



**TOWN OF HARRISBURG, NORTH CAROLINA
HARRISBURG TOWN HALL
TOWN COUNCIL MEETING**

**January 8, 2024
6:00 PM**

AGENDA

1. CALL TO ORDER

- A. The Town Hall Council Chambers will be open at our normal capacity. The meeting may also be accessed via the Zoom platform at the following link:

<https://us02web.zoom.us/j/83481877476?pwd=YzFjTlBDZWQweU9NVWR0QjFhRVVqQT09>

Meeting ID: 834 8187 7476
Passcode: 212521

Or join by phone:
301.715.8592
305.224.1968

- B. AGENDA ADOPTION
- C. INVOCATION
- D. PLEDGE OF ALLEGIANCE
- E. SPECIAL PRESENTATIONS
1. State Representative Presentation of Budget Appropriations for the Harrisburg YMCA
 2. Transportation Bonds and Public Works Update
- F. PUBLIC COMMENT - Anyone wishing to address the Town Council may do so during the Public Comment section. Please state your name and address for the record, be courteous and do not repeat what has already been said. Please keep your comments about the subject and not personal in nature.

2. CONSENT AGENDA

- A. Consider the minutes of the December 11, 2023 Town Council Meeting
- B. Consideration of FY2024 Budget Ordinance Amendment to the HRA Fund

3. COMMUNICATIONS

- A. TOWN MANAGER REPORT
- B. FINANCE REPORT

- C. LAW ENFORCEMENT REPORT
- D. FIRE DEPARTMENT REPORT
- E. MAYOR'S COMMENTS
- F. COUNCIL COMMENTS

4. **PUBLIC HEARINGS**

- A. H-2023-04 TA: UDO text amendment of Sections 140.04.07 and 140.04.08 associated with Food Trucks and other Temporary Uses

5. **OLD BUSINESS**

6. **NEW BUSINESS**

- A. Consideration of Contract to upgrade Fire SCBA Cascade System Capital Purchase

7. **ACTION ITEMS**

8. **CLOSED SESSION**

9. **ADJOURNMENT**

Vision Statement

Harrisburg will be a distinctive, family-focused community where memories are made.

Mission Statement

Together, we enhance our quality of life by collaborating, planning, and investing to create our community of choice.



TOWN OF HARRISBURG

Agenda Item Details

Title:

Transportation Bonds and Public Works Update

Presenting Personnel:

Mallory Hodgson, Public Works Director

Suggested Motion or Action:

No suggested motion as a result of this presentation.

Description/Background:

The Town's Public Works Director, Mallory Hodgson, will provide an update on the current status of Transportation Bond Projects and other Public Works updates.

Recommendation:

No recommendations as a result of this presentation.

Fiscal Impact:

No fiscal impact as a result of this presentation.

Attachments:

None



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consider the minutes of the December 11, 2023 Town Council Meeting

Presenting Personnel:

Suggested Motion or Action:

Motion to approve the minutes of the December 11, 2023, Town Council meeting.

Description/Background:

Minutes of the December 11, 2023 Town Council Meeting are attached.

Recommendation:

Staff recommends approval.

Fiscal Impact:

None

Attachments:

1. December 11 Minutes

**TOWN OF HARRISBURG, NORTH CAROLINA
TOWN COUNCIL MEETING
MONDAY, DECEMBER 11, 2023
6:00 PM**

MINUTES

This meeting was held in person as well as via the Zoom platform.

Mayor Jennifer Teague called the meeting to order.

PRESENT: Mayor Jennifer Teague; Mayor Pro-Tem Maurice Price Jr., Councilmembers Rodney Dellinger, Ron Smith, Ian Patrick, Altyn Cotell, Mike Thevenin, LaTrecia Glover, Chris Faw

ABSENT: Councilmember Rick Russo

**1A.
ZOOM NOTIFICATION**

The Zoom meeting link and details were published and advertised before the meeting took place and were shown on the agenda.

**1B.
AGENDA ADOPTION**

MOTION:

Councilmember Smith made a motion to approve the agenda as presented. Second was made by Mayor Pro-Tem Price. **The motion passed 6-0.**

**1C.
INVOCATION**

Councilmember Thevenin conducted the invocation.

**1D.
PLEDGE OF ALLEGIANCE**

**1E.
SPECIAL PRESENTATIONS**

- **Harrisburg Youth Council Capstone Project Presentation.** Kacey Howard, Interim Communications Director, presented the background information. Co-Chairs of the Youth Council presented the project. The goal of the Capstone Project, Youth Career Connections, is to connect juniors and seniors at Hickory Ridge High School to working professionals in the Harrisburg Community.
- **Recognition of Outgoing Council Members.** Mayor Teague presented Councilmember Ian Patrick with a plaque of appreciation. Councilmember Russo was not present at the meeting.

**1F.
PUBLIC COMMENT**

None

**2.
CONSENT AGENDA**

- A. Consider the minutes of the November 13, 2023, Town Council Meeting
- B. Consider the minutes of the November 13, 2023, Closed Session
- C. Consider purchase contracts for vehicle purchases
- D. Consider Town Council and Advisory Board meetings calendar for 2024 calendar year

MOTION:

Councilmember Smith made a motion to approve the Consent Agenda. Second was made by Councilmember Thevenin.

The motion passed 6-0.

3A.**COMMUNICATIONS****Town Manager Report**

- Budget Retreat – looking at holding this on January 20th if that works for everyone. Will send out the dates for the rest of the budget meetings soon, but first need to set the retreat date.
- Special Use Permit – have been getting a lot of questions about this – there is a neighborhood meeting for the public here at Town Hall on December 14th. There will be a public hearing before the Board of Adjustment on January 10, 2024, and the public will have a chance to speak at that meeting. This is not a Council decision; it is a quasi-judicial matter for the Board of Adjustment to consider. If you cannot attend the meeting on January 10th, we will be recording it, and the recording will be available on our website afterward.
- Thanked Councilmember Patrick for his service to the Town.
- Congratulated the Youth Council on their Capstone Project. Very excited to see the results.
- Congratulated all of the newly elected Council members.

3B.**COMMUNICATIONS****Finance Report**

Finance Director Brian Lee presented the Finance report.

3C.**COMMUNICATIONS****Law Enforcement Report:**

Captain Measimer presented the Law Enforcement report.

3D.**COMMUNICATIONS****Fire Department Report:**

Chief Dunn presented the Fire Department report.

3E.**COMMUNICATIONS****MAYOR'S COMMENTS**

- Thanked everyone who had a hand in the Christmas Tree Lighting event – staff, vendors, sponsors community – very successful event.
- Thanked Town Clerk for decorating the Council Chambers Christmas Tree.
- Thanked Councilmember Patrick for his service to the Town. Has been a pleasure to work with him.

3F.**COMMUNICATIONS****COUNCIL COMMENTS****Mayor Pro-Tem Price**

- Thanked Councilmember Patrick for his service. He is a man of great integrity and has been a great mentor.

Councilmember Smith

- Also thanked Councilmember Patrick for his service. He brought great professionalism and a different way of thinking to the table.

Councilmember Dellinger

- He and Councilmember Smith recently attended the Carolina Christmas Angels event. It is a wonderful

- Organization and they help a lot of families during the holidays. Encouraged everyone to get involved.
- Economic Development plan – we will be soliciting surveys soon on this subject. Please help by responding to the survey.
- Park Master Plan – there is also a survey on our website for this – please go to the website and complete this one as well.
- Thanked Councilmember Patrick for his service. Pleasure to have his knowledge on the Planning Board and Board of Adjustment also.
- To the two new members of Council – Welcome – offered to help them get acclimated.

Councilmember Cotell

- Thanked Councilmember Patrick for his service. He puts his heart and soul into service to the community and will be missed.

Councilmember Thevenin

- Thanked Parks and Recreation staff for a wonderful 50th Anniversary year. They have done an amazing job.
- Thanked Councilmember Patrick for his service. He was serving the community even before he was elected.

Councilmember Patrick

- It has been a pleasure to serve the Town.

4A.

PUBLIC HEARING

None

5A.

OLD BUSINESS

None

6A.

NEW BUSINESS

Oaths of Office for newly elected Councilmembers. Oaths of Office were administered to Ron Smith, Rodney Dellinger, LaTrecia Glover and Chris Faw. The two new Councilmembers then took their place at the dais.

6B.

NEW BUSINESS

Consideration of 2024 Appointments to the Transportation Advisory Committee (TAC) and the Technical Coordinating Committee (TCC) of the Cabarrus-Rowan Urban Area Metropolitan Planning Organization (CRMPO). Each year we are required to appoint representatives to the Transportation Advisory Committee (TAC) and Technical Coordinating Committee (TCC) of the Cabarrus Rowan Metropolitan Planning Organization for the upcoming year. Currently, Councilmember Ron Smith serves on the TAC, with Councilmember Maurice Price as the alternate. The Director of Public Works, Mallory Hodgson serves on the TCC as the primary representative with Town Manager Rob Donham as the alternate.

The deadline for notifying the Cabarrus Rowan MPO of our appointments is January 5, 2024.

MOTION:

Councilmember Dellinger made a motion to appoint Councilmember Smith as our representative on the TAC and appoint Mayor Pro-Tem Price as the alternate. Second was made by Councilmember Thevenin. **The motion passed 7-0.**

MOTION:

Councilmember Smith made a motion to appoint Mallory Hodgson as our representative on the TCC and Rob Donham as the alternate. Second was made by Mayor Pro-Tem Price. **The motion passed 7-0.**

6C.

