

# RECOMMENDATIONS FOR A HEALTHY, RESILIENT, & INCLUSIVE MCDOWELL COUNTY, NORTH CAROLINA

Prepared by the Community  
Engagement Project

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West Marion Community Forum  
Marion East Community Forum  
Old Fort Community Forum



### Project Partners

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Catalyst for Healthy Eating and Active Living  
City of Marion  
City of Marion Police Department  
Centro Unido Latino-Americano  
EMS Community Paramedic Program  
Foothills Food Hub  
Local Food Advisory Council  
MANNA Food Bank

McDowell Access to Care and Health  
McDowell County Cooperative Extension  
McDowell County Schools  
McDowell Health Coalition  
Mission Hospital McDowell  
McDowell Mission Ministries  
McDowell Sheriff's Office  
McDowell Technical Community College  
Youth Empowered Solutions (YES!)

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# Table of Contents

<i>ACKNOWLEDGMENTS</i> .....	2
<i>TABLE OF CONTENTS</i> .....	3
<i>EXECUTIVE SUMMARY</i> .....	4
<i>HEALTH DEFINED</i> .....	5
<i>COMMUNITY PRIORITIES &amp; RECOMMENDATIONS</i> .....	6
<i>HOUSING</i> .....	7
<i>TRANSPORTATION</i> .....	9
<i>CHILDCARE</i> .....	11
<i>FOOD &amp; FARMING</i> .....	13
<i>FOOD INSECURITY</i> .....	15
<i>ACTIVE LIVING</i> .....	17
<i>YOUTH ENGAGEMENT</i> .....	19
<i>SUBSTANCE USE DISORDER</i> .....	21
<i>ECONOMIC DEVELOPMENT</i> .....	23
<i>PUBLIC SAFETY</i> .....	25
<i>CLOSING: CALL TO ACTION</i> .....	27
<i>APPENDIX A: OVERVIEW OF ALL RECOMMENDATIONS</i> .....	28
<i>APPENDIX B: RECOMMENDATIONS TO THE CITY OF MARION</i> .....	31
<i>APPENDIX C: RECOMMENDATIONS TO THE COUNTY BOARD OF COMMISSIONERS</i> .....	32
<i>APPENDIX D: RECOMMENDATIONS TO THE OLD FORT BOARD OF ALDERMAN</i> .....	33
<i>APPENDIX E: RECOMMENDATIONS TO THE SCHOOL BOARD</i> .....	34
<i>APPENDIX F: HEALTH DATA OVERVIEW</i> .....	35
<i>APPENDIX G: JOINT STATEMENT OF UNITY</i> .....	51
<i>APPENDIX H: QUOTES FROM SOCIAL MEDIA</i> .....	52
<i>APPENDIX I: MARION CITY CODE</i> .....	57

## EXECUTIVE SUMMARY

### Purpose of the Community Engagement Project

The purpose of this project is to inspire community driven health improvements in West Marion, Marion East, and Old Fort – three diverse geographic locations in McDowell County, NC. Each month community forums are hosted to provide a safe space for residents to develop a shared vision for their neighborhoods, engage in open and honest dialogue about their challenges, identify barriers, build relationships, and develop plans for action. The community forums have resulted in new partnerships between grassroots and institutional leaders to address shared challenges; policy changes at the city, county, and town of Old Fort related to housing and transportation; more unity across race and class; cultural shifts related to healthy eating and active living; and better access to existing resources.

### Purpose of Report

The purpose of this report is to share recommendations for positive health improvements related to the following ten issue areas prioritized by the community forums:

- |                     |                     |                   |
|---------------------|---------------------|-------------------|
| 1. Housing          | 6. Active Living    | 9. Economic       |
| 2. Transportation   | 7. Youth Engagement | Development       |
| 3. Childcare        | 8. Substance Use    | 10. Public Safety |
| 4. Food and Farming | Disorder            |                   |
| 5. Food Insecurity  |                     |                   |

### Methodology

The report is informed from a combination of community surveys and participatory research methods conducted by the West Marion Community Forum, Inc. and the Community Engagement Project from 2016-2018. [See Appendix H for quotes from community members.](#) In addition, 2017 data from the Community Health Assessment, State of the County's Health Report Scorecard, and the Robert Wood Johnson Foundation's County Health Rankings was analyzed by Appalachian State University.

### Population and Geographic Focus

The population of focus include rural black, brown, and white communities that have historically been left out of decision-making processes that influence their health and livelihoods.

- West Marion is a population of 600 and includes a majority of African-Americans. The unemployment rate is 8% and 17% lack a high school diploma. The median household income is \$30,831 compared to the county average of \$37,590, 14% less than the county average.
- Marion East is a population of 2,708. Residents include: 79% White, 3% Black, and 18% Latinx. The unemployment rate is 16.3% and 23% lack a high school diploma. The median household income is \$27,465, 24% less than county average.
- Old Fort is a town in McDowell with a population of 932. Residents include: 82% White, 15% Black, and 3% Hispanic. The unemployment rate is 14% and 21% lack a high school diploma. The median household income is \$26,015, 28% less than the county average.
- Communities of color: The median household income for African-Americans is \$23,311, 35% less than the county average. For Hispanics it is \$15,257, over 50% less than the county average.

## HEALTH DEFINED

### A Culture of Health

The Community Engagement Project aims to build a Culture of Health by supporting community driven changes in McDowell County, NC. We form partnerships with grassroots neighbors to encourage civic engagement, support community dialogue, form cross-sector partnerships, and develop comprehensive strategies that improve health for all in McDowell.

The Appalachian Regional Commission 2017 Report, “Health Disparities in Appalachia” brings to life the definition of a Culture of Health as conceptualized by the Robert Wood Johnson Foundation, it states “building a Culture of Health means creating a society that gives every person an equal opportunity to live the healthiest life they can—whatever their ethnic, geographic, racial, socioeconomic, or physical circumstances happen to be. A Culture of Health recognizes that health and well-being are greatly influenced by where we live, how we work, the safety of our surroundings, and the strength and connectivity of our families and communities—and not just by what happens in the doctor's office.” We use this framework to guide our approach to creating positive and lasting health changes from the bottom up in McDowell County.


### Health Equity

A central component to a Culture of Health is health equity. According to the Robert Wood Johnson Foundation, “Health equity means everyone has a fair and just opportunity to be healthier. It acknowledges that it's hard to be healthy without access to good jobs, homes and schools. It requires concerted effort to increase opportunities to be healthier for everyone—especially those whose obstacles are greatest.” We strive to use a health equity lens in our work to support, empower, and amplify the voices of low income and marginalized communities in McDowell County.

Many of the community priorities referenced in this report are known as the social determinants of health, as defined by the Kaiser Family Foundation.

Social Determinants of Health					
Economic Stability	Neighborhood and Physical Environment	Education	Food	Community and Social Context	Health Care System
Employment	Housing	Literacy	Hunger	Social integration	Health coverage
Income	Transportation	Language	Access to healthy options	Support systems	Provider availability
Expenses	Safety	Early childhood education		Community engagement	Provider linguistic and cultural competency
Debt	Parks	Vocational training		Discrimination	Quality of care
Medical bills	Playgrounds	Higher education			
Support	Walkability				

**Health Outcomes**  
Mortality, Morbidity, Life Expectancy, Health Care Expenditures, Health Status, Functional Limitations



## COMMUNITY PRIORITIES & RECOMMENDATIONS

Between 2016-2018 the West Marion Community Forum, Inc. and the Community Engagement Project partnered with over 250 residents across West Marion, Marion East, Old Fort, and the Latinx community to identify priorities for health improvement and develop plans to address challenges.

The next section of this report provides one-page briefs on each priority. These briefs outline the community's vision for improvement, the core challenges, community identified solutions, and recommendations for investments by city, county, and town of Old Fort government officials. These recommendations are not meant to be exhaustive, but rather serve as a starting place for discussion, reflection, and further research to support and accelerate positive health changes across the county.

### The ten issue areas prioritized by the community forums include:

#### Housing



#### Food and Farming



#### Youth Engagement



#### Transportation



#### Food Insecurity



#### Substance Use Disorder



#### Childcare



#### Active Living



#### Economic Development



#### Public Safety



## HOUSING



### What is the local vision?

Healthy, safe, and affordable housing is available to all community members – this includes housing for emergencies, transitional housing, affordable housing, and home ownership.

### How is housing related to health?

According to the Robert Wood Johnson Foundation County Health Rankings, “Good health depends on having homes that are safe and free from physical hazards. When adequate housing protects individuals and families from harmful exposures and provides them with a sense of privacy, security, stability and control, it can make important contributions to health. In contrast, poor quality and inadequate housing contributes to health problems such as infectious and chronic diseases, injuries and poor childhood development.”

### What is the local challenge?

Housing impacts many vulnerable populations in McDowell, including housing discrimination experienced by communities of color, homelessness experienced by children and their families, safe homes for senior citizens, affordable homes for working families, and homes for those exiting the justice system.

*“It has been recognized that poor housing and the lack of housing, has long term impacts on physical and mental well-being. The housing crisis in McDowell County is growing because of poor living conditions in some sections of the county. Public officials need to hold landlords accountable to have safe homes for individuals and families, so they can build a better quality of life and gain greater independence. The health effects of poor housing affect vulnerable people especially older people and the young. I think community leaders need to engage communities to find a solution that will benefit long term changes in the lack of affordable housing which has become an increasing problem across our county.”*

*– McDowell County Resident*

### What does the data tell us?

According to Kids Count data, 18% of households spend at least 30% of income on housing. In addition, the Robert Wood Johnson Foundation County Health Rankings found that “13% of households in McDowell have at least 1 of the following housing problems: overcrowding, high housing costs, or lack of kitchen or plumbing facilities.” For more housing data refer to pages 35 and 36 in Appendix F: Health Data Overview.

