


## REVENUE SHARING

Alderman Smith said that he would like the Board to discuss how to allocate the revenue sharing funds. Town Manager Peck asked that each member of the Board put in his suggestion for priorities in the allocation of the funds. Mayor Lee asked that this item be on the agenda in November.

## ASSISTANT TOWN ATTORNEY

Town Attorney Denny introduced Mr. David Drake, the new Assistant Town Attorney. Mayor Lee welcomed Mr. Drake on behalf of the Board of Aldermen and the Town of Chapel Hill.

The meeting was adjourned at 11:00 P.M.

  
Mayor

  
Town Clerk, David B. Roberts

## MINUTES

November 6, 1972

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting at 4:00 P.M. on November 6, 1972 with the following members present: Mayor Lee, Aldermen Smith, Scroggs, Welsh, Nassif, Coxhead, and Marshall. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny.

## MINUTES

Alderman Coxhead moved, seconded by Alderman Marshall, to approve the minutes of the meeting of October 16, 1972 as re-circulated. This motion was unanimously carried. Alderman Coxhead moved, seconded by Alderman Nassif, to approve the minutes of the meeting of October 23, 1972 as corrected. This motion was unanimously carried.

## BICYCLES

Mr. John Kent distributed and read a petition with 500 signatures regarding bicycles and bicycle safety and requesting a safer bicycle route system, a bicycle safety inspection and registration program, CAUTION BICYCLES signs at dangerous intersections, additional bicycle racks, bicycle lanes on State roads and streets, and the replacement of sewer grates which are dangerous to bicycles. Alderman Welsh moved, seconded by Alderman Marshall, to receive the petition and refer it to a committee to be appointed by the Mayor to study the request and make recommendations. Smith asked Mr. Kent to submit the names of people who might be interested in serving on the Committee to the Mayor. This motion was unanimously carried.

## RECREATION PROGRAM

Mayor Lee said that Harper Peterson of the Recreation Department asked if the Board would like to see slides of the summer recreation program. Alderman Marshall moved, seconded by Alderman Nassif, that the slides be shown after the items on the agenda for which people have come to discuss have been completed. This motion was unanimously carried.

## CBD STUDY COMMITTEE

Mr. James Wallace said that the CBD Study Committee has received \$24,600 in pledges, that it will be able to raise an additional \$400, that it requests the Board of Aldermen to allocate the remaining \$2000 and commission the study. He said that several gifts which have been pledged are conditional on the Committee getting the total amount and that Mr. Leary, the consultant, is ready to begin. Alderman Nassif asked if Mr. Wallace had the money in hand. Mr. Wallace said no, that he has it in pledges and that the money will be paid when the individuals are billed for it by the Town. Alderman Nassif moved, seconded

by Alderman Welsh, to prepare an ordinance for the Town to commit \$2000 for the CBD Study. Alderman Welsh asked about the planner required for the study. Mr. Wallace said that he thought a meeting with Mr. Leary, the Town Manager, the Assistant Town Manager, and Mr. Stuart Chapin should be held to discuss the possibility of using students from the University's Department of City and Regional Planning. Alderman Marshall asked if a report would be made from the CBD Study group in time for budget consideration. Mr. Wallace said yes. Alderman Smith said that the Town's additional \$2000 contribution should be contingent upon receiving the rest of the money pledged. Alderman Coxhead said that he thought the Committee had done an excellent job and that he had the confidence that the money that is pledged will be paid. The motion was carried by a vote of five to one with Alderman Smith opposing.

#### TAXI FRANCHISE

Mr. Charles Vickery read the Ordinance requirements for franchising additional taxicabs. Mr. Don Tripp of the Tarheel Cab Company said he has seven cabs which is the limit of his franchise, but that he cannot satisfy his customers and needs three or four additional cabs. Alderman Scroggs asked how long he has had seven taxicabs. Mr. Tripp said three to four months, but that only two were operable when he took over the franchise. Alderman Coxhead asked how many other taxicabs are franchised in the Town. Town Clerk Roberts said that J & J has three taxicabs and Carolina Cab Company has eleven. Town Attorney Denny said that the intent of the Ordinance is to limit the franchise to the number of cabs that are needed in the Town. Alderman Smith said that the request should be referred to the Town Manager and Town Attorney to determine whether additional taxicabs are necessary. Alderman Nassif moved, seconded by Alderman Welsh, to delay action on the request for the franchise until the next meeting at which time the Town Manager can present a report. This motion was unanimously carried.