NEW BUSINESS

Consideration of 2024 Appointments to the Centralina Regional Council. Each year we are required to appoint delegates to the Centralina Regional Council. This includes a primary and alternate delegate. Currently, Mayor Teague is serving as the primary on the Centralina Regional Council, with Councilmember Patrick as the alternate. The deadline for notifying Centralina Regional Council of our appointments is January 5, 2024.

MOTION:

Councilmember Smith made a motion to appoint Mayor Teague as our representative to the Centralina Regional Council, with Councilmember Cotell as the alternate. Second was made by Mayor Pro-Tem Price. **The motion passed 7-0.**

6D.

NEW BUSINESS

Consideration of the 2024 Appointment to the WSACC Board of Directors for Calendar Year 2024. The Town has one seat on the Board of Directors for the Water and Sewer Authority of Cabarrus County (WSACC). Town Manager Rob Donham currently serves on this Board and brings both administrative and professional expertise to the Board due to his extensive background in engineering, development, and public water and sewer utilities.

MOTION:

Mayor Pro-Tem Price made a motion to appoint Town Manager Rob Donham to continue to serve as the Town's representative on the WSACC Board of Directors for the 2024 calendar year. Second was made by Councilmember Smith. **The motion passed 7-0.**

7.

ACTION ITEMS

- Set the Council Budget Retreat for January 20, 2024.

8.

CLOSED SESSION

None

8.

ADJOURNMENT

MOTION:

There being no further business, Councilmember Thevenin made a motion to adjourn the meeting. Second was made by Councilmember Cotell. **The motion passed 7-0.**

ATTEST:

Janet Rackley, Town Clerk

Jennifer Teague, Mayor



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of FY2024 Budget Ordinance Amendment to the HRA Fund

Presenting Personnel:

Brian Lee, Finance Director

Suggested Motion or Action:

Motion to approve the FY2024 Budget Ordinance Amendments for \$40,000 to fund the Health Reimbursement Account (HRA) Fund.

Description/Background:

The Town's HRA expense has historically been recorded to each Departments' operating budget. Beginning with FY2024, an HRA Fund was established in order to more easily identify the Town's HRA expense, better plan and budget for the future, and also to relieve the departments from having to absorb an unpredictable and sometimes significant cost in relation to its annual operating budget.

The FY2024 Budget Ordinance Amendment increases the funding contributed by the General Fund for reimbursements projected through the end of FY2024. The Water and Sewer Fund's annual budget appears sufficient for the projected expense for the remainder of the year.

Recommendation:

Staff recommends approval of the FY2024 Budget Ordinance Amendment to fund the HRA Fund.

Fiscal Impact:

Based on historical HRA use for the Town's employee base, FY2024 annual expense for the HRA Fund was projected at \$40,000 and \$10,000 for the General Fund employees and Water and Sewer Fund employees, respectively. As of the end of December, or halfway through FY2024, actual reimbursement claims for General Fund employees already totaled \$40,000. It is recommended to increase the General Fund contributed to the HRA Fund by \$40,000, totaling \$80,000 for FY2024. The Water and Sewer Fund employees are within the annual projection at this time.

If approved, the additional \$40,000 will be transferred from the General Fund's contingency account. The current balance of contingency funds is \$464,000, which would be reduced to \$424,000 for the remainder of FY2024.

Attachments:

1. Amendment - GF - HRA Transfer 01082024
2. Amendment - ISF-HRA - HRA Transfer 01082024



AN ORDINANCE AMENDING THE 2023-2024 BUDGET ORDINANCE OF THE TOWN OF HARRISBURG, NORTH CAROLINA

Be it ordained by the Town Council of the Town of Harrisburg, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2024:

- Section 1.** Amend the General Fund to account for the transfer of funds to the HRA Fund for current-year expenditures.
- Section 2.** To amend the General Fund, the appropriations are to be changed as follows:
- | | |
|---|-----------|
| Increase line item 100-8500-59103 | \$ 40,000 |
| Transfers Out – Internal Service Fund – HRA | |
| Decrease line item 100-8750-59500 | \$ 40,000 |
| Contingency | |
- Section 3.** Copies of this budget amendment shall be furnished to the Clerk of the Town Council, and to the Budget Officer and the Finance Officer for their direction.
- Section 4.** That this ordinance shall be effective upon its passage. Adopted this 8th day of January, 2024.

Jennifer Teague, Mayor

ATTEST:

Janet Rackley, Town Clerk



AN ORDINANCE AMENDING THE 2023-2024 BUDGET ORDINANCE OF THE TOWN OF HARRISBURG, NORTH CAROLINA

Be it ordained by the Town Council of the Town of Harrisburg, North Carolina, that the following amendment be made to the annual budget ordinance for the fiscal year ending June 30, 2024:

Section 1. Amend the Internal Service Fund – HRA to account for the transfer of funds from the General Fund for current-year expenditures.

Section 2. To amend the Internal Service Fund - HRA, the appropriations are to be changed as follows:

Increase line item 212-1100-51003	\$ 40,000
Employee Insurance - HRA	

Section 3. To amend the Internal Service Fund – HRA, the estimated revenues are to be changed as follows:

Increase line item 212-49900	\$ 40,000
Transfers In – General Fund	

Section 4. Copies of this budget amendment shall be furnished to the Clerk of the Town Council, and to the Budget Officer and the Finance Officer for their direction.

Section 5. That this ordinance shall be effective upon its passage. Adopted this 8th day of January, 2024.

Jennifer Teague, Mayor

ATTEST:

Janet Rackley, Town Clerk



TOWN OF HARRISBURG

Agenda Item Details

Title:

H-2023-04 TA: UDO text amendment of Sections 140.04.07 and 140.04.08 associated with Food Trucks and other Temporary Uses

Presenting Personnel:

Shelley DeHart, Assistant Planning Director

Suggested Motion or Action:

For approval, the following motion is suggested:

Motion to approve Text Amendment H-2023-04-TA, as presented by staff, amending Sections 140.04.07 and 140.04.08 of the UDO to establish and enhance regulations associated with Food Trucks, Portable On-Site Storage, and Sidewalk Vendors, and to adopt the following Consistency Statement:

Motion to approve the following Consistency Statement for Text Amendment H-2023-04-TA:

The Town Council finds this text amendment is consistent with the applicable Common Decision Criteria found within Section 145.01.07 and 145.03.01 of the UDO and the HALUP because:

- a. It establishes and/or enhances performance standards associated with mobile food vending, and other temporary uses found within these sections, to reflect our community's vision for quality and reduce the potential for adverse impacts.
- b. It promotes goals of the Harrisburg Area Land Use Plan (HALUP) in the area of fostering economic development by supporting incubation and growth of entrepreneurial/ start-up businesses, encourages a mixture of land-uses, and establishes performance standards to protect the community's vision.

For denial, the following motion is suggested:

Motion to deny Text Amendment H-2023-04-TA, as presented by staff, amending Sections 140.04.07 and 140.04.08 of the UDO to establish and enhance regulations associated with Food Trucks, Portable On-Site Storage, and Sidewalk Vendors.

Description/Background:

The use of Food Trucks has grown in popularity within our community over the past few years, which was the impetus for a Town Council discussion and review of current use regulations on August 14, 2023. The Council provided staff with direction on strengthening town regulations, along with adding clarity to performance standards. The amendment is primarily focused on food truck regulations. However, other temporary use subsections were included in this amendment. The Planning and Zoning Board heard this text amendment at its October 17th and November 14th public meetings. After receiving the staff report and deliberation, the Board approved the draft amendment with minor modifications, recommended approval to the Town Council, and made the required findings of fact to support the text amendment as provided in this report.

Proposed "Food Truck" regulations modifications:

- Added a definition for Food Trucks and Mobile Food Vending.
- The ability to have a "food truck court" as an accessory use by right was removed. A food court is a semi-improved area that allows for two or more food trucks to operate in a fixed location, by right. There still is the possibility of more than one food truck on a site at a time, as a temporary use and approved by Special Use Permit.
- The maximum consecutive days on a site is three days with a minimum of a 30-day period between permits on the same site. Flexibility is offered for businesses that may need more consecutive days, special location consideration, and increased frequency between permits by obtaining a Special Use Permit.

Performance standards were added in the area of:

- Noise
- Placement and Removal
- Waste discharging
- Hours of operation
- Compliance with other state, local, county regulations, including food and beverage tax regulations.
- Encourage the use of renewable energy equipment associated with food truck operations.

While reviewing and modifying Sections 140.04.07 and 140.04.08 of the UDO, staff noted the following sections needed amendment:

1. Portable storage containers - this section as written, lacks clarity for implementation. Enhancement of this section includes:
 - Clear definition for these containers.
 - Provide a 14-day grace period prior to issuance of a Temporary Use Permit.
 - Maximum size of containers.
 - Location options
 - Provide an opportunity for a time extension beyond the 90-day timeframe.
2. Sidewalk vendors- This section would have allowed sidewalk vendors as a temporary use on public sidewalks within the General Commercial zoning classification. This section is proposed to be amended by adding:
 - A clear definition.
 - Only allowing the use to be conducted in conjunction with a town-sponsored or recognized event; or as otherwise granted by permission of the Town.
3. Correction of various cross-references.

*** For further details, refer to the attached staff report and draft language for the proposed text amendment**

Recommendation:

Staff and the Planning and Zoning Board recommends approval of:

Town Council Motion:

1. Approve as Presented; and
2. Find this text amendment is consistent with the applicable Common Decision Criteria found within Section 145.01.07 and 145.03.01 of the UDO and the HALUP because:
 - a. It establishes and/or enhances performance standards associated with mobile food vending, and other temporary uses found within these sections, to reflect our community's vision for quality and reduce the potential for adverse impacts.
 - b. It promotes the goals of the Harrisburg Area Land Use Plan (HALUP) in the area of fostering economic development by supporting incubation and growth of entrepreneurial/ start-up businesses, encourages a mixture of land-uses, and establishes performance standards to protect the community's vision.

