number of households Above Moderate Income
Persons MI: Number of persons Moderate Income
Households MI: Number of households Moderate Income
Persons LI: Number of persons Low Income
Households LI: Number of households Low Income
Persons VLI: Number of persons Very Low Income
Households VLI: Number of households Very Low Income
Race: numbers are reported, as applicable, for each activity as they are reported in the Annual Performance Report (APR) and the Closeout Accomplishments
W: White
AA: Black/African American
AS: Asian
AI: American Indian / Alaskan Native
NH: Native Hawaiian / Other Pacific Islander
AAW: American Indian / Alaskan Native & White
AW: Asian & White
BW: Black/African American & White
AN: American Indian /Alaskan Native & Black/African American
MR: Other Multi-Racial
H: Hispanic
HW: Hispanic & White
HB: Hispanic & Black
HO: Hispanic & Other Race

Table C.

Activity: Choose from the dropdown menu the activity to be covered for the report
Activity Code: Choose from the dropdown menu the activity code to be covered for the report
CDBG Budget: Total dollar amount awarded
Expended This Quarter: Dollar amount expended for the quarter
Expended To Date: Dollar amount expended from day one of grant awarded until last day of this quarter
Amount Requested This Quarter: Dollar amount requested for this quarter
Amount Requested To Date: Dollar amount requested from day one of grant awarded until last day of this quarter
Local Funds Obligated: Total dollar amount of local funds obligated for this project
Local Funds Expended To Date: Dollar amount of local funds expended from day one of grant awarded until last day of this quarter

Table D.

Activity: Administration <i>(Please provide a brief description of budget expended in activities within the administration line)</i>
Activity Code: Choose from the dropdown menu the activity code to be covered for the report
CDBG Budget: Total dollar amount awarded
Expended This Quarter: Dollar amount expended for the quarter
Expended To Date: Dollar amount expended from day one of grant awarded until last day of this quarter
Amount Requested This Quarter: Dollar amount requested for this quarter
Amount Requested To Date: Dollar amount requested from day one of grant awarded until last day of this quarter
Local Funds Obligated: Total dollar amount of local funds obligated for this project
Local Funds Expended To Date: Dollar amount of local funds expended from day one of grant awarded until last day of this quarter

EXHIBIT E

DEQ REQUEST FOR REIMBURSEMENT FORM & CHECKLIST (see next page)

Electronic version of the Reimbursement Request Form and checklist is found at
<https://www.deq.nc.gov/about/divisions/water-infrastructure/i-have-funding/cdbg-i-reports>

Exhibit E includes two of the four Division forms for disbursement: Signatory Form and Certification Card and Certification of Sales Tax Reimbursement.

Go to above link for all four forms:

1. Signatory Form and Certification Card
2. Certification of Sales Tax Reimbursement
3. Vendor Electronic Form
4. Substitute W-9

SIGNATORY FORM AND CERTIFICATION

Grant No.

Recipient Name: _____

Address: _____

Signatures of individuals authorized to sign Requisition for Funds forms.

(Signature)

(Typed Name) (Typed Title)

(Signature)

(Typed Name) (Typed Title)

(Signature)

(Typed Name) (Typed Title)

(Signature)

(Typed Name) (Typed Title)

CERTIFICATION

() I certify that the signatures above are of the individuals authorized to sign Requisition for Funds for the above recipient.

Certifying Official: _____

Title: _____

- () The governing board has passed a resolution authorizing the persons above to sign Requisition for Funds form for the above recipient. A copy of the resolution is attached. I certify that the signatures above are those of the individuals authorized by resolution of the governing board of the recipient to sign Requisition for Funds forms.

Certifying Official: _____

Title: _____

SIGNATORY FORM AND CERTIFICATION

1. Indicate name and address of the recipient.
2. Two authorized signatures shall be required on all Reimbursement Request for Funds forms. The Division of Water Infrastructure will check the signature on each requisition form to see that it does match the authorized signature on the Signatory Form and Certification. Only the signatures of people shown on the Signatory Forms and Certification will be accepted.
3. To allow for flexibility in making requisition requests, it is recommended that four authorized signatures appear on the Signatory Form and Certification. Local governments may choose one of two options in completing the Certification. If the local government chooses to use the first option, the chief elected official or the chief finance officer must sign the form as the certifying official. In signing as the certifying official, the chief elected official or chief finance officer certifies that: 1) the signatures are authentic, and 2) that the persons designated as signatories are authorized to sign requisitions for payment. If the chief elected official or the chief finance officer is the certifying official, that person may not also be an authorized signature. If the community wishes to have both the chief elected official and the chief finance officer sign requisitions for payment, the community should select the second option for certification. In this case, the governing board must pass a resolution authorizing sufficient people to act as signatories. In addition, an individual who is not designated as a signatory must certify the authenticity of the authorized signatures. Anyone who knows all of the people authorized to sign requisitions may sign as the certifying official. Another local government staff person or member of the governing body is recommended.
4. If the recipient wishes to change the persons authorized to sign the requisition for funds form a new Signatory Form and Certification must be submitted to the Division of Water Infrastructure.
5. No erasures or corrections may appear on the Signatory Form and Certification.
6. **A copy of detail invoices, as a supporting documentation, must be signed by an authorized signature and be submitted for all CDBG eligible work done and purchases made to corroborate the amount requested.**

