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Pre-Infrastructure/Vertical Building Permit meeting

Project: Kiddie Academy (Lot 4 at Wallbrook)

Case#: SDP-26-0001

Meeting Date: 7/31/2026

Organizer: The Site Group

☒ Commercial- SDP

☐ Non-Residential- SDP (Amenity Center)

1. Pre-Construction Meeting Request			
☒	a. Confirm that the City of Raleigh, the Town of Rolesville, and Wake County have all signed the SDP. Please do not schedule a meeting or submit building permits until all signatures are obtained and the meeting is held.		
☒	b. Locate an indoor facility within the Town of Rolesville to host an in-person (not virtual) meeting that accommodates at least 10-15 people. Please plan to meet for 2 hours at a facility with tables and chairs, such as a Community Center, Church, or Co-Working Facility. <u>Confirm the reservation before sending a meeting invitation.</u>		
☒	c. Upon receiving location confirmation, email a survey or Doodle poll with at least three different dates and three different times of day, 7-10 business days after the date the survey is sent. <u>*Reminder to please include at least 15 minutes to set up and clean up if necessary.</u>		
☒	d. One person from each “required” agency must attend. If not all required parties can participate, please send a follow-up poll with additional dates for the following week. Once confirmed, please send a calendar invitation and a link to an approved (signed) plan set.		
2. Contacts * Required parties listed in red.			
Town of Rolesville			
☒	Stephen Wensman, Planning Director	swensman@rolesvillenc.gov	984-251-2492
☒	Mike Elabarger- Asst. Pln. Director	melabarger@rolesvillenc.gov	984-251-2364
☒	Michele Raby- Planner II-CZO	mraby@rolesvillenc.gov	984-251-2365
☒	Rose Bower- Permit Tech.	rbower@rolesvillenc.gov	984-251-2366
x	Scott Miles- Town Engineer	smiles@rolesvillenc.gov	919-556-3506 x 261
☒	Charlie Betancourt Eng. Insp.	charlie.betancourt@bolton-menk.com	984-302-1844
☒	Jacob Butler- Battalion Fire Chief	jbutler@rolesvillenc.gov	919-556-2064

City of Raleigh Public Utilities			
☒	Chris Hurt- City of Ral. Sr. Eng. Insp.	chris.hurt@raleighnc.gov	984-272-9417
☒	Decarus Vinson- Eng. Sup. Mgr.	decarus.vinson@raleighnc.gov	919-868-0526
☐	C. DeCarlo Sanders, Utilities Analyst (*Required only for food service/vehicle maintenance)	courtney.sanders@raleighnc.gov	919-996-2334
Division of Transportation (NC DOT)			
☒	Thomas DeAveiro- DOT Sr. Asst. Dist. Eng.	tddeaveiro@ncdot.gov	919-814-6115
☒	Jeff Womble – DOT Trans. Tech. III *Commercial Projects & Main Street only	Ext-jlwomble@ncdot.gov	336-504-0474
Wake County Fire Services			
☒	Stephen Wolf- NC-FIT Deputy Fire Marshal	stephen.wolf@wake.gov	919-410-4682
☒	Brittany Lingle- Deputy Fire Marshal	brittany.lingle@wake.gov	919-675-6995
Wake County Building Permits and Inspections			
☒	Mike McLamb- Insp. & Permits Dir.	Michael.mclamb@wake.gov	919-524-2914
☒	Randy Bennett- Permits Administrator	randy.bennett@wake.gov	919-856-2894
☒	Kenny Dorman- Insp. Admin	k.dorman@wake.gov	919-524-4623