Fiscal Impact:

None

Attachments:

1. TC_Report_H_2023_04 Food Trucks
2. H-2023-04-TA_Draft Ordinance_Packet



Planning and Zoning Department

**Staff Report – Planning and Zoning Board
Text Amendment H-2023-04-TA**

DATE: December 5, 2023

SUBJECT: **H-2023-04-TA:**

UDO text amendment to modify Sections 140.04.07 and 140.04.08
Associated with Food Trucks and other Temporary Uses.

Applicant: Town Amendment

Staff Report Prepared by: Shelley DeHart, Assistant Planning Director

Neighborhood Meeting: N/A

BACKGROUND:

The use of “Food Trucks” has grown in popularity within our community over the past few years, which was the impetus for a Town Council discussion and review of current use regulations at its August 14th meeting. At this meeting, the Council directed staff to prepare a text amendment which would strengthen current town regulations and add clarity to performance standards.

Staff prepared a draft text amendment and presented it to the Planning & Zoning Board in a public meeting on October 17, 2023. After a lengthy discussion, the board continued discussion of the text amendment, requesting additional refinement prior to approving and making its recommendation to Council. Requested changes were presented to the P & Z board at its November meeting. After review and deliberations, the board approved the staff recommended text amendment (with minor modifications), made the required consistency findings, and unanimously recommended that the Town Council approve the proposed text amendment.

PROPOSED AMENDMENT

Allowing food truck vendors to operate within the Town supports incubation and growth of entrepreneurial/ start-up businesses, fostering diversity in the economy, while supporting and serving the local population. The proposed amendment is intended to establish and/or enhance performance standards associated with mobile food vending, and other temporary uses found within these sections, to reflect our community’s vision for quality and reduce the potential for adverse impacts.



This UDO amendment of **Sections 140.04.07-Accessory Use and Structure Standards** and **140.04.08-Temporary Use and Structure Standards** is provided in its entirety in Attachment A of this report. The information below is a summary of proposed modifications as recommended by the Planning & Zoning Board.

- **140.04.07.B (5) Portable On-Site Storage.** This subsection needed restructuring and clarity for implementation. The basic criteria remain the same, however, we have added:
 - A maximum size and container type.
 - Provided an opportunity for a time extension.
 - Provided a 14-day grace period prior to having to obtain a permit.
- **140.04.07.B (9) Food Truck Courts.** This subsection is proposed to be removed in its entirety as an accessory use. A food court is a semi-improved area that allows for two or more food trucks to operate in a fixed location, by right. This change will not affect multiple food trucks tied to town recognized special events or prohibit a request for a food-truck court as a special use permit.
- **140.04. 08.A Temporary Use Structure Standards.** The cross-reference related standards for temporary use and structures, is proposed to be corrected from 140.04.07B to 140.04.8 B throughout this section.
- **140.04.08.A Table for Permitted Temporary Uses and Structures** is proposed to be amended as follows:
 - Corrected the cross reference where needed within “Duration” Column.
 - Temporary Contractor’s Office – changed from requiring a special use permit to a permitted temporary use. There are performance standards within the UDO for proper placement and use within a development site.
 - Modified Food Truck maximum number of continuous days for a food truck use to operate from 1 to 3 days per event. The intent is to recognize and establish the ability to have a three-consecutive day event.
 - Sidewalk Vendor – Removed the ability for a sidewalk vendor activity in the General Commercial (GC) Zoning District by right. A definition of the use and specific controls have been added under 140.04.08B.
- **140.04.08.A (5) The Period of Time Between Permits** is proposed to be amended reducing the time between permits from 90-days to a 30-day period unless otherwise authorized within the standard section 140.04.08.B. Flexibility in this requirement may be considered by Special Use Permit.
- **140.04.08.B Standards.** The cross-reference was corrected from 140.04.07 to 140.04.08 as needed throughout this section.
- **140.04.08.B (2)(c) – Sidewalk Vendor.** This section is proposed to be amended:
 - Removing the ability to sell food, beverages, or merchandise from a stand or from a person within the GC zoning district on the public sidewalk. Permitting records indicate that the Town has not issued a permit for this type of operation from a



public sidewalk. These operations have been permitted on private property or private sidewalks.

- Added a definition clarifying the use, and prohibiting the use except when:
 - Conducted in conjunction with a Town sponsored or recognized event in any zoning district; or
 - As granted by permission of the Town.
- **140.04.08.B Food Trucks.** This section was added to establish and enhance performance standards for this use. Proposed amendment includes:
 - Establishing definitions for food trucks and mobile food vending.
 - Permitting criteria that requires:
 - Set hours of operation.
 - No overnight storage on site.
 - Compliance with local, county, and state regulations, licensing, and permitting, including sales tax regulations.
 - Noise compliance.
 - Proper disposal of fat, oil, grease, or wastewater.
 - Separation requirement from other businesses or restaurants not affiliated with the food truck operation.
 - Encourage the use of energy efficient and renewable energy equipment associated with its operations.
 - Location
 - Identified placements on developed lots.
 - Provides opportunity to place on an undeveloped lot by special use permit. Considerations associated with this request will include:
 - Location – is it located within a Town Activity Center?
 - Safety – can the site be accessed by emergency services and patrons safely.
 - Parking availability
 - Duration.
 - A maximum of three consecutive days on any site or parcel.
 - The minimum time between temporary use permits on the same site or parcel shall be limited to a 30-day period.
 - Flexibility in duration requirements may be considered and approved by Special Use Permit. This can support businesses that use food trucks as an accessory use to their normal business operations.
 - Public Property. This section prohibits food trucks from operating in a public park, parking lot, public street, or public sidewalk unless specifically authorized by the Town or associated with a Town event.
 - Other Zoning Districts. This section provides opportunity for food truck vendors to operate within other zoning districts (such as a residential district) without a permit if:



- Associated with a neighborhood event on commonly owned property; or
- Within construction sites that have been approved and permitted.

STAFF & PLANNING AND ZONING BOARD RECOMENDATION

It is the opinion of staff and Planning & Zoning Board that this text amendment is consistent with the applicable Common Decision Criteria found within Section 145.01.07 and 145.03.01 of the UDO because:

1. It establishes and/or enhances performance standards associated with mobile food vending, and other temporary uses found within these sections, to reflect our community's vision for quality and reduce the potential for adverse impacts.
2. It promotes goals of the Harrisburg Area Land Use Plan (HALUP) in the area of fostering economic development by supporting incubation and growth of entrepreneurial/ start-up businesses, encourages a mixture of land-uses, and establishes performance standards to protect the community's vision.

Therefore, staff recommends and the P & Z Board, recommends approval of this text amendment as provided in Attachment A.

Council Action

1. Receive the report and recommendation by the Planning & Zoning Board.
2. Conduct the public hearing.
3. Motion to approve, approve with modifications, or disapprove the amendment. The motion can include approval or denial of the consistency findings as provided above.



ORDINANCE TO AMEND TEXT OF THE TOWN OF HARRISBURG UNIFIED DEVELOPMENT ORDINANCE (UDO); SECTIONS 140.04.07 AND 140.04.08 REGULATING FOOD TRUCKS AND OTHER TEMPORARY USES WITHIN THE TOWN

WHEREAS, the Town of Harrisburg has a Unified Development Ordinance (UDO) that provides for various rules and operational framework for how land can be used and developed within Harrisburg's planning and zoning jurisdiction; and

WHEREAS, the Town of Harrisburg finds allowing food truck vendors to operate within the Town supports incubation and growth of entrepreneurial/ start-up businesses, fostering diversity in the economy, while supporting and serving the local population.

WHEREAS, the North Carolina General Statutes and the Town recognizes the need to amend the UDO to address changes in the community and in State Law; and

WHEREAS, the Town initiated the petition (H2023-04-TA) to amend Sections 140.04.07 and 140.04.08 of the UDO to enhance and modify regulations associated with Food Truck operations and other temporary uses within the Town; and

WHEREAS, the public hearing for this text amendment has been noticed in compliance with North Carolina General Statutes; and

WHEREAS, the Planning and Zoning Advisory Board reviewed this text amendment petition (H-2023-04-TA) at its October 17th and November 14th, 2023, public meeting and voted 7-0 to recommend approval to the Town Council finding the amendment consistent with the Common Decision Criteria found in Sections 145.01.07 and Specific Review Criteria found in Section 145.03.01 of the UDO, and with the goals of the Harrisburg Area Land Use Plan (HALUP).

WHEREAS, the Harrisburg Town Council held the public hearing on January 8, 2024, and after hearing such, made the finding that this petition is consistent with Common Decision Criteria found within Section 145.01.07 and 145.03.012 of the UDO and the HALUP because:

1. It establishes and/or enhances performance standards associated with mobile food vending, and other temporary uses found within these sections, to reflect our community's vision for quality and reduce the potential for adverse impacts.
2. It promotes goals of the Harrisburg Area Land Use Plan (HALUP) in the area of fostering economic development by supporting incubation and growth of entrepreneurial/ start-up businesses, encourages a mixture of land-uses, and establishes performance standards to protect the community's vision.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Harrisburg, North Carolina, that Sections 140.04.07 and 140.04.08 of the UDO be amended as described on Exhibit A (attached herein) and fully enforced from the time this ordinance is adopted.

PASSED and ADOPTED this 8th day of January 2024.