CERTIFICATION
SALES-TAX REIMBURSEMENT

FOR FUNDING PROGRAMS IN THE
DIVISION OF WATER INFRASTRUCTURE

Unit of Government: _____

Project Number: _____

Please indicate whether the Unit of Government noted above will be or will not be requesting reimbursement from the Department of Revenue (DOR) for sales taxes relating to this project. If the Unit of Government will be requesting reimbursement from the DOR, then payment requests to the DWI should include Sales-Tax Certifications with each payment request.

Please check one of the boxes below:

☐ The Unit of Government will not request reimbursement from the DOR. Therefore, sales tax will be included with the reimbursement request to the Division of Water Infrastructure (DWI).

☐ The Unit of Government will request reimbursement from the DOR. Therefore, sales tax will be reduced and shown on the payment request form on the line Program Income.

(Printed Name and Title of Authorized
Representative)

(Signature of Authorized Representative)

(Date)

Submit to: NC Dept. of Environmental Quality
Division of Water Infrastructure
Stacey Starkey, Grants Coordinator
1633 Mail Service Center
Raleigh, NC 27699-1633

EXHIBIT F
DEFINITIONS

Unless indicated otherwise from the context, the following terms shall have as their meanings in this Grant Contract the definitions set forth below.

1. "Agency" (as used in the context of the definitions below) shall mean and include every public office, public officer, or official (State or local, elected or appointed), institution, board, commission, bureau, council, department, authority, or other unit of government of the State or of any county, unit, special district or other political sub-agency of government.
2. "Audit" means an examination of records or financial accounts to verify their accuracy.
3. "Construction contract" means a legally binding agreement between the Subrecipient and another party for implementing construction work described in the project scope of work given in Exhibit A.
4. "Enter into a construction contract" means signature of a construction contract by both the Grant Subrecipient and another party for the construction work described in the project scope of work given in Exhibit A.
5. "Fund" means the Community Development Block Grant- Infrastructure fund.
6. "Grant" means state funds disbursed by the Department of Environmental Quality through the Department of Commerce and the federal Department of Housing and Urban Development to a Subrecipient to conduct activities described in this Grant Contract.
7. "Grant Contract" means a legal instrument that is used to reflect a relationship between the grantor and Subrecipient and is used interchangeably herein with the term "Contract".
8. "Subrecipient" shall mean one of the entities identified as a party to this Contract.
9. "Grantor" as used in this Grant Contract, means the Fund in its capacity as provider of grant funds for the Subrecipient's use in conducting the project.

EXHIBIT G
GENERAL TERMS AND CONDITIONS

A. Affirmative Covenants

1. **Compliance with Laws.** Subrecipient agrees to perform and maintain the Project in compliance with all federal, state, and local laws and regulations, including, without limitation, environmental, zoning, and other land use laws, and regulations. The Subrecipient agrees to take reasonable steps to advise Project participants that they shall comply in the same manner.
2. **Insurance.** The Subrecipient agrees to keep structures or improvements of any sort, constituting the Project fully insured at all times during construction and to keep fully insured all building materials at any time located on the Project. Subrecipient will ensure that all contractors furnish adequate payment and performance bonds.
3. **No Liens.** The Subrecipient shall take such action, including, without limitation, obtaining lien waivers, as shall be reasonably necessary to avoid liens against the Property in any way related to the Project.
4. **Retention, Operation, Maintenance and Use.**
 - a. Subrecipient agrees to complete the Project as approved by the DEQ. The descriptions, purpose, schedules, scope of work and budgets set out in Exhibits A and B, and accompanying or related plans, specifications, estimates, procedures, and maps submitted to the DEQ by the Subrecipient are the foundation of this Grant Contract.
 - b. Property acquired, developed, or improved with grant assistance from the Fund shall be retained and used for the purposes identified in Exhibit A and Subrecipient hereby agrees to file or record such restrictions as may be required to assure such continued use and such restrictions shall be in form and substance satisfactory to the DEQ.

