



TOWN COUNCIL WORK SESSION
TOWN HALL COUNCIL CHAMBERS
MONDAY, OCTOBER 23, 2023 AT 6:00 PM

<https://us02web.zoom.us/j/89220060813>

AGENDA

CALL TO ORDER

DISCUSSION ITEMS

1. Gun Range (*Travis Morgan*)
2. Fire Department drawings and pricing (*Ryan Spitzer*)
3. Panhandling Ordinance (*Chief Hudgins*)

ADJOURN

If you require any type of reasonable accommodation as a result of physical, sensory, or mental disability in order to participate in this meeting, please contact Lisa Snyder, Clerk of Council, at 704-889-2291 or lsnyder@pinevillenc.gov. Three days' notice is required.

Office Use Only:

Application #:

Payment Method: Cash___ Check___ Credit Card___ Amount \$_____ Date Paid_____

Zoning Application

Note: Application will not be considered until all required submittal components listed have been completed

Applicant's Name: Palmetto State Armory Phone: (803) 309-5085
Applicant's Mailing Address: 3850 Fernandina Rd. Columbia, SC 29210

Property Information:

Property Location: 9610 Pineville-Matthews Rd. Pineville, NC
Property Owner's Mailing Address: 3850 Fernandina Rd. Columbia, SC 29210
Property Owner Name: 9610 Pineville-Matthews, LLC. Phone: (803) 309-5085
Tax Map and Parcel Number: # 20709502 Existing Zoning: B-4

Which are you applying (Check all that apply):

Rezoning by Right ___ Conditional Zoning ___ Conditional Rezoning ___ Text Amendment X

Fill out section(s) that apply:

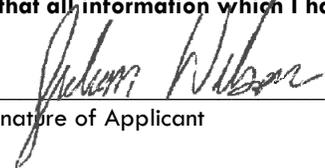
Rezoning by Right:
Proposed Rezoning Designation _____

Conditional Zoning:
Proposed Conditional Use _____
Acreage _____ Square Feet _____ Approximate Height _____ # of Rooms _____
Parking Spaces Required _____ Parking Spaces Provided _____ ****Please Attach Site Specific Conditional Plan**

Conditional Rezoning:
Proposed Conditional Rezoning Designation _____

Text Amendment:
Section 2.4 and 6.4.2 Reason To allow gun range that was not expressly permitted by the existing zoning.
Proposed Text Change (Attach if needed) See attached.

I do hereby certify that all information which I have provided for this application is, to the best of my knowledge, correct.


Signature of Applicant

Sept. 14, 2023
Date

Signature of Property Owner (If not Applicant)

Date

Signature of Town Official

Date

Workshop



To: Town Council

From: Travis Morgan

Date: 10/23/2023

Re: Palmetto State Armory (*Text Amendment/Informational Item*)

UPDATE:

Planning Board held a meeting October 18th to review the proposed text amendment. Planning Board recommended approving the proposal but with revisions to Items “G” and “I” of the text amendment. Item “G” was most discussed relating to adding a separation requirement between gun ranges and alcohol selling establishments. Planning Board recommended Council consider separation requirement from a gun range to any establishment that sells alcohol. Separation requirement could be a general consideration regarding site-specific situations as proposed by Board Member White or an exact distance requirement as recommended by Board Member Smith. Also recommended was clarification of Item “I” to allow retail ammunition sales but not bulk storage or warehousing.

REQUEST:

Palmetto State Armory seeks your consideration and approval for a text amendment to conditionally allow an indoor gun range in the B4 zoning district. Currently gun sales are permitted in the district but not a gun range. The proposal provides for indoor gun ranges only. Outdoor facilities and uses would not be permitted.

TEXT AMENDMENT:

Below are the proposed additions Pineville Table of Use Chart and related added conditions. Between *Gun and Ammunition Sales* and *Gunsmith* insert:

Use Clarification	R-44	R-12	R-7	R-MF	DC	RMX	O-I	O-C	B-3	B-4	B-P	G-I	Special Regulation
Gun Range Indoor										CS			6.5.23
Gun Range Outdoor	-	-	-	-	-	-	-	-	-	-	-	-	

(NEW) 6.5.23 Gun Ranges, Indoor

- A) Any structure used for such facility must be in an individual stand-alone or free-standing building only. Outdoor firearm ranges are prohibited.
- B) Such facility shall be constructed so as to significantly muffle noise generated by the firing of weapons so that no sound over 40 decibels may be heard at the property line. Sound absorbing materials, masonry walls, or other options shall be identified on the site plan as the intended methods of noise reduction outside the range structure.

- C) Such facility shall conform to the design standards (or greater) outlined in the latest revised edition of the NRA Range Source Book, Section 3, Chapters 1 through 12, and applicable OSHA standards. The specific design standards being followed shall be identified on the site plan.
- D) Bullet stop and containment systems shall be required and specified shall meet as a minimum the criteria set forth in *The Range Source Book* as published by the National Rifle Association Revised January 2004, in Section 3.01.04 et seq.
- E) Site and parking lot lighting will be designed to case light downward into site and that lighting except for security lighting, may not be illuminated between the hours of 11:00 p.m. and 6:00 a.m.
- F) Site and Parking lot lighting will be limited to a maximum of 35 feet and equipped with full cut-off fixture. Site and Parking lot lighting may not shine on adjacent properties.
- G) Such facility shall be located no closer than two hundred (200) feet away from any church, public park, educational facility including school, **or establishment selling alcohol?** and 1,000 ft from any residence. Such distance measured from subject facility front door to off-site property line. **Council may consider proximity and type of nearby establishments selling alcohol in the approval or denial of any gun range proposal.**
- H) No mechanical or ventilation equipment shall be visible from a public right-of-way. All environmental regulations (State and Federal) must be met. Ventilation shall be designed to meet or exceed such regulations.
- I) **Minor ammunition storage associated with retail sales is permitted. The facility shall not be utilized for majority stockpiling, warehousing of lead, ammunition, firearms, gunpowder, or other hazardous or dangerous materials. No cleaning or repair of guns shall be allowed within an accessory structure.**

Definition added:

Gun Range, Indoor:

A facility designed for the purpose of providing a place to discharge firearms, shoot air guns, archery equipment, throw axes, or similar. All range or discharge activity shall be within an entirely indoor within an enclosed building.

STAFF COMMENT:

The B4 zoning district is the highest land value commercial zoning classification next to the Planned Business (BP) district such as the Mall. The B4 district is primarily around Hwy 51 east of the Mall, Carolina Place Parkway, North Polk, and parts of Park Road. Indoor gun ranges typically are located in general industrial or B or C level commercial zoning districts. As such, the proposal does not allow indoor gun ranges by right but proposes site plan approval process.

General building code does not seem to address bullet stop systems. It appears to be governed by the business and insurance needs. Building standards have been pulled from other sources and included in the conditional standards proposes as section 6.5.23.

PROCEDURE:

This is for the text amendment and is independent of any specific site plan proposal. This follows normal legislative process. You may call additional workshop meetings. A public hearing is needed before any vote.

Item 1.

Pineville

PLANNING & ZONING

North Carolina

Official Zoning Map

Zoning Designation

- B-P
- B-4
- B-3
- DC
- O-C
- O-I
- G-I
- R-44
- R-12
- R-7
- RMX
- R-MF

***Please see staff for all conditional use permits and conditional districts**

This map may not represent the most current information available and may be revised without prior notice to the user.

Please contact Pineville Planning Dept to verify all zoning information displayed in this document.

0 0.25 0.5 1 1.5 2 Miles

South Carolina

Planning Department
200 Dover Street
Pineville, North Carolina 28134
Phone (704) 889-2202
Pinevillenc.gov

5

Office Use Only:

Application #:

Payment Method: Cash___ Check___ Credit Card___ Amount \$_____ Date Paid_____

Zoning Application

Note: Application will not be considered until all required submittal components listed have been completed

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Rezoning by Right ___ Conditional Zoning X Conditional Rezoning ___ Text Amendment ___

Fill out section(s) that apply:

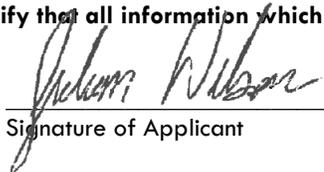
Rezoning by Right:
Proposed Rezoning Designation _____

Conditional Zoning:
Proposed Conditional Use Outdoor retail store with shooting range built inside of existing footprint.
Acreage 2.778 AC Square Feet 120,996 Approximate Height 32' # of Rooms N/A
Parking Spaces Required 63 Parking Spaces Provided 149 ****Please Attach Site Specific Conditional Plan**

Conditional Rezoning:
Proposed Conditional Rezoning Designation _____

Text Amendment:
Section 6.5.23 Reason Better utilization of space
Proposed Text Change (Attach if needed) attached

I do hereby certify that all information which I have provided for this application is, to the best of my knowledge, correct.


Signature of Applicant

Sept. 14, 2023
Date

Signature of Property Owner (If not Applicant)

Date

Signature of Town Official

Date

Workshop

Pineville

PLANNING & ZONING

To: Town Council

From: Travis Morgan

Date: 10/23/2023

Re: **Palmetto State Armory** (*Site Specific Conditional Zoning Plan/Informational Item*)

REQUEST:

Palmetto State Armory requests a site-specific conditional zoning plan for and indoor gun range for the property located at 9610 Pineville-Matthews Rd which is the current Office Depot building. This is a follow up should the prior proposed text amendment be approved.

DEVELOPMENT SUMMARY:

Location:	9610 Pineville-Matthews Rd
Zoning:	Existing: B4 Proposed: B4(CD)
Parcel Size:	2.77± acres
Building Size:	31,868± square feet existing building to be kept rehabbed and brought into current zoning compliance.

STAFF COMMENT:

Property requirements to meet current zoning include, decorative pedestrian streetlights, sidewalk, landscaping, front building elevation and trash containment. See plan.

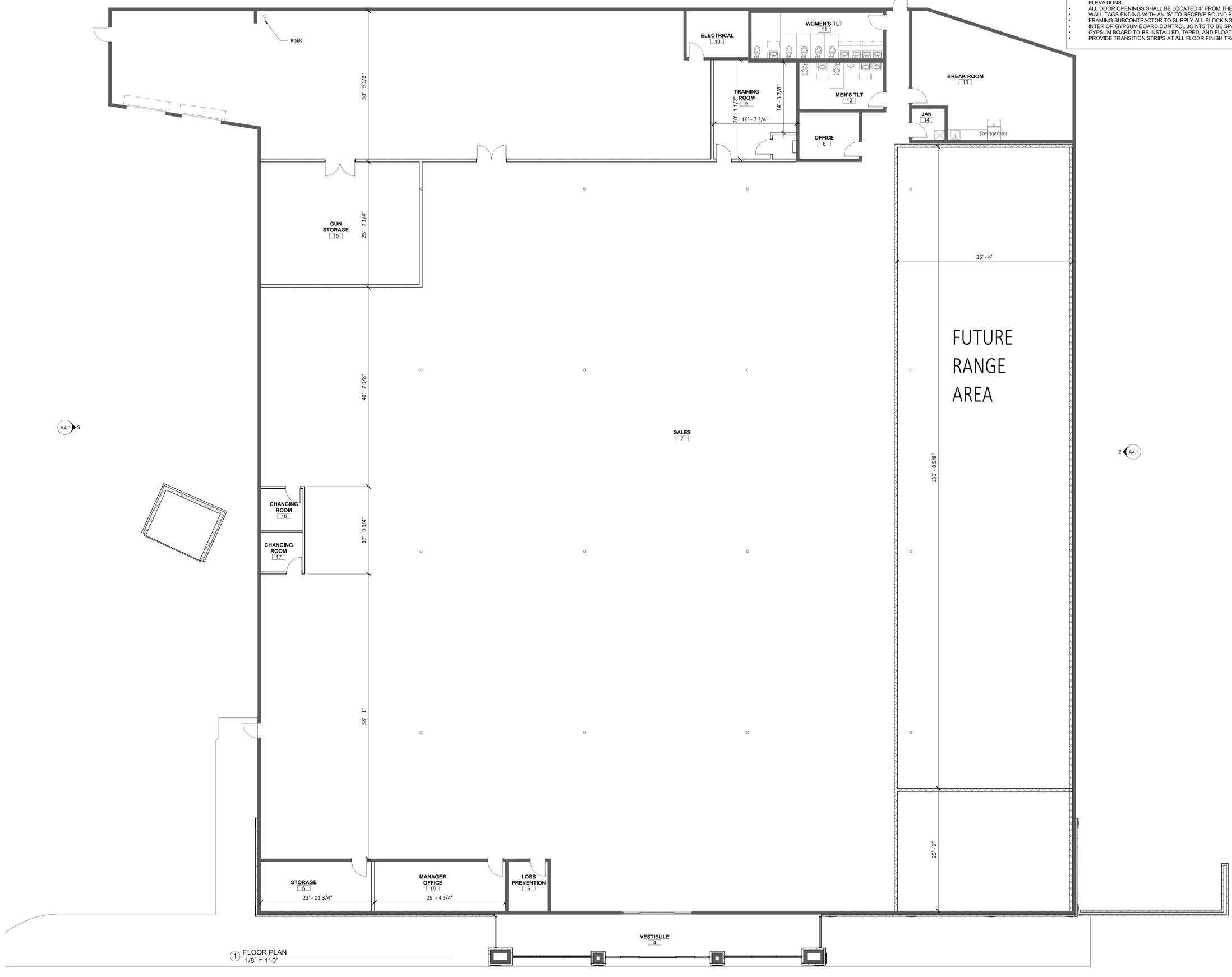
Note HVAC ventilation units on the right side of the building along access drive. Preference to have those either as rooftop units, to the rear, or other side of the building. They are proposed as screened but having them away from the second most visible side and away from SpareTime or Jared's would be beneficial. Early discussions I had noted SpareTime as opposed to this location. This is a prime commercial location and sidewalks and pedestrian enhancements are much needed. Future development adjacent to the site may be limited such as for residential units. This is due to the use itself here and distance requirements. These distance requirements are imposed on the range however and not residential units or similar currently.