### What are the community defined solutions?

- Initiate housing repairs led by community volunteers and Marion Community Development Corporation (CDC).
- Partner with Marion CDC to offer financial education classes in churches, schools, and libraries to ensure all community members have sufficient credit to qualify for home ownership and build their personal wealth.
- Explore ways to support the homeless population in Marion East with the support of key agencies, such as the Community Paramedic Program, law enforcement, the homeless shelter, and McDowell Access to Care and Health Program (MATCH).

### Recommendations for the City, County, and Town of Old Fort

- Support minimum housing policy development research efforts and comprehensive housing reform related to renters’ rights, urgent repair, safe and affordable housing, and building trade certifications (including lead-based paint and asbestos abatement certification).
- Adopt a minimum housing standard for McDowell County - similar to the policy passed by the City of Marion in March of 2018. [See Appendix I to view a copy of this policy.](#) This policy sets basic rules for structural conditions, safe and sanitary maintenance, plumbing systems, heating systems, electrical wiring, control of insects, rodents, and infestations, and disposal of garbage. This standard would improve housing conditions for all, including low-income residents.





## TRANSPORTATION

### What is the vision?

All community members have access to safe and reliable transportation to run errands, shop for groceries, attend medical appointments, participate in community events, access recreational facilities, attend classes at the community college, travel to work, and reduce overall isolation.



### How is transportation related to health?

According to the Rural Health Information Hub, “Access to transportation contributes to the economic development, health, and quality of life of rural communities. Reliable transportation is needed for rural residents to access healthcare services, employment and educational opportunities, and social services. It is also important for accessing recreation and other activities of daily life.”

*“If we want everyone to be productive citizens, to participate in positive community activities, to contribute to the local economy, we have to offer opportunity to get to work, recovery resources, local businesses, and positive community opportunities. Public transportation is vital to move people from isolation, despair and helpless to community, independence and hope.”*

*– McDowell County Resident*

### What is the local challenge?

Transportation barriers contribute to poorer health outcomes by reducing access to medical services, grocery stores with healthy food options, and leisure physical activity at playgrounds, trails, and parks. For transportation data [refer to page 37 in Appendix F: Health Data Overview](#).

### What are the community defined solutions?

To meet immediate transportation needs for vulnerable community members, a call service was established for the homeless population, the Latinx community, and residents in West Marion and Marion East. A partnership was also created between McDowell County and Centro Unido Latino-Americano to serve as the main point of contact for the Spanish speaking community to coordinate transportation needs within the county. To meet long-term transportation needs, a county-wide transportation system was advocated for by community members, and ultimately, adopted by county government.

### Recommendations for the City, County, and Town of Old Fort

- Build sheltered transportation stops for current and future routes.
- Expand current routes to the weekend and offer on demand access to public transportation.
- Research purchasing buses and implementing fixed bus route services similar to the Western Piedmont Council of Governments effort in Burke County.





## CHILDCARE

### What is the vision?

Affordable, accessible, and high-quality childcare for school aged and 0-5 aged children is available for parents and families in the community.



### How is childcare related to health?

According to the 2016 Childcare and Health in America Report, “Childcare has lasting effects on a child’s overall well-being, health, and success in their education and career... In addition, many parents – especially mothers – feel child care has had substantial benefits for their own health and well-being and for their relationship with the child.” In terms of early childhood development, NC Child suggests that children who receive quality pre-kindergarten childcare and preschool programs do better in school, are more likely to be healthier, and to earn more money later in life.

### What is the local challenge?

Community members shared that childcare is expensive for working parents, especially those who do not qualify for subsidies because they are slightly over the income eligibility threshold. Also, limited childcare options are available for 0-5 aged children and shift workers at local industries. We also heard that many grandparents are stepping up to support and look after their grandchildren – creating a burden on the elderly community.

### What are the community defined solutions?

The need for affordable childcare options was lifted up by members of the West Marion Community Forum. To meet this need, McDowell County Schools and YMCA of Western North Carolina are partnering to provide after-school programs for elementary school students. The vision is for the YMCA to run licensed childcare sites at all McDowell County elementary schools for the next 5 years and customize their operating hours to support shift workers in McDowell.

*“Affordable child care is important to the healthcare and wellbeing of the caregivers by allowing a time of rest/ respite. It is a crucial part of the mental health wellbeing of the caregiver first and then the child second. Not everyone in the community has access to the same services due to gaps in financial requirements and gaps in the financial aid requirements of those organizations offering the services. So some of us do without rest but desperately need it.”*

*– McDowell County Resident*

### Recommendations for the City, County, and Town of Old Fort

- Conduct an analysis of childcare needs and develop a plan to fill gaps in services.
- Create an Early Childhood Education and Development Fund and invest a percentage of the annual budget into early childcare education and development initiatives. [Click here](#) to view a resolution of a fund that was created in Buncombe County in 2018. This fund will increase access to affordable, high quality childcare and Pre-K classrooms; create workforce development strategies to recruit and retain qualified teachers; and provide support services for children and families enrolled in those programs.





## FOOD & FARMING

### What is the vision?

A strong local food economy exists in McDowell. Local farmers are collaborating across the local food value chain to produce, aggregate, and distribute their products at local and regional markets. Locally grown food is widely available at corner stores, grocery stores, restaurants, schools, churches, hospitals, and institutions.



### How is food and farming related to health?

According to the Journal of Hunger and Environmental Nutrition, “Food systems influence health and contribute to health disparities in the United States. Community factors such as access to supermarkets and farmers’ markets, as well as broad social, economic and political forces, affect the food choices individuals make and can lead to disparities in health.”

### What is the local challenge?

There is a limited number of farms that are certified with Good Agricultural Practices (GAP), which is a requirement to sell produce to many institutional markets. In addition, the number of aging farmers is increasing and is higher than the number of younger farmers (the average farmers age is 58), although a growing number of younger farmers are moving to McDowell. Also, there is an over saturation of fast food restaurants and a low prioritization of food and farming as an economic driver by the county.

### What does the data tell us?

[Click here](#) to view McDowell County’s Local Farms and Food Profile.

[Click here](#) to view a snapshot of McDowell County’s Local Food System by Appalachian Sustainable Agriculture Project (ASAP).

### What are the community defined solutions?

The Local Food Advisory Council developed the following goals to strengthen the food and farming sector in McDowell: (1) Increase consumer demand for local food, (2) Increase the supply of local food, (3) Engage youth in the production, marketing, and selling of local food, (4) Ensure local food is affordable and accessible to low income community members, and (5) engage local government and institutional leaders to support the growth of McDowell’s local food economy.

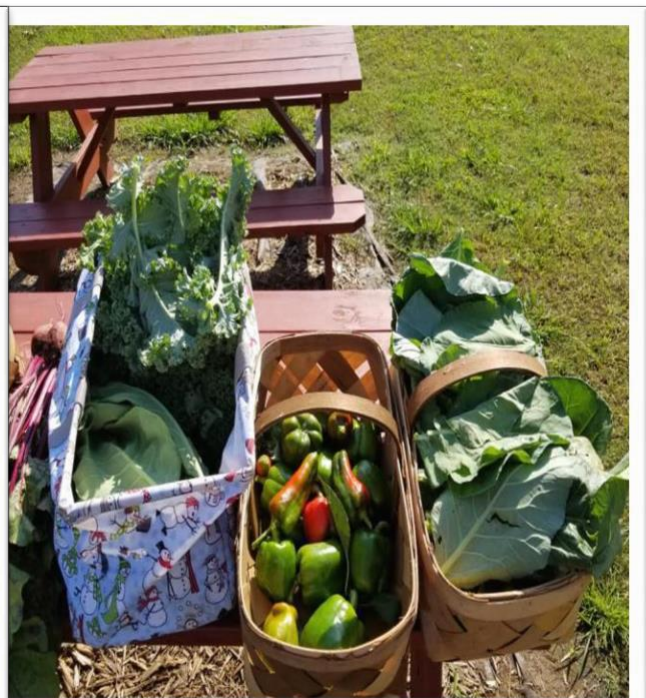
One major local strategy is to develop the Foothills Food Hub. The purpose of this hub is to provide pantry storage and pickup to local food pantries, offer local farmers a space to wash and store their produce, provide a commercial kitchen for food entrepreneurs, and provide a teaching kitchen to host cooking classes for residents. Over 100 community members were interviewed to offer ideas for how this space could best serve local farmers and address food insecurity in the community. A digital copy of the Foothills Food Hub feasibility study is available at <http://bit.ly/mcdowellhubstudy>. The website is [www.foothillsfoodhub.org](http://www.foothillsfoodhub.org).