B. Representations and Warranties

In order to induce the DEQ to enter into this Grant Contract and to make the Grant as herein provided, the Subrecipient after reasonable inquiry makes the following representations, warranties and covenants, which shall remain in effect after the execution and delivery of this Grant Contract and any other documents required hereunder, any inspection or examinations at any time made by or on behalf of the DEQ, and the completion of the Project by the Subrecipient:

1. **No Actions.** There are no actions, suits, or proceedings pending, or to the knowledge of the Subrecipient, threatened, against or affecting the Subrecipient before any court, arbitrator, or governmental or administrative body or agency which might affect the Subrecipient's ability to observe and perform its obligations under this Grant Contract.
2. **Validity of Grant Documents.** Upon execution and delivery of items required hereunder, this Grant Contract and the other grant documents and items required hereunder will be valid and binding agreements, enforceable in accordance with the terms thereof.

3. False or Misleading Information. Recipient is advised that providing false, fictitious, or misleading information with respect to CDBG funds may result in criminal, civil, or administrative prosecution under 18 U.S.C. § 1001, 18 U.S.C. § 1343, 31 U.S.C. § 3729, 31 U.S.C. § 3801, or another applicable statute. Subrecipient shall promptly refer to DEQ and HUD's Office of the Inspector General any credible evidence that a principal, employee, agent, contractor, sub-grantee, subcontractor, or other person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving CDBG funds.

C. Termination by Mutual Consent

The Parties may terminate this Contract by mutual written consent with 60 days prior written notice to the Contract Administrators, or as otherwise provided by law.

D. Termination for Cause; Events of Default

1. Events of Default. The happening of any of the following, after the expiration of any applicable cure period without the cure thereof, shall constitute an event of default ("Event(s) of Default") by the Subrecipient of its obligations to the DEQ, and shall entitle the DEQ to exercise all rights and remedies under this Grant Contract and as otherwise available at law or equity:
 - a. Property Unsuitable. A determination by the DEQ, prior to the disbursement of the Grant funds, that the Property is unsuitable for the purposes of the Grant Contract.
 - b. Unsuitable Use. The Property is used in a manner materially inconsistent with the purposes of this Grant Contract or the Project.
 - c. Default in Performance. The default by the Subrecipient in the observance or performance of any of the terms, conditions, or covenants of this Grant Contract; provided, however, that no such default shall occur until the Subrecipient has been given written notice of the default and 30 days to cure have elapsed.
 - d. Misrepresentation. If any representation or warranty made by the Subrecipient in connection with the Grant or any information, certificate, statement, or report heretofore or hereafter made shall be untrue or misleading in any material respect at the time made.
 - e. Abandonment of the Project. If Subrecipient abandons or otherwise ceases to continue to make reasonable progress towards completion of the Project.

If a termination for cause occurs, it will be taken into consideration if the Subrecipient submits future funding application to the Division.

E. Events of Default - DEQ's Rights and Remedies

If an Event of Default shall occur, the DEQ shall have the following rights and remedies, all of which are exercisable at the DEQ's sole discretion, and are cumulative, concurrent, and independent rights:

1. Project Termination. If an Event of Default occurs, the DEQ may, at its discretion, suspend and/or terminate all obligations of the DEQ hereunder. If, in the judgment of the DEQ, such failure was due to no fault of the Subrecipient, amounts required to resolve at minimum costs any irrevocable

obligations properly incurred by Subrecipient shall, in the discretion of the DEQ, be eligible for assistance under this Grant Contract consistent with state and federal law.

2. Additional Remedies. If an Event of Default occurs, the DEQ shall have the power and authority, consistent with its statutory authority: (a) to prevent any impairment of the Project by any acts which may be unlawful or in violation of this Grant Contract or any other item or document required hereunder; (b) to compel specific performance of any of Subrecipient's obligations under this Grant Contract; (c) to obtain return of all Grant Funds, including equipment if applicable; and (d) to seek damages from any appropriate person or entity. The DEQ shall be under no obligation to complete the Project.
3. Nonwaiver. No delay, forbearance, waiver, or omission of the DEQ to exercise any right, power or remedy accruing upon any Event of Default shall exhaust or impair any such right, power or remedy or shall be construed to waive any such Event of Default or to constitute acquiescence therein. Every right, power and remedy given to the DEQ may be exercised from time to time and as often as may be deemed expedient by the DEQ.