#### SEWER EXTENSION - COLONY WOODS

Mr. Page, representing Spence, Lester, and Crumpton, said that Mr. Crumpton would like a letter from the Town approving the sewer connection to the Chapel Hill sewer system from the land developed in Durham County, east of Colony Woods. Mayor Lee read a letter of request from Midgett, Page, and Moore. Town Manager Peck showed the area on the map and the existing sewer lines. Alderman Nassif said that when sewer extensions were discussed before the policy was not to extend the sewer outside of the Planning District. Town Manager Peck said that the request before involved an apartment development which would have included several hundred units. Alderman Nassif said that previous requests have not been approved because of the sewer line capacity at different points, and not because of density. Alderman Marshall said that it is difficult to approve or disapprove requests selectively and that there should be a policy which details what is possible and what is not. Alderman Scroggs said that the area in question is one which may be added to the Planning District. Alderman Smith asked when a new plant and a new sewer line is anticipated. Town Manager Peck said in 1976 and that the pump station at Rogerson Drive would be eliminated. Alderman Welsh asked what effect adding an area like this would have on the capacity of the sewer plant and said that she does not like to permit outsiders to use our sewer system when areas in the Town are not connected to the sewer. Town Manager Peck said that the outside sewer rate should take care of the additional costs involved in the facilities required. Mayor Lee said that he thinks a policy should be developed so that developers will know what is possible and what is not. He said that he would like this request approved because the development is contiguous with Colony Woods and will be annexed and to have septic tanks instead of sewers in that area would be poor planning. Alderman Smith asked how Carrboro's annexation will affect the demand on the Town sewer system. Town Manager Peck said that it will decrease the time before additional treatment plant capacity is needed. Mayor Lee said that he is not sure that Carrboro's growth should determine Chapel Hill's decision on a request to the Town. Town Manager Peck said that the sewer system is a regional problem and should be considered as that. Alderman Scroggs said that the policy agreed upon in June would restrict sewer service to inside the Planning District. Mr. Page said that Mr. Crumpton indicated that he would

ask for annexation. Alderman Coxhead said that this is a natural development of the Town but that he was concerned about the sewer capacity. Town Manager Peck outlined possible demands on the sewer and said that given the present zoning the seventy houses proposed would not affect the sewer system seriously. Alderman Marshall said that a plan for the whole sewer system was needed. Alderman Nassif said that previously the Board had asked the Planning Board for a recommendation for that entire area and that a decision about this could not be made well without knowing what the plan for that area is. Alderman Scroggs said that it is necessary also to know what limits the Town will have. Alderman Welsh said that she does not know the capacity of the land there and that without additional information it is hard to make a decision of this nature. Mayor Lee said that he had tried to find out what the policies for making these decisions were but was unable to, and that the policy needs to be clearly stated and available. Alderman Smith moved, seconded by Alderman Nassif, not to connect the sewer system in Chapel Hill with the areas in Durham County at this time in accordance with the present policy. Alderman Smith said that he would like to know what the capacity of the sewer system is and what it would be if the presently planned developments were completed. This motion was unanimously carried.

#### PINE BEETLES

Mr. Allen said that the Forestry Service had salvaged 540 cords of wood and 430 feet of sawtimber in Chapel Hill. He said that the Forestry Service had assisted 55 land owners in cutting down 225 trees which cost \$6,101 and brought the total for the entire project to \$7500 for 275 trees. He said that the Forestry Service hoped to have the Pine Beetle problem under control within two or three weeks. Mayor Lee expressed his appreciation to Mr. Allen and the Forestry Service for the work that they had done in Chapel Hill.

#### RECREATION AREAS

Alderman Welsh asked that this item be postponed.