*Supporting the economic health of our community is most definitely important as we establish farm to table partnerships, but this is tied more closely to the physical health of our community as we consume food grown here, not preserved with chemicals that are meant to give products a long shelf life. In addition to farming, I’d love to see youth learning the importance of canning and preserving the way our grandparents did (my daughter knows)”*

*– McDowell County Resident*

### Recommendations for the City, County, and Town of Old Fort

- Prioritize food and farming as an economic driver for the City and County.
- Conduct an economic impact study and local food action plan to invest and grow the local food economy in McDowell County.
- Replicate the [10% campaign](#) and create a buyer list for government officials.
- Engage the next generation of farmers through educational opportunities at schools and nonprofits.
- Support a percentage of the operating and programmatic budget for the Foothills Food Hub.





## FOOD INSECURITY



### What is the vision?

Hunger is eliminated and everyone has access to fresh and healthy foods in McDowell. Food pantries are coordinating efforts, community gardens are thriving, local farmers and food pantries are partnering with the Foothills Food Hub to provide fresh produce for the food insecure, and healthy eating programs exist across diverse neighborhoods, schools, and churches that promote positive lifestyle changes.

### Why is food insecurity related to health?

According to the Robert Wood Johnson Foundation, “a lack of reliable access to healthy food hinders children’s growth and development, and increases risk for obesity and challenges to health and well-being throughout life. This is especially true in low-income communities in inner-city and rural areas, where convenience stores and fast-food restaurants are widespread but major grocery stores are often scarce.”

### What is the local challenge?

Access to healthy foods is limited, including the availability, accessibility, and affordability of healthy foods in the county. Many community members travel more than 10 miles to access a grocery store or food pantry. The cost of healthy foods is also expensive compared to fast food options. Another barrier is knowledge related to cooking and preparing healthy meals.

### What does the data tell us?

In McDowell, 27% of children live in poverty and 22% of the total population live below the federal poverty line. Also, 25.8% of children in McDowell live in households that are food insecure and 78% of school aged children are enrolled in free or reduced lunch (NC Data Card and Kids Count Data Center). In addition, 23.8% of the population are food insecure, according to the 2018 Community Health Assessment. For more food insecurity data refer to page 39 in Appendix F: Health Data Overview.

### What are the community defined solutions?

The community defined solutions to address food insecurity are to “meet people where they live, learn, work, play, and pray.” To support this goal, community leaders started the Keeping it Fresh Community Garden in West Marion and the Tabernacle Community Garden in Marion East. The community gardens provided immediate access to fresh produce for the food insecure, hosted canning and cooking classes, engaged youth to maintain the garden, generated income by selling produce from the garden at the Marion Tailgate Market, and distributed produce to elderly neighbors and WIC clients at DSS.

Another successful idea was to partner with MANNA FoodBank to host pop up pantries at the community forums, local churches, and other community facilities, bringing food to areas that do not have a pantry site of their own. Also, in Marion East, “Boxes of Love” were built at local churches to be stocked with canned goods to support the basic needs of the community using an honor system that was anonymous and non-judgmental. In the future, the community forums will support the programmatic components of the Foothills Food Hub (FFH). As previously mentioned, the FFH will provide a warehouse and distribution center for donated food, ensure food pantries have access to fresh produce, and provide a kitchen space for cooking classes.

*“This [The Tabernacle Community Garden] is going to be bringing back to the community of East Marion through food, helping. If [community members] want to come in to help plant or donate they’re more than welcome, but nobody’s going to be hungry. They can always come and get something.”*

*– McDowell County Resident*

*“Our youth play a major role in our successes in the garden. Our future leaders are growing (like our okra).”*

*– McDowell County Resident*

### Recommendations for the City, County, and Town of Old Fort

- Encourage development of a grocery store co-op that sells local foods at affordable prices and provides a market opportunity for local producers.
- Engage corner stores, such as dollar stores and convenience stores, to provide healthier food options.
- Support sustainability and beautification efforts of the community gardens.





## ACTIVE LIVING



### What is the vision?

All community members have easy access to walking trails, playgrounds, bike lanes, sidewalks, and outdoor recreational opportunities to support an active lifestyle.

### How is active living related to health?

Physical inactivity and sedentary behaviors are linked with higher risk for obesity, diabetes, cancer, stroke, and chronic health problems, like type 2 diabetes, hypertension, and cardiovascular disease.

### What is the local challenge?

We heard from the community forums that access to walking trails, playgrounds, sidewalks, and bike lanes are an important part of communities' ability to be active. We also heard that although the county's proximity to the outdoors (mountains, lakes, and rivers) is an asset, it is also a challenge due to a lack of transportation to many outdoor recreational outposts.

### What does the data tell us?

The rates of obesity in McDowell are among the highest in WNC. The 2018 Community Health Assessment reports, "Adult Obesity was 69.3% compared to 66.9% in NC." In terms of physical inactivity 33.6% of adults in McDowell are inactive in contrast to 23.3% at the state level. For active living data refer to pages 40 and 41 in Appendix F: Health Data Overview.

### What are the community defined solutions?

- Institute workplace wellness initiatives at local industries.
- Host walking challenges to make being active fun and to provide a support system with other community members.
- Host neighborhood cleanups to be active and beautify the neighborhood.
- Plan outdoor day trips to waterfalls and hiking trails for community members.
- Design a community center in West Marion and the dreamers' soccer complex in Marion East.

*"Active living is so important to one's physical health obviously, but it is also an important component to mental health. Having access to a place to walk, even in the winter, does wonders for one's soul and body. One of the biggest challenges is having a safe well-lit area to walk in the evenings in Old Fort, especially now that time has changed. Even walking through town has its problems as you have to cross the streets in areas that may or may not be marked well. Would love to have a Greenway in this area {Old Fort}."*

- McDowell County Resident

### Recommendations for the City, County, and Town of Old Fort

- Implement recommendations from the county recreation plan.
- Work with the local school district to adopt an open community use policy for playgrounds and tracks at the schools.
- Support the creation of a recreational complex in Marion East.
- Support efforts to connect the YMCA walking trail to the West Marion Community.
- Create bike trails throughout the town – this was identified as a specific need of the Latinx community given barriers to accessing a driver's license.
- Support efforts to create a community center in West Marion.
- Support efforts in West Marion to build a walkway over the 221 ByPass Bridge.
- Ensure parks are accessible by the disability community.





## YOUTH ENGAGEMENT

### What is the vision?

Youth and young adults have access to mentorships, educational resources, and recreational activities outside of school to improve their health and quality of life.



### How is youth engagement related to health?

The 2014 report *Investing in the Health and Well-Being of Young Adults* states, “Young adults are currently at the forefront of the obesity epidemic, and this age is also a time of heightened psychological vulnerability and onset of serious mental health disorders.” It also notes that “Rapid technological changes, economic challenges, and a prolonged transition to adulthood appear to be contributing to the health problems of young adults by increasing their stress and sedentary habits...”

### What is the local challenge?

As in most rural communities, youth who stay after high school graduation have limited opportunities and those who leave for college are not likely to return. The challenge is to create opportunities for meaningful work after high school and to attract those to return after college graduation. Through the community forums, youth expressed challenges related to adults listening to them, finding activities to do outside of school and church, and participating in discussions and solutions related to their challenges.

### What does the data tell us?

In a survey of 500 local students at the middle and high school, their top challenges were stress, anxiety, lack of confidence, and bullying.

### What are the community defined solutions?

- Develop a County-Wide Mentorship Program. As one youth stated, “Having a mentor would give me someone to look up to, follow, and learn from. It would mean that I can actually go to someone for advice.” [Click here](#) to view the youth mentorship survey report.
- Integrate meaningful leadership opportunities for young adults to participate in decision making roles on nonprofit boards, school board, and other key institutions in the county. Especially underserved youth in the age range of 18 to 35.
- Host inter-generational conversations at the community forums to better understand youth needs, strengths, and ideas for improving the community.

*“I think the greatest strength of today’s youth is most of us try to keep an open mind and speak up when we feel like something isn’t right. We’re not afraid to fight for what we believe in.”*

*- McDowell Youth, quote captured from the Mentorship Program Research Report*

*“There’s nothing really for youth to do, we have a bowling alley, but I mean is there anything else for the youth to do?..... Well the schools offer their sports programs and things, but again I know some people, my son in law was a coach for the little kids for a long time, I assume they still have those things here now, they have basketball games, baseball, soccer, but you have to sign up for them and maybe some of the children don’t have transportation to go to those things. There is a hindrance for them getting there.”*

### Recommendations for the City, County, and Town of Old Fort

- Establish a county-wide mentorship and youth empowerment program. This program would complement (not re-create) existing programs that are in place to support youth. This program would also fill a gap of support that is not currently offered by traditional agencies, such as Big Brothers and Big Sisters.
- Develop a Youth and Young Adult Advisory Commission to advise on youth issues for the City Council, County Commissioners, Board of Alderman, MTCC Board and McDowell School Board.
- Host a mental health first aid training for teachers and community members. [Click here](#) to learn about the Henderson County Schools youth mental health and trauma training.
- Host a racial equity training for teachers and the community. [Click here](#) to learn more about the Asheville City Schools Choosing Equity Series.





## SUBSTANCE USE DISORDER

**What is the vision?** Individuals and families impacted by substance use disorder have the support they need to reclaim their health and future. A cross-sector group of local, regional, and state agencies are working together to educate, prevent, and implement recovery-oriented solutions.