Jennifer Teague, Mayor

ATTEST:

Janet Rackley, Town Clerk

9. **Outside Storage.** No outside storage shall be permitted except the storage of recreational vehicles per Paragraph 12, *Vehicular Storage*, below.
10. **Accessibility.**
 - a. **Ingress/Egress.** Vehicular ingress/egress shall provide for safe access by customers and emergency vehicles.
 - b. **Interior Travel Lanes.** Interior travel lanes shall have a minimum width of 12 feet for one-way and 24 feet for two-way travel lanes. The minimum travel lane width for fire and life safety access shall be 20 feet.
11. **Off-Street Parking Standards.** Parking shall be provided by parking/driving lanes adjacent to the manager's office.
12. **Vehicular Storage.** Required parking spaces shall not be rented as, or used for, vehicular storage. However, additional parking area may be provided for recreational vehicle storage.
13. **Accessory Uses.** Sales of customary equipment and supplies, such as hand trucks, straps, tapes, packaging materials, boxes, etc. are permitted through the main office only.

140.04.07 Accessory Use and Structure Standards

140.04.07.A General Provisions

1. **Generally.** Permitted accessory uses and structures are set forth in Table 140.04.07.A-1, *Permitted Accessory Uses and Structures*, below. If a Primary use is listed as prohibited in a zoning district but is permitted as an Accessory Use, the use is permitted only as an accessory use to a principal use or principal building on the same property.
2. **Permitted Accessory Uses.** The uses listed in Table 140.04.07.A, below, shall be permitted by right (unless noted otherwise) in any of the listed zoning districts.

Table 140.04.07.A, Permitted Accessory Uses and Structures	
Accessory Use	Zoning Districts
Accessory Dwelling Unit	Permitted by Right Subject to Limitations in Subsection 140.04.07.B, <i>Standards</i> , according to Table 140.02.01-2, <i>Permitted Uses by Residential Zoning District and Development Type</i>
Agricultural Structure	Permitted by Right Subject to Limitations in Subsection 140.04.07.B in AG, RE, RL
Family Care Home or Family Child Care Home	Permitted by Right in All Residential Zoning Districts Special Use in CC, O-I, and NC
Garage or Carport (noncommercial)	Permitted by Right in All Zoning Districts
Greenhouse (noncommercial)	Permitted by Right in All Residential Zoning Districts
Home Occupation	Permitted by Right Subject to Limitations in Subsection 140.04.07.B in All Residential Zoning Districts
Off-Street Parking and Driveway	All Zoning Districts
Portable On-Site Storage	Permitted by Right Subject to Limitations in Subsection 140.04.07.B in All Zoning Districts
Recycling Facilities and Drop Off Sites	Permitted by Right Subject to Limitations in Subsection 140.04.07.B in All Zoning Districts
Satellite Dish	Permitted by Right in All Zoning Districts

Table 140.04.07.A, Permitted Accessory Uses and Structures

Accessory Use	Zoning Districts
Bed & Breakfast Inn or Short-Term Rental (Host-Occupied)	Permitted by Right Subject to Limitations in Subsection 140.04.07.B in All Residential Zoning Districts
Sign	Permitted by Right subject to § 141.05 in All Zoning Districts
Storage Building (residential)	Permitted by Right in All Zoning Districts
Swimming Pool (subject to the standards of subsection H, below)	Permitted by Right Subject to Limitations in Subsection 140.04.07.B in All Residential Zoning Districts
Tennis Court	Permitted by Right in All Zoning Districts
Wireless Telecommunications Antenna or Tower (subject to §140.04.03, Limited Use Standards)	Special Use subject to Section 140.04.05 in All Zoning Districts
Other Telecommunication Antenna or Tower	Permitted by Right in All Zoning Districts
Any other structure or use customarily incidental to the permitted primary use or structure	Permitted by Right in All Zoning Districts

3. **Establishment.** Accessory uses and structures shall not be constructed or established on a lot until construction of the principal building has commenced or the primary use is established.
4. **Dwelling.** Accessory buildings shall not be used for dwelling purposes, except as provided in Section 140.04.07.B, *Standards*.
5. **Location.**
 - a. **Required Setbacks.** Except as may be required for a specific accessory use or structure in Subsection 140.04.07.B, *Standards*, an accessory structure shall be located a minimum of five feet from a side or rear property line.
 - b. **Distance from Principal Structure.** No accessory structure shall be located less than 36 inches from the exterior wall of the principal structure. Structures that are located closer than 36 inches shall be considered as additions to the principal structure and shall conform to all applicable setbacks for the principal structure.
 - c. **Residential Lots Below Two Acres.** For residential lots not exceeding two acres, detached accessory buildings shall not be located in the front yard and shall not occupy more than 30 percent of the required rear yard.
 - d. **Residential Lots Two Acres or More.** For residential lots that are two acres or more, detached accessory buildings may be located in the front yard but not closer than 75 feet from the front property line/street right-of-way. Detached accessory buildings may be closer than the distance specified above if they are not visible from a public street.
 - e. **Non-residential Accessory Structures.** The location of permitted accessory structures associated with a non-residential use shall be governed by the same dimensional regulations as set forth for the principal use structure(s).
 - f. **Double Frontage Lots.** Accessory buildings on double frontage lots shall not be closer to either street than the required front yard setback.
6. **Height.** Accessory buildings shall not exceed:
 - a. The standard height regulations of the zoning district as set forth in Chapter 140.02, *Zoning Districts and Standards*, where accessory structure is located within the buildable lot area.
 - b. Fifteen feet in height, where the accessory structure is located within a principal structure setback yard.
7. **Size.** An accessory building shall not exceed the ground floor area of the principal building.
8. **Materials.** No accessory use of a structure shall be permitted that involves or requires any construction features or materials, which are not primarily residential in nature or character.



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9. **Lighting.** Exterior lighting for accessory uses and/or structures shall be placed so as to not directly or reflect light upon adjoining land.
10. **Exemptions.** The following uses/structures shall be exempt from the provisions of this Section:
 - a. Fencing and walls; However, in no case shall a rear or side yard fence exceed seven feet. Front yard fences shall not exceed five feet in height. Recreational facility fences are exempt from the height restrictions listed in this section.
 - b. Mailboxes.
 - c. Plant materials.
 - d. Any structure or improvement, once installed, is at grade or less than one foot above grade.

140.04.07.B Standards

1. **Approval of Accessory Uses and Structures.** The standards in this Section apply to accessory uses and structures that are listed as permitted subject to limitations or that require a Special Use Permit in Subsection 140.04.07.A, *General Provisions*.
2. **Accessory Dwelling Units (ADUs).**
 - a. *Zoning Districts.* ADUs are allowed in accordance with the use tables in § 140.02, *Zoning Districts and Standards*.
 - b. *Housing Standards.* ADUs shall comply with all applicable local, State, and Federal housing codes.
 - c. *Number.* Only one ADU shall be permitted per lot.
 - d. *Size of Unit.* The ADU shall not exceed 50 percent of the square footage of the livable area of the primary structure or 1,100 square foot of gross floor area, whichever is less.
 - e. *Location of the ADU on the Lot.* A detached ADU shall be sited to the rear of the principal building, as depicted in Figure 140.04.07.B, *ADU Location*. In the AG or RE zoning districts, the Accessory Dwelling unit may be sited to the side of the principal building only if the lot exceeds 10 acres in size.
 - f. *Manufactured Homes.* A manufactured home shall not be pulled up to or attached to a primary residence and considered an ADU. A manufactured home, as a principal or accessory dwelling unit, shall be permitted only in the MH Manufactured Home Overlay District.
 - g. *Parking.* Adequate off-street parking shall be provided for any vehicles owned by occupants of the ADU.
 - h. *Utilities.* Where there is no public sanitary sewer service to the ADU, County Health Department shall approve sanitary sewer services provided to such ADU prior to its construction.
 - i. *Owner-Occupied Restriction.* ADUs shall only be allowed on parcels that contain owner-occupied single-family dwelling units that are allowed as a principal permitted use.

Figure 140.04.07.B ADU Location**FIGURE NOTES:**

Yellow shaded in structures indicate ADU locations

3. **Agricultural Structure.** All buildings or structures (excluding fences) used to house livestock shall be located so that they are no closer than 150 feet from a dwelling unit. This requirement shall not apply if a dwelling unit is constructed so as to encroach upon an existing livestock use, except that such a livestock use may no longer expand towards a newly established residential use.
4. **Home Occupation.**
 - a. *Accessory to Dwelling.* A home occupation is permitted as an accessory use to any dwelling unit in accordance with the following standards.
 - b. *Accessory Structures.* A home occupation business is allowed in a permitted accessory structure.
 - c. *Floor Area.* A home occupation shall occupy no more than 25 percent of the total floor area of the residential structure.
 - d. *Residential Character.* The business shall not change the essential residential character of the dwelling and/or lot.
 - e. *Employment.* The use shall employ no more than one person who is not a resident of the dwelling. The owner may apply for a Special Use Permit in accordance with Section [145.04.03, Special Use Permit](#), in order to have one additional employee who is not a resident of the dwelling.
 - f. *Hours of Operation.* The business shall not operate outside of the hours of 7:00 AM to 7:00 PM. This time limitation shall apply to the actual operation of the business on site, and shall not apply to preparation time for business, including leaving or returning to the home.
 - g. *Equipment.* The home occupation shall not utilize mechanical, electrical, or other equipment which produces excessive noise, electrical or magnetic interference, vibration, heat, glare, or other nuisances outside of the dwelling or accessory structure.
 - h. *Outdoor Storage.* Outdoor storage of equipment, except for equipment of a type that could be reasonably associated with the principal use, is prohibited.
 - i. *Commercial Vehicles.* Only one commercial vehicle will be allowed in connection with the conduct of the home occupation.
 - j. *Signs.* One wall sign that is a maximum of one square foot in area is permitted.
 - k. *Prohibited Uses.* The following uses are prohibited from home occupation:
 - i. Uses in the following use categories: Heavy Industrial, Indoor Entertainment, Light Industrial, Outdoor Entertainment, and Vehicle Sales and Service.
 - ii. Furniture refurbishing.



