



## Chatham County Agriculture & Conference Center (CCACC) Rental Policy

### Key Meeting and Exhibit Space:

**Exhibit Hall** – 6,000 square feet; one large room, can be divided into 1/2 or 1/4 sections

**Whole Room** – 380 (seated with round or rectangle tables), 800 chairs

**Front Half Room** – 200 (seated with round or rectangle tables), 400 chairs

**Quarter Section** – 90 (seated with round or rectangle tables), 150 chairs

**Four Meeting Rooms** -32 (seated with round or rectangle tables), 47 chairs per room

**Pre-function Lobby Area** – Reception items, food stations, booths and/or registration

### Group Designations & Booking Guidelines

1. NC Cooperative Extension, Soil & Water Conservation, NC Forest Service, USDA Farm Service Agency, Natural Resources Conservation Service, and Central Carolina Community College. No charge and may reserve events 13 months in advance.
2. Internal county departments. No charge (excludes events with catering) and may reserve up to 90 days in advance. For events reserved more than 90 days ahead, the regular fee schedule applies.
3. Chatham County nonprofit organizations (*with a valid 501c3, 501c6, and/or county-funded organizations*) may rent the venue at nonprofit rates. Venue rental is subject to availability and can be reserved a maximum of 6 months in advance; more than 6 months ahead, the regular fee schedule applies.
4. Private groups. Regular fee schedule applies and may be reserved 12 months in advance.

### General Information

1. The venue is available for rental (based on calendar availability via CCACC calendar software) with a signed contract and deposit. Proof of liability insurance and alcohol permits are required when alcohol is served.
2. Rental contracts will be entered into with adults only, 18 or older, and 21 or older when beer/wine/liquor is served.
3. CCACC is tobacco-free.



#### **General Information- continued**

4. Any items that require attachment to the walls and/ or fixtures may be affixed using blue painter's tape with prior consent of the Event Coordinator. Unapproved items will be removed.
5. Outdoor events require a special event application. Please click the link below for the application.  
<http://www.chathamnc.org/Index.aspx?page=1307>
6. CCACC offers a list of approved caterers for your convenience. **All contracts for food and beverage provisions are made by the client directly with the approved caterer.** CCACC maintains all rights to provide coffee and refreshment break services. ~~All food and/or beverages served, offered and/or sold in any part of CCACC's premises must be provided and served by an approved caterer.~~ **Event hosts may provide individually wrapped, prepackaged snacks and individual plastic bottled or canned drinks.**
7. Event Hosts are encouraged to use Chatham County vendors (florists, special event companies, tents, transportation, lighting, etc.). All vendors must have a valid license and/or proper permits to operate, all in good standing with Chatham County. *See CCACC website for a list of resource vendors*
8. CCACC staff reserves the right to enter any and all areas to enforce the rules and limit the number of people in the area.
9. Noise Ordinance: The Town of Pittsboro's noise ordinance must be followed by all CCACC guests: See [Appendix I](#)
10. The Event Coordinator will provide tours and walk-throughs by appointment only.
11. All events are subject to policies listed in the event contract issued prior to the event.
12. All policies and procedures related to room rentals are subject to change without notice.
13. CCACC prohibits animals, insects, and reptiles inside the conference center unless it is identified as a service animal as defined by the ADA ( [https://www.ada.gov/service\\_animals\\_2010.htm](https://www.ada.gov/service_animals_2010.htm) ) . Guests that do not comply with this rule may be asked to leave the premises.



## **Alcohol Policy**

Beer, wine, and liquor are permitted.

All aspects related to alcoholic beverage distribution and consumption at planned events must be in compliance with the North Carolina Alcoholic Beverage Control Commission.

### **REQUIREMENTS:**

The CCACC Event Coordinator will review all requests for events that include alcoholic beverages. After the request is reviewed, the event coordinator will notify the event host of approval or denial and address specific issues/concerns that may arise.