Building elevations are a start but need some adjustment to detailing to be consistent with other approvals such as town hall brickwork and the overlay district.

PROCEDURE:

This is the second (conditional site plan) part and follow up to Palmetto's text amendment proposal. This is an informational item for your review and consideration. Council feedback is welcomed. Next steps would be either additional workshop meetings or to call for a public hearing as required for any future vote.

- GENERAL FLOOR PLAN NOTES**
- ALL EXTERIOR DIMENSIONS ARE TO FACE OF STUD/CMU UNLESS OTHERWISE NOTED.
 - ALL INTERIOR DIMENSIONS ARE TO FACE OF STRUCTURE UNLESS OTHERWISE NOTED.
 - ALL SUBCONTRACTORS MUST COORDINATE THE DESIGN AND INSTALLATION OF THEIR SYSTEMS WITH THE ARCHITECTURAL DRAWINGS.
 - VERIFY THAT ADA/ANSI REQUIREMENTS ARE SATISFIED PRIOR TO CONSTRUCTION OF NEW WALLS.
 - COORDINATE ALL BUILDING UTILITIES AND SYSTEMS WITH FLOOR PLANS AND REFLECTED CEILING PLANS.
 - FOUNDATIONS AND FOOTINGS FOR ALL NEW COLUMNS, PIERS AND WALLS SHALL BE IN ACCORDANCE WITH STRUCTURAL ENGINEERING AND ARCHITECTURAL DRAWINGS. ALL FINAL GRADES TO BE VERIFIED WITH ENGINEER. ALL FINAL GRADES OR PAVEMENTS ABUTTING THE BUILDING SHALL BE COORDINATED WITH CIVIL DOCUMENTS, LANDSCAPE DOCUMENTS AND STRUCTURAL DOCUMENTS. (SOIL REPORTS TO BE PROVIDED BY THE OWNER.)
 - FINISH FLOOR ELEVATIONS ARE RELATIVE AND DO NOT REFLECT ACTUAL CIVIL SITE ELEVATIONS. REFER TO CIVIL DRAWINGS FOR ACTUAL FINISH FLOOR ELEVATIONS.
 - ALL DOOR OPENINGS SHALL BE LOCATED 4" FROM THE FINISHED FACE OF WALL TO INSIDE FACE OF FRAME, UNLESS NOTED OR DETAILED OTHERWISE.
 - WALL TAGS ENDING WITH AN "S" TO RECEIVE SOUND BATTING IN WALLS.
 - FRAMING SUBCONTRACTOR TO SUPPLY ALL BLOCKING BEHIND CABINETS AND BATHROOM ACCESSORIES, AND ROOF ACCESS LADDERS.
 - INTERIOR GYPSUM BOARD CONTROL JOINTS TO BE SPACED AS SPECIFIED. COORDINATE LOCATIONS WITH ARCHITECT BEFORE PROCEEDING.
 - GYPSUM BOARD TO BE INSTALLED, TAPED, AND FLOATED BEHIND ALL CABINETS.
 - PROVIDE TRANSITION STRIPS AT ALL FLOOR FINISH TRANSITIONS WHETHER INDICATED OR NOT.



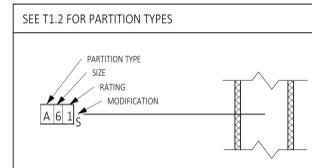
1 FLOOR PLAN
1/8" = 1'-0"

WALL TYPE LEGEND

	1-HOUR FIRE RATED
	2-HOUR FIRE RATED
	2-HOUR CMU
	EXISTING WALL

GENERAL WALL NOTES

1. INSTALL BOX HEADERS AT INTERIOR STUD WALL OPENINGS 44" OR GREATER. MATCH STUD GAGE OF WALL.
44" - 60" 6" HEADER
60" - 84" 8" HEADER



- MODIFICATIONS**
- A 6" ABOVE CEILING FOR STUD WALL - BRACE TO STRUCTURE ABOVE
 - B STUD TO DECK - STOP GYPSUM AT 6" ABOVE CEILING
 - C STUD TO ROOF STRUCTURE - GYPSUM BOARD RUN FULL HEIGHT CORRIDORSIDE OF WALL, STOP 6" ABOVE CEILING OPPOSITE SIDE
 - D STUD TO ROOF STRUCTURE - GYPSUM BOARD RUN FULL HEIGHT
 - M MOISTURE RESISTANT GYP. BD TO 4'-0" A.F.F.
 - S SOUND ATTENUATION FULL HEIGHT OF WALL
 - XX PARTIAL HEIGHT WALL

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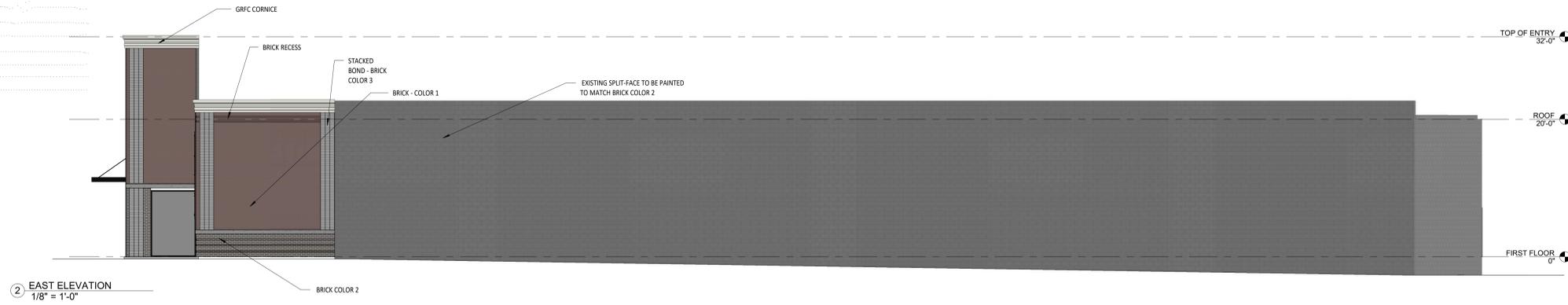
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SCHEMATIC DESIGN

DRAWINGS ARE DIAGRAMMATIC ONLY AND HAVE NOT BEEN REVIEWED FOR CODE



1 SOUTH ELEVATION
1/8" = 1'-0"



2 EAST ELEVATION
1/8" = 1'-0"



3 WEST ELEVATION
1/8" = 1'-0"



BRICK COLOR 1

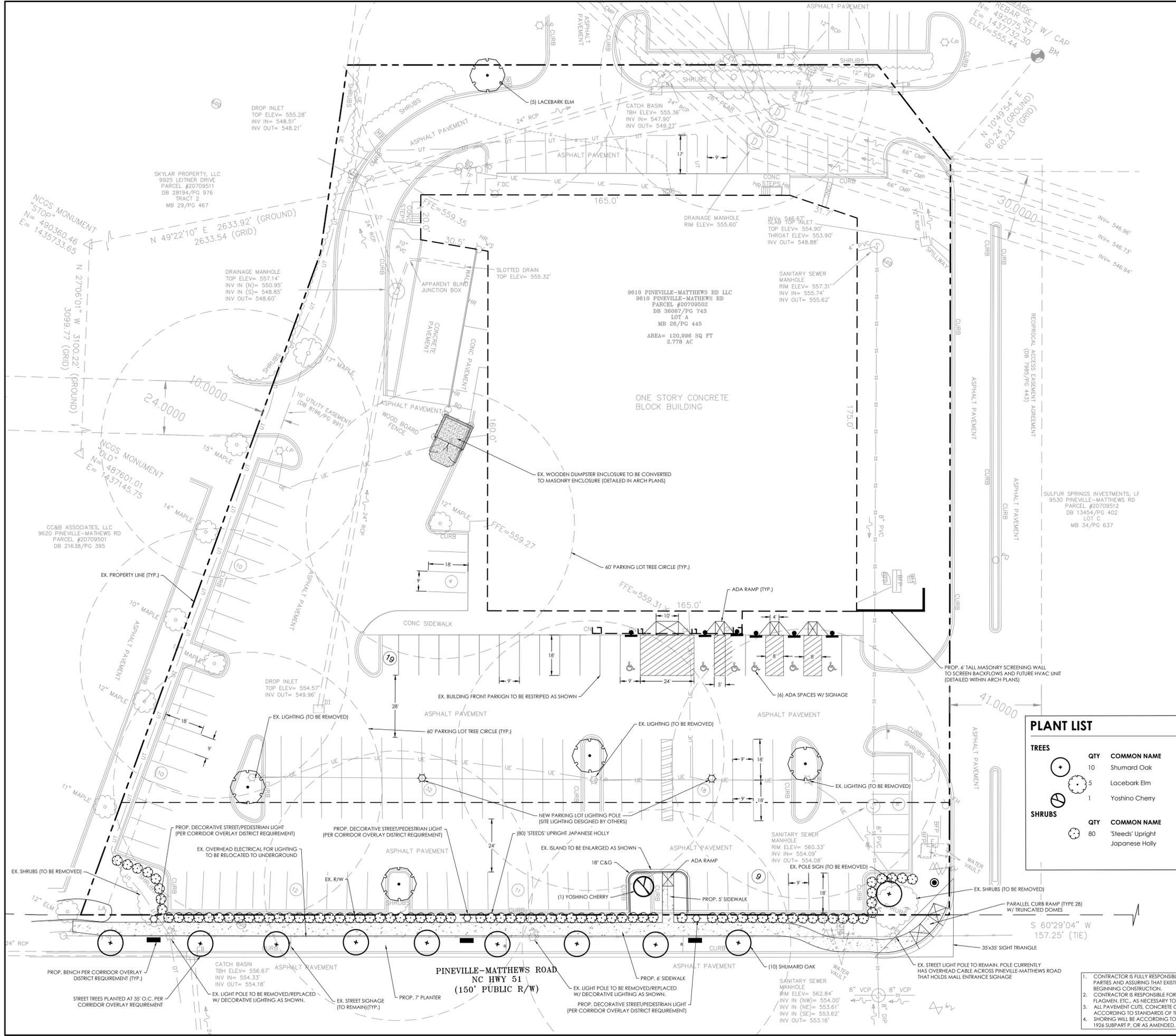


BRICK COLOR 2



BRICK COLOR 3





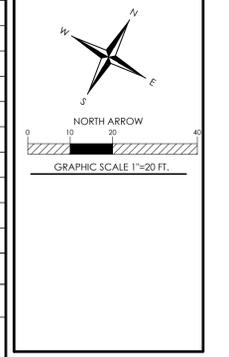
SITE DATA TABLE

PARCEL ID	20709502
LOCATION	9610 PINEVILLE-MATTHEWS RD. PINEVILLE NC 28134
JURISDICTION	PINEVILLE
OWNER	9610 PINEVILLE-MATTHEWS LLC 3850 FERNANDINA RD ATTN JULIAN WILSON COLUMBIA SC 29210
ZONING	B-4
OVERLAY DISTRICT	CORRIDOR OVERLAY DISTRICT
TOTAL PARCEL AREA	2.778 AC - 120,996 SF
PROPOSED USE	COMMERCIAL (SHOOTING RANGE)
MIN. FRONT / STREET SETBACK	BUILD-TO-LINE FROM STREET SECTIONS (EXISTING BUILDING)
MIN. SIDE SETBACK	0'
MIN. REAR SETBACK	0'
MIN. BUILDING HEIGHT	1 STORY AND 20'
MAX. BUILDING HEIGHT	3 STORES
EX. BUILDING AREA	31,056 SF
PARKING SPACES REQUIRED	1 SPACE PER 500 SF = 63 SPACES
EXISTING SPACES PROVIDED	155 SPACES
EXISTING SPACES TO BE REMOVED	
NEW # OF SPACES PROVIDED	
FEMA MAP NUMBER	3710443900L
FEMA MAP DATE	09/02/2015
SOIL TYPES	1B (100%)
TRASH COLLECTION	TRASH: (1) DUMPSTER
PORTION OF THE SITE IS INSIDE THE FEMA FLOOD ZONE & COMMUNITY FLOOD ZONE	
ALL ARCHITECTURAL DESIGN STANDARDS SHALL APPLY	
SITE LIGHTING BY OTHERS & SHALL COMPLY WITH LAND DEVELOPMENT STANDARDS	

IMPERVIOUS SUMMARY

ITEM	SQUARE FOOT	ACRES	PERCENTAGE OF TOTAL SITE
TOTAL SITE AREA	120,996 SF	2.778 AC	N/A
EX. IMPERVIOUS	99,842 SF	2.29 AC	82.52 %
EX. IMPERVIOUS TO BE REMOVED	295 SF	0.01 AC	0.24 %
PROP. IMPERVIOUS	95 SF	0.00 AC	0.08 %
TOTAL IMPERVIOUS	99,642 SF	2.29 AC	82.35 %
TOTAL PERVIOUS	21,354 SF	0.49 AC	17.65 %

HensonFoley
Landscape Architecture | Civil Engineering
121 Gilead, Huntersville, NC 28078
P: 704.875.1615 | F: 704.875.0959 | www.hensonfoley.com
NC ENGINEERING BOARD LICENSE #: C0391
NC LANDSCAPE ARCHITECTURE BOARD LICENSE #: C-999



PINEVILLE RANGE
PIN # / PARCEL ID: 20709502
9610 PINEVILLE-MATTHEWS RD. PINEVILLE NC 28134

SITE & LANDSCAPE PLAN

PLANT LIST

TREES	QTY	COMMON NAME	SCIENTIFIC NAME	SIZE	HEIGHT	CONDITION
(+)	10	Shumard Oak	<i>Quercus shumardii</i>	3" cal.	10'	B&B
(+)	5	Lacebark Elm	<i>Ulmus parvifolia</i>	3" cal.	10'	B&B
(+)	1	Yoshino Cherry	<i>Prunus x yedoensis</i>	2" cal.	8'	B&B
SHRUBS	QTY	COMMON NAME	SCIENTIFIC NAME	SIZE	HEIGHT	CONDITION
(*)	80	'Steele's' Upright Japanese Holly	<i>Ilex crenata 'Steele's'</i>	5 gal.	3'	Cont.