#### HOUSING

Mr. David Drake, Assistant Town Attorney, circulated photographs of four unoccupied houses in Chapel Hill to be demolished and requested that the Board approve their demolition. Alderman Coxhead moved, seconded by Alderman Nassif, to adopt the four ordinances for demolishing the following houses: 110 Basnight Lane; 113 S. Roberson Street; 407 S. Merritt Mill Road; and 714 Church Street.

AN ORDINANCE TO IMPLEMENT THE ENFORCEMENT OF THE HOUSING CODE, CHAPTER 9 OF THE CODE OF ORDINANCES OF THE TOWN OF CHAPEL HILL AND PROVIDING FOR THE CONDEMNATION OF ALL BUILDINGS AND STRUCTURES DEEMED UNFIT FOR HUMAN HABITATION AND USE

WHEREAS, Chapter 9 of the Code of Ordinances of the Town of Chapel Hill establishes minimum standards for housing and provides for condemnation of all buildings and structures deemed unfit for human habitation and use; and

WHEREAS, Section 9-25 and 9-33 provide that in the event the owner fails to comply, the Public Officer shall submit to the governing body an Ordinance ordering and directing the Inspector to proceed to effectuate the purposes of this Ordinance with respect to the particular property, which the Inspector shall have found to be unfit for human habitation.

WHEREAS, the Building Inspector of the Town of Chapel Hill is designated and appointed to exercise the powers and duties of the public office therein provided, and

WHEREAS, public officer has filed with the governing body a report finding certain properties described therein and hereinafter designated as unfit for human habitation, dilapidated and deteriorated to such an extent that repair is impractical and should be demolished.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill:

## SECTION I

That the Building Inspector of the Town of Chapel Hill be, and he is hereby authorized, empowered, and directed to proceed with all of the duties and procedures described in the Ordinance recorded in Chapter 9 of the Code of Ordinances of the Town of Chapel Hill with respect to the demolition of the dwelling unit situated on the following property:

714 Church Street

Chapel Hill, North Carolina

## SECTION II

All ordinances or portions of ordinances in conflict herewith are hereby repealed.

This the 6th day of November, 1972.

AN ORDINANCE TO IMPLEMENT THE ENFORCEMENT OF THE HOUSING CODE, CHAPTER 9 OF THE CODE OF ORDINANCES OF THE TOWN OF CHAPEL HILL AND PROVIDING FOR THE CONDEMNATION OF ALL BUILDINGS AND STRUCTURES DEEMED UNFIT FOR HUMAN HABITATION AND USE

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## SECTION I

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407 South Merritt Mill Road

Chapel Hill, North Carolina

## SECTION II

All ordinances or portions of ordinances in conflict herewith are hereby repealed.

This the 6th day of November, 1972.

AN ORDINANCE TO IMPLEMENT THE ENFORCEMENT OF THE HOUSING CODE, CHAPTER 9 OF THE CODE OF ORDINANCES OF THE TOWN OF CHAPEL HILL AND PROVIDING FOR THE CONDEMNATION OF ALL BUILDINGS AND STRUCTURES DEEMED UNFIT FOR HUMAN HABITATION AND USE

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SECTION I

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113 South Roberson Street  
Chapel Hill, North Carolina

SECTION II

All ordinances or portions of ordinances in conflict herewith are hereby repealed.

This the 6th day of November, 1972.

AN ORDINANCE TO IMPLEMENT THE ENFORCEMENT OF THE HOUSING CODE, CHAPTER 9 OF THE CODE OF ORDINANCES OF THE TOWN OF CHAPEL HILL AND PROVIDING FOR THE CONDEMNATION OF ALL BUILDINGS AND STRUCTURES DEEMED UNFIT FOR HUMAN HABITATION AND USE

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WHEREAS, public officer has filed with the governing body a report finding certain properties described therein and hereinafter designated as unfit for human habitation, dilapidated and deteriorated to such an extent that repair is impractical and should be demolished.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill:

#### SECTION I

That the Building Inspector of the Town of Chapel Hill be, and he is hereby authorized, empowered, and directed to proceed with all of the duties and procedures described in the Ordinance recorded in Chapter 9 of the Code of Ordinances of the Town of Chapel Hill with respect to the demolition of the dwelling unit situated on the following property:

110 Basnight Lane

Chapel Hill, North Carolina

#### SECTION II

All ordinances or portions of ordinances in conflict herewith are hereby repealed.