- **Only approved caterers with a valid and current ABC Off-Premise Beer/Fortified Wine Permit are eligible to procure alcohol for Chatham County Agriculture & Conference Center (CCACC) events.**
- Brown bagging, cash bars, or the distribution of “drink” tickets are not permitted within or on the CCACC premises. Beer kegs are prohibited unless special permission is given by the Event Coordinator (some exclusions may apply to nonprofit and political organizations obtaining applicable ABC permits).
- When a dinner or meal function does not immediately follow a reception/social where alcohol has been served, the client must coordinate with the caterer to serve heavy hors d’oeuvres including at least two hot hors d’oeuvres.
- **Alcohol serving is limited to two hours with no alcohol being served prior to 5:00 p.m. on weekdays and 3:00 p.m. on weekends.**
- **To serve liquor and fortified wine, the Event Host MUST obtain a Limited Special Occasions Permit and provide a valid copy of the permit to the Event Coordinator at least one week prior to the scheduled event.** The Event Coordinator will be responsible for posting a special occasion permit within the room serving alcohol. Alcoholic beverages must be served and consumed only in the area where the alcohol permit is posted.
- Alcoholic beverages cannot be served to anyone under 21 years of age; the caterer is ultimately responsible for verifying the age of any individual served.
- The caterer providing service for a dinner function may serve alcohol if requested by the event host. Permission to serve beyond the two-hour limit can be requested with review and approval by the Event Coordinator.
- The Event Host must coordinate with the caterer to have bottled or ice water available anytime alcohol is served.



- **An additional deposit of \$500 will be held for events where alcohol is served. Requests to serve alcohol must be approved by the Event Coordinator prior to your event. If no prior approval is given, the applicants may forfeit their deposit.**
- Additional requirements may apply depending on the type of event. **Failure to comply with regulations will result in cancellation of the event and forfeiture of the security deposit.** The legal age to consume alcohol is 21. The Event Host is responsible for any underage drinking during their event. For more information, contact the ABC Commission, 919-779-0700 or is <http://abc.nc.gov>.

### **Audiovisual**

The Event Host must inform the Event Coordinator of A/V service requirements **prior** to contract signing. An **A/V technician is available by request with a minimum of 14 days' notice** for any event at a rate of \$40 per hour. **An A/V technician is required with the rental of all enhanced A/V equipment.** Wi-Fi is complimentary with venue rental.

### **Cancellation/Refund Policy**

- 7 days or less notice from event date-Hold Deposit is Non-Refundable
- 8-89 days notice prior to event date -Hold Deposit is 50% Refundable from.
- 90 days or more notice -Hold Deposit is 100% Refundable. A cancellation fee of \$60 will be applied.

**CCACC retains the right to cancel this contract with written notice at any time for the following reasons:**

1. Misrepresentation of the event, lack of insurance, or deposit check returned by bank.
2. Threats of violence or actual violence to any CCACC employee or subcontractor by Event Host, Event Host's representatives, guests or subcontractors.
3. Threats of damage or actual damage to CCACC facilities by Event Host's representatives, guests or subcontractors,
4. Failure to abide by the terms and conditions of this rental contract.

Cancellation by Chatham County for any of the above mentioned reasons will result in the loss of the entire rental amount. *Please see the CCACC Code of Conduct for additional information.*



### **Catering and Cleaning Guidelines**

- Event Host agrees to remove all items belonging to the Event Host at the conclusion of the event (including outside decorations). CCACC is not responsible for any items remaining after the event that belong to the Event Host, caterer, or the Event Host's guests.
- Event Host and/or caterer agree to leave facility and grounds in the condition in which they were found when the doors were opened for set-up.
- All decorations, food and drink container products, and all trash must be collected in plastic bags. For all events serving food, the event host and/or caterer shall collect all trash generated from the event on the night of the event and place it in the dumpster on-site.
- Caterers must leave all food preparation and serving areas neat and clean, including, but not limited to, the kitchen and all other surfaces used which have food or spillages, including all floors.
- **Chatham County/CCACC will hold the deposit and apply it toward cost for labor, supplies, and/or equipment needed or expended should CCACC find that further cleaning, removals or repairs are required to return the area to its original condition. Any excess damages will be billed to Event Host.**
- The Event Host is fully responsible for all arrangements and any contract entered into with any caterer of the event. CCACC's catering policy allows food service from any caterer that is in compliance with the CCACC Catering Statement of Work and has been contracted with CCACC as an approved caterer.