3. Topics for discussion- *The shared contact information will be on the website.		
a. <u>Noise Ordinance - TA-19-05, Ordinance 2024-O-36 *</u> Enforced by Rolesville Police non-emergency 919-556-7226. - Blasting activity is allowed between 10:00 a.m. and 6:00 p.m. - Construction activity is allowed between 8:00 a.m. and 6:00 p.m. - Please email the town a complete Construction Activity Notification Form at least 72 hours (3 business days) before blasting.		Reviewed Give the Town at least 48 hrs notice if doing construction activity outside of 8-6.
b. Burning- Town Code Section § 93.10 –No Open Burning and § 93.11. A Fire Service Burn Permit from the North Carolina Forest Service does not grant permission to burn in town limits. Please contact the Rolesville Fire Chief with any questions at 919-556-2064.		Reviewed
* Complaints Contact:	Company Name:	Email/Phone #
c. City of Raleigh Public Utilities Approval—An acceptance Email, Letter, or Stub Permit must be received before a building permit is issued.		Reviewed CORPUD approved
d. If a structure exists on site, please apply for a Wake County Demolition permit and confirm if Asbestos Mitigation is needed. *RFD may be interested in using the structure for training exercises.		Reviewed N/A
e. Dust Control – The Developer or Contractor shall mitigate dust transfer off the property and should determine which practices accommodate their needs according to specific sites and weather conditions.		Reviewed Entire site is within a ft of final grade. Dust shouldn't be an issue
f. What Road or Street will the construction entrance be on? 1. <u>Internal Driveway - use S. Main Street Access</u> 2. _____		Reviewed Do not cut through townhome road (Marshskip Way)
g. On-site staging: Where will your on-site staging area be prepped so that all worker parking and deliveries/suppliers can access the site during the extent of construction? Curb > stone > stage on stone for building foundation *Parking on public streets is prohibited.		Reviewed No parking or staging in fire lanes or along Marshskip Way.
h. Sidewalk disruption: If a public sidewalk will be disrupted, please contact ^{Charlie}Billy Cleveland to discuss where to locate a walking path for residents. Put plastic caps on silt fence near sidewalks.		Reviewed Re-route ADA path if s/w cut is necessary for water line work
i. Road Lane closure: Please notify the Town 48 hours before road closures, water shutoffs, etc. The town will broadcast the dates and times to residents and Emergency Services.		Reviewed N/A
j. NC DOT may require 1. Approved Driveway and Encroachment Permit Required - In progress 2. Bond		Reviewed
*Please confirm with Jeff Womble, Ext-jlwomble@ncdot.gov .		

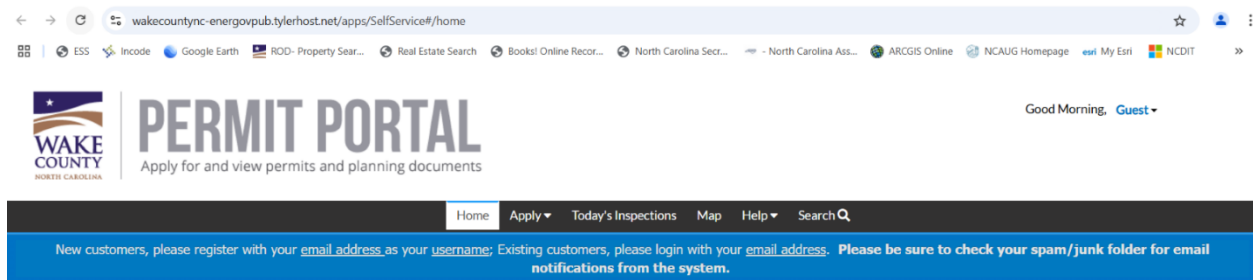
Work out a plan to stage as much work on site as possible or work with neighbors to see if they grant permission.

4. Permits		
*Permits submitted with a “0”, i.e., 0 South Main Street, will be withdrawn. Multi-Tenant Buildings must include the building number and the suite number.		
a. Create an account on the Wake County Permit Portal. This is where an applicant applies for all building permits, reviews inspection comments, pays the combined Town of Rolesville/ Wake County fees with a credit card, schedules inspections, downloads building permits and TCOs or COCs, and more. Each subcontractor must have an individual online portal account. Please contact WC at 919-856-6222 with questions.	Reviewed Permit submittal does not require GC. GC required for issuance. GC to provide 1 central email point of contact	multiple email addresses on portal will be kicked back. talk to inspectors first to see if what they want you to do before attempting to amend plans.
b. Create an account on the City of Raleigh Public Utilities Permit Portal. This portal will be where an applicant pays by credit card for each lot's Water Meter/Stub and Irrigation (if applicable) permit. Please contact COR at 919-996-3245 with questions. Irrigation permits require separate permits. One Wake County Plumbing trade permit (CTP) and one City of Raleigh Stub & Meter permit (PU).	Reviewed	
c. Common Non-Residential (Commercial permit types)- ○ <u>ABC Permits</u> are requested from the NC ABCC and processed through the Wake County Permit Portal. 1) Inspection Zoning Compliance Form 2) Local Government Opinion From Please email Samantha Charney with questions at: samantha.charney@abc.nc.gov ○ <u>BDA Permits</u>- See Wake County Checklist ○ <u>Construction Trailer</u>- LDO Section 5.2 Accessory Uses Include a Pump and Hall contract and a Temporary electric pole, if applicable ○ <u>Commercial Stocking Permits/TCOs</u> are issued upon request at the discretion of the Wake County Fire Marshal's Office and Wake County Inspections Office. ○ <u>Commercial Up-Fit Permits</u> will be reviewed, but a Pre-Issuance Hold will be incurred until the building receives a TCO or COC. ○ <u>Commercial Knox Box</u> (https://www.knoxbox.com/products) may be required. For multi-suite buildings, please purchase the larger box. For additional information, please contact the Rolesville Rural Fire Department at 919-556-2064. ○ <u>Demolition</u> (DPR Permits) Requires a Wake County Permit. ○ <u>Signs</u> may not be erected until the SDP is approved. Please do not place a “Coming Soon” sign until the SDP is signed. For information on sign permits, please contact Tanner Hayslette at thayslette@rolesvillenc.gov and review Section 6.1 of the LDO. ○ <u>Dumpster Enclosure</u>- Requires a Wake County Permit.	Reviewed Provide stamped/ approved plans for all inspections. Submit on WC portal Rolesville will be able to see it and review. Then Wake reviews. Then Rolesville issues permit. Get inspections in the order they are needed. A pre-con meeting is not required for building permit issuance. An informal meeting may occur after. Invite Scott Miles & Charlie to the Wake County EC Pre-Con meeting.	