F. Miscellaneous

1. Modification. This Grant Contract may be rescinded, modified, or amended only by written agreement executed by all parties hereto.
2. Benefit. This Grant Contract is made and entered into for the sole protection and benefit of the DEQ, the State and the Subrecipient, and their respective successors and assigns, subject always to the provisions of paragraph F.8 of this Exhibit H. Except for the State, there shall be no third-party beneficiaries in this Grant Contract.
3. Further Assurance. In connection with and after the disbursement of Grant funds under this Grant Contract, upon the reasonable request of the DEQ, the Subrecipient shall execute, acknowledge, and deliver or cause to be delivered all such further documents and assurances, and comply with any other requests as may be reasonably required by the DEQ or otherwise appropriate to carry out and effectuate the Grant as contemplated by this Grant Contract.
4. Compliance by Others. The Subrecipient shall be responsible for compliance with the terms of this Grant Contract and shall require the same compliance of its sub-grant recipients, including but not limited to, a political subdivision, public agency, or qualified non-profit organization to which funds or obligations are transferred, delegated, or assigned pursuant to this Grant Contract. Delegation by the Subrecipient to a sub-grant recipient of any duty or obligation hereunder does not relieve the Subrecipient of any duty or obligation created hereunder. Failure by such sub-grant recipient to comply with the terms of this Grant Contract shall be deemed failure by the Subrecipient to comply with the terms of this Grant Contract. Any such delegation of duties or obligations shall be in writing, signed by the Subrecipient and sub-grant recipient, and shall contain an affirmative covenant by the sub-grant recipient that it shall abide by the rules set forth in Title 09, Subchapter 03M of the North Carolina Administrative Code.
5. Independent Status of the Parties. The Parties are independent entities and neither this Grant Contract nor any provision of it or any of the Grant Documents shall be deemed to create a partnership or joint venture between the Parties. Further, neither the Grant Contract nor any of the

Grant Documents shall in any way be interpreted or construed as making the Subrecipient, its agents, or employees, agents, or representatives of the DEQ. The Subrecipient is and shall be an independent contractor in the performance of this Contract and as such shall be wholly responsible for the work to be performed and for the supervision of its employees. In no event shall the DEQ be liable for debts or claims accruing to or arising against the Subrecipient. The Subrecipient represents that it has, or shall secure at its own expense, all personnel required in the performance of this Contract. Such employees shall not be employees of, nor have any individual contractual relationship with, DEQ.

6. Indemnity. The Subrecipient agrees, to the fullest extent permitted by law, to release, defend, protect, indemnify and hold harmless the State, the DEQ, its employees and agents against claims, losses, liabilities, damages, and costs, including reasonable attorney fees, which result from or arise out of: (a) damages or injuries to persons or property caused by the negligent acts or omissions of Subrecipient, its employees, or agents in use or management of the Project or Property; (b) use or presence of any hazardous substance, waste or other regulated material in, under or on the Property; and (c) for any claims, whether brought in contract, tort, or otherwise, arising out of this Grant Contract. The obligations under this paragraph are independent of all other rights or obligations set forth herein. This indemnity shall survive the disbursement of the Grant funds, as well as any termination of this Grant Contract.
7. Binding Effect, Contract Assignable. The terms hereof shall be binding upon and inure to the benefit of the successors, assigns, and personal representatives of the parties hereto; provided, however, that the Subrecipient may not assign this Grant Contract or any of its rights, interests, duties or obligations hereunder or any Grant proceeds or other moneys to be advanced hereunder in whole or in part without the prior written consent of the Fund, which may be withheld for any reason and that any such assignment (whether voluntary or by operation of law) without said consent shall be void.
8. Savings Clause. Invalidity of any one or more of the provisions of this Grant Contract, or portion thereof, shall in no way affect any of the other provisions hereof and portions thereof which shall remain in full force and effect.
9. Additional Remedies. Except as otherwise specifically set forth herein, the rights and remedies provided hereunder shall be in addition to, and not in lieu of, all other rights and remedies available in connection with this Grant Contract.
10. Survival. Where any representations, warranties, covenants, indemnities, or other provisions contained in this Grant Contract by its context or otherwise, evidences the intent of the parties that such provisions should survive the termination of this Grant Contract or any Closing, the provisions shall survive any termination or closing.
11. Incorporation of Exhibits. All exhibits attached to this Contract are fully incorporated as if set forth herein.
12. Entire Contract. This Grant Contract constitutes the entire agreement between the parties hereto with respect to the subject matter hereof. All recitals, exhibits, schedules, and other attachments hereto are incorporated herein by reference.