### **Deposits**

**A signed contract and deposit equal to 100% of total estimated cost of rental is required before meeting space reservations can be confirmed.** We reserve the right to cancel any booking request that is not confirmed with a full deposit. A refundable security/cleaning deposit up to \$500 (\$1,000 when alcohol is served) will be required for all events, except internal county departments, CCACC building occupants, Chatham County Schools, and CCCC.

### **Fire Safety**

CCACC enforces fire protection safety codes and is subject to inspection by the Fire Marshal. No pyrotechnic devices, smoke/fog machines or open flames are permitted. All fire aisles and exits must be kept clear of equipment and people. Failure to follow these rules will result in the immediate suspension of the event until the conditions are corrected. If they are not corrected, the event will be cancelled without refund to the event host.



### Insurance

- The Event Host is required to maintain a \$1,000,000 liability insurance policy (general liability coverage, for bodily injury and property damage claims, including contractual and personal injury liability coverage) for any event that is open to the public. Umbrella or excess liability insurance may be used to meet limit of liability requirements.
- The Event Caterer is required to maintain a \$1,000,000 liability insurance policy (general liability coverage, for bodily injury and property damage claims, including contractual and personal injury liability coverage) any time food is served.
- **The Event Caterer shall also carry an additional Liquor Liability Insurance coverage with coverage limits of no less than \$1,000,000 any time alcohol is served.** The event host will provide to Chatham County duly executed certificates of insurance evidencing this coverage.
- Each certificate shall specify that the policy cannot be cancelled without providing Chatham County at least 30 days prior written notice, that Chatham County is named as an additional insured, and that the insurer waives any subrogation rights against Chatham County.
- **Vendors and Contractors:** All vendors and contractors providing services at CCACC must carry adequate liability insurance. Any approved food vendor must be permitted with the Chatham County Health Department. No homemade items may be sold or served at this facility. If requested, contractor must be able to provide verification of license and/or liability insurance. The Event Host/caterer has the full responsibility for obtaining any and all licenses/permits necessary for providing any alcoholic beverage at the event. The Event Host and caterer jointly assume all liability associated with the consumption of alcohol and each agrees to defend, indemnify, and hold harmless Chatham County and all associated personnel from and against any and all claims, demands, suits, judgments or other liability of any nature whatsoever resulting from the presence, serving, and/or consumption of alcoholic beverages during the event.
- Each policy required under this agreement shall contain a severability of interest clause and shall state that Event Host's coverage shall be primary to any other insurance available to or maintained by Chatham County.



### **OSHA Adherence**

CCACC is committed to providing a safe, clean environment for patrons and staff. All individuals are expected to conduct their event in a manner that keeps CCACC staff and patrons safety as the highest priority. Adherence to standards set by the Occupational Safety and Health Administration (OSHA) are observed by our facility and we mandate the same high standards for all of our contractors and service providers.

### **Payment**

CCACC accepts payment via certified, cashier's or approved check and credit cards: VISA, MasterCard, and Discover. Cash is not accepted.

### **Rental Time Availability & Guidelines**

- Rental time begins when the first service person arrives and ends when the last service person leaves. Be sure to leave adequate time for your service personnel to clean up at the end of the event.
- **The exhibit hall/meeting rooms are available for rental from 7:00 a.m. – 9:00 p.m. daily.**
- **Extended hours are available on Friday and Saturday from 7:00 a.m. until midnight.**
- Customized room set-ups may be available at additional cost. Please contact the event coordinator for a cost estimate and/or to make arrangements for custom room set-ups.
- Audiovisual services (A/V) and other equipment are available to rent at an additional cost with your room.
- Upon reviewing a reservation request CCACC may determine that additional staff may be necessary for your event (depending on the type of event, services required, number of anticipated attendees, and whether alcohol will be served). Rates for additional staff are listed under Additional Charges. Events open to the general public may also require additional staff.
- CCACC will not assume any responsibility for injury or accidents due to the activities conducted by Event Host's guests, or injury or accidents caused by materials provided by Event Host(s).
- Rooms must be vacated by the time indicated on the contract. Overtime charges will apply for rooms not vacated by the pre-arranged time. Additional charges may also be assessed if event participants remain on-site after CCACC's regularly scheduled closing time.
- All event deliveries must be received by the Event Host. Deliveries and pick up of equipment, supplies, or materials outside of the scheduled event time must be arranged in advance with the Event Coordinator. Extra fees may apply for delivery, pick-up, and/or storage of materials outside of scheduled event times.
- The use of confetti, glitter, and other related/similar items at weddings or celebrations is prohibited.