○ The <u>City of Raleigh Public Utilities</u> Division requires food service establishments or vehicle maintenance facilities to request pretreatment approval before submitting commercial building plans to the Wake County Plan Review Office for a building permit. ○ <u>Irrigation</u> (see item b. above) ○ <u>Fire Alarm/ Fire Sprinkler</u> permits- please reference the commercial building permit number on the application. ○ <u>Mail Kiosk</u>- Each kiosk requires a separate permit. ○ <u>Retaining Walls</u>- over four feet in height, each retaining wall requires a separate permit if the retaining wall is on a different PIN. ○ Wake County performs <u>inspections</u> for the Town of Rolesville. Please request inspections on the portal or call: 919-856-6222. c.1 - Common Amenity Center Permits * The permits below may also be requested in addition to those listed above. - Cabanas, Gazebos, Hot Tubs/Spas, Playgrounds (including Tot Lots), and Pools require separate permits d. – Please email Amendment forms to change a contractor or request a new plan review after a permit has been issued to Rose Bower or Tanner Hayslette. An amendment fee will be imposed for each form submitted.	TCO comes from Rolesville. Reach out to Randy Bennett for stocking permit requirements. The dumpster can be a part of the building permit. Playgrounds should be permitted separately (by vendor). A permit is required for construction trailer w/restrooms or elec. Fencing does not require permit unless if over a certain ht. GC to reach out to J. Butler for Knox Box placement. CC Rolesville on all emails to Wake County.
Important note: Permits will be withdrawn if submitted with a “0” in the address, such as 0 South Main. Please confirm the address with Wake County E911/GIS Addressing before submitting a permit application. For additional information, please contact: Dianne Saunders GIS Analyst- E911/Addressing Team Wake County Government- IT/GIS dianne.saunders@wake.gov 919.856.6397 office (leave message)	

Non-Residential Permit Type examples

Here is a list of proposed permit types your project ***may*** need to obtain.



- **Club/ Pool House**— Mail kiosk (CBU) can be included if connected to the building (CBPR)

**Commercial New Building or Addition**

Category Name: Building & Construction

Description: This permit type is to construct a new commercial building or additions to an existing commercial building to include an increase in square footage, number of stories or height.

Apply

- Commercial Upfit- To be used ***after*** the building shell is completed.

**Commercial Alteration**

Category Name: Building & Construction

Description: This permit type is for alterations, renovations or repairs to existing commercial buildings. This permit type should not be used for additions or to increase the square footage of existing commercial buildings.

Apply

- **Demolition of an existing structure-** WC may request an Asbestos report- (DPR)

**Commercial Demolition**

Category Name: Building & Construction

Description: This permit type is for the complete demolition of a commercial building or the partial demolition of a commercial building to include interior or exterior.

Apply

- **Fire Alarm – (FSTR) (ERCES)**

**Fire Services Trade - Fire Alarm**

Category Name: Fire Services

Description: This permit is for the installation of or modification of fire alarm systems (new, existing and replacements.)

Apply

- **Fire Services Trade- Alternate Extinguishing System**

**Fire Services Trade - Alternate Extinguishing System**

Category Name: Fire Services

Description: This permit is for the installation of or modification to an Alternate fire suppression systems. Examples include; Argonite, Carbon Dioxide, Dry Chemical, Clean Agent, Foam, Liquid Agents, Water Mist, etc.