### What is the local challenge?

Substance use disorder is a growing epidemic in McDowell County. In 2018, data from McDowell EMS shows a 300% increase in opioid overdoses. They also report administering Narcan 58 times to 45 patients. DSS is also seeing rising costs related to foster children. DSS reports that 124 children are in care due to substance use disorder. Of this total, 36 children and 180 parents tested positive for a range of substances from methamphetamine, amphetamines, opiates, heroin, oxycodone, hydrocodone, cocaine, crack, suboxone, methadone, and benzodiazepine. This is also impacting the homeless shelter, law enforcement, and the availability of a healthy workforce. For substance use data [refer to pages 43-45 in Appendix F: Health Data Overview](#).

### How is substance use disorder related to health?

This issue is complex with roots in the oversupply of prescription medications from the pharmaceutical industry. It requires a broad coalition of leaders from doctors, law enforcement, policymakers, nonprofits, government agencies, schools, and community residents to work together on short and long-term solutions.

*“The opposite of addiction is connection. We need to create a community that embraces and accepts recovery. We are all neighbors! Let’s be neighbors to one another of all backgrounds. When we can look at addiction as a disease and start treating it as such rather than a moral failing, we will see the power and beauty of recovery. Our community has an opportunity to have recovery as the headline rather than the growing epidemic of substance use.”*

- McDowell County  
Resident

### What are the community defined solutions?

- “Nothing about us without us” - include those with lived addiction experiences in strategy discussions to learn from their realities, experiences, and perspectives.
- Hire peer support specialists to walk alongside of those in the stages of addiction, prevention, treatment, and recovery. These specialists can also help navigate the legal system, foster care system, clinical system, housing system, and career market.
- Create educational campaigns at schools, churches, and community events.
- Host community conversations to destigmatize this issue and promote the use of recovery-oriented language.
- Implement support groups for families impacted by this issue.
- [Click here](#) to review recommendations from a community mapping meeting for addressing substance use disorder using a compressive and systems approach.

### Recommendations for the City, County, and Town of Old Fort

Allot resources to support local agencies on an annual basis to address this complex challenge. Resources can support implementation of the 2018 CDC evidence-based practices for preventing overdose: [Click here](#) to review the report.

- Targeted Naloxone Distribution (criminal justice settings and EMS)
- Medication-Assisted Treatment (MAT), methadone
- Academic Detailing
- Eliminating Prior-Authorization Requirements for Medications for Opioid Use Disorder
- Screening for Fentanyl in Routine Clinical Toxicology Testing
- 911 Good Samaritan Laws
- Naloxone Distribution in Treatment Centers and Criminal Justice Settings
- MAT in Criminal Justice Settings and Upon Release
- Initiating Buprenorphine-based MAT in Emergency Departments
- Syringe Service Programs





## ECONOMIC DEVELOPMENT

**What is the vision?** The local economy is thriving with investments in diverse economic sectors, including: arts and tourism, outdoor sector, farm to table restaurants, food and agriculture, health and healthcare, and microbreweries.



### How is economic development related to health?

The 2018 Robert Wood Johnson Foundation Study, Wealth Matters for Health Equity found the following: “Evidence links greater wealth with better health. Wealth and income provide material benefits, such as healthier living conditions and access to health care, and protect people from chronic stress.” In addition, it found that, “Both poor health and economic disadvantage can compound over a person’s lifetime and across generations. Challenges young children face today—and into adulthood—can reflect their parents’ lack of opportunities.” It also notes factors such as unequal distribution of wealth and the role of discrimination and structural racism as contributing to the growing wealth gap in the USA.

### What is the local challenge?

There is a high concentration of individuals, children, and families living in poverty. The poverty rate is 18.4%. The median household income is \$37,590. According to the 2018 NC Data Card for McDowell County 59% of children are living in poor or low-income homes. In addition, 17.6% of the population lack a high school diploma. The unemployment rate is 3.2%.

This is exasperated for communities of color where the median household income for African-Americans is \$23,311, 35% less than the county average. For Hispanics it is \$15,257, over 50% less than the county average. For more economic development data [refer to page 38 in Appendix F: Health Data Overview](#).

### What are the community defined solutions?

- Research marketing and branding opportunities for Old Fort and McDowell County as an outdoor destination for biking, hiking, and camping.
- Support locally owned business development in McDowell.
- Support and grow new entrepreneurs in Marion and Old Fort.

*“We don’t give parents enough credit as well... we do have parents who struggle to make ends meet and some are working two jobs... their priority is not going out and exercising, its putting food on the table and a roof over their heads. It would be a very unusual thought for them to go out and exercise because, they have to go out and do this in order to keep this going and I have to do this to keep this going... so I want to take up for some of the parents too because we do have some deadbeat parents but we also have single moms who are working two jobs and trying to keep a roof over their head ....”*

*- McDowell Resident from ASU Focus Group Data*

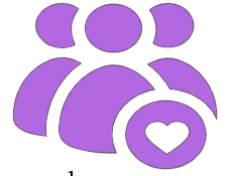
### Recommendations for the City, County, and Town of Old Fort

- Bring multiple stakeholders together to develop a common analysis and shared vision for growing the outdoor sector in Old Fort.
- Permit alcohol sales in county limits, including Old Fort.
- Invest in a paid position for a part-time or full-time town planner for Old Fort.
- Partner with the McDowell Chamber of Commerce, City of Marion Growing Entrepreneurs Program, and Old Fort Chamber of Commerce to provide educational opportunities for small businesses and entrepreneurs.
- Prioritize investments in rural broadband infrastructure.
- Support living wage salary initiatives for city and county employees.





## PUBLIC SAFETY



### What is the vision?

All residents feel safe and secure regardless of their class, race, ethnicity, disability, gender, religion, and sexual orientation. Neighborhoods report less crime and law enforcement has strong trust and relationships with everyone – especially historically marginalized communities and communities of color.

### How is public safety related to health?

Our public safety officials are key to supporting all community members to feel safe where they live, learn, work, play, and pray. Feeling unsafe, being a victim of crime, and being discriminated against can result in anxiety, stress, trauma and poor health indicators over a lifetime.

### What is the local challenge?

We heard issues related to speed monitoring in high traffic neighborhoods in Marion East and West Marion. We also heard issues related to high crime activity in Marion East. In addition, public safety also expands to our youth who report an increase in bullying at schools. It also impacts our communities of color, who are targeted by the rise of hate crimes, institutional and systemic racism, and the resurgence of white nationalism. In addition, it expands to our undocumented neighbors, who report fear of being separated from their families due to increased immigration and customs enforcement activity in WNC.

*“The forums have supported deeper connections between law enforcement and the community to ensure safer neighborhoods.”*

*- McDowell County Resident*

### What does the data tell us?

- 3 immigrant families in McDowell were impacted by ICE in April of 2017.
- 1 case of hate speech was reported and videotaped at a local gas station in December of 2016.
- For more public safety data refer to pages 42 and 48 in Appendix F: Health Data Overview.

### What are the community defined solutions?

- Address safety concerns related to high traffic speed in Marion East.
- Encourage residents to report suspicious activity to law enforcement – not intervening in a situation – but providing reports that help build a case for intervention from law enforcement.
- Build community and law enforcement relations through regular updates and dialogue at the community forums, and especially with communities of color.

### Recommendations for the City, County, and Town of Old Fort

- Setup speed monitoring sites in high traffic neighborhoods in Marion East.
- Sign the Joint Statement of Unity – a request specifically for new and old County Commissioners and the Board of Alderman. [See Appendix G for a copy of this statement.](#)
- Establish a partnership between schools and community forums to host community conversations to address bullying concerns.
- Host a citizen’s police academy in Spanish and English for the Latinx community.
- Publicly share that local law enforcement is not directly involved in federal immigration and customs enforcement efforts. This may help to decrease fear and build trust within the Latinx community. This could be shared at the forums or through a written statement.
- Develop a plan with the school system to offer guidance to teachers and counselors on how to support students and parents separated by immigration and customs enforcement issues.
- Law enforcement might consider a decrease in license checks where the immigrant community lives, learns, works, prays, and plays – this is similar to an effort by law enforcement in Burke.
- Share “Know Your Rights” materials at key places in McDowell, such as Marion Police Department, McDowell Sheriff’s Office, Marion City Hall, County Office, and schools.





## CLOSING: CALL TO ACTION

The community forums are inspiring hope and action for a brighter future for everyone in McDowell County. A collaboration of new grassroots leaders are stepping up to tackle challenges and develop locally tailored solutions that strengthen the health and well-being of their neighborhoods.

The ten issues highlighted in this report are complex and require us to develop intersectional strategies across multiple agencies, institutions, non-profits, policymakers, and grassroots networks. This cross-sector group of partners must be willing to build authentic relationships, participate in open and honest conversations, learn alongside of each other, and strategize to co-create solutions that benefit everyone. We encourage partners to be bold, creative, and collaborative in their approaches to uproot entrenched challenges.

We believe the community forums provide a critical pathway to bring the voices of those most impacted by challenges to decision making tables and problem-solving discussions. Our hope is for the city and county to recognize the value of the community forums and invest in them to continue their vital work in fostering positive health improvements efforts in McDowell. This investment will support the city and county to seek out information from community members to advise on policies, share information, learn directly from community members about their needs, and leverage resources to create a thriving and equitable McDowell.

### Invest in the Community Forums

- Adopt this plan as a road map to guide investments, resources, and community development strategies by local government leaders.
- Host City Council, County Commissioner, and Board of Alderman meetings at the community forums on an annual basis.
- Hear updates from leadership of the community forums on a quarterly basis.
- Support efforts to streamline communication channels so that residents are aware of resources, events, and community-wide meetings to related to the report's priorities.