### **Rental Time Availability & Guidelines- *Continued***

- If advertising/promoting your event, all photos of CCACC or use of CCACC logo must be approved by CCACC Event Coordinator.
- Event Host(s) will be billed for damage caused by use of unauthorized pens and markers on whiteboards and items inside the meeting rooms.
- Event Hosts should bring their own supplies (with the exception of markers for the write-on wipe-off boards). CCACC will not be able to provide such items (i.e. batteries, scissors, paper, tape, etc.) unless explicitly arranged in advance. The only approved tape is blue painter's tape.
- Each area of use rents separately per contract terms. Additional items/spaces may be available for rental and must be arranged accordingly.

### **Security**

- All events are subject to required or waived security at the discretion of the Chatham County Sheriff. Event Host maybe required to contract security for the duration of the event. Contact Chatham County Sheriff's Office for off-duty officers.

### **Services**

- Wi-Fi – Free
- Business center – copier available on-site for a fee.
- A/V – Available on-site for a fee.
- Catering – Available through approved caterers only.

### **Reservations/Rental Space**

- A minimum thirty-day (30) reservation is encouraged on all rentals. Reservations are accepted for recurring events up to one year in advance, excluding internal and nonprofit use.
- Reservations are confirmed upon receipt of applicable deposit and signed contract.





**Room Rental Fees:**

Rates	Peak	Off Peak Mon-Thurs 6p-9p	Non-Profit
<b>Exhibit Hall:</b> 5933 sq ft	<b>\$1600</b>	<b>\$1200</b>	<b>\$650</b>
<b>Hall A:</b> 3,060 sq ft	<b>\$850</b>	<b>\$675</b>	<b>\$550</b>
<b>Hall B:</b> 1410 sq ft	<b>\$450</b>	<b>\$350</b>	<b>\$325</b>
<b>Hall C:</b> 1410 sq ft	<b>\$450</b>	<b>\$350</b>	<b>\$325</b>
<b>Lobby:</b> 1934 sq ft Limitations apply	<b>\$550</b>	<b>\$400</b>	<b>\$325</b>
<b>Meeting Rooms 1,2,3,4</b> 500 sq ft	<b>\$275</b>	<b>\$250</b>	<b>\$225</b>
<b>Catering Kitchen</b>	<b>\$100 per hour</b>	<b>\$100 per hour</b>	<b>\$100 per hour</b>
<b>East Garden</b>	<b>TBD</b>	<b>TBD</b>	<b>TBD</b>
<b>Outdoor Vendor Space</b>	<b>\$50 per hour</b>	<b>\$50 per hour</b>	<b>\$50 per hour</b>

**Additional charges:**

- Additional set-up and cleaning: \$50/hour
- A/V use (if technician required to be on-site): \$40/hour

**Inclement Weather Policy**

If the PROPERTY is rendered unsuitable for the conduct of the Event Host's activity by reason of force majeure, Chatham County and the Event Host are released from their obligations under this contract. Force majeure is defined as fire, earthquake, hurricane, flood, act of God, strikes, work stoppages or other labor disturbances, riots or civil commotions, war or other act of any foreign nation, power of government, governmental agency or authority, or any other cause like or unlike any cause mentioned which is beyond the control of Chatham County.



## **Noise Ordinance**

CCACC guests are expected to adhere to the Town's noise ordinance as referenced below.