LEGEND

	PROJECT BOUNDARY		BUILDING HATCH
	PROPOSED BUILDING CURB AND GUTTER		FULL DEPTH ASPHALT
	BUILDING SETBACK		SIDEWALK
	IRRIGATION CONDUIT		HEAVY DUTY PAVEMENT
	EXISTING SURVEY		COMPACT CAR SPACE
	STOP SIGN W/ WHITE STOP BAR		PARKING ROW COUNT
	COMPACT CAR SPACE		HANDICAPPED PARKING SYMBOL

- CONTRACTOR IS FULLY RESPONSIBLE FOR CONTACTING APPROPRIATE PARTIES AND ASSURING THAT EXISTING UTILITIES ARE LOCATED PRIOR TO BEGINNING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR PLACING BARRICADES USING FLAGMEN, ETC., AS NECESSARY TO INSURE SAFETY TO THE PUBLIC.
- ALL PAVEMENT CUTS, CONCRETE OR ASPHALT, ARE TO BE REPLACED ACCORDING TO STANDARDS OF THE DEPARTMENT OF TRANSPORTATION.
- SHORING WILL BE ACCORDING TO OSHA TRENCHING STANDARDS PART 1926 SUBPART F, OR AS AMENDED.

811 Know what's below. Call before you dig.

REVISIONS:

NO.	DATE	DESCRIPTION

Memorandum



To: Mayor and Town Council
From: Ryan Spitzer
Date: 10/20/2023
Re: Fire Department Design and Potential Costs

Overview:

The architect has concluded the SD plans for fire department which is 30% of final design. This is typically when the Construction Manager will begin to get potential costs from trades for the building as well as using costs from like projects that have been bid out in the recent past.

The Town has been using a figure of \$16 million as an “all in” cost for the fire department. When speaking with our contracted financial planner they are providing the town with potential scenarios for funding this project and the impact on the tax rate. Of the four scenarios that have been looked at a high level the average tax rate increase is about \$0.034. These numbers still have to be flushed out to provide a concrete increase per scenario. The current estimated cost of the fire department is about \$17.5 million “all in” with the breakdown as follows:

Construction -	\$15 million
Architect Fees -	\$868,000
CM Fees -	\$870,000
Signal and FFE -	\$800,000

As we progress through the design and pricing, I believe there are areas where we can cut about \$1 million from the construction costs without cutting any programming. We will also get a better picture of what the signal work and FFE will costs.

Council needs to determine what costs and equivalent tax rate increase they are comfortable with for the construction of this fire department. Once Council has decided their “all in” construction costs, staff will work with the consultant and fire department committee to meet the costs expectation.

The architect and CM will be at the meeting to answer any questions. Also, I will present the different high level funding scenarios for Council to consider.

Attachments:

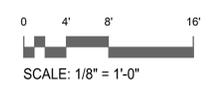
Fire Department Architectural Rendering

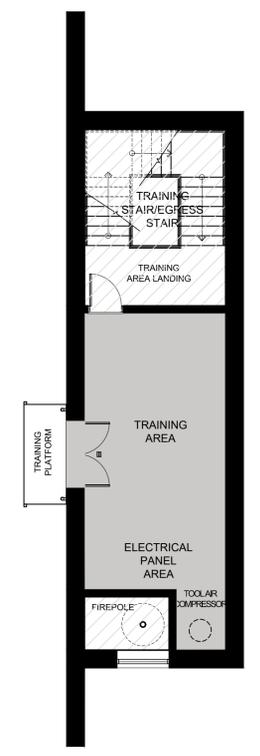
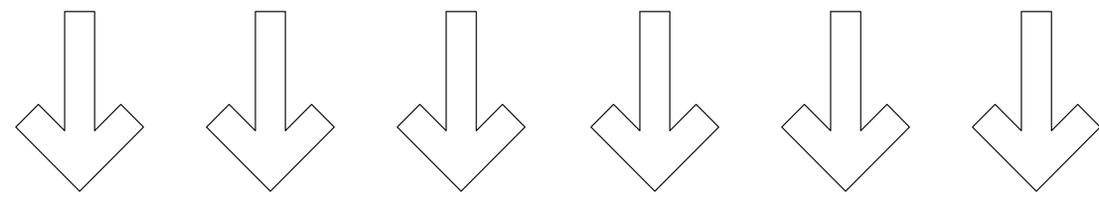
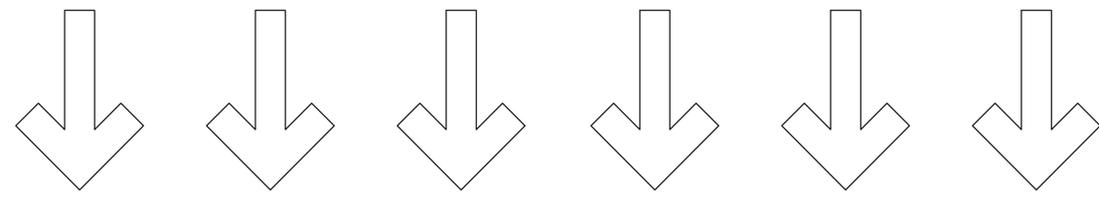
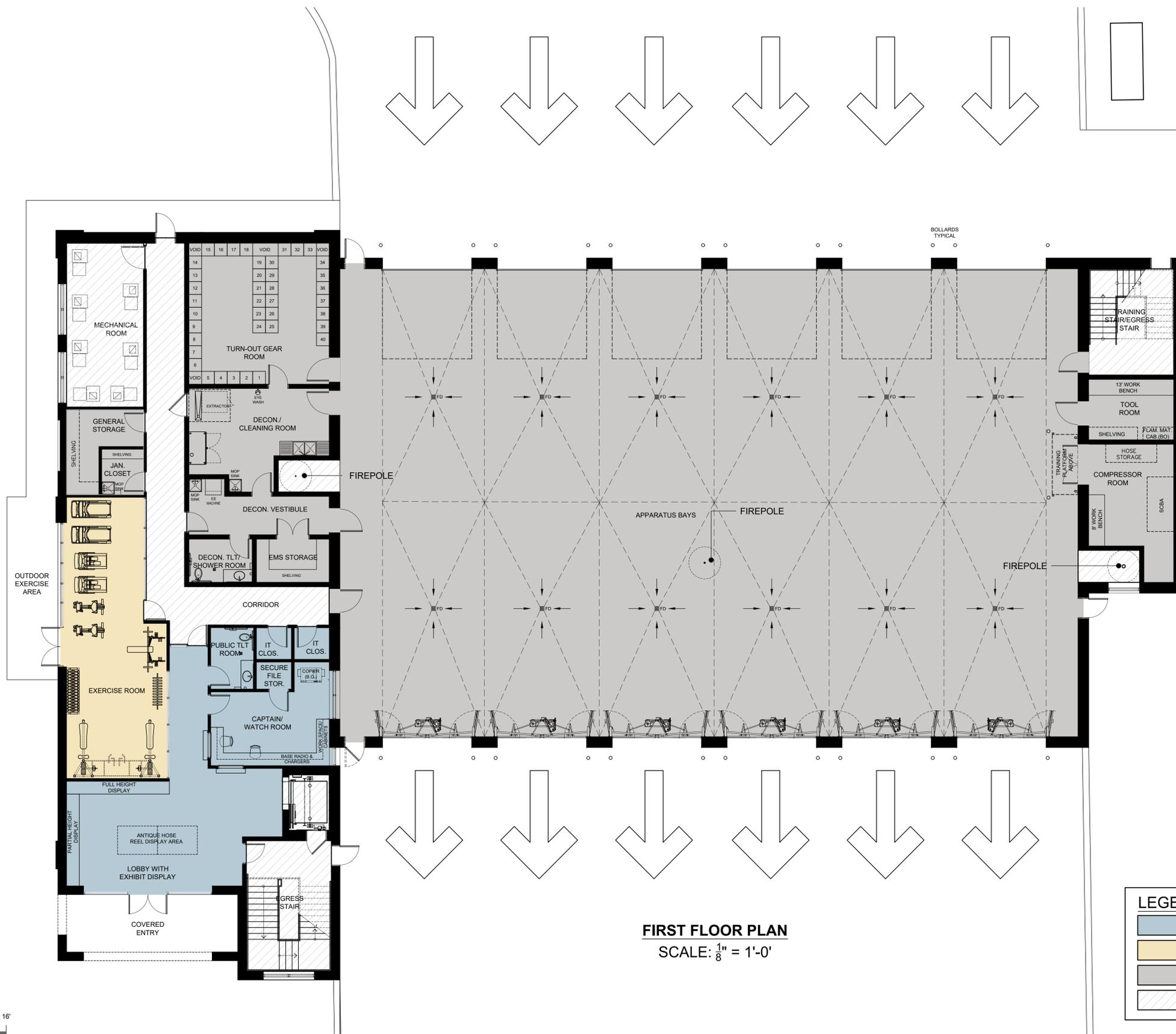


SECOND FLOOR PLAN
 SCALE: 1/8" = 1'-0"

LEGEND:

	PUBLIC
	PRIVATE
	APPARATUS AND SUPPORT
	MECHANICAL AND CIRCULATION



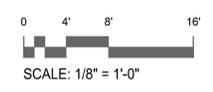


MEZZANINE LEVEL-
650 SF

FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

LEGEND:

- PUBLIC
- PRIVATE
- APPARATUS AND SUPPORT
- MECHANICAL AND CIRCULATION





SITE VIEW FROM N. POLK STREET AT SIDEWALK, BIKE LANE, AND PLANTING STRIP
 (APPARATUS BAY SIDE OF DRIVEWAY)



FRONT VIEW
(RESPONDING DRIVEWAY)



SITE VIEW FROM N. POLK STREET AT VISITOR PARKING, SIDEWALK, BIKE LANE, AND PLANTING STRIP
(BUILDING ENTRANCE SIDE OF DRIVEWAY)



BUILDING ENTRANCE & STAIR TOWER VIEW
 (FROM RETURNING/SHARED DRIVEWAY)



REAR VIEW AT TRAINING ROOM, OUTDOOR PATIO AND APPARATUS BAYS
(FROM RETURNING/SHARED DRIVEWAY)



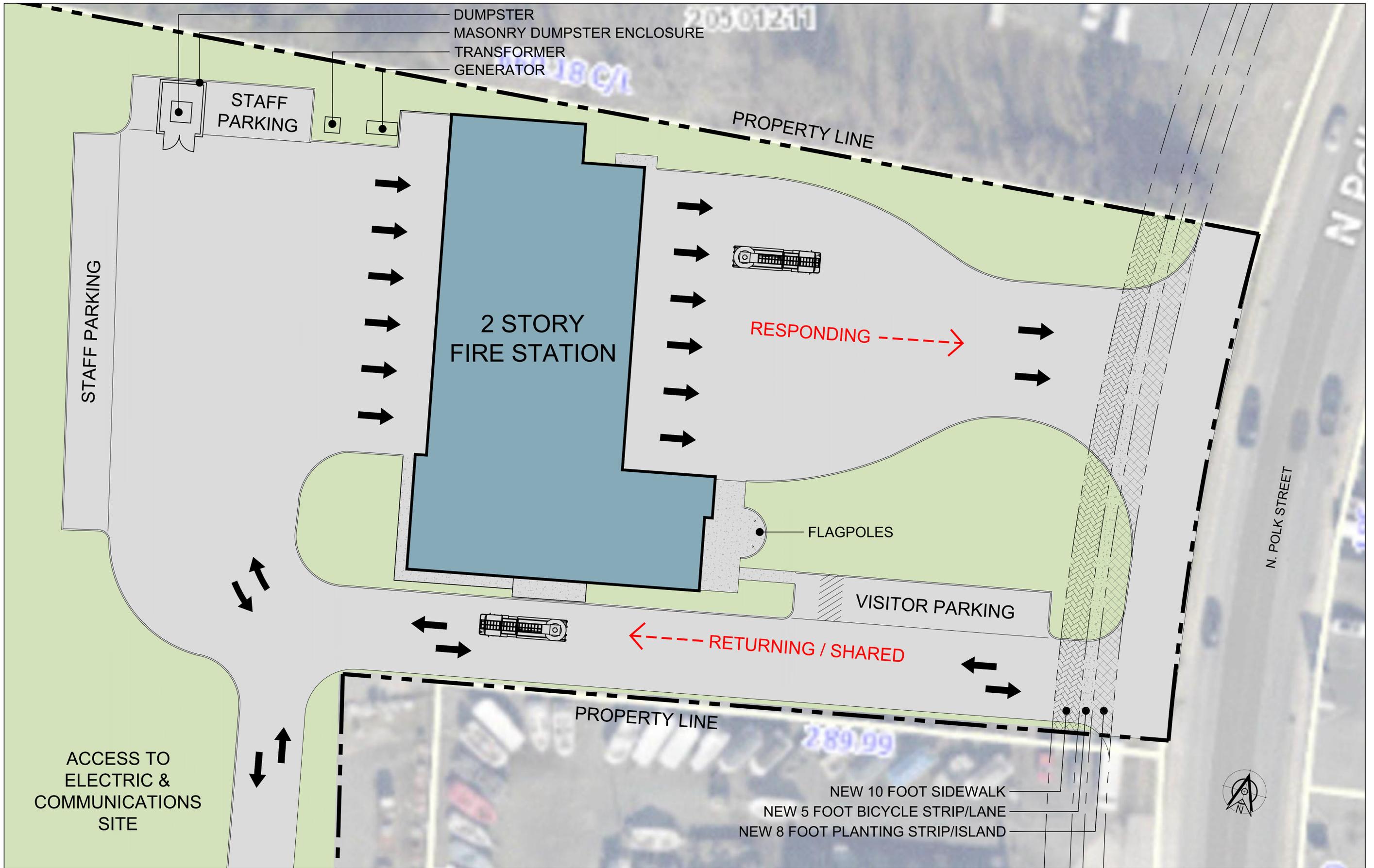
VIEW AT REAR TRAINING STAIRS, OUTDOOR PATIO AND APPARATUS BAYS
(FROM REAR APRON)