## APPENDIX A: OVERVIEW OF ALL RECOMMENDATIONS



### Housing

- Support minimum housing policy development research efforts and comprehensive housing reform related to renters' rights, urgent repair, safe and affordable housing, and building trade certifications (including lead-based paint and asbestos abatement certification).
- Adopt a minimum housing standard for McDowell County - similar to the policy passed by the City of Marion in March of 2018. [See Appendix I to view a copy of this policy.](#) This policy sets basic rules for structural conditions, safe and sanitary maintenance, plumbing systems, heating systems, electrical wiring, control of insects, rodents, and infestations, and disposal of garbage. This standard would improve housing conditions for all, including low-income residents.



### Transportation

- Build sheltered transportation stops for current and future routes.
- Expand current routes to the weekend and offer on demand access to public transportation.
- Research purchasing buses and implementing fixed bus route services similar to the Western Piedmont Council of Governments effort in Burke County.



### Childcare

- Conduct an analysis of childcare needs and develop a plan to fill gaps in services.
- Create an Early Childhood Education and Development Fund and invest a percentage of the annual budget into early childcare education and development initiatives. [Click here](#) to view a resolution of a fund that was created in Buncombe County in 2018. This fund will increase access to affordable, high quality childcare and Pre-K classrooms; create workforce development strategies to recruit and retain qualified teachers; and provide support services for children and families enrolled in those programs.



### Food Insecurity

- Encourage development of a grocery store co-op that sells local foods at affordable prices and provides a market opportunity for local producers.
- Engage corner stores, such as dollar stores and convenience stores, to provide healthier food options.
- Support sustainability and beautification efforts of the community gardens.



### Food and Farming

- Prioritize food and farming as an economic driver for the City and County.
- Conduct an economic impact study and local food action plan to invest and grow the local food economy in McDowell County.
- Replicate the [10% campaign](#) and create a buyer list for government officials.
- Engage the next generation of farmers through educational opportunities at school and nonprofits.
- Support a percentage of the operating and programmatic budget for the Foothills Food Hub.



### Active Living

- Implement recommendations from the county recreation plan.
- Work with the local school district to adopt an open community use policy for playgrounds and tracks at the schools.
- Support the creation of a recreational complex in Marion East.
- Support efforts to connect the YMCA walking trail to the West Marion Community.
- Create bike trails throughout the town – this was identified as a specific need of the Latinx community given barriers to accessing a driver’s license.
- Support efforts to create a community center in West Marion.
- Support efforts in West Marion to build a walkway over the 221 ByPass Bridge.
- Ensure parks are accessible by the disability community.



### Youth Engagement

- Establish a county-wide mentorship and youth empowerment program. This program would complement (not re-create) existing programs that are in place to support youth.
- Develop a Youth and Young Adult Advisory Commission to advise on youth issues for the City Council, County Commissioners, Board of Alderman, MTCC Board and McDowell School Board.
- Host a mental health first aid training for teachers and community members. [Click here](#) to learn about the Henderson County Schools youth mental health and trauma training.
- Host a racial equity training for teachers and the community. [Click here](#) to learn more about the Asheville City Schools Choosing Equity Series.



### Economic Development

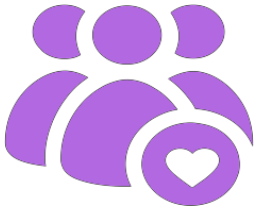
- Bring multiple stakeholders together to develop a common analysis and shared vision for growing the outdoor sector in Old Fort.
- Permit alcohol sales in county limits, including Old Fort.
- Invest in a paid position for a part-time or full-time town planner for Old Fort.
- Partner with the McDowell Chamber of Commerce, City of Marion Growing Entrepreneurs Program, and Old Fort Chamber of Commerce to provide educational opportunities for small businesses and entrepreneurs.
- Prioritize investments in rural broadband infrastructure.
- Support living wage salary initiatives for city and county employees.



### **Substance Use Disorder**

Allot resources to support local agencies on an annual basis to address this complex challenge. Resources can support implementation of the 2018 CDC evidence-based practices for preventing overdose: [Click here](#) to review the report.

- Targeted Naloxone Distribution (criminal justice settings and EMS)
- Medication-Assisted Treatment (MAT), methadone
- Academic Detailing
- Eliminating Prior-Authorization Requirements for Medications for Opioid Use Disorder
- Screening for Fentanyl in Routine Clinical Toxicology Testing
- 911 Good Samaritan Laws
- Naloxone Distribution in Treatment Centers and Criminal Justice Settings
- MAT in Criminal Justice Settings and Upon Release
- Initiating Buprenorphine-based MAT in Emergency Departments
- Syringe Service Programs



### **Public Safety: Recommendations for the City, County, and Town of Old Fort**

- Setup speed monitoring sites in high traffic neighborhoods in Marion East.
- Sign the Joint Statement of Unity – a request specifically for new and old County Commissioners and the Board of Alderman. [See Appendix G for a copy of this statement.](#)
- Establish a partnership between schools and community forums to host community conversations to address bullying concerns.
- Host a citizen’s police academy in Spanish and English for the Latinx community.
- Publicly share that local law enforcement is not directly involved in federal immigration and customs enforcement efforts. This may help to decrease fear and build trust within the Latinx community. This could be shared at the forums or through a written statement.
- Develop a plan with the school system to offer guidance to teachers and counselors on how to support students and parents separated by immigration and customs enforcement issues.
- Law enforcement might consider a decrease in license checks where the immigrant community lives, learns, works, prays, and plays – this is similar to an effort by law enforcement in Burke.
- Share “Know Your Rights” materials at key places in McDowell, such as Marion Police Department, McDowell Sheriff’s Office, Marion City Hall, County Office, and schools.
- McDowell Schools - Share inclement weather announcements in Spanish for Spanish speaking families.

## **APPENDIX B: RECOMMENDATIONS TO THE CITY OF MARION**

### **Housing**

- Support minimum housing policy development research efforts and comprehensive reform.

### **Transportation**

- Build sheltered transportation stops for current and future routes.

### **Childcare**

- Create an Early Childhood Education and Development Fund. [Click here](#) to view a resolution of a fund that was created in Buncombe County in 2018.

### **Food & Farming**

- Prioritize food and farming as an economic driver for the City.
- Conduct an economic impact study and local food action plan.
- Replicate the [10% campaign](#) and create a buyer list for government officials.
- Support a percentage of the operating and programmatic budget of the Foothills Food Hub.

### **Food Insecurity**

- Encourage development of a grocery store co-op that provides local foods at affordable prices and provides a market opportunity for local producers.
- Engage corner stores, such as dollar stores and convenience stores, to provide healthier foods.
- Support sustainability and beautification efforts of the community gardens.

### **Active Living**

- Support the creation of a recreational facility in Marion East.
- Support efforts to connect the YMCA walking trail to the West Marion Community.
- Support efforts to create a community center in West Marion.
- Support efforts in West Marion to build a walkway over the 221 ByPass Bridge.
- Work with the local school district to adopt an open community use policy for playgrounds and tracks at the schools.
- Create bike trails throughout the city—this was identified as a specific need of the Latinx community given barriers to accessing a driver's license.
- Ensure parks are accessible by the disability community.

### **Youth Engagement**

- Establish a county-wide mentorship and youth empowerment program.
- Develop a Youth and Young Adult Advisory Commission to advise on youth issues for the City Council, County Commissioners, Board of Alderman, MTCC Board and McDowell School Board.
- Host a mental health first aid training for teachers and community members. [Click here](#) to learn about the Henderson County Schools youth mental health and trauma training.
- Host a racial equity training for teachers and the community. [Click here](#) to learn more about the Asheville City Schools Choosing Equity Series.

### **Substance Use Disorder**

- Allot resources to support local agencies on annual basis to implement 2018 CDC evidence-based practices.

### **Economic Development**

- Develop a shared vision for growing outdoor recreation sector by bringing multiple stakeholders to the table.
- Prioritize investment in rural broadband infrastructure.
- Support living wage salary initiatives for City Employees.
- Partner with the City of Marion Growing Entrepreneurs Program, McDowell Chamber of Commerce, and Old Fort Chamber of Commerce to provide educational opportunities for small businesses and entrepreneurs.

### **Public Safety**

- Setup speed monitoring sites in high traffic neighborhoods in Marion East.
- Share “Know Your Rights” materials at Marion Police Department, Marion City Hall, and schools.
- Establish a partnership between schools and community forums to host community conversations to address bullying.
- Host a citizen's police academy in Spanish and English for the Latinx community.
- Publicly share that local law enforcement is not directly involved in federal immigration and customs enforcement efforts.
- Develop a plan with the school system to offer guidance to teachers and counselors on how to support students and parents separated by immigration and customs enforcement issues.
- Decrease license checks where the immigrant community lives, learns, works, prays, and plays – this is similar to an effort by law enforcement in Burke.



## **APPENDIX C: RECOMMENDATIONS TO THE COUNTY BOARD OF COMMISSIONERS**

### **Housing**

- Support minimum housing policy development research efforts and comprehensive reform.
- Adopt a minimum housing standard for McDowell County - similar to the policy passed by the City of Marion in March of 2018.

### **Transportation**

- Build sheltered transportation stops for current and future routes.
- Expand routes on the weekend and offer on demand access to public transportation.

### **Childcare**

- Create an Early Childhood Education and Development Fund. [Click here](#) to view a resolution of a fund that was created in Buncombe County in 2018.