### Appendix I

#### CHAPTER 17 NOISES

##### **Article designated noise control code.**

This article shall be known as the "Noise Control Code for the Town of Pittsboro". It shall be unlawful for any person to create or assist in creating, permit, continue or permit the continuance of any unreasonably loud or disturbing noises in the Town of Pittsboro. Noises of such disturbing character, intensity, or duration as to be detrimental to the quality of life, or health of any individual are prohibited.

#### ARTICLE I

##### **Terminology and standards**

- 17-101      Terminology. All terminology used in this article not defined below shall be in conformance with applicable publications of the American National Standards Institute (ANSI) or its Successor body .
- 17-101.1    A-weighted sound level: The sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designed dB(A).
- 17-101.2    Decibel (dB): A unit for describing the amplitude of sound, equal to twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of the sound measured to the reference pressure, which is twenty (20) micronewtons per square meter.
- 17-101.3    Emergency work: Any work performed for the purposes of preventing or alleviating physical trauma or property damage threatened or caused by an existing or imminent peril.
- 17-101.4    Nuisance noise levels: Noise levels which do not exceed the noise thresholds but create an irritating impact sufficient to disturb an individual's sleep pattern or the peace and quiet of a residential neighborhood.

17-101.5 Outdoor amplified sound: Any sound using amplifying equipment whose sound is outside or whose source is inside and the sound propagates to the outside through open doors or windows or other openings in the building.

17-101.6 Sound amplifying equipment: Any device for the amplification of the human voice, music or any other sound, including juke boxes, stereos and radios.

17-101.7 Sound Level: The weighted sound pressure level obtained by the use of a sound level meter and frequency weighting network, such as A, B, or C as specified in American National Standards Institute Specifications for the sound level meters (ANSI S1.4-1971, or the latest approved version thereof). If the frequency weighting employed is not indicated, the A-weighting shall apply.

17-101.8 Sound level meter: An instrument which includes a microphone, amplifier, RMS detector, integrator or time average, output meter, and weighting network used to measure sound pressure levels.

17-101.9 Sound pressure level: Twenty (20) times the logarithm to the base ten (10) of the ratio of the RMS sound pressure to the reference pressure of twenty (20) micronewtons per square meter.

17-102 Standards. Standards, instrumentation, personnel, measurement procedures and reporting procedures to be used in the measurement of sound as provided for in this section shall be those as specific herein:

17-102.1 Sound level measurement shall be made with a sound level meter using the "A" weighting scale, set on "slow" response.

17-102.2 Sound level meters shall be of at least Type Three meeting American National Standard Institute Incorporated (ANSI) S1.4-1971 requirements. The entire sound measurement system shall be serviced and calibrated and operated as recommended by the manufacturer. Persons using the sound level meters shall be trained in sound level measurement and the operation of sound level measurement

17-102.3 The Town Manager or his designee shall issue a general order adopting standards and procedures for sound level measurements and enforcement consistent with this article

## ARTICLE II

### Maximum permitted sound levels.

17—201 The use of sound amplifying equipment is limited to the conditions specified in this section.

17-202 No person or group of persons shall operate or cause to be operated any source of sound in such a manner as to create a sound level which at its peak exceed the limits set forth herein below when measured beyond the property line from which the sound originates.

17—203 A live musical group or individual using sound amplifying equipment may operate out of doors only if the business manager or an authorized agent of that business manager has been granted a permit. This permit may be secured after it is signed by an authorized agent of the musical group and by a representative of the individual organization or the group retaining the services of the musical group and on whose premises the amplifying equipment is to be used.

17—204 The following are established as maximum sound levels:

17-204.1 Nighttime sound levels (after 11:00 p.m. until 8:00 a.m.) may not exceed fifty (50) dB (A) except as noted in (4.3) below.

17-204.2 Daytime/evening sound levels (between 8:00 a.m. and 11:00 p.m.) may not exceed sixty (60) dB(A) except as noted in (4.3) below.