13. Headings. The headings of the various sections of this Grant Contract have been inserted for convenience only and shall not modify, define, limit, or expand the express provisions of this Grant Contract.
14. Time of the Essence. Time is of the essence in the performance of this Grant Contract.

EXHIBIT H
PROJECT MAP
(see next page)

Lumberton City Council

Item: IX.L.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Council

Submission Date: 09/09/2026

Subject: Lumberton High School Volleyball Fundraiser — Precinct 1 \$100 of CRF

Summary/Background of Subject Matter:

Councilman Rising received a request for support of a volleyball fundraiser at Lumberton High School. Councilman Rising would like to contribute \$100 of CRF to this fundraiser.

Staff Recommendation:

Approve the designation as indicated above.

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

1. BP-70C45_20260909_070836

Mitchell-Mcintosh, Laney

From: Rising, Leroy
Sent: Tuesday, September 8, 2026 10:29 AM
To: Mitchell-Mcintosh, Laney
Subject: Fw: Thanks for being someone I can count on!

L'ton Volleyball Fundraiser

Get [Outlook for iOS](#)

From: Leighann Martin <invite@snapraise.com>
Sent: Saturday, 05 September 2026 07:47:42
To: Rising, Leroy <lrising@ci.lumberton.nc.us>
Subject: Thanks for being someone I can count on!



In case you missed it!



Leighann Martin

I'm helping to raise funds for our Lumberton High School Volleyball 2026

We need your help in order to reach our goal.

The clock is ticking! 🕒 Your support doesn't just help me — it helps ensure our program thrives. Even a small contribution makes an impact. 💙

👤 After you complete your donation, you can share our fundraiser on social media, email, or via text with others you think may be willing to help.

Can I count on you to help us achieve our goal?

Give Today!

 **We never share or sell your data.**

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505 Broadway E, Suite 507 - Seattle, WA - 98102-5023

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Lumberton City Council

Item: IX.M.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Council

Submission Date: 08/26/2026

Subject: Approve the Designation of CRF to Carroll Middle School - Precinct 1

Summary/Background of Subject Matter:

Councilman Rising would like to donate \$200 to Carroll Middle School in this Council becoming a Partner in Education for the 2026–2027 school year. It is important that we support initiatives that promote important work that will have a lasting impact on the students and the school community.

Staff Recommendation:

Approve the designation as stated above.

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

1. BP-70C45_20260908_074116



L. Gilbert Carroll Middle School
300 Bailey Road, Lumberton, NC 28358
Phone: 910-671-6098
Fax: 910-671-6033
Thomas Z. Jones, Principal
Jordan Strickland, Assistant Principal

August 4, 2026

Councilor Leroy Rising
Lumberton City Council
500 N Cedar Street
Lumberton, NC 28359

Dear Councilor Rising,

I hope this letter finds you well. As the proud principal of **L. Gilbert Carroll Middle School**, I am excited to invite you to become a **Partner in Education** for the **2026–2027 school year**.

At Carroll Middle School, we are committed to creating a safe, engaging, and academically rigorous learning environment where every student is empowered to succeed. Our theme for the 2026–2027 school year, "**Every Knight. Every Day. With Pride and Purpose.**", reflects our commitment to ensuring that every decision we make is rooted in what is best for students. Through high expectations, meaningful relationships, and a relentless focus on student success, we are building a culture where every Golden Knight can thrive.

To help us continue this important work, we are seeking financial and in-kind donations to support initiatives such as:

- Student and staff recognition programs (Student of the Month, Golden Knight PRIDE Awards, Teacher Appreciation, etc.)
- Family engagement events and academic nights
- Positive behavior and attendance incentives aligned with our Golden Knight PRIDE expectations
- Classroom enrichment opportunities and student leadership initiatives
- School-wide celebrations and special events that enhance the student experience

Your generosity will have a direct and lasting impact on our students, staff, and school community. In appreciation of your support, your business or organization will be recognized as an official **L. Gilbert Carroll Middle School Partner in Education** through our school website, social media platforms, newsletters, and on-campus recognition throughout the year.

Whether you choose to make a one-time donation, sponsor a specific event, or establish an ongoing partnership, your investment will help provide opportunities that inspire, motivate, and empower our students to reach their fullest potential.

If you would like to discuss partnership opportunities or learn more about how you can support our school, please contact me at **(910) 671-6098** or **thomas.jones2@robeson.k12.nc.us**.

Thank you for considering an investment in the future of our students and our community. Together, we can ensure that **Every Knight. Every Day. With Pride and Purpose.**

With gratitude,

A handwritten signature in black ink, appearing to read "TBJones".

Zach Jones
Principal
L. Gilbert Carroll Middle School

A handwritten signature in black ink, appearing to read "JStrickland".