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- iii. Gymnastics facilities.
- iv. Medical offices.
- v. Animal services.
- vi. Athletic studios or outdoor recreation.
- vii. Sales-Oriented Uses where the customer needs to come to the home occupation to make a purchase.
- viii. Mortuaries.
- ix. Body piercing and/or tattoos.
- x. Therapy with more than one client at a time.
- l. Any use that draws more than one client or customer to the dwelling at the same time on a regular basis; and
- m. The Director has the authority to allow or disallow a use based on the impact the use will have on the surrounding residential area.

5. Portable On-Site Storage.

a. ~~Exemptions.~~

- i. ~~The above restrictions do not apply to any parcel greater than five acres in size.~~
- ii. ~~The Temporary Use Permit fee may be waived in the case of damage as a result of fire, storm, flood, or other disaster events.~~
- iii. ~~Any commercial or residential construction site with active Zoning and Building Permits may have as many storage units as are needed on the site without restrictions or permits.~~
- iv. ~~Tenure. A unit may remain on the parcel for a maximum of 90 days per calendar year without obtaining a Temporary Use Permit. A written reason, timeline, and completion date must be submitted by the applicant prior to the issuance of the permit.~~
- v. ~~Location.~~
 - A. ~~A unit shall be placed in the side or rear yard only. However, the unit may be placed in the front yard if side and rear areas are not accessible, as determined by the Director (unless the unit adversely impacts safety, sight triangles, or emergency response access). The unit shall not be placed in any recorded easement or in the street right of way.~~
 - B. ~~A unit shall be placed a minimum of five feet from side and rear property lines. There is no minimum spacing between units.~~
- vi. ~~Number. There shall be a maximum of two portable on-site storage units per parcel at any one time.~~
- vii. ~~Generally. The following requirements apply to any residential zone or used property upon which a portable on-site storage unit is to be placed.~~

Portable storage containers may be permitted as an accessory use to residential a use in all zoning districts, subject to the following conditions:

- a. Permit Required. A Temporary Use Permit shall be required for portable on-site storage use operating beyond a 14-day period and shall be issued in accordance with Section 145.02.10 of this document.
- b. Maximum Number, Size and Types. A maximum of two portable storage containers shall be located on a single lot limited in size to no larger than eight feet in height, eight feet in width, and 20 feet in length, and shall take on of the following three forms:
 - i. A container used for the purposes of storage of personal property such as household items being temporarily stored or relocated.
 - ii. A roll-off box, bin, or construction dumpster used for the collection and hauling of waste or debris; or
 - iii. A fully enclosed, non-motorized, trailer (commonly known as a semi-trailer) with wheels intended to be towed to a site for the purpose of storage or transport of goods, material, or equipment.
- c. Location.
 - i. A portable storage container may be located in a driveway, a designated parking area, or behind

a dwelling. If site conditions do not allow the placement of the portable storage container within these areas, then the container may be located immediately adjacent to the driveway or designated parking area.

- ii. A portable storage container shall be located a minimum of five feet from any principal or accessory structure.
- iii. In no instance shall a portable storage container be located within a Town street, public street right-of-way, or location that poses a threat to public health or safety.
- d. Duration. A portable storage container may be located on a site for a maximum of up to 90 days per calendar year. A temporary use permit time extension request may be considered for approval by the Planning Director for special circumstances.
- e. Exemptions. The standards in this section shall not apply to portable storage containers used as temporary construction trailers, dumpsters, or recycling facilities, provided a valid building permit has been issued for this activity.
- f. Homeowners Association Restrictions: These regulations do not supersede any private codes, covenants, or restrictions that a property is legally subject to.

5. Recycling Facilities and Drop Off Sites.

- a. *Unattended Clothing Donation Containers.* Unattended clothing donation containers are prohibited unless located at the operational site of a company or organization that collects used clothing for resale or donation as a primary business function.
- b. *Removal of Prohibited Clothing Donation Containers.* Prohibited clothing donation containers that exist at the time this section is adopted shall be removed within 30 days of adoption.

6. Short-Term Rental (Host-Occupied).

- 1. *Host Occupation.* A short-term rental property shall be considered host-occupied if the property is the host's primary residence for a minimum of 183 days per calendar year.
- 2. *Housing Type.* A short-term rental shall only take place in a single-family detached dwelling.
- 3. *Tenure.* A short-term rental tenant shall not stay more than 29 consecutive days in duration.
- 4. *Number of Tenant Rooms.* A short-term rental shall have no more than two tenant rooms.



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5. **Number of Occupants.** Each short-term rental tenant room shall be limited to a maximum of two adults, over 18 years old.
6. **Signs.** One wall sign that is a maximum of one square foot in area is permitted.
7. **Insurance.** Each short-term rental host shall obtain and maintain, at the host's sole expense, liability insurance to cover the injury or death of a tenant while the tenant is in, on, or about the short-term rental property.
8. **Parking.** Each short-term rental shall provide one off-street parking space for each tenant room.
7. **Solid Waste Storage Areas.**
 - a. **Lids.** Solid waste dumpsters or other large containers for solid waste storage shall have a lid to minimize the potential contamination of stormwater runoff. These provisions shall apply to all nonresidential and mixed-use development, multifamily residential developments and/or single-family attached residential developments, which do not use roll-out containers for curbside solid waste pickup.
 - b. **Materials.** Enclosures shall be constructed of durable, weather-proof, permanent materials such as concrete or stone block, metal, wood, or similar material. The applicant shall ensure that the choice of materials and color are consistent and compatible with those of the principal building(s) on the site.
 - c. **Screening.** Solid waste dumpsters or other large containers for solid waste or recycling storage shall be confined in an enclosed area that is screened on all sides. A solid waste enclosure, large enough to confine solid waste items and dumpster(s), shall be of solid opaque construction, six-foot high with latching gates providing access, and shall be composed of materials that are consistent and compatible with those of the principal building(s) on the site. No solid waste storage area shall be located in any front building yard setback or any street yard or buffer yard.
8. **Retail Operations in the EC District.** Retail sale of items or products manufactured or stored by the primary use are permitted subject to the limitation that interior retail operations may not exceed 20 percent of the individual business's gross floor area of the site. Outdoor display areas shall not exceed 10 percent of the individual business's gross square footage.
9. **~~Food Truck Courts. Reserved~~**
 - a. ~~Permission. The operator of a food truck shall obtain, in writing, and have on hand, the property owner's permission to operate on the property.~~
 - b. ~~Placement. The food truck court shall not be located in any required setback, sight triangle, or buffer.~~
 - c. ~~Associated Use Categories. Food truck courts are permitted as accessory uses to uses in the following use categories:~~
 - i. ~~Community Amenities;~~
 - ii. ~~Educational Facilities;~~
 - iii. ~~Medical Facilities;~~
 - iv. ~~Parks and Open Areas;~~
 - v. ~~Public Assembly;~~
 - vi. ~~Entertainment, Indoor;~~
 - vii. ~~Entertainment, Outdoor;~~
 - viii. ~~Office; or~~
 - ix. ~~Retail Repair, Sales, and Service.~~
 - d. ~~Food Trucks in Public Right-of-Way. This section of the UDO does not regulate the placement of food trucks in the public right-of-way.~~
10. **Swimming Pools.** A private swimming pool along with incidental installations, such as pumps and filters, is permitted in any residential zoning district subject to the following standards.
 - a. **Location.**
 - i. The swimming pool and incidental installations shall be located in other than the front yard.
 - ii. The swimming pool shall be set back from all lot lines a distance of not less than five feet.

140.04.08 Temporary Use and Structure Standards

140.04.08.A General Provisions

- Generally.** Permitted temporary uses and structures are set forth in Table 140.04.08.A, *Permitted Temporary Uses and Structures*. Standards for temporary uses and structures are set forth below and in Section [140.04.07.B](#) [140.04.08.B](#), *Standards*.
- Purpose.** The Temporary Use Permit is a mechanism to allow a use on a short-term basis and certain seasonal or transient uses not otherwise allowed. Prior to conducting or establishing a temporary use or structure, approval of a Temporary Use Permit by the Director is required pursuant to Section [145.02.10](#), *Temporary Use Permit*.
- Permitted Temporary Uses.** The uses listed in Table 140.04.08.A below shall be permitted by right (unless noted otherwise) in any of the listed zoning districts.