This the 6th day of November, 1972.

This motion was unanimously carried. Town Attorney Denny said that additional ordinances for the demolition of unoccupied residences will be presented at a later time.

#### COKER WEST - RENEWAL

Van Opdenbrow showed the plat for Coker West and said that the Comprehensive Planning Committee recommended that the plat be reviewed by the Planning Board. Alderman Welsh moved, seconded by Alderman Smith, to refer the preliminary plat for Coker West to the Planning Board for study and recommendation. This motion was unanimously carried. Alderman Nassif left the meeting.

#### LANDFILL AGREEMENT

Alderman Smith asked whether there would be a charge for cars taken to the Landfill. Town Manager Peck said yes. Alderman Coxhead asked if changes in the agreement could be made after all three units had signed the agreement. Town Manager Peck said yes. Alderman Welsh moved, seconded by Alderman Scroggs, to authorize the Mayor and the Town Clerk to execute the Landfill Agreement. (See insert) This motion was unanimously carried.

#### NOISE ORDINANCE

Mr. Larry Young reviewed the provisions of the proposed Noise Ordinance and said that it was perhaps the most comprehensive Noise Ordinance in North Carolina. Alderman Nassif returned to the meeting. Alderman Scroggs asked questions about Section 11-39 including whether it was the intent of the Ordinance to require the Town Manager to issue permits and to give the responsibility for revoking them to the Chief of Police. Mr. Young said that those were dual purposes and that was the intent. Alderman Scroggs said that the word "Sunday" should be changed in Section 11-39 (11) because there are churches that do not meet on Sundays. He also said that the word "weighing" should be changed to "weighting" and questioned whether the C scale should be included in the ordinance. Dr. Al Turner said that using the C scale would be too restrictive. Alderman Scroggs said that the Ordinance proposed was comprehensive. Alderman Coxhead moved, seconded by Alderman Marshall, to adopt the Noise Ordinance with the changes recommended. Town Attorney Denny asked if Section 11-39 (17) concerned with noises from garage or service stations in residential districts was intentionally limited to those in residential districts. Alderman Welsh said that the words "in any residential district" should be omitted from the Ordinance. Alderman Scroggs said that "adjacent to any residential district" could be substituted.

Alderman Coxhead agreed to delete the words "in any residential district" from the Ordinance. Alderman Smith asked if the Police Department has sufficient experience with equipment required to enforce the Noise Ordinance. Town Manager Peck said no but that the Department would get it. Alderman Smith asked if there should be any guidelines for the Chief of Police to use in issuing permits. Mr. Young said that there should be no discretion involved in issuing permits, only in revoking them. Town Attorney Denny said that the words "firm or corporation" should be omitted in Section 11-38 and that Sections 11-43 and 11-44 could be deleted because they appear in the Code of Ordinances. This motion was unanimously carried.

AN ORDINANCE TO AMEND ARTICLE 3 OF CHAPTER 11, SECTION 11-37 THROUGH 11-42 INCLUSIVE OF THE CODE OF ORDINANCES OF THE TOWN OF CHAPEL HILL  
BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill:

SECTION I

\_\_\_\_\_

STATE OF NORTH CAROLINA  
COUNTY OF ORANGE

A G R E E M E N T

THIS AGREEMENT, made and entered into this the \_\_\_\_\_ day of \_\_\_\_\_, 1972, by and between the Town of Chapel Hill, a Municipal Corporation, hereinafter called "Chapel Hill," and the Town of Carrboro, a Municipal Corporation, hereinafter called "Carrboro," and the County of Orange, hereinafter called "Orange County";

W I T N E S S E T H :

THAT WHEREAS, the Parties hereto have agreed upon the acquisition and operation of a solid waste disposal facility to be operated at present as a sanitary landfill, and

WHEREAS, the Parties have agreed upon the division of the capital costs for said facility, and the ownership of the land upon which same is to be located, and

WHEREAS, the Parties have further agreed upon the operational costs and the manner of operation, and

WHEREAS, the Parties hereto in consideration of the covenants and conditions hereinafter setforth, desire to reduce their agreement to writing.