Jordan Strickland
Assistant Principal
L. Gilbert Carroll Middle School

At Carroll Middle School, we strive to create a student-centered learning environment that promotes high expectations, fosters lifelong learning, and prepares all students for future success.

Lumberton City Council

Item: IX.N.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Council

Submission Date: 08/26/2026

Subject: Approve the Designation of \$150 to the Junior Reserve Officers' Training Corps (JROTC) Program

Summary/Background of Subject Matter:

Councilman Cantey is requesting \$150 of CRF to be given to the JROTC Program at Lumberton Senior High for community involvement programs.

Staff Recommendation:

Approve the designation as stated above.

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

None

Lumberton City Council

Item: IX.O.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Council

Submission Date: 08/26/2026

Subject: Approve the Designation of \$150 of Community Revitalization Funds to the NAACP Program

Summary/Background of Subject Matter:

Councilman Cantey wishes to donate \$150 of CRF to the NAACP for its annual program. The program will be on October 17, 2026 at the Southeastern Agricultural Center where the guest speaker will be Senator Dan Blue.

Staff Recommendation:

Approve the allocation of \$150 of CRF to the NAACP Program.

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

None

Lumberton City Council

Item: IX.P.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Council

Submission Date: 09/08/2026

Subject: P5 - Designation of \$150 of CRF to McCormick Chapel AME Church for the 78th Church Anniversary

Summary/Background of Subject Matter:

Councilman Cantey is requesting \$150 of Community Revitalization Funds to be given to McCormick Chapel AME Church for the 78th Year Anniversary. The program will be held on September 27th, 2026.

Staff Recommendation:

Approve the designation as stated above.

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

None

Lumberton City Council

Item: IX.Q.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Council

Submission Date: 09/08/2026

Subject: P5 - Designation of \$150 of CRF to New Light Apostolic Church of Jesus Christ for the 30th Church Anniversary

Summary/Background of Subject Matter:

Councilman Cantey is requesting \$150 of Community Revitalization Funds to be given to New Light Apostolic Church of Jesus Christ. The program will be held on September 17, 18 and 20th, 2026.

Staff Recommendation:

Approve the designation as stated above. Make check payable to: New Light Apostolic Church of Jesus Christ

19 Allen Street
Lumberton, NC 28358

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

None

Lumberton City Council

Item: IX.R.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Council

Submission Date: 08/25/2026

Subject: P5 - Request for Reimbursement

Summary/Background of Subject Matter:

At its July 13th, 2026, City Council meeting, Councilman Cantey requested \$1,000 of Community Revitalization Funds for a Community Event Honoring Former Council Member Chris Howard held on August 8th, 2026, at Bill Sapp Recreation Center. When purchasing the food and other necessities for the event, the cost exceeded the requested amount by \$925.00.

Councilman Cantey has submitted all the receipts and is requesting reimbursement of the final expense overage.

Staff Recommendation:

Approve the reimbursement of \$925 to Councilman Cantey for the overage of purchasing food for P4's 911 Fun Day.

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

1. EOG Receipts

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Lumberton City Council

Item: IX.S.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Council

Submission Date: 08/26/2026

Subject: Robeson Road Runners Annual Turkey Trot 5K - Sponsorship

Summary/Background of Subject Matter:

Councilman Thomas received a request from The Robeson Road Runners, who are excited to announce their Annual Turkey Trot 5K, taking place on Thanksgiving Day, and would be honored to have Council's support as a sponsor.

This cherished community event brings together families, runners, and walkers of all ages for a fun, healthy way to start the holiday—and this year, we're aiming to make it bigger and better than ever.

They are seeking \$250 sponsorships from local businesses to help them cover the cost of participant shirts. In appreciation for your generous support, your City's logo will be prominently featured on the back of the official race shirts worn by all participants. Additionally, the business will be included in our event promotions on social media, helping you reach a broad and engaged local audience. All proceeds from sponsorships go directly to purchasing shirts, ensuring every participant receives a quality keepsake to commemorate the race.

Councilman Thomas designates \$250 of Community Revitalization Funds for this cause and is seeking donations from other council members.

Staff Recommendation:

That City Council approve the designation of \$250 to the Robeson Road Runners for their Annual Turkey Trot 5K.

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

None

Lumberton City Council

Item: IX.T.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Council

Submission Date: 08/13/2026

Subject: Golf Tournament Honoring Coach Danny Graham

Summary/Background of Subject Matter:

Councilmen Thomas and Rising received an invitation to become a Hole Sponsor or participate in the upcoming inaugural golf tournament (best ball format) benefiting the Danny Graham Endowed Scholarship at the University of North Carolina at Pembroke.