### **Food & Farming**

- Prioritize food and farming as an economic driver for the County.
- Conduct an economic impact study and local food action plan to invest and grow the local food economy.
- Replicate the [10% campaign](#) and create a buyer list for government officials.
- Engage the next generation of farmers through educational opportunities at schools and nonprofits.
- Support a percentage of the operating and programmatic budget of the Foothills Food Hub.

### **Food Insecurity**

- Encourage development of a grocery store co-op that provides local foods at affordable prices.
- Engage corner stores, such as dollar stores and convenience stores, to provide healthier food options.
- Support sustainability and beautification efforts of the community gardens.

### **Active Living**

- Implement recommendations from County recreation plan.
- Support the creation of a recreational facility in Marion East.
- Support efforts to create a community center in West Marion.
- Support efforts in West Marion to build a walkway over the 221 ByPass Bridge.
- Work with the local school district to adopt an open community use policy for playgrounds and tracks at the schools.
- Ensure parks are accessible by the disability community.

### **Youth Engagement**

- Establish a county-wide mentorship and youth empowerment program.
- Establish Youth and Young Adult Advisory Commission.
- Host a mental health first aid training for teachers and community members. [Click here](#) to learn about the Henderson County Schools youth mental health and trauma training.
- Host a racial equity training for teachers and the community. [Click here](#) to learn more about the Asheville City Schools Choosing Equity Series.

### **Substance Use Disorder**

- Allot resources to support local agencies on annual basis to implement 2018 CDC evidence-based practices.

### **Economic Development**

- Develop a shared vision for growing outdoor recreation sector by bringing multiple stakeholders to the table.
- Prioritize investment in rural broadband infrastructure.
- Invest in a paid position for a part-time or full-time town planner for Old Fort.
- Support living wage salary initiatives for County Employees.
- Partner with the McDowell Chamber of Commerce, City of Marion Growing Entrepreneurs Program, and Old Fort Chamber of Commerce to provide educational opportunities for small businesses and entrepreneurs.

### **Public Safety**

- Setup speed monitoring sites in high traffic neighborhoods in Marion East.
- Sign the Joint Statement of Unity – a request specifically for new and old County Commissioners.
- Establish a partnership between schools and community forums to host community conversations to address bullying
- Publicly share that local law enforcement is not directly involved in federal immigration and customs enforcement efforts.
- Develop a plan with the school system to offer guidance to teachers and counselors on how to support students and parents separated by immigration and customs enforcement issues.
- Decrease license checks where the immigrant community lives, learns, works, prays, and plays.
- Share “Know Your Rights” materials at Sheriff’s Office and County Office’s.

## **APPENDIX D: RECOMMENDATIONS TO THE OLD FORT BOARD OF ALDERMAN**

### **Housing**

- Support minimum housing policy development research and comprehensive reform.
- Adopt a minimum housing standard similar to the policy passed by the City of Marion in March of 2018.

### **Transportation**

- Build sheltered transportation stops for current and future routes.
- Expand routes on the weekend and offer on demand access to public transportation.

### **Childcare**

- Create an Early Childhood Education and Development Fund. [Click here](#) to view a resolution of a fund that was created in Buncombe County in 2018.

### **Food & Farming**

- Prioritize food and farming as an economic driver for Old Fort.
- Conduct an economic impact study and local food action plan to invest and grow the local food economy.
- Replicate the [10% campaign](#) and create a buyer list for government officials.
- Support a percentage of the operating and programmatic budget of the Foothills Food Hub.

### **Food Insecurity**

- Encourage development of a grocery store co-op that provides local foods at affordable prices.
- Engage corner stores, such as dollar stores and convenience stores, to provide healthier food options.

### **Active Living**

- Implement recommendations from County recreation plan.
- Work with the local school district to adopt an open community use policy for playgrounds and tracks at the schools.
- Create bike trails throughout downtown – this was identified as a specific need of the Latinx community given barriers to accessing a driver's license.
- Ensure parks are accessible by the disability community.

### **Youth Engagement**

- Establish a county-wide mentorship and youth empowerment program.
- Establish Youth and Young Adult Advisory Commission.
- Host a mental health first aid training for teachers and community members. [Click here](#) to learn about the Henderson County Schools youth mental health and trauma training.
- Host a racial equity training for teachers and the community. [Click here](#) to learn more about the Asheville City Schools Choosing Equity Series.

### **Substance Use Disorder**

- Allot resources to support local agencies on annual basis to implement 2018 CDC evidence-based practices.

### **Economic Development**

- Develop a shared vision for growing outdoor recreation sector by bringing multiple stakeholders to the table.
- Permit alcohol sales.
- Prioritize investment in rural broadband infrastructure.
- Support living wage salary initiatives for Town Employees.
- Invest in a paid position for a part-time or full-time town planner for Old Fort.
- Partner with the McDowell Chamber of Commerce, City of Marion Growing Entrepreneurs Program, and Old Fort Chamber of Commerce to provide educational opportunities for small businesses and entrepreneurs.

### **Public Safety**

- Sign the Joint Statement of Unity
- Share “Know Your Rights” materials at Town Office’s
- Establish a partnership between schools and community forums to host community conversations to address bullying
- Publicly share that local law enforcement is not directly involved in federal immigration and customs enforcement efforts.
- Develop a plan with the school system to offer guidance to teachers and counselors on how to support students and parents separated by immigration and customs enforcement issues.
- Decrease license checks where the immigrant community lives, learns, works, prays, and plays – this is similar to an effort by law enforcement in Burke.

## APPENDIX E: RECOMMENDATIONS TO THE SCHOOL BOARD

### Food & Farming

- Engage the next generation of farmers through educational opportunities within the Schools.
- Replicate the [10% campaign](#) and create a buyer list for government officials.

### Childcare

- Create an Early Childhood Education and Development Fund. [Click here](#) to view a resolution of a fund that was created in Buncombe County in 2018.

### Active Living

- Implement recommendations from County recreation plan.
- Adopt an open community use policy for playground and recreation facilities within the Schools.
- Ensure recreation facilities are accessible by the disability community.

### Youth Engagement

- Establish countywide mentorship and youth empowerment program.
- Establish Youth and Young Adult Advisory Commission.
- Host a mental health first aid training for teachers and community members. [Click here](#) to learn about the Henderson County Schools youth mental health and trauma training.
- Host a racial equity training for teachers and the community. [Click here](#) to learn more about the Asheville City Schools Choosing Equity Series.

### Substance Use Disorder

- Allot resources to support local agencies on annual basis to implement 2018 CDC evidence-based practices.

### Economic Development

- Partner with the Chamber of Commerce to provide educational opportunities for small business and entrepreneurs.
- Support living wage salary initiatives for School Employees.

### Public Safety

- Establish a partnership between the Schools and Community Forum to host community conversations to address bullying concerns.
- Develop a plan to offer guidance to teachers and counselors on how to support students and parents separated by immigration and customs enforcement issues.
- Share “Know Your Rights” materials within Schools.

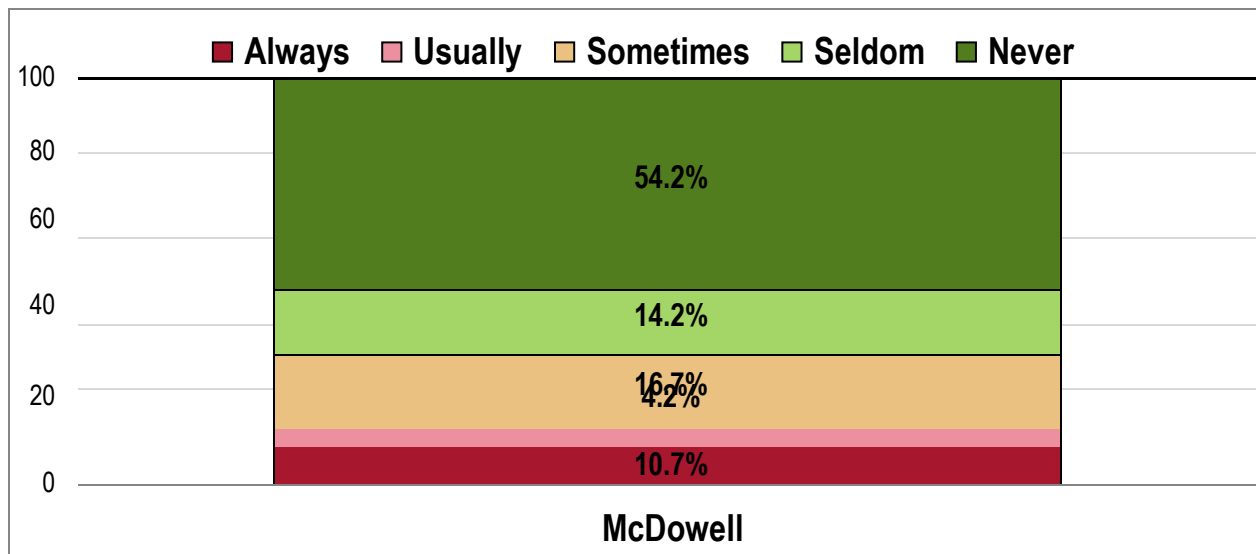
## APPENDIX F: HEALTH DATA OVERVIEW

### Health Data Sources

Data in this appendix come from two sources: Professional Research Consultants, Inc. (PRC) Community Health Assessment and a survey conducted by faculty in Appalachian State University's (ASU) Public Health Program. The PRC Community Health Assessment was a telephone and web-based survey that included McDowell County along with 15 surrounding Counties (n=3,265 total). It was designed to be representative of County and regional populations by gender, age, race/ethnicity, and income. ASU conducted its paper-and-pen survey in collaboration with Grace Community Church and most surveys were collected at Grace events and during its food pantry hours (n=113 of 212; 53%). Additional surveys were collected at community locations (Marion Community Center, YMCA, Senior Center, WMMS, and the Community Health Forum). It was a convenience sample meaning it is not designed to be representative of the general population.