SIDE VIEW AT FIRE POLE AND FRONT APRON
(N. POLK STREET SIDE OF SITE)



FRONT STAIRTOWER AT DUSK
(VIEW FROM FRONT APRON)



ACCESS TO
ELECTRIC &
COMMUNICATIONS
SITE

STAFF
PARKING

2 STORY
FIRE STATION

PROPERTY LINE

RESPONDING

FLAGPOLES

VISITOR PARKING

RETURNING / SHARED

PROPERTY LINE

NEW 10 FOOT SIDEWALK
NEW 5 FOOT BICYCLE STRIP/LANE
NEW 8 FOOT PLANTING STRIP/ISLAND



N. POLK STREET



Pineville Fire Dept.
Pineville, NC

Estimate Summary
Schematic Design

Construction - Building (29,260 sf)	\$	13,202,025
Construction - Site	\$	2,664,017
Total Construction	\$	15,866,043



Pineville Fire Department
Pineville, NC



29,260

Description	Schematic Design	\$/SF	Comments
Final Cleaning and Construction staking	25,056	0.86	
Site Demolition	65,254	2.23	
Erosion Control	95,585	3.27	
Earthwork	257,727	8.81	
Unsuitable Soils Allowance	25,000	0.85	Tracking site borings
Storm Drainage	501,360	17.13	Additional underground detention info needed
Water Distribution	105,330	3.60	
Sanitary Sewer	30,050	1.03	
Paving and Hardscapes	869,838	29.73	
Landscape and Irrigation	101,194	3.46	
Cast-In-Place Concrete	496,543	16.97	
Masonry	1,408,032	48.12	
Steel	1,350,550	46.16	
Millwork	212,870	7.28	
Waterproofing, Air Barrier, & Sealant	140,642	4.81	
Roofing	304,233	10.40	
Spray Applied Insulation	72,520	2.48	
Architectural Trim (exterior mounted brackets)	10,500	0.36	
Doors Frames and Hardware (includes access doors)	172,975	5.91	
Glass	370,090	12.65	
Bi-Parting and Overhead Doors	528,000	18.05	
Drywall	413,249	14.12	
Acoustical Ceilings	119,488	4.08	
Hard Tile	94,794	3.24	
Flooring	97,832	3.34	
Floor Coatings	33,573	1.15	
Paint	94,587	3.23	
Specialties/Corner Guards/FEC/Flag Poles/Fire Poles	137,070	4.68	
Lockers	75,000	2.56	
Signage	72,565	2.48	
Window Treatments	25,350	0.87	
Elevator	110,000	3.76	
Fire Suppression	151,920	5.19	
Plumbing	512,500	17.52	
HVAC	1,361,730	46.54	
Electrical	1,949,025	66.61	
Subtotal Direct Cost	12,392,031	423.51	
General Conditions	904,703		
Estimating/Design Contingency (5%)	619,602		
Contractors Contingency (3%)	398,902		
Technology Fee	39,665		
Utility Tap/Connection Fee	93,243		
Subcontractor Default Insurance	154,900		
General Liability Insurance	142,794		
Builders Risk Insurance	55,531		
Pollution Insurance	7,933		
Payment and Performance Bond	158,660		
Construction Fee	898,078		
Construction Total	15,866,043	542.24	

ALTERNATES

1	Stained and polished concrete in lieu of tile at front Lobby	\$	(6,300)
2	RTU based hvac system in lieu of VRF	\$	(216,730)
3	Natural gas generator in lieu of diesel	\$	86,000
4	Copper domestic piping in lieu of PEX	\$	-
5	Exterior Training Stair	\$	34,950
6	Motorized shades at Training Room	\$	6,750

Pineville Fire Station
Schematic Design

Gross (outside)
28,139 sf
645 sf
476 sf
29,260 sf



Division of Work	Item	Qty	Unit	Subtotal	Division Totals	Comments
01	General Requirements					
	Final Cleaning	29,260	sf	\$ 17,556		
	Survey and Layout	1	ls	\$ 7,500		
					25,056	
02	Site work					1,950,144
	Site Demolition			\$ 65,254		Edifice
	Perimeter site security fencing	1,296	lf			
	Remove water wells					not included - not located haven't been located yet
	Remove septic system					not included - on adjacent site haven't been located yet
	Remove concrete sidewalk at street	950	sf			
	Remove curb and gutter	265	lf			
	Remove misc. site items	1	ls			
	Remove existing asphalt pavement	10,109	sf			
	Remove existing concrete pavement drives	-	sf			
	Saw cut pavement	180	lf			
	Remove street pavement for new work	360	sf			
	Remove existing storm (on site)	50	lf			
	Remove existing storm structure					not included
	Cap and abandon existing storm line					not included
	Remove existing sanitary line (on site)					lf
	Remove water line (on site)	1	ls			
	Cap and remove water meter/box	1	ea			
	Remove light pole base		none			
	Remove site lighting fixture	4	ea			
	Remove electrical conduit	416	lf			
	Remove chain link fencing	674	lf			
	Remove or relocate existing public sanitary line					not included
	Remove public water, fire line and or hydrants					not included
	Remove water, irrigation	1	ls			
	Remove fiber/tele					not included
	Remove over head power					not included
	Remove gas piping					not included
	Sub adjustment	1	ls			

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Division of Work	Item	Qty	Unit	Subtotal	Division Totals	Comments
	Erosion Control & Tree Protection			\$ 95,585		
	Construction entrance	1	ea			
	Temp silt fence	1,408	lf			
	Temp silt fence baffles	100	lf			
	Tree protection	419	lf			
	Inlet protection	10	ea			
	Maintain & remove silt and tree fence	1	ls			
	Road cleaning	1	ls			
	Temporary sediment basin	1	ea			
	Traps, check dams, swales	100	lf			
	Temporary seeding	2	ac			
	Temporary stone - access and laydown	10,000	sf			
	Sub adjustment	1	ls			
	Earthwork			\$ 257,727		
	Clear and grub - selective	2	acres			
	Remove select street trees		included			
	Remove shrubs		included			
	Strip top soil, 8" avg. - haul off	2,342	cy			former plant nursery
	Cut to fill	3,500	cy			
	Import fill		none			
	Haul off export		none			
	Fine grade building subgrade	15,260	sf			
	Fine grade landscape areas	20,001	sf			
	Place topsoil (import) 6"	370	cy			
	Backfill curb	1,697	lf			
	Fine grade flatwork	61,005	sf			
	Backfill flatwork	2,888	lf			
	Mobilize	1	ls			
	Surveying and layout	1	ls			
	Traffic control	1	ls			
	Locate utilities	1	ls			
	Soft digs	1	ls			
	Dewater	1	ls			
	Sub adjustment	1	ls			
				\$ 25,000		
	Site Allowances					
	Rock and unsuitable allowance	1	ls			
	Rock, mass					with above allowance
	Rock, trench at utilities					with above allowance

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Division of Work	Item	Qty	Unit	Subtotal	Division Totals	Comments
	Rock, trench at foundations			with above allowance		
	Rock over excavation at foundations & slab			with above allowance		
	Undercut & replace unsuitable			with above allowance		
	Hazardous/contaminated soil removal			not included		
	Storm Drainage			\$ 501,360		
	Roof leader, 8" with cleanouts	296	lf			
	Roof drain connections	12	ea			
	Foundation drainage		none			
	15" RCP	262	lf			
	18" RCP	256	lf			
	15" RCP out from BMP		none			
	24" RCP	370	lf			
	Storm structure, area drain	2	ea			
	Storm structure, curb	10	ea			
	Replace existing CI at Polk St.	1	ea			
	Flared end sections		none			
	Outlet structure	1	ea			
	Underground storage	1	ls			
	Storm at street			not included		
	Camera existing storm	1	ls			include existing CMP line
	Muck out existing storm inlets	1	ea			
	Rip rap	2	ea			
	Sub adjustment	1	ls			
	Paving, Curbs, Hardscape			\$ 869,838		
	Asphalt pavement HD, parking, 10" ABC		none			
	Asphalt pavement Standard, parking		none			
	Rework street existing at drive way tie in	60	sy			
	Curb and gutter 18"	1,607	lf			
	Curb and gutter 24" (at entrance & road)	90	lf			
	Striping	1	ls			
	Accessible parking sign	4	ea			
	Traffic sign	4	ea			
	Concrete paving, 8"/6" 4000 psi - reinforced	55,358	sf			
	Concrete drive entrance, 7" 4000 psi			included above		
	Concrete pad at trash / recycle area			included above		
	Rear patio (not shown)	225	sf			
	Concrete sidewalks, broom finish - typical	1,375	sf			

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Division of Work	Item	Qty	Unit	Subtotal	Division Totals	Comments
	Concrete sidewalks 10', broom finish - street	1,752	sf			
	Bike path 5'	823	sf			
	Concrete stairs		none			
	Demo and replace existing sidewalk at street		above			
	Sidewalk ramp	6	ea			
	Exterior pads		with div 3 concrete			
	Sleeves	250	lf			
	Precast parking stops		none			
	Truncated dome mats	40	ea			
	Sub adjustment	1	ls			
	Water Distribution			\$ 105,330		
	Relocate existing water line		none			
	Water main (to street)	50	lf			
	Domestic water, 3" pvc	203	lf			
	Fire water, 6" ductile iron	205	lf			
	Fire hydrant lateral, 6" ductile iron		included			
	Fire hydrant	1	ea			
	Irrigation line, backflow, box	1	ls			
	Domestic water connection	1	ea			
	Domestic backflow, meter assembly, & box, 3"	1	ea			
	Fire water backflow & box, 6"	1	ea			
	Remote FDC	1	ea			
	Rework street at utility tie in	1	ea			
	Traffic Control	1	ls			
	Based on adequate pressure and flow		included			
	Sub adjustment	1	ls			
	Sanitary Sewer			\$ 30,050		
	Sanitary, 6" pvc	190	lf			
	Connect to existing manhole	1	ea			
	Oil / water separator		with 22 plumbing			
	Connection and capacity fees		with indirect			
	Sanitary manhole (new or rework existing)	1	ea			
	Camera sanitary	1	ls			
	Traffic control		not included			
	Based on gravity system tie into existing		included			
	Retaining Walls			\$ -		

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Division of Work	Item	Qty	Unit	Subtotal	Division Totals	Comments
	Segmental block retaining walls		none			
	Sleeves for fencing		none			
	Fence and enclosures			\$ -		
	Parking lot fencing		lf			
	Vehicle gates		not included			
	Access control gate		not included			
	Gate and trash enclosure		masonry			
	Deck Railing		with 05 steel			
	Training tower railing and gates		with 05 steel			
	Landscaping and irrigation			\$ 101,194		
	Prune existing street tree		not included			
	Planting strip at Polk St - 8'	1,132	sf			
	Tree, street	10	ea			
	Tree, site	10	ea			
	Tree, buffer	-	ea			
	Tree, small	15	ea			
	Shrubs	200	ea			
	Groundcover, flowers	1	ls			
	Seeding, prep and fertilize		not included			
	Sod, prep and fertilize	20,001	sf			
	Sod sediment basin		not included			
	Bolder allowance		not included			
	Mulch, hardwood	2,000	sf			
	Plantings soil	370	cy			
	Guarantee period & maint.	12	month			
	Irrigation system	1	ls			
	Sub adjustment	1	ls			
					\$ 2,051,338	
03	Concrete					
	Cast - In - Place Concrete			\$ 6,763		
	Site					
	Concrete equipment pads	236	sf			
	Concrete drafting pits		none			
	Concrete storage shed pad		none			

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Division of Work	Item	Qty	Unit	Subtotal	Division Totals	Comments
	Stamped concrete patio		none			
	Concrete patio		with 02-32 hardscapes			
	Concrete foundations, trash wall	3	cy			
	Flagpole foundation	2	ea			
	<u>Building</u>			\$ 489,780		
	Concrete foundations, columns (mezzanine ladder posts)	1	cy			
	Concrete foundations, F3		none			
	Concrete foundations, F6	13	cy			
	Concrete foundations, F7		none			
	Concrete foundations, strip, 4'x1'4	68	cy			
	Concrete foundations, strip, 3'x1'	7	cy			
	Concrete foundations, strip, 2'6x1'		none			
	Concrete foundations, strip, 2'x1'	1	cy			
	Concrete turn down	187	lf			
	Foundation steps	7	ea			
	Foundation stem walls	5	cy			
	Set anchor bolts/grout base plate	10	ea			
	Column diamond/pour backs	10	ea			
	Thickened slab areas	15	cy			
	Concrete slab on grade, 4" and some 6"	5,160	sf			
	Perimeter Insulation under slab	2,676	sf			
	Concrete slab on grade, 8" - apparatus bay	8,491	sf			
	Concrete slab on deck	11,698	sf			
	Concrete slab on deck, mezzanine		included			
	Slab on roof deck		not included			
	Equipment pads, interior	200	sf			
	Stair tread infill	80	ea			
	Stair landings	814	sf			
	Cast and set drains/frames	1	ls			
	Set bollards, fill with concrete	26	ea			
	Termite control	15,260	sf			
	Mock up foundation and removal	1	ls			
	Locker base		with 10 lockers			
	Depressed area for thick set tile	1,680	sf			
	Ground improvement not included		not included			
	Sub adjustment	1	ls			
					\$ 496,543	
04	Masonry					