Coach Danny Graham dedicated 35 years to serving students as a teacher and coach, including many memorable years at Lumberton High School. Throughout his career, he earned numerous wins, championships, and accolades, but what mattered most to him was the positive impact he made on the lives of young people. Following his sudden death in February 2025, the Danny Graham Endowed Scholarship was established to honor his legacy. The scholarship will be awarded to a prospective women's basketball student-athlete at the University of North Carolina at Pembroke. In November 2024, the basketball court at Lumberton High School was dedicated and officially named **Coach Danny Graham Court** in recognition of his lasting contributions to the school and community.

This scholarship honors Coach Graham's commitment to student-athletes, leadership, and academic excellence. Funds raised through this tournament will directly support deserving student-athletes at UNC Pembroke and help continue the positive impact Coach Graham made throughout his distinguished career.

The tournament will be held on Friday, September 18, 2026, at Pinecrest Country Club in Lumberton, NC. We expect participation from alumni, local businesses, community leaders, and supporters from across the region.

Sponsorship and participation opportunities include:

- Hole Sponsorship: **\$100**
- Individual Player: **\$75**
- Four-Person Team: **\$300**
- Mulligans and Red Tee Shots: **\$5 each**

Your support will help ensure the success of this event and provide lasting opportunities for future student-athletes. We would be honored to have your partnership through sponsorship,

team entry, or individual participation. Councilmen Thomas and Rising would like to donate \$100 each to this event.

Staff Recommendation:

Approve the designation of \$100 of CRF for a Hole Sponsorship from Precinct 8 in honor of Coach Danny Graham.

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

1. Golf Tournament Flyer

1ST ANNUAL

Danny GRAHAM — SCHOLARSHIP — GOLF Tournament

— PLAY. SUPPORT. MAKE A DIFFERENCE. —



DATE

FRIDAY,
SEPTEMBER 18TH,
2026



TIME

SHOTGUN START
AT 9:00 AM



LOCATION

PINECREST
COUNTRY CLUB
Lumberton, NC



ENTRY FEE

\$75 PER PLAYER
OR
\$300 PER TEAM



HOLE SPONSORS

\$100



ALL PROCEEDS TO BENEFIT THE
DANNY GRAHAM ENDOWMENT SCHOLARSHIP
AT UNC-PEMBROKE.



Fee includes: CART, GREEN FEE, RANGE BALLS,
AND 1 MULLIGAN/RED TEE



TO REGISTER, CONTACT

SCOTT GRAHAM

☎ 910-827-1752

✉ ksgraham83@gmail.com

**REGISTER
TODAY!**



SCAN TO REGISTER!

Lumberton City Council

Item: IX.U.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Council

Submission Date: 08/13/2026

Subject: Blue Star Welcome Week — Sponsored by Walmart of Lumberton & Lumberton Rotary Club

Summary/Background of Subject Matter:

Tate Johnson, Executive Director of NC Chapters of Blue Star Families, is requesting funding from the City Council to support the Blue Star Families kickoff event for Blue Star Welcome Week, which will be a military family fishing day at Luther Britt Park on Saturday, September 26th. Councilman Thomas is requesting \$250 of CRF be designated for this event from Precinct 8.

Staff Recommendation:

Approve the designation of \$250 of CRF from Precinct 8 as indicated above.

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

1. BP-70C45_20260813_091046

Mitchell-McIntosh, Laney

From: Owen Thomas <owen@dialinsurancenc.com>
Sent: Wednesday, August 12, 2026 4:32 PM
To: Mitchell-McIntosh, Laney
Subject: Fwd: Blue Star Families Lumberton City Council Meeting

Put me down for 250 for this please
Owen Thomas
Dial Insurance
Sent from my iPhone

Begin forwarded message:

From: Tate Johnson <tjohnson@bluestarfam.org>
Date: August 12, 2026 at 2:18:20 PM EDT
To: Owen Thomas <owen@dialinsurancenc.com>, owen.thomas217@gmail.com
Subject: Blue Star Families Lumberton City Council Meeting

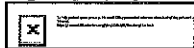
Good afternoon, Owen,

I have attached a flyer for the Blue Star Families kickoff event for Blue Star Welcome Week, which will be a military family fishing day at Luther Britt Park on Saturday, September 26th. We have reserved the community room through the Lumberton Recreation Department, and Walmart of Lumberton and the Lumberton Rotary Club are sponsoring the event.