NOW, THEREFORE, In consideration of the mutual covenants and agreements hereinafter setforth, the Parties do covenant and agree, each with the other as follows:

- 1. Ownership. The parties having agreed upon the sharing of the land costs and the costs necessary to open the facility for use as a landfill, as hereinafter setforth, it is understood and agreed that by appropriate deed or other instruments ownership of the land shall be held jointly as tenants in common, but without the right to request division in the following percentages:

Chapel Hill	43%
Orange County	43%
Carrboro	14%
- 2. Costs. Costs of said facility shall be divided in the percentages above setforth which costs shall include:
  - a. Capital Costs. Capital costs shall include the purchase price of the land including that which is currently owned by the Town of Chapel Hill by deed from R. G. Hancock as well as that under option and contract by and between Chapel Hill and R. G. Hancock, and all costs necessary for opening the landfill. The costs for opening the

6. The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of danger.
7. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noise therefrom.
8. The use of any mechanical device operated by compressed air unless the noise created is effectively muffled and reduced.
9. The erection (including excavation), demolition, alteration or repair of any building in a residential or business district other than between the hours of 7:00 a.m. and 6:00 p.m., on weekdays, except in the case of urgent necessity in the interest of public safety and then only with a permit from the Building Inspector, which permit may be renewed for a period of three days or less while the emergency continues.
10. The creation of any excessive noise on any street adjacent to any school, institution of learning, or court while the same are in session, or within one hundred and fifty (150) feet of any hospital; which unreasonably interferes with the working of such institution; provided, conspicuous signs are displayed in such streets indicating that the same is a school, court or hospital street.
11. The creation of any excessive noise on any day of worship on any street adjacent to any church, provided conspicuous signs are displayed in such streets adjacent to churches indicating that the same is a church street.
12. The creation of loud and excessive noise in connection with loading or unloading any vehicle or the opening and destruction of bales, boxes, crates, and containers.
13. The sounding of any bell or gong attached to any building or premises which disturbs the quiet or repose of persons in the vicinity thereof.
14. The shouting and crying of peddlers, barkers, hawkers, and vendors which disturbs the quiet and peace of the neighborhood.
15. The use of any drum, loud speaker or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale or display of merchandise.
16. The use of any mechanical loud speakers or amplifiers on trucks or other moving vehicles for advertising purposes or other purposes; provided, however, that such use by any governmental unit for a public purpose shall be excepted from the prohibitions of this Code.
17. The conducting, operating or maintaining of any garage or service station so as to cause loud or offensive noises to be emitted therefrom between the hours of 11:00 P.M. and 7:00 A.M.
18. The firing or discharging of a gun, squibs, crackers, gunpowder or other combustible substance in the streets or elsewhere for the purpose of making noise or disturbance, except by permit from the Town Manager.

#### SECTION 11-40 PRESUMPTION.

1. The complaints of two or more persons, at least one of whom resides in a different home from the other complaining person or persons, or the complaint of one or more persons, when combined with the complaint of the investigating police officer made to the Police Department concerning the emission of any sound, shall be prima facie evidence that such sound is a loud, disturbing and unnecessary noise.



- 2. Any sound, other than those sounds described in Sub-Section 4., at any band pressure at any location outside the property from which such sound is emitted which, when combined with the ambient noise, exceeds any sound level in Sub-Section 3. as measured by, and recorded from, an approved Sound-level meter and/or a Sound Analyzer shall be conclusively presumed to be a loud, disturbing and unnecessary noise.

Provided, however, that if the ambient noise level exceeds the sound level indicated in Sub-Section 3. then such presumption shall apply only when such sound exceeds the ambient noise level by three (3) decibels.

Provided, further, that the ambient noise level shall be measured immediately after cessation of any sound which, when combined with the ambient noise, exceeds any sound level in Sub-Section (3). It shall be unlawful for any person to refuse to cease making any sound when ordered to do so by any police officer for purposes of measuring the ambient noise level.