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Division of Work	Item	Qty	Unit	Subtotal	Division Totals	Comments
	Unit Masonry					
	Site			\$ 22,606		
	CMU, wall at trash wall	349	sf			
	Brick veneer, red wire cut	349	sf			
	Precast wall cap	58	lf			
	Building			\$ 1,385,426		
	Brick veneer	18,677	sf			
	Arch CMU veneer	2,781	sf			
	Brick corbel detailing		included			
	Precast stone sill/rowlocks, 4"	84	lf			
	Precast stone sill/rowlocks, 8"	205	lf			
	Precast stone trim, 8"	429	lf			
	Precast stone headers, 8"	383	lf			
	Precast stone medallion, 4' diameter		none			
	Precast panels behind signage	58	sf			
	Stacked Stone, Citadel Stone		none			
	Cavity insulation	22,617	sf			
	CMU 12" back up	20,274	sf			
	CMU 8" back up	5,001	sf			
	CMU 8" interior		included			
	CMU 12" interior apparatus bay		included			
	CMU 4" below grade	1,621	sf			
	Stair shaft		included			
	Elevator shaft	1,383	sf			
	Install hollow metal frame in masonry	28	ea			
	Install hoist beam	1	ea			
	Mock up	1	ea			
	Masonry rebar		included			
	Masonry clean up and temporary protection		included			
	Dumpster pulls	25	ea			
	Sub adjustment	1	ls			
					\$ 1,408,032	
05	Steel					
	Structural Steel			\$ 1,350,550		
	Mezzanine structure and decking	648	sf			
	Level 2 joist and decking (at lb CMU locations)	8,450	sf			

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Division of Work	Item	Qty	Unit	Subtotal	Division Totals	Comments
	Roof joist and decking (at lb MCU locations)	7,479	sf			
	Steel framing (columns, beams, joist, and decking)	140	tons			
	Elevator hoist beam	1	ea			
	Intermediate tube steel supports at storefronts	55	lf			
	Loose lintels	383	lf			
	Loose lintels, arched/rolled	192	lf			
	Pan stair at training tower (rear)	4	flights			
	Pan stair at egress stair (front)	4	flights			
	Interior stair railing (removable for training) - training stair	64	lf			
	Wall handrail - training stair	71	lf			
	Interior stair railing (removable for training) - egress stair	70	lf			
	Wall handrail - egress stair	76	lf			
	Training platform	40	sf			
	Training platform railing	30	lf			
	Roof ships ladder		none			
	Low roof to high roof ladder	1	ea			
	Ladder and hatch at training tower		none			
	Vanity support	35	lf			
	Bollards	26	ea			
	Toilet partition framing		none			
	Rolled bent plate at overhead door openings, front	6	ea			
	Bent plate/angle at low to high roof	140	lf			
	Bent plate embed at OH door threshold	85	lf			
	Equipment & hatch roof curb		none			
	Cable railing at terrace	30	lf			
	Embeds and connections	1	ls			
	Trench grating/frame		with plumbing			
	Site handrails		none			
	Mezzanine railing	38	lf			
	Metal grate over fire pole openings	3	ea			
	Training prop anchors	8	ea			
	Dumpster gate	2	ea			
	Sub adjustment	1	ls			
					\$ 1,350,550	
06	Wood					
	Interior Architectural Woodwork			\$ 212,870		
	Lobby wood paneling 4' a.f.f.		none			
	Window sills, quartz	16	ea			

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Division of Work	Item	Qty	Unit	Subtotal	Division Totals	Comments
	Lobby display 6'	16	lf			
	Lobby display 10'	16	lf			
	Captain/Watch - base	28	lf			
	Captain/Watch - uppers	30	lf			
	Workroom/copy base	14	lf			
	Workroom/meeting mail slots	14	lf			
	Vanity - solid surface tops	38	lf			
	Laundry - base	10	lf			
	Laundry - uppers	10	lf			
	Kitchen - base, quartz countertop	24	lf			
	Kitchen - uppers	22	lf			
	Kitchen island, quartz countertop	45	sf			
	Kitchen bar top	15	lf			
	Food lockers/pantry	6	lf			
	Coffee Bar - base	6	lf			
	Fire Report Radio - base	50	lf			
	Fire Report Radio - upper	53	lf			
	Med Supply storage			storage shelving by owner		
	Decon stainless top	8	lf			
	General Storage shelving	16	lf			
	Wardrobe units	9	ea			
	EMS supply storage	21	lf			
	Janitor closet shelving	20	lf			
	Transaction counters	9	lf			
	Tool Room work benches	21	lf			
	Chair rail	164	lf			
	Parts and or equipment storage - FF&E			not included		
	Desks and tables			not included		
	Office closet shelving			none		
	Sub adjustment	1	ls			
					\$ 212,870	
07	Thermal & Moisture Protection					
	Waterproofing			\$ 94,922		
	Fluid applied air barrier	22,617	sf			
	Elevator pit waterproofing	1	ea			
	Perimeter damp proofing below grade	618	sf			
	Mastic at steel columns below slab on grade	10	ea			

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Division of Work	Item	Qty	Unit	Subtotal	Division Totals	Comments
	Water Repellant at Veneer		not included			
	Sub adjustment	1	ls			
	Roofing and insulation			\$ 304,233		
	Membrane roofing, 80 mil PVC, R30	13,403	sf			
	Expansion joint		none			
	Walk pads	810	sf			
	Roof hatch and rail	1	ea			
	Metal coping	189	lf			
	Prefinished metal cornice/coping	572	lf			
	Prefinished downspouts	444	lf			
	Scuppers	15	ea			
	Metal soffit panel and vent (main stair tower)	929	sf			
	Pedestal paver system	483	sf			
	Overflow scuppers		included			
	Internal roof drains		none			
	Roof blocking and nailers, entry tower only		with 09 drywall			
	Sub adjustment	1	ls			
	Spray Insulation			\$ 72,520		
	K13 spray insulation at Fitness	613	sf			
	K13 spray insulation at Apparatus Bay	8,452	sf			
	Sub adjustment	1	ls			
	Architectural Trim			\$ 10,500		
	FRP fascia at entry tower		none			
	FRP soffit		none			
	Awnings		with Div 10			
	FRP brackets	7	ea			
	Flashing and detailing		none			
	Mock up		none			
	Fascia		none			
	Sub adjustment	1	ls			
	Spray Applied Fireproofing					
	Spray fireproofing		none			

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Division of Work	Item	Qty	Unit	Subtotal	Division Totals	Comments
	Thru Penetration Firestop System	Fire stop, misc.				
			with trades			
	Caulking & Sealants	Sealant - slab on grade & exterior concrete to bld	1,500	lf	\$ 45,720	
		Sealant - slab on grade - apparatus	5,000	lf		
		Sealant - masonry control joints vertical	1,000	lf		
		Sealant - frames in masonry	280	lf		
		Sealant - interior	500	lf		
		Sealant - exterior misc.	650	lf		
		Sealant - site	1,000	lf		
		Expansion joint, exterior wall	200	lf		
		Sub adjustment	1	ls		
					\$ 527,895	
08	Windows & Doors					
	Doors and Hardware			\$ 172,975		
		Hm frame, single 2070		none		
		Hm frame, single 2670		none		
		Hm frame, single 3070	53	ea		
		Hm frame, single 3670	10	ea		
		Hm frame, pair 6070	4	ea		
		Hm frame, 3070 with transom	5	ea		
		Hm doors, insulated 3070	14	ea		
		Hm doors, insulated 3670	9	ea		
		Hm window, interior		none		
	Wood Doors	Wood door, prefinished stain 2-0 x 7 natural birch		none		
		Wood door, prefinished stain 2-6 x 7 natural birch		none		
		Wood door, prefinished stain 3070 natural birch	56	ea		
		Wood door, prefinished stain 3670 natural birch	1	ea		
		Window kit, 4" x 54"	25	ea		
		Window kit, full	5	ea		
		Window kit, half	15	ea		
	Hardware	Hardware set	80	ea		
		Cylinder, aluminum door	6	ea		
		Access control points (electric strike)	14	ea		
	Install Doors and Hardware	Install door and hardware	80	ea		
		Sub adjustment	1	ls		

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Division of Work	Item	Qty	Unit	Subtotal	Division Totals	Comments
Access Doors	Access door, wall			with trade \$ -		
	Access door 2x2, ceiling			with trades		
Glass and Glazing				\$ 370,090		
	Aluminum storefront	1,105	sf			
	Aluminum storefront windows	1,016	sf			
	Aluminum storefront windows, arched head	614	sf			
	Curtainwall, arched head	198	sf			
	Aluminum entry door & hardware	5	ea			
	Interior storefront - fitness	301	sf			
	Interior storefront - admin assistant	68	sf			
	Interior storefront - elevator lobby & corridor level 2	158	sf			
	Interior storefront - training room	91	sf			
	Interior door & hardware	1	ea			
	Breakmetal covers to match storefront	67	sf			
	Interior transaction windows	2	ea			
	Exterior hm frame glazing	64	sf			
	Glazing at wood doors and hm frames	50	sf			
	Mirrors, vanity	-	with div 10			
	Mirror, fitness	60	sf			
	Sub adjustment	1	ls			
Bi-Parting & Overhead Doors				\$ 528,000		
	Bi parting 14 x 16	6	ea			
	Overhead door, sectional 14 x 14	6	ea			
	High speed doors not included			not included		
	Controls and wiring (low voltage)			included		
	Hoisting/installation			included		
	Sub adjustment	1	ls			
Architectural Louvers				with HVAC	\$ 1,071,065	
09 Interior Finishes						
MS/GWB Systems				\$ 413,249		
	4" metal stud to deck, 14'	8,726	sf			

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Division of Work	Item	Qty	Unit	Subtotal	Division Totals	Comments
Wall and Floor Tile				\$ 94,794		
	PT, floor tile	1,359	sf			
	PT, floor tile, elevator and lobby	701	sf			
	PT, shower floor mosaic	71	sf			
	Tile base PT	548	lf			
	WT1, wall tile showers	439	sf			
	WT1, wall tile restrooms	4,114	sf			
	WT2, Kitchen backsplash tile	221	sf			
	Schluter shower systems		none			
	Anti-fracture membrane		at cj and surface cracks			
	Waterproof membrane at restrooms and showers		included			
	Sub adjustment	1	ls			
Flooring				\$ 97,832		
	Carpet CPT1 typical	539	sy			
	Carpet CPT2 walk off		none			
	ACW-1		none			
	VCT		none			
	Access flooring meeting room		none			
	RF1 exercise rubber flooring and base	613	sf			
	Exercise wall carpet		none			
	LVT-1	4,829	sf			
	Rubber base 4" and transitions	3,065	lf			
	Rubber nosing at dayroom platform		none			
	Rubber stair treads	434	sf			
	Floor skimming and leveling, minor	28,139	sf			
	Slab moisture testing & sealing allowance	28,139	sf			
	Sub adjustment	1	ls			
Access Flooring			none			
Floor Coatings				\$ 33,573		
	SC1 sealed concrete	2,061	sf			
	SC2 hardener densifier app bay	9,817	sf			
	Epoxy flooring	-	sf			
	Stained and sealed		alternate			
	Sub adjustment	1	ls			

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Division of Work	Item	Qty	Unit	Subtotal	Division Totals	Comments
	Acoustical Wall and Ceilings Panels		none shown			
	Painting			\$ 94,587		
	Paint gwb walls	32,257	sf			
	Paint gwb furred walls	3,762	sf			
	Paint CMU, epoxy	23,275	sf			
	Paint CMU stair shaft	-	included			
	Paint gwb ceilings	1,591	sf			
	Paint exposed deck/structure	3,285	sf			
	Paint app bay deck/structure	8,433	sf			
	Paint hm frame and doors	76	ea			
	Paint misc. metals/bollards	1	ls			
	Paint stairs/railing	2	ea			
	Paint roof ladders	1	ea			
	Paint lintels	575	lf			
	Paint exterior misc. metals	1	ls			
	Vinyl graphic at main stair	226	sf			
	Floor markings	-	ls			
	Sub adjustment	1	ls			
					\$ 853,522	
10	Specialties					
	Visual Display Boards			\$ -		
	Marker boards	-	ea			
	Tack boards	-	ea			
	TV Brackets					
	TV brackets			by AV package		
	Lockers			\$ 75,000		
	Gear lockers, single tier Turnout gear	40	ea			
	Gear lockers, single tier Turnout gear fillers	6	ea			
	Decon lockers	-	ea			
	Bath lockers	31	ea			
	Bath lockers with built in benches	10	ea			
	Bath ADA Bench	-	ea			
	Sub adjustment	1	ls			

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Division of Work	Item	Qty	Unit	Subtotal	Division Totals	Comments
	Signage			\$ 72,565		
	Interior room signs	86	ea			
	ADA signs	5	ea			
	Interior letters, cast aluminum	39	ea			
	Exterior letters, cast aluminum	-	ea			
	Pin mounted alum signs on cast stone	29	ea			
	Interior directory	1	ea			
	Interior plaque	1	ea			
	Monument sign	1	ea			
	Building mounted sign		not included			
	Interior and exterior brand graphics - by owner		not included			
	Installation		included			
	Sub adjustment	1	ls			
	Operable Partition		none			
				\$ 25,420		
	Toilet Partitions & Accessories					
	TA-01: Toilet partition, solid plastic, accessible	2	ea			
	TA-01: Toilet partition	4	ea			
	TA-01: Urinal screen	1	ea			
	TA-02: Grab Bar (42")	-	ea			
	TA-03: Grab Bar (36")	23	ea			
	TA-04: Grab Bar (24")	-	ea			
	TA-05: Grab Bar (18")	-	ea			
	TA-06: Grab Bar (30")	-	ea			
	TA-07: San Napkin Disposal	5	ea			
	TA-09: Paper Towel Dispenser (recessed)	-	ea			
	TA-10: Paper Towel Dispenser (Wall mtd)	7	ea			
	TA-11: Toilet Paper Dispenser	12	ea			
	TA-12 Mirror (framed)	10	ea			
	TA-13: Mirror - ADA	-	ea			
	TA-14: Soap Dispenser	8	ea			
	TA-15: Soap Dish	8	ea			
	TA-16: Coat Hook	-	ea			
	TA-17: Robe Hook	14	ea			
	TA-18: Folding Shower Seat	3	ea			
	TA-19 Shower Curtain & Rod	8	ea			
	TA-20: Handicap Signage		w/ Signage			
	TA-21: Automatic Soap Dispenser at lobby restroom	-	ea			
	TA-22: Toiletry Shelf	-	ea			