I would like to request funding from the City Council to support this event. Could I please be included on the agenda for the upcoming City Council meeting on September 14th at 11:00 AM? I can provide more details about Blue Star Families and Welcome Week during the presentation.

Thank you,

Tate Johnson | Executive Director
North Carolina Chapters
Blue Star Families Staff
Fayetteville, NC
252-917-9186



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Family Fishing Day

Kick off Welcome Week with a day of fishing fun and family connection.

Blue Star Welcome Week 2026
September 26 - October 4, 2026

PRESENTED

BY



IN PARTNERSHIP WITH



SPONSORED BY



Lumberton City Council

Item: IX.V.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Council

Submission Date: 09/08/2026

Subject: Designation of \$100 of CRF (P8) Lumberton High School — Natural Resources II - Forestry Initiative

Summary/Background of Subject Matter:

This year, Lumberton Senior High School has taken the initiative to offer the Natural Resources II – Forestry, in order for students to get hands-on experience learning about forestry, natural resources, and skills used in the industry. This fall, the students will also have the opportunity to compete in the Federation and Regional Forestry CDEs.

Candace Grimsley is reaching out to ask if we would consider sponsoring one of our forestry students by purchasing a compass. You certainly do not have to purchase all 10—any number of compasses you are able to provide would be a tremendous help!

To make things as easy as possible, I have included a **direct purchase link below**. You are welcome to have the compass shipped directly to **Lumberton High School or to my home**, whichever is more convenient.

Compass Purchase Link:

<https://a.co/d/0iXwL2xP>

Shipping Address – Home:

Candace Grimsley
6257 Howell Rd
Lumberton NC 28358

School Shipping Address:

Lumberton High School
ATTN: Candace Grimsley
3901 Fayetteville Rd
Lumberton NC 28358

Every compass donated will go directly into the hands of a student and will be used for hands-on instruction, practice, and competition. Your support will help us provide our students with the tools they need to build real-world forestry skills and compete successfully.

Staff Recommendation:

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

None

Lumberton City Council

Item: IX.W.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Council

Submission Date: 09/09/2026

Subject: P8 - Designation of \$100 of CRF for the Mental Health Awareness 5K Run & 1 Mile Fun Run/Walk

Summary/Background of Subject Matter:

Councilman Thomas would like to contribute \$100 CRF for the 4th Annual Mental Health Awareness 5K Run & 1 Mile Fun Run/Walk. This event will be held on September 26, 2026 @ 8:00 a.m.at the Downtown Pocket Park.

Staff Recommendation:

Approve the designation as stated.

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

None

Lumberton City Council

Item: IX.X.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Council

Submission Date: 08/13/2026

Subject: Approve the designation of \$100.00 of Community Revitalization Funds to the Robeson County Humane Society Bark at the Moon

Summary/Background of Subject Matter:

Councilman Thomas requests \$100.00 of Community Revitalization Funds for the Robeson County Humane Society for the Bark at the Moon event held on September 24, 2026, from 5:30 PM to 7:30 pm located at 3180 W. 5th Street.

Staff Recommendation:

Approve the designation of \$100 of CRF to the Robeson County Humane Society Bark at the Moon from Precinct 8.

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

1. RCHSB@M2026sponsorform



Bark at the Moon

September 24, 2026
5:30 PM to 7:30 PM

____ SHELTER STAR - \$2000 up

____ TOP DOG - \$499-\$250

____ SHELTER SAINT - \$1999-\$1000

____ DOGGIE DELIGHT - \$249-\$100

____ SUPER SPONSOR- \$999-\$500

____ COOL CATS- \$99-\$1.00

NAME _____

ADDRESS /PHONE # _____

CONTACT PERSON _____

EMAIL ADDRESS _____

Make Check payable to: Robeson County Humane Society
Post Office Box 3609
Lumberton, NC 28359

ALL SPONSORS RECEIVE:

- Newspaper and website Recognition
- One year membership in Robeson County Humane Society
- Committee Member Signature _____

In appreciation for your kind support, RCHS invites you to attend our "Bark at the Moon" event. As you tour our facility, see personally how your contribution will enable us to meet immediate needs and future goals.

Lumberton City Council

Item: IX.Y.

Lumberton, North Carolina



Request for Action

Meeting Date: September 14, 2026

Originated By: City Council

Submission Date: 09/09/2026

Subject: P8 - \$250 of CRF to Robeson County Partnership for Children for Programming

Summary/Background of Subject Matter:

Councilman Thomas would like to designate \$250 to Robeson County Partnership for Children for programming.

Staff Recommendation:

Approve designation as stated.

City Manager's Comments:

Signature:

Department: City Council

ATTACHMENTS:

None