### Housing

Figure X. Percent of Adults in McDowell County who Report they Always, Usually, Sometimes, Seldom, or Never Worry or Stress over having Enough Money to Pay Rent or Mortgage in the Past Year.

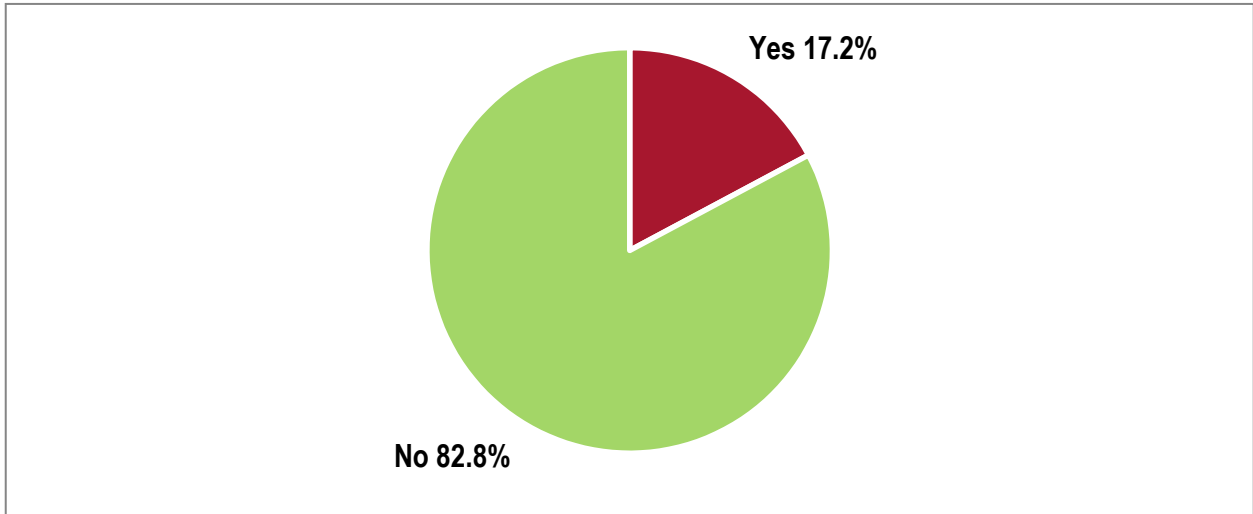


Sources: ● 2018 PRC Community Health Survey, Professional Research Consultants, Inc. [Item 71]

Notes: ● Asked of all respondents.

**Housing: Healthy, safe, and affordable housing is available to all community members**

Figure X. Percent of Adults in McDowell County who went Without Electricity, Water, or Heat in the Home at Some Point in the Past Year

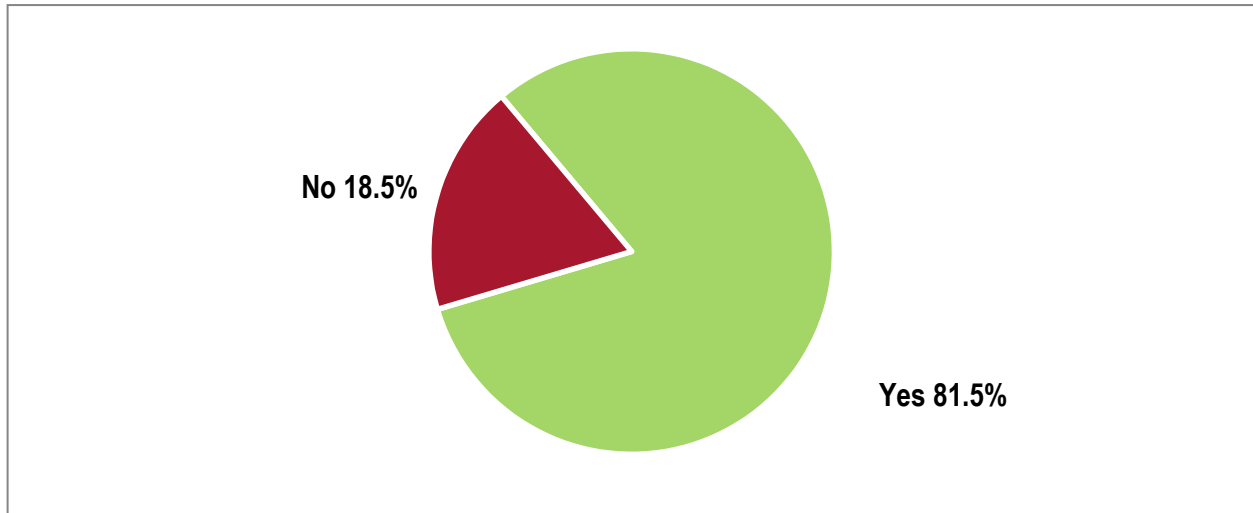


Sources: ● 2018 PRC Community Health Survey, Professional Research Consultants, Inc. [Item 323]

Notes: ● Reflects the total sample of respondents.

**Broadband Investments**

Figure X. Percent of Adults in McDowell County who Have Access to the Internet for Personal Use at Home, Work, or School.

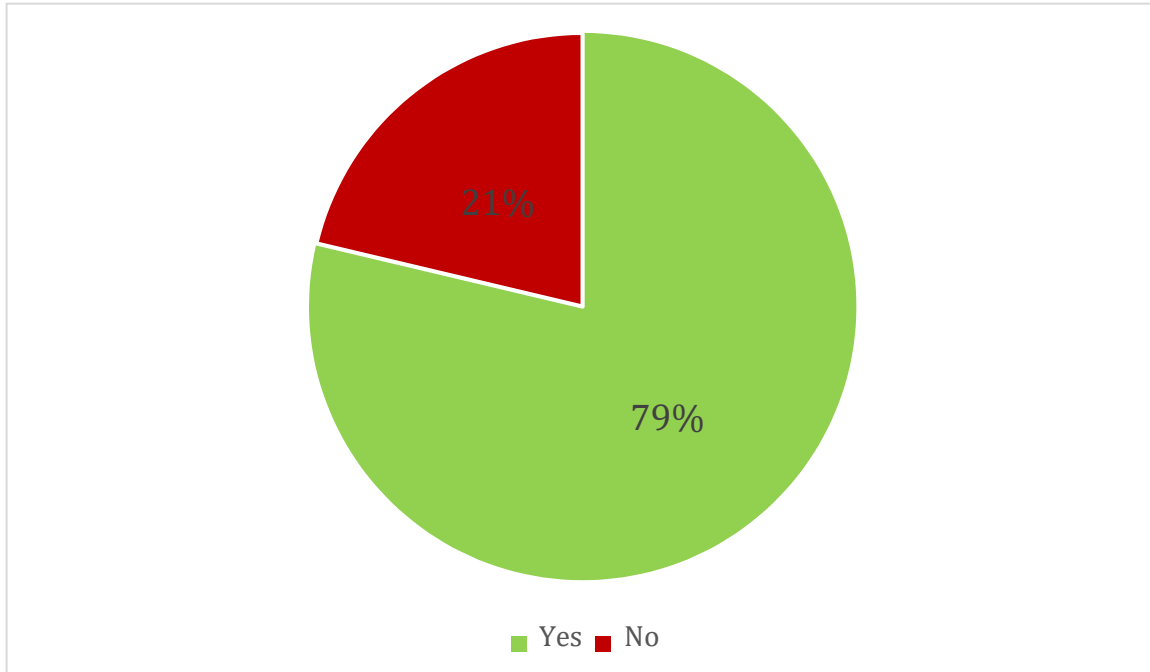


Sources: ● 2018 PRC Community Health Survey, Professional Research Consultants, Inc. [Item 327]

Notes: ● Reflects the total sample of respondents.