Pineville Fire Station
Schematic Design

Gross (outside)
28,139 sf
645 sf
476 sf
29,260 sf



Division of Work	Item	Qty	Unit	Subtotal	Division Totals	Comments
	TA-23: Mirror at fitness		w/ Glass			
	TA-24: Sanitary Napkin Disposal at lobby restroom			included above		
	TA-25: Folding Dressing Seat	-	ea			
	Mop & Broom Shelf	2	ea			
	Installation	129	ea			
	Sub adjustment	1	ls			
	Fire Extinguisher Cabinets					
	FEC and extinguisher	14	ea	\$ 5,050		
	Extinguisher, wall mounted	2	ea			
	Aluminum Manufactured Canopies			\$ -		
	Prefinished aluminum w/ standing seam metal roofing		none			
	MTL-1 decorative prefinished alum brackets		none			
	Hung canopies		none			
	Exterior wall mounted trellis		none			
	Deck trellis		none			
	Design/engineering		ls			
	Sub adjustment		ls			
	Corner Guards and wall protection					
	Corner guards, 90, flush mounted	32	ea	\$ 8,000		
	Corner guards, endwall		included			
	Chair rail and or wall protection		none			
	Miscellaneous Specialties					
	Bike rack		none	\$ 96,500		
	Flag Pole	2	ea			
	Fire poles	3	ea			
	Knox box/Knox locks	2	ea			
	Bench		with lockers			
	Picnic tables with seats		not included			
					\$ 282,535	
11	Equipment					
	Projection Screens					
	Projector mounts		not included			

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Division of Work	Item	Qty	Unit	Subtotal	Division Totals	Comments
	Projection screens			not included		
	Residential Appliances (OFCI)			\$ 2,100		
	Refrigerator (OFCI)	3	ea			
	Under counter ice (OFCI)	1	ea			
	Dishwasher (OFCI)	1	ea			
	Microwave (OFCI)	1	ea			
	Disposal (OFCI)	1	ea			
	Oven/range, 60" commercial (OFCI)	1	ea			
	Washer and dryer stacks (OFCI)	-	ea			
	Washing maching (OFCI)	1	ea			
	Dryer (OFCI)	1	ea			
	Kitchen hood - FURNISH AND INSTALL			with div 23 hvac		
	Drying Cabinet (OFCI)	1	ea			
	Fuming Cabinet (OFCI)	1	ea			
	Extractor (OFCI)	1	ea			
	Tumbler (OFCI)	1	ea			
	Installation	14	ea			
	Owner Equipment/Miscellaneous					
	Fueling Systems			not included		
	Fleet equipment			not included		
	TVs/Monitors			not included		
	Vending			not included		
	Coffee Machines			not included		
	Copiers			not included		
	Loose office and bedroom furniture			not included		
	Podiums			not included		
	Grill			not included		
	Tool room cleaner, toolboxes, cascade system			not included		
	Hazardous storage			not included		
	Exercise equipment			not included		
					\$ 2,100	
12	Furnishings					
	Window Treatments			\$ 25,350		
	Horizontal louver blinds, faux wood	-	sf			
	Manual Operated Shades	39	ea			
	Sub adjustment	1	ls			

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Division of Work	Item	Qty	Unit	Subtotal	Division Totals	Comments
	Built in walk mats		none			
	Fixed seating		none			
	Furniture, cubbies, loose furnishings, desks, chairs		not included			
	Manufactured Shelving		not included			
					\$ 25,350	
14	Conveying Equipment					
	Elevator			\$ 110,000		
	2-stop passenger elevator, MRL, Schindler (BoD)	2	stops		\$ 110,000	
15	Fire Suppression					
	Fire Protection			\$ 151,920		
	Fire protection per NFPA 13	28,784	sf			
	FDC connection, 5" storz		included			
	Dry heads at terrace and front entry	1,000	sf			
	Electric Fire pump (may be required after flow test completed)		not included			
	Storage tank not included		not included			
	Preaction and or clean agent systems		not included			
	Based on adequate pressure and flow		included			
	Chrome pendants and plates at ceilings		included			
	Brass upright heads at apparatus bay		included			
	Flexible heads		optional			
	Siesmic restraints		not included			
	Sub adjustment	1	ls			
					\$ 151,920	
	Plumbing					
	Plumbing			\$ 512,500		
	ADA water closets	11	ea			
	Water closets		included			
	Urinal	2	ea			
	ADA wall hung lavatories		included			
	Mop Sinks	5	ea			
	Kitchen sink, ss double bowl	1	ea			
	Kitchen sink, ADA	1	ea			

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Division of Work	Item	Qty	Unit	Subtotal	Division Totals	Comments
	Lavatory sink	10	ea			
	Lavatory sink, wall mounted	-	ea			
	Bi-level drinking fountains	1	ea			
	Shower trim, tiled floors and walls no pans	7	ea			
	Water heaters	5	ea			
	Hot Water Recirc. Pump	2	ea			
	Frost proof wall hydrants, interior and exterior	10	ea			
	Roof Hydrant	3	ea			
	Wash down sink, s.s. double compartment	1	ea			
	Parts sink	-	ea			
	Kitchen connections	4	ea			
	Laundry connections	2	ea			
	Decon connections	1	ls			
	Rehab ice maker water connection	1	ea			
	Floor drains app bay	12	ea			
	Floor drains (and laundry trap)	15	ea			
	Decon floor drain/trench	1	ea			
	Eye wash/shower combo	1	ea			
	Oil / water separator	1	ea			
	Drain connection for IDB1	1	ea			
	Natural gas piping: range, radiant heaters, HVAC units	1	ls			
	Compressed air piping	1	ls			
	Compressed air hose reels	10	ea			
	Domestic water, PEX per narrative		included			alternate for copper
	Interior waste system, pvc		included			
	Fiberglass insulation: water & ag horz drain		included			
	BIM		none			
	Rainwater collection		none			
	Roof drains		not included			
	Domestic booster pump		not included			
	Based on gravity sanitary system		included			
	Sub adjustment	1	ls		\$ 512,500	
HVAC						
	HVAC, screens, and mini splits			\$ 1,361,730		
	Option 1					
	VRF Air cooled heat pump with heat recovery	29,260	sf			
	DOAS split system, natural gas heat		included			
	Option 2 - Alternate					

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Division of Work	Item	Qty	Unit	Subtotal	Division Totals	Comments
	RTU's - 11 units at 34.5 tons total					
	Bathroom exhaust fans	6	ea			
	IT closet mini spit unit, 1 ea, DX cooling only	1	ea			
	Exercise room mini split, 1 ea Heat pump	1	ea			
	Tool Rm and Compressor rm mini split, 1 ea Heat pump	2	ea			
	Gas Heaters in Apparatus Bay - Radiant Tube Heaters	4	ea			
	Electric unit heaters in stairs	2	ea			
	Kitchen hood and Ansul system	1	ls			
	Kitchen exhaust duct	1	ls			
	Make-up air system	1	ls			
	Vehicle exhaust system, Safeair Plymovent	1	ls			
	Fans, grilles, returns,		included			
	HVLS Fans at apparatus bay	2	ea			
	Equipment, distribution, piping, curbs		included			
	Spiral duct at exposed ceilings areas		included			
	Controls - stand alone, 7 day programmable thermostats		included			
	Fire dampers	15	ea			
	Test and Balance	29,260	sf			
	Louvers, architectural		included			
	BIM	1	ls			
	Third party commissioning not included		not included			
	Bond backout (subguard below)	1	ls			
	Sub adjustment	1	ls			
					\$ 1,361,730	
Electrical						
	Electrical (based on MC cable)			\$ 1,949,025		
	Electrical	29,260	sf			
	1000A service		included			
	Conduit for wiring, MC allowed in concealed area		included			
	Temporary electric and lighting		included			
	Lighting and controls		included			
	2x4 lay-in type with battery backup		included			
	Exterior wall packs, vandal resistant		included			
	Exterior decorative fixtures per narrative		included			
	Occupancy sensors, public areas		included			
	Vacancy sensors, private & bunk rooms		included			
	Decorative fixtures in Lobby and Stairs		included			
	Emergency lighting		included			

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Schematic Design

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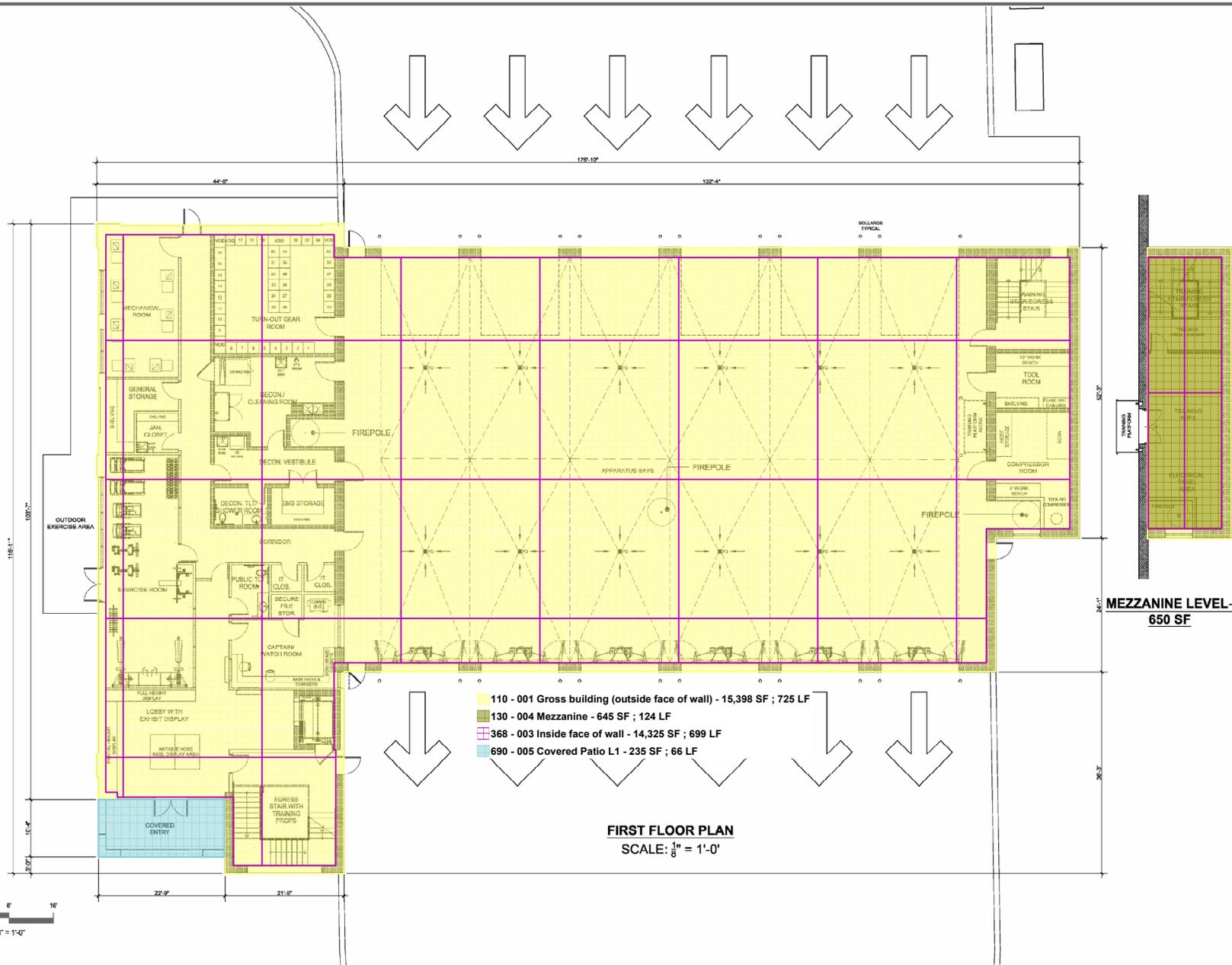
Division of Work	Item	Qty	Unit	Subtotal	Division Totals	Comments
	Ceiling fans (BAF at apparatus)	2	ea			
	Generator, 300 kw, Diesel, alternate for NG	1	ea			install only
	Weatherproof enclosure		included			
	Diesel fuel: 72 hr x 38gal/hr +250 gal load bank		included			
	UPS		not included			
	Power to exterior sign		none			
	BIM		not included			
	Fire Alarm - full conduit	29,260	sf			86,237
	Lightning protection system		grounding only per code			
	Radio alerting system		by owner			
	Traffic warning light		not included			
	Battery charging stations - OFOI if any		not included			
	Conduit for primary, feeders by utility		included			
	Conduit for CATV and Telephone (cabling by others)		included			
	Site lighting, photocell		by utility company per narrative			
	Secondary Generator, backup		none			
	Sound masking system		none			
	Safeair vehicle exhaust, wire, conduit, devices, connections		included			
	Concrete encasement for feeders		not included			
	Connections for gear dryers and extractors		included			
	Power to bay doors		included			
	Bi-directional amplifier (BDA)	29,260	sf			62,718
	Emergency gas shutoff at kitchen hood		included			
Low Voltage	Voice, data, CATV raceway (and cable tray), wiring & devices by owner		not included - by owner			
	AV raceway and conduits, wiring & devices by owner		not included - by owner			
	Security and CCTV raceway, wiring & devices by owner		not included - by owner			
	PA system complete, include door bell system		included			
	Bond		not included - subguard			
	Sub adjustment	1	ls			
					\$ 1,949,025	\$67.71
Cost Summary				\$ 12,392,031	\$ 12,392,031	
	Cost of Work Subtotal				12,392,031	
	General conditions				904,703	7.30%
	Tap/connection fees (impact fees by Owner)				93,243	0.75%
	Design/Estimating contingency				619,602	5.00%
	Construction contingency				398,902	3.00%
	Technology				39,665	