Apply

- **Fire Sprinkler (FSTR)**

**Fire Services - Fire Sprinkler**

Category Name:
Fire Services

Description:
This permit is for the installation of or modification to an Automatic fire-sprinkler systems. Examples include; NFPA 13 and 13R systems, Fire Pumps and related equipment.

[Apply](#)

- **Flammable/ Combustible Storage Tank Removal**

**Storage Tank Removal Permit**

Category Name:
Fire Services

Description:
Apply for this permit as required per NC Fire Code section 105.7.8. This permit is issued to allow the removal of flammable and/or combustible liquid tanks. Wake County only issues this permit in the unincorporated Wake County AND the Towns of Rolesville and Wendell.

[Apply](#)

- **Irrigation * Reminder to obtain a City of Raleigh permit as well.**

**Commercial Trade Permit. Plumbing, Mechanical, Electrical, or Refrigeration**

Category Name:
Building & Construction

Description:
This permit type is for plumbing, mechanical, electrical, or refrigeration work on commercial properties, buildings, or structures when a building permit is not required. Use Fire Services permit type for fire alarm, fire sprinkler, flammable/combustible liquid tank, or alternate extinguishing system permits.

[Apply](#)

- **Mail Kiosk (CBUs)**

**Commercial Structures other than Buildings**

Category Name:
Building & Construction

Description:
This permit type is to construct or install fences, signs, walls, awnings or monuments. This permit type is for non-buildings.

[Apply](#)

- **Pool and or Hot Tub (Pool and Hot Tub may be put on one permit application)**

**Commercial Pool, Spa or Hot Tub**

Category Name:
Building & Construction

Description:
This permit type is for constructing a pool, spa or hot tub on a commercial property including community pools or at apartment complexes.

[Apply](#)**Public Pool Permit**

Category Name:
Food, Facilities, & Pools

Description:
All swimming pools, hot tubs (spas), spraygrounds, etc. This does not include residential pools for a single family home.

[Apply](#)

- **Retaining Walls over 4 feet in height-** Each wall requires a separate permit (*except on a single lot with no encroachment onto another lot)



Commercial Structures other than Buildings

Category Name: Building & Construction

Description: This permit type is to construct or install fences, signs, walls, awnings or monuments. This permit type is for non-buildings.

Apply

- **Septic Tank Removal**



Wastewater Abandonment

Category Name: Wastewater

Description: Application to permanently discontinue use of an existing septic system. Example: Connecting existing system to municipal sewer service or permanent disuse of septic system

Apply

- **Signs** LDO Section 6.1- *Contact Tanner Hayslette thayslette@rolesvillenc.gov.



Commercial Structures other than Buildings

Category Name: Building & Construction

Description: This permit type is to construct or install fences, signs, walls, awnings or monuments. This permit type is for non-buildings.

Apply

- **Well Abandonment**



Permit for Abandonment of a Well

Category Name: Wells

Description: Permit for Abandonment of a Well

Apply

- **Commercial Knox Box- Suggested- No permit needed. Contact Chief Butler, RFD, 919-556-2064 with questions.** Single-Building = smaller box/ multi-Tenant buildings = larger box

knoxbox.com/products/commercial-knoxboxes



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Rolesville Fire Dept - ROLESVILLE, NC

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THE #1 KEY LOCK BOX NATIONWIDE

Non-Residential Building Permit Fee Worksheet- Fee schedule is subject to change and can be found at: <https://www.rolesvillenc.gov/finance/financial-documents>

Description	Fee	Projected Cost
Commercial new structure Zoning permit	\$250	\$250
Building permit processing	\$100	\$100
Transportation Development Fee		
Industrial		
Manufacturing or Agricultural processing	\$181 /1,000 square feet or \$1,835 /acre (whichever is greater)	\$_____ x
Warehouse, Wholesale, or Distribution	\$302 /1,000 square feet	_____ =
Mini-warehousing (aka self-storage units)	\$80 /1,000 square feet	
Institutional		
Churches	\$135 /1,000 square feet	\$_____ x
Day care facility	\$42 /licensed enrollee	
Cemetery	\$127 /acre	
Group quarters	\$80 /bed	
Elementary & Middle Schools	\$32 /student	_____ =
High Schools	\$43 /student	
Office, hospital, and medical care facility		\$_____ x
Less than 100,000 square feet	\$543 /1,000 square feet	
100,000 to 199,999 square feet	\$438 /1,000 square feet	_____ =
Greater than 200,000 square feet	\$334 /1,000 square feet	
Recreational amenity centers	\$185 /1,000 square feet	\$_____ x
		_____ =