Table 140.04.08.A, Permitted Temporary Uses and Structures												
TP = Temporary Permitted Use TS = Temporary Special Use -- = Prohibited Use Maximum Events per Year / Days per Event (Duration Column)												
Temporary Use	Duration	Zoning Districts										
		Homestead and Residential					Non-Residential and Mixed-Use					
		AG	RE	RL	RM	RH	MU	CC	O-I	NC	GC	CD, EC
Amusement Enterprises	1 / 21	--	--	--	--	--	--	--	TP	--	TP	TP
Commercial Outdoor Sales Event	4 / 7	--	--	--	--	--	TP	TP	--	--	TP	--
Contractors' Office (Temporary)	See 140.04.07.B 140.04.08.B	TS TP	TS TP	TS TP	TS TP	TS TP	TS TP	TS TP	TP	TS TP	TP	TP
Fireworks Stand	1 / 45	TP	--	--	--	--	--	--	TP	TP	TP	TP
Food Truck	365 / 1-3 See 140.04.08.B	--	--	--	--	--	TP	TP	TP	TP	TP	TP
Outdoor Circus, Carnival, Exhibition, or Show	1 / 30	--	--	--	--	--	--	--	--	--	TS	TS
Real Estate Office in a Construction Trailer or Temporary Modular Unit	See 140.04.07.B 140.04.08.B	TP	TP	TP	TP	TP	TP	TP	TP	TP	TP	TP
Real Estate Office in a Model Home	See 140.04.07.B 140.04.08.B	TP	TP	TP	TP	TP	TP	TP	--	--	--	--
Religious Event	1 / 60	TP	--	--	--	--	--	TP	TP	TP	TP	TP
Seasonal Sale of Agricultural Products	4 / 30	TP	--	--	--	--	--	--	--	--	TP	TP
Sidewalk Vendor	3-45 140.04.08 B(2)(c)	TP	TP	TP	TP	TP	TP	TP	TP	TP	TP	--
Single Family Dwelling in Temporary Structure	See 140.04.07.B 140.04.08.B	TP	TP	TP	TP	TP	TP	TP	TP	TP	TP	TP
Temporary Residence in Mobile Home During Construction of New Home	See 140.04.07.B 140.04.08.B	TP	TP	TP	TP	TP	--	--	--	--	--	--

- 4. Review Criteria.** All temporary uses listed in this Section require a Temporary Use Permit. The Director shall not approve or modify and approve an application for a Temporary Use Permit unless the following general criteria, specific regulations and time limitations are met in addition to standards for any particular temporary use as specified in Section ~~140.04.07.B~~ 140.04.08. B, *Standards*.
- Compatibility with/Effect on Surrounding Area.** The allowance of such use shall not be detrimental to the public health, safety, and general welfare, and the use shall be consistent with the purpose and intent of this UDO and the specific zoning district in which it will be located; and the use is compatible in intensity, characteristics and appearance with existing land uses in the immediate vicinity of the temporary use, and the use, value and qualities of the neighborhood surrounding the temporary use will not be adversely affected by the use or activities associated with it. In addition to those listed herein, factors such as location, noise, odor, light, dust control and hours of operation shall be considered.
 - Location (Permission Required).** The use shall not be on publicly or privately owned property unless the applicant first obtains written approval from the owner.
 - Traffic.** The location of the temporary use or structure shall be such that adverse effects on surrounding properties will be minimal, particularly regarding any type of traffic generated or impacted by the temporary use or structure and impact upon *traffic circulation in the area*.
 - Parking and Access.** Adequate off-street parking shall be provided to serve the use. The use shall not displace the required off-street parking spaces or loading areas of the principal permitted uses on the site. The entrance and exit drives shall be designed to prevent traffic hazards and nuisances.
 - Property Line Setbacks.** Structures and/or display of merchandise shall comply with the yard and property line setback requirements of the zone district within which it is located. The items shall be displayed so as not to interfere with the sight triangle of the intersection of the curb line of any two streets or a driveway and a street. In no case shall items be displayed, or business conducted within the public right-of-way, except that this Section shall not apply to the CC or MU district *with the issuance of an encroachment permit*.
 - Signs.** Signage for temporary uses shall be permitted only within the time frame for which the temporary use is permitted. See Section 141.05.05, *Temporary Signs* for specific standards for signs.
 - Number per Parcel.** Only one Temporary Use Permit shall be permitted for a single parcel of land at any given time *unless authorized with an approved Special Use Permit*.
 - Utilities.** Temporary uses must provide sufficient potable water and adequate sewage disposal.
 - Outdoor Lighting.** All light sources must be directed inward to the site and downward and away from adjacent properties. Refer to § 141.06, *Outdoor Lighting*.
 - Public Convenience and Litter Control.**
 - Adequate public restroom facilities and waste containers shall be required on-site.
 - After the temporary use is finished, the site shall be returned to its condition prior to the temporary use being established, including, but not limited to, removal of all litter and any other facilities related to the use, at no expense to the Town.
- 5. Period of Time Between Permits.** The period of time ~~an expired~~ between Temporary Use Permits on a parcel ~~and application for another Temporary Use Permit on that parcel~~ shall be at least ~~three months~~ 30-days or as otherwise stated within Subsection 140.04.08B. Any request for less than the 30-day time period between permits shall require approval of a Special Use Permit. This restriction shall not apply to real estate development and construction related temporary uses as set forth in Subsection ~~140.04.07.B~~ 140.04.08. B, *Standards*.
- 6. Similar and Compatible Uses not Specified.**
- Authority.** If a particular temporary use is not listed in this UDO, the Director shall have the authority to grant a temporary use permit for a “similar and compatible use”.
 - Similar and Compatible Uses.** Similar and compatible uses not specified are those uses which are similar and compatible with those allowed as temporary uses in this Section.
 - Use Determination.** Determination of what constitutes similar and compatible shall be made by the Director. In such instances, the applicant shall provide the following information:
 - Type of use.

- ii. Number of employees.
- iii. Parking/circulation needs/hours of operation; and
- iv. Duration of operation.
- d. *Appeals.* If the Director determines that the use is not similar and compatible, the applicant may appeal the decision to the Planning and Zoning Board of Adjustment in accordance with Section 145.04.04, Appeal of Administrative Decisions.

140.04.08.B Standards

1. **Approval of Temporary Uses and Structures.** The standards in this Section apply to temporary uses and structures that are listed as permitted subject to limitations or that require a Special Use Permit in Subsection 140.04.0708.A, *General Provisions*.
2. **Temporary Retail Sales Uses.**
 - a. *Fireworks Stands.* Limited to only non-residential zones for a period of time not to exceed 45 days. A maximum of one structure, not to exceed 120 square feet in area, shall be allowed. The structure must be portable and completely removed at the end of the permit period. Any sales of fireworks shall be regulated in accordance with NCGS 14-410 and 14-414 and NC Fire Code.
 - b. *Seasonal Sale of Agricultural Products (including Christmas Trees).* Temporary Use Permits are required for all Roadside Stands in non-residential zoning districts. Such sales are limited to a period of time not to exceed four consecutive months per calendar year. A maximum of one building/display booth shall be allowed and may cover a maximum of 400 square feet. The structure must be portable and completely removed at the end of the period.
 - c. *Sidewalk Vendors.* A sidewalk vendor is defined as a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, or other nonmotorized conveyance, or from one's person, upon a public sidewalk or other pedestrian path. This use is prohibited except when:
 - i. Conducted in conjunction with a Town sponsored or recognized event; or
 - ii. As granted by permission of the Town.

~~The sale of food, beverages, or merchandise from a stand or from a person may be allowed in the GC-zoning district and shall be limited to a period not to exceed 90 continuous days per calendar year in a given location. Even if at any time the vendor does not occupy the permitted site, the 90-day limit shall not be extended.~~
3. **Real Estate Development and Construction-related Temporary Uses.**
 - a. *Contractors Office and Equipment/Storage Sheds.* Placement of such as a temporary use is limited to a period of time determined by an estimated project completion date with the option of an extension of up to one year if approved by the Director. A construction trailer may be used for a contractor's office or for the contractor's storage of equipment or materials. All temporary buildings and trailers shall be completely removed from the site within thirty days of issuance of a Certificate of Compliance and Occupancy or completion of the construction project, whichever occurs first.
 - b. *Real Estate Office in a Construction Trailer or Temporary Modular Unit.* Temporary structures, such as construction trailers or temporary modular units may be used as real estate sales offices in any new residential construction project for the sale of units within that project only. Such a temporary use may be allowed in all zoning districts. In the event that multiple builders are involved in a new construction project, one construction trailer or temporary modular unit may be permitted (as a sales office) per builder. Each individual trailer or modular unit shall be located on an individual lot. In no case shall multiple permits be issued for the same Parcel Identification Number (PIN). The permit shall be valid until the project is completed or for a period of two years from the time of the recording of the most recent final plat. All temporary structures shall be removed within 30 days of the completion of the project.
 - c. *Real Estate Office in a Model Home.* Temporary structures, such as a real estate office in a model home, are limited to a period of time not to exceed one year with the option of an extension of up to one year as and if approved by the Director. The number of employees utilizing the office at any one time may not exceed five. A real estate office may not contain sleeping or cooking accommodations unless located in a model dwelling.