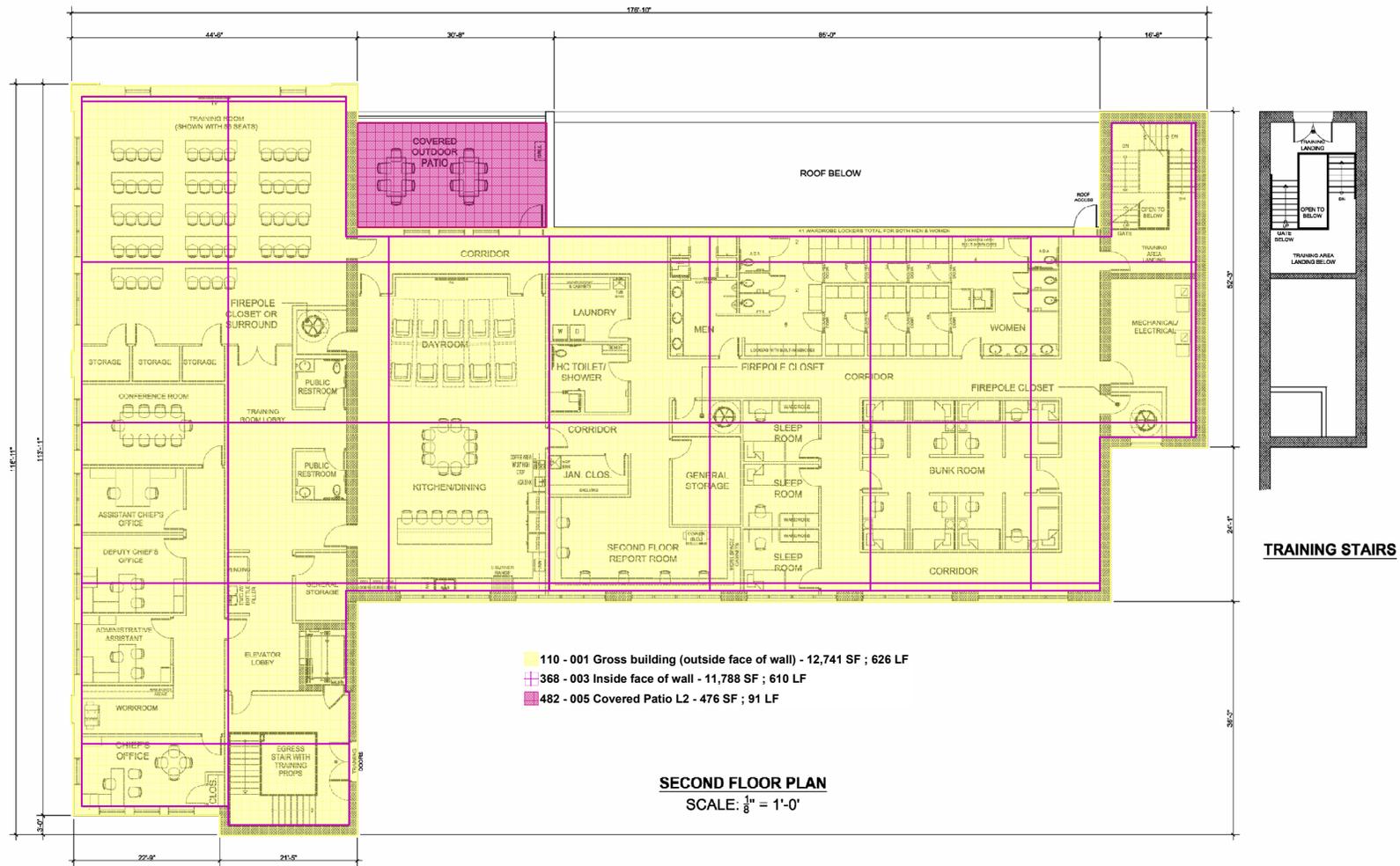
Pineville Fire Station
Schematic Design

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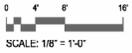


Division of Work	Item	Qty	Unit	Subtotal	Division Totals	Comments
	Subcontractor Default Insurance				154,900	1.25%
	General liability				142,794	0.90%
	Builders risk				55,531	0.35%
	Pollution Insurance				7,933	0.05%
	P&P bond				158,660	1.00%
	Fee				898,078	6.00%
	Subtotal Construction				\$15,866,043	542.24





TRAINING STAIRS



GENERAL

1. The scope of work is based on schematic design plans and specifications dated September 21, 2023 by Stewart Cooper Newell.
2. Budget based on the attached preliminary project schedule. Budget based on construction start date on TBD with a duration of 15 months.
3. Costs for building permits have been excluded.
4. Impact, and capacity fees have been excluded. Tap/connection fees are included.
5. LEED certification not included.
6. All work is priced during typical business hours (8am – 5pm) Monday through Friday.
7. Design (i.e. architectural, civil, structural, MEP) fees are not included.
8. An estimating contingency has been included at 5%.
9. A construction contingency has been included at 3%.
10. Subcontractor default insurance and or a subcontractor performance and payment bond will be included on select subcontractors.
11. Payment and performance bond is included.
12. We have excluded abatement or removal of hazardous or contaminated waste/materials if encountered on site.
13. The following soft cost items are not included:
 - a. Material testing and special inspections
 - b. Geotechnical reports or property surveys
 - c. Mold, lead, asbestos, survey, testing, and abatement
 - d. Kitchen equipment/appliances
 - e. Loose furniture, fixtures, and equipment
 - f. Video equipment, CATV, cabling, televisions
 - g. Access control, security systems, cameras
 - h. Multimedia projection systems or theatrical lighting
 - i. Sound Systems
 - j. Third Party commissioning
 - k. Traffic studies and/or future road improvements
14. All Division 1 specifications will be mutually agreed upon.

15. Pricing provided in this proposal is valid for 30 days from submission. If acceptance is provided after this duration, we reserve to re-evaluate the proposal given the market volatility of certain materials and commodities.
16. The budget estimate for this construction project has been calculated based on current market prices as provided to us by our historical data and the subcontractor trades. However, the cost for construction materials and their availability is currently considered to be volatile, and sudden price increases or prolonged delivery dates could occur. Edifice agrees to use our best efforts to obtain the lowest responsible pricing from the subcontractor market, but should there be an increase in the price or delivery time of the construction materials prior to or after execution of contract we respectfully reserve our right to request additional time and/or cost to adjust to current market conditions.
17. Seismic bracing for installation of systems, fixtures, and equipment not included. Will be included as the design becomes more complete if required.
18. Costs and fees associated with street closings or traffic control operations not included.
19. Sidewalk encroachment permit and lease agreement fees from authority having jurisdiction are not included.
20. Budget based on water and electrical power available on the site and have sufficient capacity for construction.
21. Any NCDOT encroachment permits are not included.

SITE

1. Geotechnical report not received. Allowance for rock and or unsuitable soils included at \$25,000. Removal or replacement of unsuitable soils, rock, and unforeseen below grade obstructions not included.
2. Grading based on balanced site. Earthwork based on existing material on site to be suitable for site fill or backfill.
3. We have not included any remedial work to be done to the subgrade to achieve the proper bearing capacity. This includes the removal and replacement of unsuitable soil, mechanically drying, lime – concrete stabilization. Existing soil capacity is assumed to meet design requirements for both drives and building pads.
4. Based on gravity sanitary system. Pump stations not included.

5. Based on adequate water pressure and flow. Water storage tank not included.
6. Removal or re-routing of unknown/unidentified underground utilities and structures are excluded unless indicated on the plans.
7. Any work associated with existing CMP storm line not included
8. Deep foundations and or ground improvement systems are not included; budget based on the existing areas have adequate bearing pressure for new structures.
9. Permanent dewatering systems are not included.
10. Existing topsoil to be stripped and hauled off site. Import of topsoil for landscaped areas is included.
11. Design, furnish, and install irrigation system included.
12. All paved areas included as heavy-duty concrete.
13. Relocation or removal of existing overhead utilities not included.
14. No drafting pits have been included.
15. No work associated with traffic signaling included.

CONCRETE

16. No provisions have been included for concrete admixtures if required for schedule acceleration.
17. No provisions have been included for climate control in order to install concrete in inclement weather or during lower temperatures.
18. Wet curing of concrete has been excluded.
19. We have excluded sandblasting or a fine texture rub/patch finish of any concrete.

MASONRY

20. Brick material allowance \$550 per thousand.
21. No provisions have been included for climate control in order to install masonry in inclement weather or during lower temperatures.
22. No interior brick included.
23. Dumpster screen wall included as CMU with brick veneer exterior.

STEEL

24. Steel pricing is valid for 30 days from submission of this proposal, we reserve the right to re-evaluate pricing if acceptance of this proposal is not received within 30 days.
25. Steel is included coming from an AISC approved fabricator. We have excluded any AISC requirements or certifications with regards to erection.
26. Low roof to high roof ladder has been included.
27. Any toilet partition steel bracing/supports not included.

INTERIOR WOODWORK

28. AWI certification not included.
29. Casework included as equal to Kewanee.

THERMAL

30. Below grade waterproofing at elevator pit.
31. Fluid applied air barrier included.
32. 0.80 PVC fully adhered membrane roofing with R30 insulation included on sloped structural steel frame. Overflow drains to serve as secondary roof drain system. Twenty-year roof manufacturer's warranty.
33. Metal cornice included as part of coping material where indicated.
34. Metal soffit panels included at training tower soffit only.
35. Spray material fireproofing not included (none shown).
36. Building expansion joints not included (none shown).
37. K13 acoustical spray insulation included at apparatus bay and fitness areas only.
38. Cold fluid applied waterproofing and pedestal paver system included at terrace.

OPENINGS

39. Door openings based on 7'0" height.
40. Top section of glazing at front stair tower included as curtainwall.
41. Bi-fold doors included as Door Engineering model FF300.

42. Interior storefront systems based on overall height of 8'0".

DRYWALL AND CEILINGS

43. Exterior partition based on 6" 14 gauge cold formed metal studs.
44. Drywall costs are based on a level 4 finish for walls and ceilings exposed to view. Level 5 finish has been excluded.
45. Armstrong Formations Cloud System included per RFI response dated 10.05.23.
46. Raised platform for day room chairs not included.
47. No bullet resistant drywall included.
48. Seismic restraints not included.

FLOORING

49. Flooring materials included per RFI response dated 10.05.23.
50. We have excluded any vapor or moisture mitigation products if required to be installed over concrete surfaces in order to achieve adhesion with floor finish material.
51. Wall tile has been included in wardrobe locker rooms.
52. Standard waterproofing included for shower stalls. No Kerdi or specialty waterproofing systems included.
53. Rubber stair treads included at front egress stair only.
54. Apparatus bay floor included as sealed with hardener/densifier; no staining, polishing, or abrasive applications included.

SPECIALTIES

55. Manual roller shades have been included.
56. A monument sign has been included.
57. We have included only the interior signage required to achieve a certificate of occupancy. Other signage/branding not included.
58. Graphic for front egress stair included a \$15/sf.
59. No premanufactured awnings or canopies included.
60. Appliances included as Owner furnished Contractor installed.

- 61. Bike racks are not included.
- 62. Outdoor furnishings are not included.

ELEVATOR

- 63. Passenger elevator based on Schindler 3100 MRL.
- 64. We have included standard cab finishes and lighting per the manufacturer. No allowances have been included for upgrading these standards if required.

FIRE PROTECTION

- 65. Wet fire sprinkler system included based on an adequate water supply and pressure being available to the site. No provisions included for a fire pump, storage tank or enclosure. No additional off-site utility work to get to an adequate source has been included.
- 66. Dry heads included at level 2 terrace and main covered entry only.

PLUMBING

- 67. We have excluded heat tracing of below grade piping unless specifically indicated on the plans.
- 68. Domestic water (above grade), PEX included with fiberglass insulation at hot and cold pipe. Domestic water below grade is CPVC.
- 69. Work based on no hub cast iron or schedule 40 PVC as allowed interior waste and vent and roof drain above grade, cast iron or schedule 40 PVC below grade to 5' out.
- 70. Oil/water separator has not been included at elevator shaft.
- 71. Grease interceptor has been included for kitchen waste piping.

MECHANICAL

- 72. We have excluded provisions for temporary building conditioning if required. Climatization during construction will be achieved utilizing the permanent HVAC system.
- 73. Roof screens are not included.
- 74. Kitchen hood, exhaust, and make-up air is included.

75. Third party commissioning is not included.

ELECTRICAL

- 76. Site lighting is excluded. It is assumed all site lighting will be furnished and installed by Utility Provider.
- 77. Conduit and or wire for primary service to transformer assumed to be by utility company.
- 78. We have excluded any duct banks for primary or secondary service.
- 79. We have excluded security and access control equipment. Raceways are included for these systems as indicated on the construction documents.
- 80. We have included the fire alarm system. This includes all conduit, wiring, and devices where indicated. We have excluded allowances for additional devices if required by fire marshal or other authority having jurisdiction.
- 81. Rough in for low voltage systems included.
- 82. Low voltage systems and or equipment not included.
- 83. BDA system is included.
- 84. Lightning protection systems are not included.
- 85. PA system is included.
- 86. No electric vehicle charging stations included.



TOWN COUNCIL AGENDA ITEM

MEETING DATE: October 23, 2023 Work Session

Agenda Title/Category:	Revision to Panhandling Ordinances, § 74.08 & § 130.04			
Staff Contact/Presenter:	Chief Mike Hudgins			
Meets Strategic Initiative or Approved Plan:	Yes	No	If yes, list:	Council Priority: Support Public Safety
	X			
Background:	Current panhandling ordinances run contrary to NC General Statutes and case law, which impacts the PD’s authority to enforce on Town streets and areas not near a State Highway.			
Discussion:	Minor changes to panhandling ordinances will bring them into compliance. Moving from civil to criminal penalties provides more tools to the PD to deal with the issue.			
Fiscal impact:	None.			
Attachments:	One memorandum drafted by Chief Hudgins titled “Town Council Agenda Item, recommended changes to current Panhandling Ordinances”			
Recommended Motion to be made by Council:	Update verbiage of § 74.08 & § 130.04 to content Ms. Lyons and the PD recommended.			

Pineville Police Department



Memo

To: Ryan Spitzer, Town Manager
From: Michael Hudgins, Chief of Police
Date: October 5, 2023

Subject: Town Council Agenda Item, recommended changes to current Panhandling Ordinances

Executive Summary

The Pineville Police Department requests the Town Council to modify our current ordinances related to panhandling. The police department's proposal will firm up the constitutionality of our ordinances and add criminal penalties to the offense so our officers will have more options available to address this activity.