		\$ _____ x _____ = \$ _____
	<u>\$1,092 /1,000 square feet</u>	
	<u>\$982 /1,000 square feet</u>	
Retail	<u>\$1,247 /1,000 square feet</u>	
49,999 square feet or less	<u>\$1,148 /1,000 square feet</u>	
50,000 to 99,999 square feet	<u>\$950 /1,000 square feet</u>	(+) gas if applicable
100,000 to 199,999 square feet	\$190 /pump	
200,000 to 299,999 square feet		
Greater than 300,000 square feet		
Retail gasoline delivery pumps		\$ _____ x _____ = \$ _____

Miscellaneous Fees

Town of Rolesville- Wake County Fire Services Inspection

Commercial structures	Actual cost-net 30 billing
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Town of Rolesville- Infrastructure Fees

Inspection of other field improvements	Actual cost-net 30 billing
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Town of Rolesville- Sign Fees + Additional Building Permit Fees

Permanently mounted	\$75 per sign
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Town of Rolesville- Street or right-of-way closure

Permanent closure	\$1,000.00
Temporary closure	\$100.00

*Please use this worksheet as a cost estimator. This fee sheet is intended to provide an estimate and not encompass all applicable fees. Fees may change.

*Important note: City of Raleigh Public Utilities and Wake County Permit and Inspections assess permit fees to be paid upon approval of the permit application and before the Town of Rolesville issues a building permit.

City of Raleigh Public Utilities- [Fee Schedule](#)

Town of Rolesville- [Schedule of Fees](#)

Wake County Inspections & Permits- [Fee Schedule](#)

Sign-in Sheet

Project Name:_____ **Meeting Date:**_____

[illegible]

[illegible]

ORDINANCE #2024-0-36

AN ORDINANCE TO AMEND THE TOWN OF ROLESVILLE NOISE REGULATIONS

WHEREAS, N.C. Gen. Stat. § 160A-174 grants to the Town the authority to define, prohibit, regulate, or abate acts, omissions, or conditions detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the Town, and may define and abate nuisances consistent with the laws of the State of North Carolina and the protections of the United States Constitution and North Carolina Constitution; and

WHEREAS, N.C. Gen. Stat. § 160A-184 grants to the Town the authority to regulate, restrict, or prohibit the production or emission of noises or amplified speech, music, or other sounds that tend to annoy, disturb, or frighten its citizens; and

WHEREAS, the Town Board of Commissioners finds that loud and raucous noise is harmful to the health, safety, and welfare of its residents and visitors; interferes with the comfortable enjoyment of life and property; interferes with the wellbeing, tranquility, and privacy of the home; and causes and aggravates certain health problems; and

WHEREAS, the Town Board of Commissioners finds that both the effective control and the elimination of loud and raucous noise are essential to the health and welfare of the Town's residents and visitors, and to the conduct of the normal pursuits of life, including recreation, work and communication; and

WHEREAS, the Town Board of Commissioners finds that the use of amplification equipment may, in a particular manner and at a particular time and place, substantially and unreasonably invade the privacy, peace, and freedom of the Town's residents and visitors; and

WHEREAS, the Town Board of Commissioners finds that short-term easing of noise restrictions is essential to allow the construction and maintenance of structures, infrastructure, and other elements necessary for the physical and commercial vitality of the Town; and

WHEREAS, the obligation to draft regulations that affect speech in a content-neutral fashion is of paramount importance to protect the freedom of expression guaranteed by the First Amendment to the United States Constitution and by Article I, Sections 12, 13, and 14 of the North Carolina Constitution, such that this ordinance enacts narrowly drawn, content-neutral regulations that are to be interpreted as such so as not to infringe upon constitutionally protected rights; and

WHEREAS, the Town Board of Commissioners endeavors to find a balance between the activity that has become an integral part of the Town's culture and the continuing promise of comfortable enjoyment of life and property.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF COMMISSIONERS OF THE TOWN OF ROLESVILLE, NORTH CAROLINA that:

SECTION 1. Section 130.04 of the Rolesville Town Code, titled "Unnecessary Noise" is hereby repealed in its entirety.

SECTION 2. The following language is hereby adopted as a new "Chapter 132. - Noise" to the Rolesville Town Code:

CHAPTER 132. -NOISE

§ 132.01. DEFINITIONS.

In addition to the common meanings of words, for the purpose of this Chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

Blasting. Activity involving the use of any explosive for the purpose of demolishing a structure or blasting out rock, gravel, earth, trees, or any other substance or material.