17 -204.3 Daytime/evening sound levels in excess of sixty (60) dBA(A) will be permitted upon issuance of a permit and allow sound levels exceeding those set above as follows:

Thursday evening (5:00p.m.-11:00p.m.Thursday)	70dB(A)
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Friday evening (5:00p.m.-MidnightFriday)	70dB(A)
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Saturday (10:00 a.m. - Midnight Saturday)	70dB(A)
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17 – 204.4 Except as otherwise allowed by section 17-307 and section 17-401, a permit to exceed sound levels may only be issued during the days and times listed in section 17-204.3, to a maximum level of seventy (70) dB(A). No outside- amplified sound will be allowed unless a permit has been issued, subject to the exemptions set out in section (NUMBER).

### ARTICLE III

#### **Noises prohibited nuisances.**

17 - 300 General prohibitions. It shall be unlawful to create, cause or allow the continuance of any loud, disturbing, unusual, frightening or unnecessary noise, particularly during nighttime, which prevents or unreasonably interferes with neighboring residents' reasonable use of their properties. Such noise may include, but is not limited to, the following:

17 – 301 Yelling, shouting, whistling or singing. Yelling shouting, whistling or singing on the public streets or private property at nighttime.

17 – 302 Loading Operations. Noise resulting from loading, unloading, opening or otherwise handling boxes, crates, containers, garbage cans, or other similar objects during nighttime.

17 – 303 Repair of motor vehicles. Noise resulting from the repair, rebuilding or testing of any motor vehicle during nighttime.

17 – 304 Radio, phonograph, television, or musical instrument. Noise resulting from the playing of any radio, phonograph, musical instrument, television, or any such device, particularly during nighttime.

17 -305 Nuisance noise which does not exceed the noise threshold but creates an irritating impact sufficient to disturb an individual's sleep pattern or the peace of a residential neighborhood.

17 – 306 Specific Prohibitions. The following acts are prohibited and shall be considered nuisance acts:

17 - 306.1 Horns and signaling devices. The intentional sounding of any horn or signaling device of a motor vehicle on any street or public place continuously or intermittently, except as a danger or emergency warning.

17 - 306.2 Motor vehicles. Operating or permitting the operation of any motor vehicle or motorcycle not equipped with a muffler or other device in good working order so as to effectively prevent loud or explosive noises therefrom.

17 - 306.3 Exterior loud speakers. Operating or permitting the operation of any mechanical devices or loudspeaker, without a permit to do so, in a fixed or movable position exterior to any building, or mounted in/on any motor vehicle or watercraft in such a manner that the sound therefrom is in excess of the maximum decibel level as described in section 17A-204.

17 - 306.4 Power equipment. Operating or permitting the operation of any power saw, sander, drill, grinder, leaf blower, lawn mower, or other garden equipment, or tools of a similar nature, outdoors during nighttime.

17 - 306.5 Explosives. The use of firing explosives, firearms, fireworks, or similar devices which create impulsive sound.

17 - 306.6 Security alarms. The sounding of a security alarm, for more than twenty (20) minutes after being notified by law enforcement personnel.

17 – 307 The following are exempt from the provisions of this article:

17 - 307.1 Sound emanating from regular scheduled outdoor events with a permit.

17 - 307.2 Construction operations from 7:00 a.m. to 6:00 p.m. on weekdays and between the hours of 9:00 a.m. and 5:00 p.m. on Saturday; such work is prohibited on Sunday for which building permits have been issued, or construction operations not requiring permits due to ownership of the project by an agency of government; provided all equipment is operated in accord with the manufacturer's specifications and with all standard mufflers and noise reducing equipment in use and in proper operating condition. Any exceptions to this provision must comply with 17-400, which described the process, the procedure by which permits to exceed limits may be obtained.

17 - 307.3 Noise resulting from safety signals, warning devices and emergency pressure relief valves.

17 - 307.4 Noises resulting from any authorized emergency vehicle when responding to any emergency call or acting in time of emergency.

17 - 307.5 Any other noise resulting from activities of a temporary duration permitted by law and for which a license or permit therefore has been granted by the Town in accordance with the above. Regulations of noises emanating from operations under permit shall be according to conditions and limits stated on the permit and contained above.