3. Sound Levels

Octave band Center frequency Cycles per second	Octave band pressure level in decibels re 0.0002 microbars
All pass (combined frequency bands) - - - - -	75
31.5 - - - - -	65
63 - - - - -	63
125 - - - - -	59
250 - - - - -	47
500 - - - - -	43
1000 - - - - -	38
2000 - - - - -	34
4000 - - - - -	30
8000 - - - - -	28
16000 - - - - -	27

Provided, however, that between the hours of 10:00 P.M. and 7:00 A.M. the above sound levels shall be decreased by five (5) decibels.

- 4. Any sound which serves neither a public or emergency purpose, nor is incidental to any activity which serves a public or emergency purpose, emitted from any public street, alley, sidewalk, or public right-of-way which, when combined with the ambient noise exceeds a sound level of 75 decibels re 0.0002 microbars on the "A" weighting scale (combined frequency bands) shall be conclusively presumed to be loud, disturbing and unnecessary noise.

Provided, however, that if the ambient noise level exceeds 75 decibels re 0.0002 microbars on the "A" weighting scale (combined frequency bands) then such presumption shall apply only when such sound exceeds the ambient noise level by three (3) decibels.

Provided, further, that the ambient noise level shall be measured immediately after cessation of any sound which, when combined with the ambient noise, exceeds 75 decibels re 0.0002 microbars on the "A" weighting scale (combined frequency bands). It shall be unlawful for any person to refuse to cease making any sound when ordered to do so by any police officer for the purposes of measuring the ambient noise level.

5. Definitions

- a. "A" Weighting Scale (as defined in Standard 1.4, of the Standard Specifications for Sound Level Meters, American National Standards Institute, 1971): One of three frequency response networks included in sound level meters. The "A" scale is designed to give an approximate evaluation of subjective response in terms of both loudness and annoyance.

- b. Ambient Noise: Ambient noise is the all-encompassing noise associated with a given environment, being usually a composite of sounds from many sources, near and far.
- c. Center Frequency: The midpoint of an octave measured in units of frequency.
- d. Combined Frequency Bands: Sound intensity which is measured independently of frequency over the audible sound range.
- e. Cycles Per Second (or Hertz): The time rate of repetition of a periodic phenomenon.
- f. Decibel: A unit of level used to measure sound intensity, equal to the logarithm of the ratio of the intensity of the sound to reference pressure.
- g. Frequency: The number of sound waves or vibrations per unit of time which must be specified.
- h. Octave: The interval between two sounds having a basic frequency ratio of two.
- i. Octave Band Pressure: Sound energy measured at various frequency bands, each of which covers a 2-to-1 range of frequencies, distributed over the audible range. The reference pressure must be specified.
- j. Microbar: A unit of pressure equal to 1 dyne per square centimeter.
- k. Sound Level Meter: An instrument which includes a microphone, an amplifier, an output meter, and frequency weighing networks for the measurement of noise and sound level in a specified manner.
- l. Sound Analyzer: An instrument for measuring the octave band pressure of a sound as a function of frequency.

#### SECTION 11-41 PERMIT PROGRAM FOR SOUND AMPLIFYING SYSTEMS OR DEVICES USED OR OPERATED FOR HIRE

It shall be unlawful for any person to use, operate, cause to be used or operated, or, allow to be used or operated, any sound amplifying system or device for hire without first having obtained a valid permit for such use or operation from the Chief of Police, or his delegate. Said permit shall be issued upon application, shall specify the permissible hours and location of such use or operation and shall be valid only for the hours and location specified therein.

If at any time the Chief of Police or his delegate determines that the manner of use or operation of the sound amplifying system or device will unreasonably disturb the comfort and repose of any person, at any location outside the location for which said permit has been issued, he shall first warn against continued use or operation in such manner. If use or operation continues in the manner warned against, the Chief of Police or his delegate shall revoke the permit for such use or operation and such use or operation thereafter shall be unlawful.

#### SECTION 11-42 COMPLAINT PROCEDURE.

In the event any person shall have reasonable grounds for believing that the provisions of this Code are being violated, he may make a report thereof to the Chapel Hill Police Department, who shall investigate. If such investigation reveals, in fact, a violation of this Code, the investigating officer shall cause a written complaint to be made upon which a warrant may be issued for violation thereof.