Construction. On-site erection, fabrication, installation, alteration, demolition, or removal of any structure, facility, or addition thereto, including all related activities, including, but not restricted to, clearing of land, earth moving (not to include Blasting activity), and landscaping.

Daytime Hours.

- 7:00 a.m. to 11:00 p.m., local time, Monday through Friday, except Federal Holidays.
- 8:00 a.m. to 11:00 p.m., local time, Saturday, Sunday, and Federal Holidays.

Emergency. Any occurrence or set of circumstances demanding immediate attention to engage in Emergency Work.

Emergency Work. Work made necessary to restore property to a safe condition, work required to protect, provide, or prevent Persons or property from danger or potential danger; or work by private or public utilities when restoring utility service.

Federal Holidays. Those days designated by Congress as paid holidays from work for non-essential federal workers as published annually by the U.S. Office of Personnel Management.

Nighttime Hours.

- 11:00 p.m. to 7:00 a.m., local time, Monday through Friday, except Federal Holidays.
- 11:00 p.m. to 8:00 a.m., local time, Saturday, Sunday, and Federal Holidays.

Noise Sensitive Area. Areas that include, but are not limited to, real property normally used for sleeping or normally used as a school, church, healthcare facility providing treatment requiring patient recovery, or public library.

Plainly Audible. Any sound or vibration caused by sound that can be detected by a Reasonable Person using his or her unaided hearing faculties.

Person. Any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this State, any other state or political subdivision or agency thereof or any legal successor, representative, agent, or agency of the foregoing.

Public Place. All walks, alleys, streets, boulevards, avenues, lanes, roads, highways, or other ways or thoroughfares dedicated to public use or owned or maintained by public authority; all grounds and buildings owned or leased by, maintained or operated by public authority.

Reasonable Person. A Person of normal and ordinary sensitivities who is within the area of the audibility or perceptibility of the noise or vibration that transmits sounds that disrupt the reasonable conduct of basic human activities, such as conversation, sleep, work, and other such activities.

Sound Source. Any Person, animal, device, operation, process, activity, or phenomenon that emits or causes sound.

Special Event. Activity operating pursuant to and in accordance with Chapter 113 of this Code.

Unreasonable Noise. "Unreasonable Noise" shall mean:

(a) The unreasonable making of, or knowingly and unreasonably permitting to be made, any sound that is an unreasonably loud, boisterous, or unusual noise, disturbance, commotion, or vibration due to bass levels or other sources from any dwelling, building, other structure, or privately-owned outdoor property, or upon any public street, park or other place or building.

(b) Any sound that is ordinary and normal to the operation of these places when conducted in accordance with the usual standards of practice, including standards for noise mitigation, and in a manner that will not unreasonably interfere with the peace and comfort of neighbors or their guest, or operators or customers in places of business, or detrimentally or adversely affect such residences or places of business, shall not be enforced as an Unreasonable Noise.

§ 132.02. SCOPE

This Chapter applies to the enforcement and control of all sound originating within the jurisdictional limits of the Town. It is of paramount importance that the enforcement of this Chapter be content-neutral to protect the freedom of expression guaranteed by the First Amendment to the United States Constitution and by Article I, Sections 12, 13, and 14 of the North Carolina Constitution, such that this Chapter enacts narrowly drawn, content-neutral regulations that are to be interpreted as such so as not to infringe upon constitutionally protected rights.

§ 132.03. GENERAL PROHIBITIONS.

- (a) No Person shall make or continue to make:
 - (1) Any Plainly Audible Unreasonable Noise as would be determined by a Reasonable Person;
 - (2) Any Plainly Audible noise that unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety of Reasonable Persons;
 - (3) Any Plainly Audible noise that is so harsh, prolonged, unnatural, or unusual in time or place as to occasion unreasonable discomfort to any Reasonable Persons within the vicinity of the location from which that noise emanates, or as to unreasonably interfere with the peace and comfort of neighbors or their guests, or operators or customers in places of business, or as to detrimentally or adversely affect such residences or places of business.
- (b) Factors for determining whether a sound is an Unreasonable Noise include, but are not limited to:
 - (1) The proximity of the sound to sleeping facilities, whether residential or commercial;
 - (2) The land use, nature, and zoning of the area from which the sound emanates and the area where it is received;
 - (3) The time of day or night the sounds occurs;
 - (4) The duration of the sound; and
 - (5) Whether the sound is recurrent, intermittent, or constant.
- (c) Violation of this subsection is a misdemeanor. Any subsection may also be enforced pursuant to Section 132.07 or a combination of remedies.