Our Town Attorney, Ms. Lyons, believes the Town can add a criminal penalty for individuals who fail to stop soliciting after a police officer has asked them to stop. However, Ms. Lyons stresses the department needs to educate our officers on how to enforce this ordinance, § 74.08, to avoid litigation that we are impinging on the panhandler's First Amendment rights and/or selectively enforcing the ordinance. The department is prepared to address her concern. For instance, Lieutenant Galuski was tasked with training the department on how best to enforce this ordinance. He will use this document to guide his training. He will also instill our philosophy of offering services to those engaged in this activity as a first attempt to resolve this matter.

Ms. Lyons states NCGS §20-175, Statutory Authority and Enforcement through Local Ordinances, contends that local governments may enact ordinances restricting or prohibiting a person from standing on streets, highways, or right of ways, excluding sidewalks to solicit. It further provides that "[i]n the event the solicitation event or the solicitors shall create a nuisance, delay traffic, create threatening or hostile situations, any law enforcement officer with proper jurisdiction may order the solicitations to cease. Any individual failing to follow a law enforcement officer's lawful order to cease solicitation shall be guilty of a Class 2 misdemeanor." Officers also have the authority to use this section of the NC General Statutes to address panhandling on State-owned streets and right of ways.

Regarding current Town Ordinance § 74.08, Ms. Lyons concurs with the Police Department's position that "sidewalks" need to be excluded. Ms. Lyons also recommends adding a clause to the ordinance that requires an officer to give an order to the violator that the activity must stop before acting. Finally, Ms. Lyons supports the Police Department's request to reclassify this ordinance from a civil fine to a criminal offense, a class 3 misdemeanor.

Regarding Town Ordinance § 130.04, Ms. Lyons reviewed ordinances in other municipalities in North Carolina and informed the Police Department, "I like Hickory's definition of Aggressive panhandling, solicitation, or peddling." She also suggested adding the definition of aggressive panhandling to a revised ordinance for the Town, which we did.

Below are the Police Department's recommended changes to Town Ordinances § 74.08 and § 130.04. Please note that redactions are in red font with a strikethrough, and additions to the ordinance are in blue font. Finally, we have attached NCGS § 20-175 and an article that discusses the complexity of case law that regulates panhandling and supports the direction Ms. Lyons and the Police Department would like to go.

Proposed revision to § 130.04 (Includes areas not associated with roadways)

§ 130.04 BEGGING OR SOLICITING ALMS BY ACCOSTING OR FORCING ONESELF UPON COMPANY OF ANOTHER; PROHIBITED CONDUCT.

(A) Aggressive panhandling, solicitation, or peddling includes:

- (1) Accosting a person by approaching or speaking to the individual or individuals in such a manner as would cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon his person, or upon property in his immediate possession;
- (2) Touching someone without his consent;
- (3) Using obscene or abusive language toward someone while attempting to panhandle or solicit him/her;
- (4) Forcing oneself upon the company of another by continuing to solicit in close proximity to an individual who has made a negative response by verbal or physical signs or by attempting to leave the presence of the person soliciting, or by other negative indication;
- (5) Blocking the path of the individual being solicited; otherwise engaging in conduct that could reasonably be construed as intending to force a person to accede to a solicitation;
- (6) Other conduct that a reasonable person being solicited would regard as intended to compel or force the person to accede to the solicitation.

(B) It shall be unlawful for any person to engage in any acts of aggressive soliciting, peddling, or panhandling as defined in subsection (a) of this section

(C) Panhandling means, without limitation, use of the spoken, written, or printed words, signs, bodily gestures, or other acts as are conducted in the furtherance of the purpose of obtaining alms or contributions of money, food, or clothing for the use of oneself or others.

A violation of this section may be punishable as a Class 3 misdemeanor and be subject to a maximum fine not to exceed \$500.00 pursuant to G.S. 160A-175 and G.S. 14-4.

~~(A) It shall be unlawful for any person to ask, beg or solicit alms or contributions, or exhibit oneself for the purpose of begging or soliciting alms or contributions, by accosting another, or forcing oneself upon the company of another.~~

~~(B) For purposes of this section, **ASK, BEG OR SOLICIT** shall include, without limitation, the spoken, written or printed word or such other acts as are conducted in furtherance of the purpose of obtaining alms or contributions.~~

~~(C) For purposes of this section, **ACCOSTING** shall be defined as approaching or speaking to someone in a manner as would cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon his or her or her person, or upon property in his or her or her immediate possession.~~

~~(D) For purposes of this section, **FORCING ONESELF UPON THE COMPANY OF ANOTHER** shall be defined as:~~

~~—(1) Continuing to request, beg or solicit alms in close proximity to the person addressed after the person to whom the request is directed has made a negative response;~~

~~—(2) Blocking the passage of the person addressed; or~~

~~—(3) Otherwise engaging in conduct which could reasonably be construed as intended to compel or force a person to accede to demands.~~

~~(Ord. 4, passed 12-19-1995) Penalty, see § 130.99~~

Proposed revision to § 74.08 (Includes roadways owned by the Town, which NCGS § 20-175 does cover)

§ 74.08 PEDESTRIANS SOLICITING EMPLOYMENT, BUSINESS OR FUNDS UPON PUBLIC STREETS.

No person shall stand or loiter in the main traveled portion, including the shoulders and median, of any public street, ~~including~~ **excluding** sidewalks, or stop any motor vehicle for the purpose of soliciting employment, business or contributions from the driver or occupant of any motor vehicle on the public highways or streets; provided that the provisions of this section shall not apply to licensees, employees or contractors of the Department of Transportation or of the town engaged in construction or maintenance or in making traffic or engineering surveys.

In the event the solicitation event or the solicitors shall create a nuisance, delay traffic, or create threatening or hostile situations, any law enforcement officer with proper jurisdiction

may order the solicitations to cease. Any individual failing to follow a law enforcement officer's lawful order to cease solicitation shall be guilty of a Class 3 misdemeanor and be subject to a maximum fine not to exceed \$500.00 pursuant to G.S. 160A-175 and G.S. 14-4.

~~(Ord. 9, passed 4-13-1999) Penalty, see § 10.99~~

Case law on Panhandling: 2023 Article from the Free Speech Center of Middle Tennessee State University <https://firstamendment.mtsu.edu/article/panhandling-laws/>

There are two types of panhandling: passive and aggressive. Passive panhandling is soliciting without threat or menace, often without exchanging any words— just a cup or a hand is held out. Aggressive panhandling is soliciting coercively, with actual or implied threats or menacing actions. If a panhandler uses physical force or extremely aggressive actions, the panhandling may constitute robbery.

In recent years, an increasing number of U.S. cities have enacted ordinances restricting panhandling because of the influx of people living in public spaces. For the most part, cities are particularly concerned about the effects of panhandling on public safety, tourism and small businesses.

So far, this trend has included measures making it illegal for persons to ask for money in public, as well as measures prohibiting activities such as sleeping/camping, eating, sitting, and begging in public spaces. Other efforts to crack down on panhandling and related activities include limiting begging to daylight hours, barring panhandling from certain areas, banning panhandlers on drugs or alcohol, ticketing or fining panhandlers, and imposing license requirements.

The growing number of ordinances criminalizing panhandling over the years has spun off a corresponding growth in support of panhandlers' free speech rights under the First Amendment. Although the Supreme Court has never addressed this issue directly, its decisions provide some guidance to regulations on direct solicitation by charities as opposed to street beggars.

Courts have held that solicitation for money is intertwined with speech

In *Schaumburg v. Citizens for a Better Environment* (1980), a case dealing with the regulation of legitimate charities, the Court held that "solicitation for money is closely intertwined with speech" and that "solicitation to pay or contribute money is protected under the First Amendment."

However, since *Schaumburg* the Supreme Court has allowed restrictions on a variety of direct solicitations where cities have found such activities inimical (cause harm) to the purpose of public space. For example, in *Young v. New York City Transit Authority* (2d Cir. 1990), the Court declined to hear an appeal challenging a New York City regulation prohibiting begging in the city's subway system. In *International Society for Krishna*

Consciousness v. Lee (1992), the Court upheld prohibitions on solicitation at a state fairground, on sidewalks outside of a post office, and within an airport terminal.

Panhandling rules can be overbroad

Thus far, although some lower courts have deemed panhandling to have some constitutional protection as “speech,” some have also recognized that communities have substantial leeway in devising regulations on “how and where” panhandling may occur within a community. And yet some courts have struck down for overbreadth laws in cities such as Austin, Texas, and Minneapolis, Minnesota, while upholding restrictive panhandling policies in cities such as Indianapolis, Indiana. In Madison, Wisconsin, the city ordinance was revised to avoid infringing on the free speech rights of panhandlers.

Reed decision has affected panhandling litigation

In 2015, the U.S. Supreme Court explained in *Reed v. Town of Gilbert* (2015) that laws that discriminate against speech on their face or in their purpose are considered content-based and are subject to strict scrutiny. The Court’s decision in *Reed* has had an impact on panhandling litigation, as the lower courts have invalidated numerous panhandling laws as impermissible content-based restrictions on speech.

For example, the 7th U.S. Circuit Court of Appeals in *Norton v. City of Springfield* (7th Cir. 2016) invalidated Springfield, Illinois’ panhandling ordinance as unconstitutional. Springfield’s ordinance banned only oral requests for immediate money but did not address signs requesting money or oral requests for money later.

Some panhandling laws only regulate the location where solicitations for money take place. Even under *Reed*, such laws may be content-neutral time, place and manner restrictions on speech.

Ordinances restricting solicitation must pass intermediate scrutiny

City ordinances restricting solicitation in a public place must pass intermediate scrutiny and

- (1) be neutral in content;
 - (2) be narrowly tailored;
 - (3) leave open ample alternative channels of communication;
- and (4) serve a significant government interest that is pressing and legitimate.

Even under intermediate scrutiny, many panhandling ordinances have been invalidated. For example, the 1st U.S. Circuit Court of Appeals in *Cutting v. City of Portland* (1st Cir. 2015) struck down Portland, Maine’s ordinance that prohibiting panhandling while standing on median strips because it was not narrowly tailored and banned too much expressive activity.

Fate of panhandling under First Amendment remains unclear

Thus, the fate of panhandling under the First Amendment remains less than clear. Some scholars contend that ordinances that regulate ordinary panhandling can be clearly distinguished from those that regulate menacing and intimidating behavior — aggressive panhandling. Others argue that city laws regulating panhandling are unconstitutionally vague and overbroad, deprive panhandlers of their free speech rights, and raise serious due process concerns by targeting the homeless.

In spite of the strong views on both sides of this issue, the plethora of city actions that regulate and criminalize panhandling today arguably speak more to the lack of clarity from the Supreme Court on the issue.

As shown, cities can enact ordinances that properly regulate the time, place, and manner of panhandling without completely prohibiting begging, as long as such ordinances are content neutral and do not burden people’s abilities to exercise their free speech rights. Such a regulation would be constitutional because neither intimidating conduct nor threatening speech is a recognized communication protected under the free speech guarantees of the First Amendment.

North Carolina General Statute §20-175

§ 20-175. Pedestrians soliciting rides, employment, business or funds upon highways or streets.

(a) No person shall stand in any portion of the State highways, except upon the shoulders thereof, for the purpose of soliciting a ride from the driver of any motor vehicle.

(b) No person shall stand or loiter in the main traveled portion, including the shoulders and median, of any State highway or street, excluding sidewalks, or stop any motor vehicle for the purpose of soliciting employment, business or contributions from the driver or occupant of any motor vehicle that impedes the normal movement of traffic on the public highways or streets: Provided that the provisions of this subsection shall not apply to licensees, employees or contractors of the Department of Transportation or of any municipality engaged in construction or maintenance or in making traffic or engineering surveys.

(c) Repealed by Session Laws 1973, c. 1330, s. 39.

(d) Local governments may enact ordinances restricting or prohibiting a person from standing on any street, highway, or right-of-way excluding sidewalks while soliciting, or attempting to solicit, any employment, business, or contributions from the driver or occupants of any vehicle. No local government may enact or enforce any ordinance that prohibits engaging in the distribution of newspapers on the non-traveled portion of any street or highway except when those distribution activities impede the normal movement of traffic on the street or highway. This subsection does not permit additional restrictions or prohibitions on the activities of licensees, employees, or contractors of the Department of Transportation or of any municipality engaged in construction or maintenance or in making traffic or engineering surveys except as provided in subsection (e) of this section.

(e) A local government shall have the authority to grant authorization for a person to stand in, on, or near a street or State roadway, within the local government's municipal corporate limits, to solicit a charitable contribution if the requirements of this subsection are met. A person seeking authorization under this subsection to solicit charitable contributions shall file a written application with the local government. This application shall be filed not later than seven days before the date the solicitation event is to occur. If there are multiple events or one event occurring on more than one day, each event shall be subject to the application and permit requirements of this subsection for each day the event is to be held, to include the application fee.

The application must include: (1) The date and time when the solicitation is to occur; (2) Each location at which the solicitation is to occur; and (3) The number of solicitors to be involved in the solicitation at each location.

This subsection does not prohibit a local government from charging a fee for a permit, but in no case shall the fee be greater than twenty-five dollars (\$25.00) per day per event. The applicant shall also furnish to the local government advance proof of liability insurance in the amount of at least two million dollars (\$2,000,000) to cover damages that may arise from the solicitation. The insurance coverage must provide coverage for claims against any solicitor and agree to hold the local government harmless.

A local government, by acting under this section, does not waive, or limit, any immunity or create any new liability for the local government. The issuance of an authorization under this section and the conducting of the solicitation authorized are not considered governmental functions of the local government.

In the event the solicitation event or the solicitors shall create a nuisance, delay traffic, create threatening or hostile situations, any law enforcement officer with proper jurisdiction may order the solicitations to cease. Any individual failing to follow a law enforcement officer's lawful order to cease solicitation shall be guilty of a Class 2 misdemeanor. (1937, c. 407, s. 136; 1965, c. 673; 1973, c. 507, s. 5; c. 1330, s. 39; 1977, c. 464, s. 34; 2005-310, s. 1; 2006-250, ss. 7(a), 7(b); 2008-223, s. 1.)