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- d. **Single Family Dwelling in Temporary Structure.** During the active construction period (after a building or grading permit has been issued) of a construction project involving a non-residential use or a residential development with building permit(s) for more than 50 units at any one time, one mobile home or trailer may be allowed on the same property to be used as a temporary residence by a night watchman for a period not to exceed 12 months or the active construction period, whichever is less. The temporary home shall be removed from the site within 14 days of issuance of the Certificate of Zoning Compliance for a non-residential structure or the first residential unit if within a residential development.
- e. **No Recreational Vehicles.** No Recreational Vehicles shall be permitted as a Temporary Use or Structure.
- f. **Temporary Residence in Mobile Home During Construction of New Home.** In the event that a new single-family home is being constructed on a parcel where a mobile home currently exists, the mobile home may remain for the duration of the building process for the new home. Said mobile home shall be removed within 30 days of the date of the last final inspection, as required by North Carolina Building Codes and/or any other applicable codes. Said inspections include, but are not limited to: final building, electric, plumbing and/or mechanical inspections for occupancy of the structure.
- g. **Amusement Enterprises.** Carnivals, circuses, fairs, and amusement rides may be allowed in any non-residential zoning district for a period not to exceed 21 days within any calendar quarter. This classification excludes events conducted in a permanent entertainment facility.
- h. **Religious Events.** Religious events in a tent or other temporary structure may be allowed in any non-residential zoning district for a period not to exceed 60 days.
- 4. **Commercial Outdoor Sales Event.** Such activities may be conducted outside for a period of not more than seven consecutive days. If the private sidewalk or pedestrian way in front of the building is used for display of merchandise, a minimum width of four feet must remain unobstructed for pedestrian use. A Temporary Use Permit for promotional activities may be renewed four times during any calendar year, for a maximum of 28 days per calendar year.
- 5. **Special Events and Activities.** Special events and activities conducted on public property, such as school sites and public parks shall be exempt from the provisions of this Section of the UDO but must comply with any guidelines, regulations and permitting process required by the authorizing agency (e.g., School District or a Parks and Recreation Department).
- 6. **Food Truck.** A food truck is defined as a food service establishment on a motor vehicle or on a trailer that a motor vehicle pulls to transport, from which a vendor standing within the frame, sells food and/or drink processed or prepared on-site to walk-up customers. MOBILE FOOD VENDING. Commercial food service sales conducted through use of a food truck.
 - a. **Permitting.** A Temporary Use Permit (TUP) may be issued in compliance with review criteria found in 140.04.08.A and the following:
 - i. Mobile food vending is prohibited on vacant properties unless authorized through a Special Use Permit. Criteria for consideration should include:
 - 1. Location. Is the site located within a Town Activity Center
 - 2. Safety. Can the site be accessed by emergency services and patrons safely.
 - 3. Parking Availability.
 - ii. Placement of food trucks shall be limited:
 - 1. Paved areas, outside of fire lanes, landscaped and/or buffer areas.
 - 2. A minimum separation of 100 feet from the front door of an existing business, or restaurant, not affiliated with the mobile food service shall be required.
 - iii. Hours of operation shall be limited to between 8:00 a.m. and 10:00 p.m. Food trucks, trailers, or other associated equipment may not remain after hours upon the premises unless registered to participate in a special event recognized by the town or owned and operated on the premises of an existing restaurant.
 - iv. Service is limited to walk-up service (no drive-through).
 - v. Mobile food vending shall be prohibited from discharging fat, oil, grease, or wastewater into the sanitary sewer system. Waste shall be properly stored and disposed of at a properly designated location.
 - vi. The noise level from the food truck motor and/or generator must comply with the town's

noise ordinance. The use of renewable alternative energy sources (e.g., solar battery generators, propane, natural gas) in conjunction with Food Trucks operated within the Town is encouraged.

- vii. Vendors shall comply with all local, county, and state regulations, licensing, registrations, and permitting, including sales tax regulations.

b. **Duration.** A temporary use permit may be issued to a food truck vendor to operate for:

- i. A maximum of three consecutive days on any site or parcel.
- ii. The minimum time between temporary use permits on the same site or parcel shall be limited to a 30-day period.
- iii. Flexibility in duration requirements noted above may be considered and approved by Special Use Permit.

c. **Public Property.** Food trucks may not be operated on public property such as parks or plazas, parking lots, public street rights-of-way, or public sidewalk except as specifically authorized by the Town and/or as part of an official public event sponsored or co-sponsored by the Town.

d. **Other Zoning Districts.** In all zoning districts other than those listed in Table 140.04.08. A, listed above, food trucks may be allowed without a permit:

- i. On commonly owned property within a residential development serving residents and guests at a neighborhood activity or function; and
- ii. Sites undergoing construction in accordance with a valid development plan and permits. Such trucks may vend to persons lawfully authorized to be on the construction site and not to the general public.



TOWN OF HARRISBURG

Agenda Item Details

Title:

Consideration of Contract to upgrade Fire SCBA Cascade System Capital Purchase

Presenting Personnel:

Bryan Dunn, Fire Chief

Suggested Motion or Action:

Motion to approve the contract with Safe Air Systems to complete an upgrade to the SCBA cascade system for approximately \$58,900.

Description/Background:

The FY2024 Capital Improvement Plan includes an upgrade to the Rescue 32 (FD301) mobile air cascade system to accommodate newer higher pressure SCBA's & RIT Packs. Currently we have to go to other locations (Charlotte) to refill our RIT Packs due to the higher pressure (5500 psi) required, which exceeds our current system's capabilities. The update will also provide the necessary system needed to accommodate an upcoming SCBA replacement purchase.

The former contract/quote that was previously approved was for a 7000PSI system upgrade. The new contract/quote is for a 6000 PSI system upgrade. The new contract/quote provides the same component upgrades as the original, but also includes a 6000 PSI compressor for Station 2 which will provide a dedicated site so FD301 can be refilled at its assigned station and a closer site for Training operations and Station 3 to refill their SCBAs and Rapid Intervention Paks (RIT).

By going with a 6000 PSI system the savings allows the purchase of the 2nd compressor due to not having to change out so many components currently in place (blast chambers, regulators, etc.) as 7000 PSI systems require more robust safety features that are not necessary with a 6000 PSI system.

Recommendation:

Staff recommends approving the attached contract with Safe Air Systems.

Fiscal Impact:

The fiscal impact to the Town is an expenditure of approximately \$55,000 toward the approved project budget of \$55,000. The additional approximate \$3,900 in sales tax is reimbursed by the State of NC and does not count toward the project's authorized budget. The total contract price is \$58,900.

Safe Air Systems, Inc. is the sole provider in NC for a system that is compatible with the Department's RIT packs.

Attachments:

1. Compressor updated Quote



210 LABRADOR DR.
RANDELMAN, NC 27317

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INDIANA/KENTUCKY 614.986.1025	PENNSYLVANIA 412.564.5756	MICHIGAN 517.786.4060	ILLINOIS 217.768.4408



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QUOTE

Safe Air Systems
210 Labrador Drive
Randleman, NC 27317

Requested By: STEVEN GILL
Title: LOGISTICS OFFICER
Email:
SGILL@HARRISBURGNC.ORG
Phone: (704) 791-5789

Quote Date: 11/06/2023
Quote #: QUO-NC3977
Customer ID: 612457

Bill To
HARRISBURG FIRE DEPT
PO BOX 100
TOWN OF HARRISBURG
Harrisburg NC 28075
United States

Service Location
HARRISBURG FIRE DEPT
6450 MOREHEAD RD
TOWN OF HARRISBURG
HARRISBURG NC 28075
United States

Expires	01/05/2024
Terms	Net 30
Shipping Method	LTL Motor Freight
FOB	
Est Delivery Time	12 to 16 Weeks
Quote Total	\$58,819.98

Sales Rep Name
Edward Holland

Sales Rep Email
eholland@safeairsystems.com

Sales Rep Phone
(336) 674-4676

NOTE: Unless otherwise stated below, our quotes do not include the offloading, uncrating, or placement of compressors or fill stations. Customers are responsible for the wiring to or into an electrical compressor and to the electrical supply. Warranty is as proposed.

ITEMS QUOTED MAY BE ON NEXT PAGE:

Item	Quantity		Description
Bauer Warranty - 5 Year			5 year bumper to bumper warranty on the fill station. Customer required to use Safe Air Systems / Breathing Air Systems as your service provider for the first 5 years. If at anytime you have another company perform any work the warranty would be void.
CFS5.5-2M	1		Two position CFS designed to be used in conjunction with a BAUER or Breathing Air Systems fill control panel supplied separately, as no fill controls are provided
Shop Labor - SAS	20		Shop Labor - SAS

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Item	Quantity		Description
Comment			THIS QUOTE IS FOR A BAUER CFS5.5 TWO POSITION FILL STATION THE NEW FILL STATION IS RATED FOR FILL 5500 PSI SCBA CYLINDERS AND MEETS NFPA 1901 STANDARDS. CUSTOMERS EXISTING ACP WILL BE REUSED RELIEF VALVE WILL BE SET A 5950 CUSTOMER TO BRING THE TRUCK TO OUR SHOP IN RANDLEMAN, NC FOR EQUIPMENT TO BE INSTALLED AND UPDATED.
LEGACY-13-E1	1		Bauer Open Vertical Compressor/Purifier configured for 13.0 scfm, 6000 psig, 10 HP, 4-stage compressor, single phase motor and 67,000 scf capacity purifier, integrated purification system that meets NFPA 1989 requirements for firefighting and CGA Grade E air for SCUBA, purifier includes steel mechanical separator chamber, as well as purifier safety vent port to prevent operating system w/ o cartridge. Standard with Bauer long-life, well-cooled, oil-pressure lubricated compressor block with stainless steel intercoolers, high-temperature & low oil pressure shutdowns. Mounted pressure gauges for oil, final stage and purifier. Includes PLC , lighted on/off switch, hour meter, emergency stop button, safety over-time timer, motor controls/protection and UL-rated electrics. AUTO CONDENSATE DRAIN SYSTEM -Timed automatic drain, includes silencer and collection reservoir and user display indicator if "full". MTD INTERSTAGE PRESSURE GAUGES SECURUS PURIFIER MONITOR SYSTEM - Built-in, continuous monitor for purification cartridges. - Includes user display indicators for "safe", "high moisture", "cartridges expired" and "contact fault". - Automatic system shutdown for faults; fail-safe (can not be over-ridden); no warm up required. - Can extend the purifier cartridge's useable life.
Discount			Customer Loyalty Discount
26-SASCO-24V-LEGACY	1		CO MONITOR 24V FOR LEGACY
Discount			Customer Loyalty Discount
OUTV-KIT/VERT	1		Comp Outlet Valve Kit
93-CMP-SS	1		WALL MOUNT REG PANEL 6K

Item	Quantity		Description
59X0502-QC	1		Fill Adapter w/ 6K Quick Coup
50-BA001-3	25		#3 BREATHING AIR HOSE PER FOOT
10655-4-3	2		END, PARFLEX FEMALE
CFS5.5-3M	1		Three position CFS designed to be used in conjunction with a BAUER or Breathing Air Systems fill control panel supplied separately, as no fill controls are provided
CFSII-3-CLICKMT	1		Clickmate Kit for CFSII 5.5
AIRTEST-SINGLE-NC	1		AIRTEST SINGLE
Travel Labor - SAS	4		Travel Labor - SAS
Field Labor - SAS	10		Field Labor - SAS
Fuel Surcharge	1		Fuel Surcharge
Trade In Discount - Fill Station			ONE 3 POSITION CFS FROM UNICUS ONE 2 POSITION CFS FROM TRUCK
Comment			THIS QUOTE IS FOR A BAUER CFS5.5-3M THREE POSITION FILL STATION TO REPLACE YOUR CURRENT UNICUS SYSTEM. THE NEW FILL STATION IS RATED FOR FILL 5500 PSI SCBA CYLINDERS AND MEETS NFPA 1901 STANDARDS. WE WILL DELIVER & INSTALL THE NEW FILL STATION IN YOUR CURRENT UNICUS SYSTEM. RELIEF VALVE WILL BE SET A 5950 LEGACY 13 TO BE INSTALLED SAME DAY AS THE UNICUS FILL STATION UPGRADE. *** WE HAVE ALLOWED FOR TRADE IN OF YOUR OLD FILL STATION AND WILL TAKE IT BACK WITH US.