§ 132.04. EXCEPTIONS.

The general prohibitions as defined in Section 132.03 shall not apply to the following sources:

- (a) Emergency warning devices or safety signals;
- (b) Lawn care equipment and agricultural field equipment used during the Daytime Hours;
- (c) Equipment being used for Construction, provided that all equipment is operated with all standard equipment manufacturer's mufflers and noise-reducing equipment in use and in proper operating condition during Daytime Hours;
- (d) Fairs, circuses, other similar public entertainment events, sanctioned sporting events, sporting activities taking place in areas set aside for such activities, or any activities normally associated with any of the above;

- (e) Bells, chimes and similar devices that operate during Daytime Hours for a duration of no longer than five (5) minutes in any given period;
- (f) Emergency Work;
- (g) Properly installed and operating sixty-cycle electric transformers;
- (h) Except as provided by Sections 132.05(d) or (f), motor vehicles operating at legal speeds on traffic ways of the Town;
- (i) Properly installed and operating residential heating, ventilating, and all conditioning systems;
- (j) Repairs or excavations of bridges, streets, or highways by or on behalf of the Town, the county, the state or the federal government, during Nighttime Hours when the public welfare and convenience renders it impractical to perform the work during Daytime Hours;
- (k) Stadiums, arenas, and outdoor sports or entertainment facilities;
- (l) Parades permitted as Special Events and spectators and participants in those parades;
- (m) Outdoor events, races, festivals, or concerts on public property or public vehicular areas that are permitted as Special Events;
- (n) Sound associated with the delivery of public services by the Town, county, state or the federal government; and
- (o) Outdoor school and playground activities, including, but not limited to, school athletic and school entertainment events during Daytime Hours.
- (p) This section establishes exceptions only to Section 132.04. The exceptions set out herein do not apply to Section 132.05 and do not authorize any Prohibited Noises regulated by Section 132.05.

§ 132.05. SPECIFIC PROHIBITIONS.

Except when specifically allowed as a part of a permitted Special Event, in addition to any other violations of this Code, the following acts are specifically declared to be prohibited noises, the emission of which shall be unlawful. Such enumeration shall not be deemed to be exclusive of other prohibited Plainly Audible Unreasonable Noises:

- (a) The sounding of any horn or signal device including compression release engine or transmission braking system or any device on any automobile, truck, bus, or other vehicle while not in motion, except as a danger signal if another vehicle is approaching apparently out of control, or if in motion, only as a danger signal after or as brakes are applied and deceleration of the vehicle is intended; the creation by means of such device of any unreasonable loud or harsh sound; or the sounding of such a device for an unnecessary and unreasonable period of time.

(b) The use of any gong or siren upon any vehicle other than police, fire, ambulance, or other Emergency vehicle.

(c) The playing of any radio, phonograph, amplifier, AV receiver, stereo, tape deck, tape recorder, phone, streaming device, television, musical instrument, or similar device in such a manner or with such volume during the Nighttime Hours as to annoy or disturb the quiet, comfort or repose of any Reasonable Person in any dwelling, hotel, motel, or other type of residence.

(d) The use of any automobile, motorcycle, or other vehicle so out of repair, so loaded, so modified, or so driven as to be Plainly Audible at fifty (50) feet from any Reasonable Person so as to create unreasonably loud, grating, grinding, or rattling noise.

(e) 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 warning of danger.

(f) The discharge into the open air of the exhaust of any stationary internal combustion engine or motor vehicle, except through a muffler or other device that will effectively prevent unreasonably loud or explosive noises therefrom.

(g) Construction activity in a residential or business zoning district other than between the hours of 8:00 a.m. and 6:00 p.m. except as Emergency Work.

(h) Blasting activity other than between the hours of 10:00 a.m. and 6:00 p.m. except as Emergency Work.

(i) The creation of any Plainly Audible Unreasonable Noise within one hundred and fifty (150) feet of a Noise Sensitive Area. This section is only to be applied when an institution or sleeping area in a Noise Sensitive Area is in session or in active use.

(j) The creation of Plainly Audible Unreasonable Noise in connection with loading or unloading any vehicles, equipment, or the opening and destruction of bales, boxes, crates and containers.

(k) The creation of Plainly Audible Unreasonable Noise in connection with the shouting and crying of peddlers, barkers, hawkers, or vendors that would disturb the quiet and peace of Reasonable Persons within a residential zoning district. This section is to be applied only to those situations where the disturbance is not a result of the content of the communication, but due to the volume, location, timing, or other factors not based on content.