17 - 307.6 Unamplified and amplified sound at street fairs conducted by or for the Town of Pittsboro.

17 - 307.7 All noises coming from the normal operations of properly equipped watercraft.

17 - 307.8 All noises coming from the normal operation of motor vehicles properly equipped with the manufacture's standard mufflers and noise-reducing equipment.

17 - 307.9 Noise from lawful fireworks and noisemakers on federal holidays.

17 - 307.10 Noises resulting from lawn mowers, agricultural equipment, and landscape maintenance equipment used between the hours of 7:00 a.m. and 9:00 p.m. on weekdays, and between 8 a.m. and 9 p.m. on weekends, when operated with all manufactures standard mufflers and noise-reducing equipment in use and in operating condition.

17 - 307.11 Noise resulting from sound amplification equipment used in conjunction with telecommunications systems on business properties to notify employees of incoming phone calls, providing that this system be used only between the hours of 7:00 a.m. and 10 p.m., and that any speakers attached to the system be oriented toward the interior of the property.

17 - 307.12 Noises resulting from emergency work necessary to restore property to a safe condition following a fire, accident or natural disaster, or to restore public utilities, or to protect persons or property from an imminent danger.

17 - 307.13 Noises resulting from the provision of government services.

17 - 307.14 Noise resulting from the provision of sanitation services.

#### ARTICLE IV

##### **Permit to exceed limits**

17 -401 Who may apply? Any person or group of persons may produce or cause to be produced sound in excess of sixty (60)dB(A) only during the hours specified in section 17-204, and only if a permit to exceed the limit for the time and place of the activity has been previously issued by the Town Manager.

17 – 402 Application or permit. Any person or group of persons desiring a permit shall apply as provided herein, and shall provide all information required.

17 – 403 Timeliness of application. The business manager or authorized agent or any person or group of persons desiring a permit for a live musical group or individuals to perform out of doors using sound amplifying equipment must make application forty-eight (48) hours prior to the activity for which the permit is requested

17- 404 Action by Town Manager. The Town Manager or his designee will act upon all requests for permits.

17 -405 Consideration by Town Manager. In considering and acting on all permits pursuant to this article, the Town Manager or his designee, shall consider, but shall not be limited to the following, in issuing or denying such permit: The timeliness of the application; the time of the event; other activities in the vicinity of the location proposed; the frequency of the application; the effect of the activity on the residential areas of the Town; impact on surrounding areas; previous experience with the applicant; and previous violations, if any, of the application.

17 -502 Nighttime Offenses /Subsequent Offenses: If a second violation occurs within sixty (60) days of the first offense or if an offense occurs during nighttime, an oral order to cease or abate need not be issued prior to issuing a citation for violation of any portion of this article.

17—503 Civil Penalty: If the order to cease or abate the noise is not complied with, or if a second violation occurs within sixty (60) days of the first offense or if an offense occurs during nighttime, a person or persons responsible for the violation may be subject to a civil penalty in the amount of one hundred and no/100ths dollars (\$100.00). Violators may be issued a written citation, which must be paid within five (5) days of the issued date and time. The town attorney, or his designee, is authorized to file a civil action on behalf of the town to collect any unpaid citations, and the police chief, or his designee, is authorized to verify and sign complaints on behalf of the town in such civil actions. A police officer or other employee duly authorized to enforce the noise control ordinance may issue a citation for violation of this ordinance.

17—504 Remedies: This Article may also be enforced through equitable remedies issued by a court of competent jurisdiction.

17 –505 Criminal Penalty: In addition to, or in lieu of, such civil penalties or other remedies, violation of this article shall constitute a misdemeanor pursuant to N. C. Gen. Stat. 14-4 and N.C. Gen. Stat. 160-175, as amended, punishable for each violation by a fine of up to five hundred and no/ 100ths dollars (\$500.00). A police officer or other officer enforcing subject matter jurisdiction or other duly authorized noise control officer may initiate the criminal process as provided by law.

Approved February 26, 2001.

**-END-**