CITIZENS' ADVISORY COMMITTEE - APPOINTMENT

Alderman Nassif moved, seconded by Alderman Smith, to nominate the following people for the eight vacancies on the Citizens' Advisory Committee: Marina Baroff, John Caldwell, Kathy Coolidge, Charles Day, Alden Lind, Lela Mae Noel, Robert Rosenbacker, and Mary Turnbull. This motion was unanimously carried.

BOARD OF ADJUSTMENT - APPOINTMENT

Alderman Smith moved, seconded by Alderman Nassif, to appoint Mr. James Barnett to the vacancy on the Board of Adjustment by acclamation. This motion was unanimously carried.

APPEARANCE COMMISSION - APPOINTMENT

Mayor Lee said that the following people were recommended for the three vacancies on the Appearance Commission: Ed Kaiser, Tom Bridges, Ortrude White, and Marjorie Sloane. Alderman Welsh said that the Appearance Commission needs help from people with professional experience. A vote was taken and Mayor Lee said that Ed Kyser, Tom Bridges, and Ortrude White were appointed to the three vacancies on the Appearance Commission.

RECREATION PROGRAM

Harper Peterson showed slides of the summer recreation program. Alderman Smith said that Harper Peterson had done a great deal for recreation in Chapel Hill, and that the Town should compliment him on the work he has done and do whatever is necessary to support and expand the Recreation Program in Chapel Hill. He said that the Town needed more open space for recreation and hoped that the Board would support the request for it. Mayor Lee said that he was glad that Harper Peterson had come to Chapel Hill and thanked him for his work.

FIRE HAZARDS

Alderman Scroggs said that in Section 7-31 (2), the word should be "quantities." Alderman Smith moved, seconded by Alderman Nassif, to adopt the amendment to Chapter 7 of the Code of Ordinances with the changes suggested.

AN ORDINANCE TO AMEND CHAPTER 7, CODE OF ORDINANCES, TOWN OF CHAPEL HILL

WHEREAS, the use or storage of certain types of materials and equipment of an inflammable or explosive nature may be likely to cause conditions hazardous to persons or property in the event of a fire, and

WHEREAS, it is desirable that the fire prevention and protection authorities of the Town be advised in advance of the use and storage of such materials and equipment.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill:

SECTION I

That Chapter 7, Code of Ordinances, Town of Chapel Hill is hereby amended to add a new Article III to read as follows:

"SECTION 7-31. From and after the effective date of this Section it shall be unlawful for any person within the corporate limits of the Town to use or store on premises located within the Town any of the following without first obtaining a permit therefore from the Fire Department of the Town:

1. For operation of a dry cleaning business/for a change in solvent used to a more hazardous class.
2. To store, sell, transport, or use any quantities of dynamite and commercial explosives.
3. For automobile spray painting operations using more than one gallon of flammable and/or combustible liquid per work day.
4. For storage, handling and/or use of flammable liquids. Flammable liquid defined: any liquid having a flash point below 140 degrees F' and having a vapor pressure not exceeding 40 PSIA at 100 degrees. Examples: gasoline and paint thinners.
  - a. Quantities requiring permit: In excess of six (6) gallons inside any building or occupancy or in excess of 10 gallons outside of any building.
5. For storage of more than 25 cases of matches (cases containing over 1,000 books).
6. For use of Acetylene welding equipment.

## SECTION II

All ordinances or portions or ordinances in conflict herewith are hereby repealed.

This the 6th day of November, 1972.

This motion was unanimously carried.

## BUDGET ORDINANCE

Mayor Lee read an amendment to the Budget Ordinance appropriating an additional \$1400 to the Council on Aging from the Contingency Fund.

AN ORDINANCE TO AMEND THE BUDGET ORDINANCE OF THE FISCAL YEAR BEGINNING JULY 1, 1972 AND ENDING JUNE 31, 1973

BE IT ORDAINED by the Board of Aldermen of the Town of Chapel Hill:

## SECTION I

That the Budget Ordinance of the Town of Chapel Hill entitled "An Ordinance to Appropriate Funds and To Raise Revenue for the Fiscal Year Beginning July 1, 1972 and Ending June 30, 1973" as duly adopted on July 24, 1972 be and the same is hereby amended as follows:

Increase Account "6505 Council on Aging" by \$1,400 to \$5,910'

Decrease Account "8000 Contingency" by \$1,400 to \$37,358.