(l) The use of any drum, loudspeaker, or other instrument or device for the purpose of attracting attention by creation of Plainly Audible Unreasonable Noise to any performance, show or sale or display of merchandise.

(m) The conducting, operating, or maintaining of any garage or filling station, or the repair, rebuilding or testing of any motor vehicle in any residential zoning district, so as to cause Plainly Audible Unreasonable Noise to be emitted therefrom during the Nighttime Hours.

(n) The firing or discharging of firearms in a Public Place or elsewhere for the purpose of

making noise or disturbance.

(o) The keeping of any animal otherwise permitted to be kept that, by habitual or frequent sound, cry, howling, barking, squawking, meowing, or other Plainly Audible Unreasonable Noise, shall disturb the quiet, comfort or repose of a Reasonable Person.

(p) The use or operation on Public Places, Town rights-of-way, or on public vehicular areas of any sound amplifier, bullhorn, loudspeaker, public address system, or other similar device when operated in such a manner as to be Plainly Audible by a Reasonable Person during Nighttime Hours at a distance of fifty feet (50') from such a Reasonable Person, and during Daytime Hours, at a distance of three hundred feet (300') from such a Reasonable Person.

(q) The operation of any commercial establishment, including any outdoor area that is part of or under the control of the establishment, during Nighttime Hours that creates Plainly Audible noise at a distance of one hundred and fifty feet (150') from the property line of the Sound Source, and during Daytime Hours, that is Plainly Audible at a distance of three hundred feet (300') from the property line of the Sound Source.

Violation of this subsection is a misdemeanor. Any subsection may also be enforced pursuant to Section 132.07 or a combination of remedies.

§ 132.06. [RESERVED]

§ 132.07. PENALTIES FOR VIOLATION OF NOISE RESTRICTIONS.

(a) Civil Penalties:

(1) Any Person violating any of the provisions of Chapter 132 shall be subject to a civil penalty of up to two hundred fifty dollars (\$250.00) for an initial violation. Each calendar day on which a continuing violation occurs shall constitute a separate violation under this subsection. For each subsequent violation occurring within twelve (12) months of any other violation, the violator shall be subject to a civil penalty of five hundred dollars (\$500.00) per violation.

(2) If a Person fails to pay any civil penalty within thirty (30) days after it is assessed, the Town may recover the penalty, together with all costs allowed by law, by filing a civil action in the General Court of Justice in the nature of a suit to collect a debt. The Police Department is authorized to issue civil penalty citations to enforce this section.

(b) Injunctive and Equitable Relief:

As an additional remedy, this chapter may be enforced, either before or after the institution of any other action or proceeding authorized by this subsection, by an action for injunctive relief to restrain the violation or to obtain other equitable relief as allowed by law. The action shall be brought in the appropriate division of the General Court of Justice. The institution of an action for injunctive relief shall not relieve any party to such proceeding from any civil or criminal penalty prescribed for violations of this chapter. This chapter may also be enforced through any appropriate

equitable remedy.

(c) Criminal Penalties:

Any Person who violates any provision of this chapter shall be deemed guilty of a misdemeanor punishable by imprisonment not to exceed thirty (30) days or by fine not to exceed five hundred dollars (\$500.00). Each day of a continuing violation shall constitute a separate violation under this subsection.

(d) Enforcement:

In addition to other remedies, this chapter may be enforced by any one, all, or a combination of the remedies set out herein.

SECTION 3. All laws and clauses of laws in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 4. If this Ordinance or application thereof to any Person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given separate effect and to this end the provisions of this ordinance are declared to be severable.

SECTION 5. The provisions of this Ordinance shall not affect any act heretofore done, any liability incurred, any right accrued or vested, or any suit or prosecution begun or cause of action accrued prior to the effective date of this Ordinance.

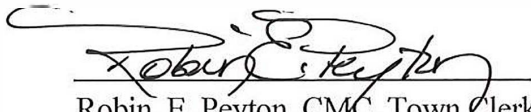
SECTION 6. This ordinance shall be enforced as provided in N.C. Gen. Stat. § 160A-175 and as may otherwise be provided by the Rolesville Town Code. All criminal sanctions shall be the maximum allowed by law notwithstanding the fifty-dollar limit set forth by N.C. Gen. Stat. § 14-4(a) or similar limitations.

SECTION 7. This Ordinance shall become effective upon its adoption.

ADOPTED & EFFECTIVE: May 7, 2024

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R0lmie I. currin, Mayor

ATTEST:


Robin, E. Peyton, CMC, Town Clerk