Subtotal	\$54,296.15
Shipping Cost (LTL Motor Freight)	\$630.00
Tax (%)	\$3,893.83
Total	\$58,819.98

PAYMENT TERMS: INVOICES ARE SUBJECT TO LATE CHARGES AT THE RATE OF 1.5% PER MONTH (ANNUAL 18%).

ALL PART RETURNS OR EXCHANGES MUST BE COMPLETED WITHIN 45 DAYS FROM INVOICE DATE. ALL RETURNS REQUIRE A RETURN MERCHANDISE AUTHORIZATION. ALL RETURNS ARE SUBJECT TO A 15% RESTOCKING FEE. SHIPPING CHARGES WILL BE ADDED WHEN ORDERS ARE FULFILLED.

NOTE: PAYMENTS BY CREDIT CARD WILL INCUR A CONVENIENCE FEE TOTALING 3.0% OF THE INVOICE TOTAL ON ALL TRANSACTIONS EXCEEDING \$1,200.00. A WIRE FEE OF \$45.00 WILL BE ADDED TO ALL ORDERS PAID BY WIRE.

Quote Approved By: _____ (Print Name)

Approved By Signature: _____

Title: _____

Approved Date: _____

CUSTOMER REQUIREMENTS

Important Information

I agree to the following requirements to ensure a trouble-free delivery and installation of my new system:

OFF LOADING

In most situations Safe Air Systems will deliver your system and place it with a pallet jack. In order to do this you must provide a level off loading area as well as a level surface from the unloading area to the final system location. Please notify Safe Air Systems if your location is not conducive to unload and place your new system via pallet jack. The cost of a fork lift, if required, will be the responsibility of the customer and therefore must be provided by the customer. Delays in unloading equipment due to unloading issues may result in additional charges.

RECOMMENDED ELECTRICAL WIRING AND BREAKER FOR EQUIPMENT ON QUOTE NUMBER:

QUO-NC3977

Service Disconnect with Time Delay Fuse	Wire Size/Gauge	Phase/Power	Volts
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CUSTOMER ELECTRICAL WIRING FOR MOTOR-DRIVEN SYSTEMS

- If your system is stationery, confirm that your available building power matches or will match the recommended electrical wiring and breaker for your new equipment.
- If your system is mobile, confirm that the generator/power supply on the truck matches the voltage and phase that you have ordered for your new system and that the generator is of sufficient rating to start electric motor
- Consult a qualified electrician to confirm your power for either a stationary or mobile system
- Complete the section below to confirm your building power or generator/power supply on your truck, including service disconnect with Time Delay Fuse, Wire Size/Gauge, Phase/Power and Voltage where system is to be installed. Equipment is ordered to match your entries below and any changes will result in addition charges once the equipment has been ordered.

Service Disconnect with Time Delay Fuse	Wire Size/Gauge	Phase/Power	Volts

- For most applications, you will need to install a suitable electrical breaker, service disconnect switch with flexible conduit and wiring to connect to the new system. All electrical service components must be rated for their intended duty, motor horsepower, voltage, phase and corresponding amperage for your system application. Therefore, allow your licensed electrician to properly size your electrical hookup per NEC and/or other prevailing electrical code requirements. Customers are also responsible for all electrical connections.
- Be sure to provide a generous length of flexible conduit and wiring to comfortably reach the system's electrical box, including extra wiring to connect to the starter and ground terminals inside the system's electrical box. Include the conduit fitting(s) to permanently connect the conduit to the box.
- Safe Air Systems will make the final connections to the compressor electrical box at the time of the installation. Therefore it is imperative that the above electrical wiring, etc. be properly installed prior to Safe Air's scheduled installation visit so as not to delay the final installation of your new system. If installation is delayed due to incomplete or improper wiring, it will not delay the billing cycle for the system. Additional charges may apply to the customer if Safe Air has to provide additional labor or travel related to incomplete or improper wiring.
- Your cooperation in following these steps will play an important part in the satisfactory installation and reliable performance of your new system. So, if you have any questions, please feel free to contact Safe Air Systems for technical help. Thank you!
- I have read and understand the Customer Requirements document:

Accepted By Signature:_____ Date:_____

Printed Name:_____ Title:_____

Contact Name:_____ Phone:_____

Pressure of SCBAs to be filled:_____

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Fire Dept System Address:_____

SUPPLEMENTAL BAUER WARRANTY FOR MUNICIPAL CUSTOMERS OF BREATHING AIR SYSTEMS OR SAFE AIR SYSTEMS, WITH MAINTENANCE AGREEMENT

For municipal purchasers of BAUER's Reciprocating Compressor Products from Breathing Air Systems or Safe Air Systems, BAUER's Limited Warranty on Reciprocating Compressor Products for municipal breathing air systems, on the BAUER compressor system, fill station and other BAUER manufactured components, will be extended to five (5) years, commencing from the earlier of: (1) the date of commissioning (system start-up) or (2) six (6) months from the date of shipment from BAUER, provided the municipal purchaser maintains a maintenance agreement with Breathing Air Systems or Safe Air Systems, for such five (5) year period, to provide service in accordance with BAUER's published factory recommendations. **This five (5)-year extended warranty does not apply to wear and tear parts such as lubricants, purification filter elements, oil filters, O-rings, serviceable valve parts, and piston rings, which are subject to regular maintenance in accordance with BAUER's published factory recommendations.** A copy of this Supplemental Bauer Warranty signed by both the municipal customer and Breathing Air Systems or Safe Air Systems, must be provided to BAUER, at time of purchase, for the municipal customer to receive the extended five (5)-year warranty.

If at any time during the five (5) year service period the customer fails to complete the maintenance required by BAUER's published factory recommendations (at least annually, but could be more often based on hours of usage under BAUER's published factory recommendations) with Breathing Air Systems or Safe Air Systems, this extended five (5)- year warranty will be void and any warranty claims beyond two (2) years will be denied. The extended five (5)-year warranty will also only apply if BAUER parts (including lubricants and filters) are used for all system maintenance. The Bauer Warranty Registration Form must be on file with BAUER and proof of completed annual maintenance must be provided by your Authorized BAUER Service Center for all warranty claims.

MAINTENANCE AGREEMENT

Unless otherwise agreed in an additional written maintenance contract, the municipal purchaser by signing below agrees to obtain maintenance service on the equipment referenced in the below purchase order from Breathing Air Systems/Safe Air Systems. All maintenance and related maintenance parts will be billed at time of service and are not included with your equipment purchase unless prepaid with your equipment purchase. The month of service will be determined by Breathing Air Systems/Safe Air Systems. Your maintenance program will renew annually until cancelled in writing.

ORIGINAL PURCHASE ORDER: _____

CUSTOMER NAME: _____

CUSTOMER REPRESENTATIVE: _____

CUSTOMER SIGNATURE: _____

DATE: _____

BREATHING AIR SYSTEMS / SAFE AIR SYSTEMS

SALES OR SERVICE REP: _____

SIGNATURE: _____ DATE: _____

Subject to all other terms of Bauer's Limited Warranty on Reciprocating Compressor Products for municipal breathing air systems (which is incorporated in full by this reference), and to the referenced equipment being maintained as provided herein, Bauer Compressors, Inc. agrees to honor an extended five (5)-year warranty on certain products purchased by the municipal customer, on the terms set forth in the first two paragraphs above..

BAUER COMPRESSORS, INC.

BY: _____

SIGNATURE: _____ DATE: _____

BAUER COMPRESSORS, INC. - 1328 Azalea Garden Road, Norfolk Virginia 23502 - Phone: (757) 855-6006 Telefax (757)855-8654

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CONTACT INFO SHEET

To ensure our records are up to date

Please fill out and return

Lisa@breathingair.com or Fax: 614-986-1013

Mail to: Breathing Air Systems, Attn: Lisa Diehl, 8855 East Broad Street, Reynoldsburg, OH 43068

Business Name: _____

MAIN Office/Department phone: _____

SYSTEM LOCATION:

Street Address: _____

Primary Onsite Contact Name: _____

Primary Contact phone: _____

Email: (for Service Reports & Air test results) _____

Secondary Contact Name: _____

Secondary Contact Phone: _____

ACCOUNTS PAYABLE CONTACT:

Preferred method of billing/sending invoices: _____ ELECTRONIC VIA EMAIL _____ REG US MAIL

Person to contact: _____

Email: _____

Phone: _____

Mailing Address: _____

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