## SECTION II

All ordinances and portions or ordinances in conflict herewith are hereby repealed.

This the 6th day of November, 1972.

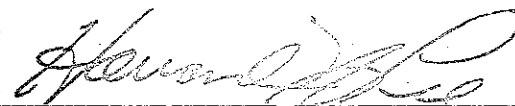
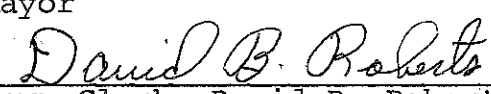
Alderman Nassif moved, seconded by Alderman Smith, to adopt the amendment to the Budget Ordinance as read. This motion was unanimously carried.

## CONFERENCE ON ENVIRONMENT

Robert Bryan said the Conference on Environment to be held in Chapel Hill November 30th through December 3rd would be sponsored by the School of Public Health and the Jaycees. He invited all of the Board members to attend and suggested that the registration fee of \$10.00

per person be paid for by the Town. The conference is being held at the Carolina Inn. Mayor Lee said that he was pleased that the conference is being held in Chapel Hill and commended Mr. Bryan for his efforts in arranging the conference. Alderman Welsh said that good papers and information would be available at the conference and that the program for it would be distributed. She said that the conference will be taped and may be made into a monograph. Alderman Nassif asked how many people were expected to attend the conference. Mr. Bryan said between 250 and 300 and they expect to do a follow-up after the conference. Alderman Welsh moved, seconded by Alderman Marshall, to have the registration fee paid for members of the Board of Aldermen and staff who want to attend the conference. This motion was unanimously carried.

The meeting was adjourned at 6:15 P.M.

  
\_\_\_\_\_  
Mayor  
  
\_\_\_\_\_  
Town Clerk, David B. Roberts

MINUTES

November 13, 1972

Board of Aldermen

Town of Chapel Hill

The Board of Aldermen met at a regular meeting at 7:30 P.M. on November 13, 1972 with the following members present: Aldermen Welsh, Nassif, Marshall, Coxhead, and Smith. Also present were Town Manager Peck, Town Clerk Roberts, and Town Attorney Denny. Absent were Mayor Lee and Alderman Scroggs.

MINUTES

Alderman Welsh moved, seconded by Alderman Nassif, to approve the minutes of the meeting of November 6, 1972 as corrected. This motion was unanimously carried.

REDEVELOPMENT COMMISSION - RESIGNATION

Mayor pro tem Smith read a letter from Mr. Albert Hogan resigning from the Redevelopment Commission. This term expires September, 1973.

15-501 BY-PASS - PUBLIC DISCUSSION

Mayor pro tem Smith read a letter from Mr. Richard F. Smith of the State Highway Commission thanking the Board of Aldermen for the opportunity to discuss the 15-501 By-Pass with the citizens of Chapel Hill.

BROOKWOOD - PEDESTRIAN EASEMENT

Mayor pro tem Smith read a letter from Walter Lipman of Kavanau Real Estate and Trust Company indicating that a pedestrian easement crossing the Brookwood access road will be dedicated.

TRIANGLE J COUNCIL OF GOVERNMENTS - RESIGNATION

Mayor pro tem Smith read a letter from Pearson Stewart of the Triangle J Council of Governments indicating that Mr. James Wallace plans to resign from the Regional Planning Commission and from the Triangle J Council of Governments, that a replacement for him on the Council will be for a term that expires June 30, 1973, and that a person appointed to complete the term cannot be reappointed for a new term.

STREETS COMMITTEE REPORT

Alderman Coxhead requested that this item be added to the agenda. Alderman Nassif moved, seconded by Alderman Welsh, to add a report from the Streets Committee to the end of the agenda. This motion was unanimously carried.

CONSERVATION COUNCIL

Ms. Jane Sharp of the North Carolina Conservation Council outlined the need for conservation of parks and waters in North Carolina, re-