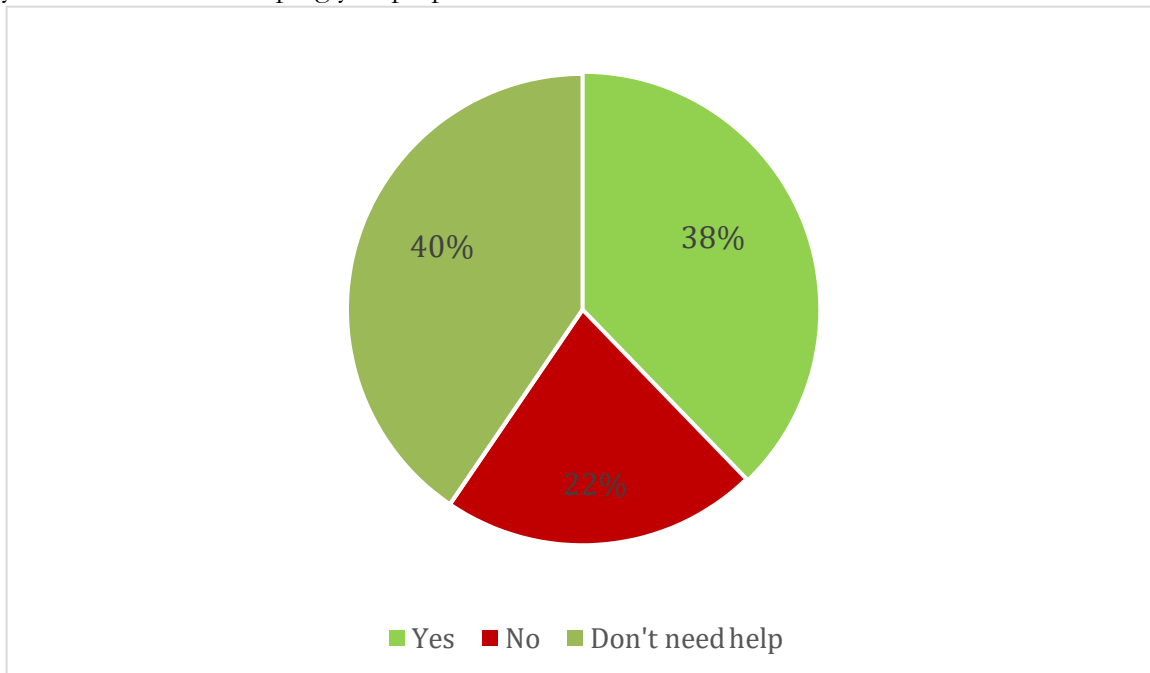
**Transportation: All community members have access to safe and reliable transportation...reduce isolation.**

Figure X. Percent of Adults who have a Car.



Source: ASU Survey

Figure X. Can you count on anyone to provide you with support in accessing food such as driving you to the store or helping you prepare meals?

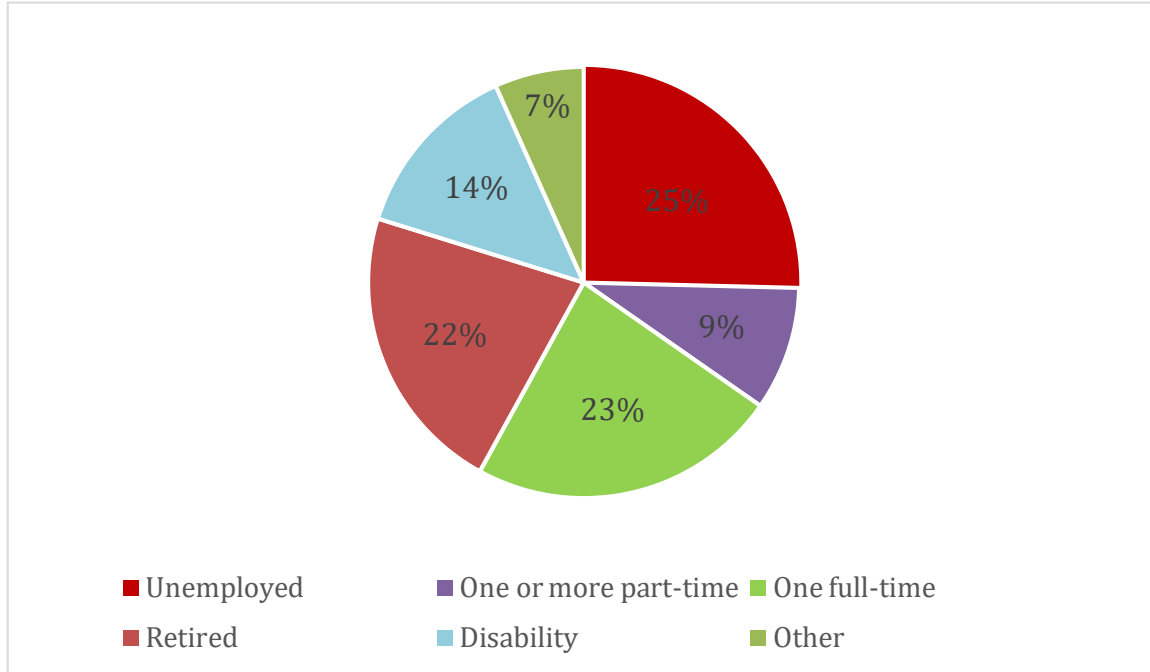


Source: ASU Survey

**Economic Development: local economy is thriving with investments in diverse economic sectors.**

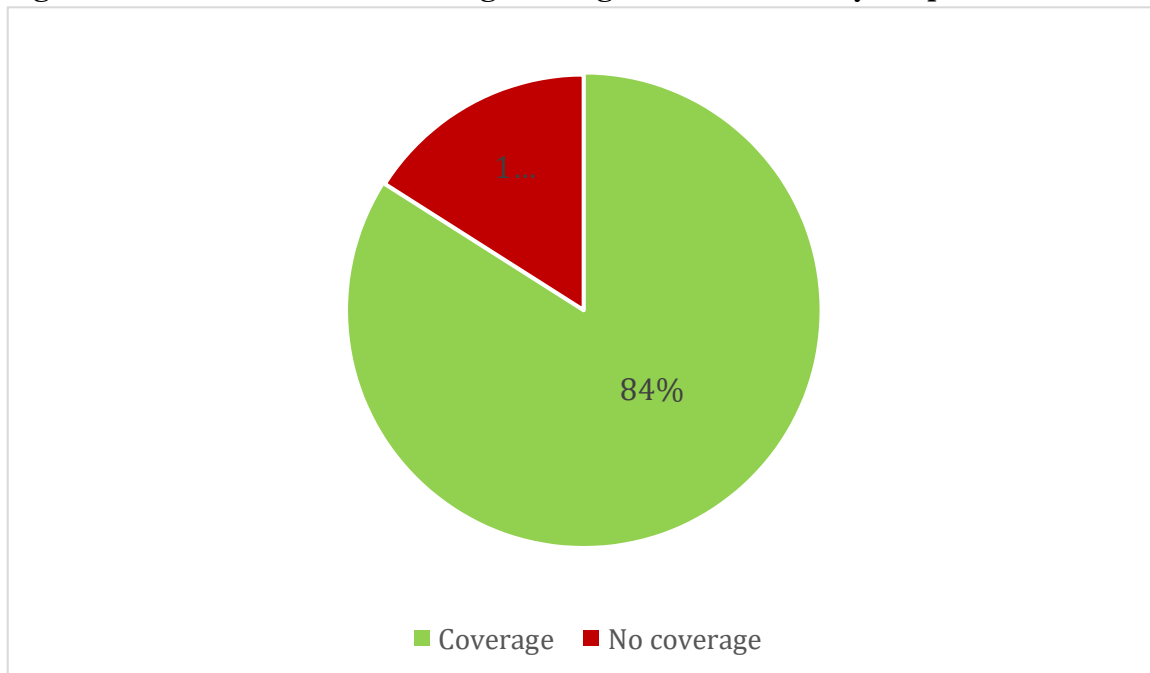
- CHA: listed as one of top 3 issues

**Figure X. Employment Status among McDowell County Respondents**



Source: ASU Survey

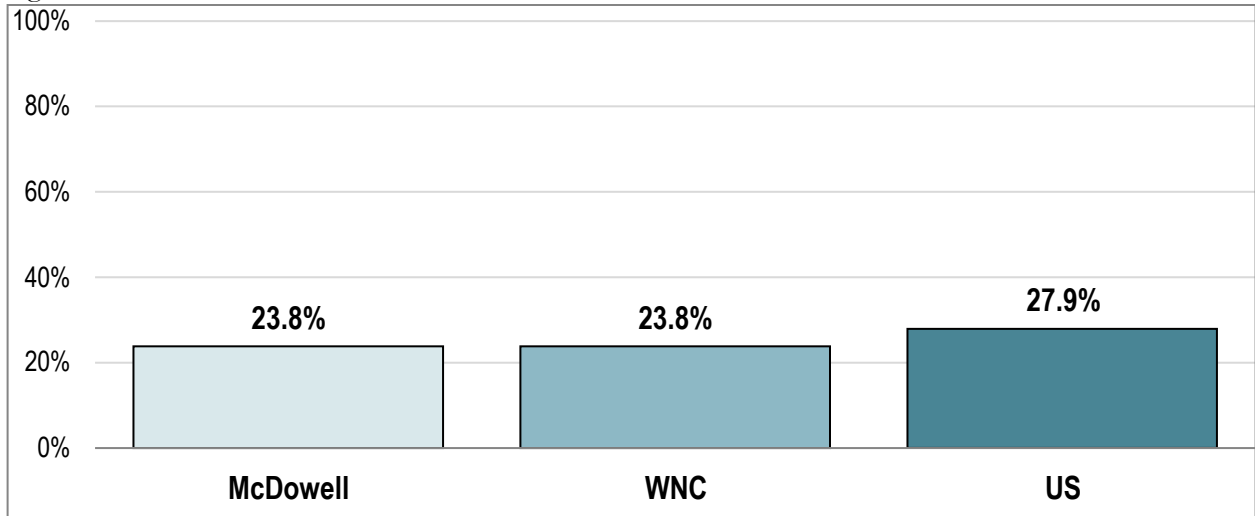
**Figure X. Health Insurance Coverage among McDowell County Respondents.**



Source: ASU Survey

**Food Insecurity: Hunger is eliminated and everyone has access to fresh and healthy foods.**

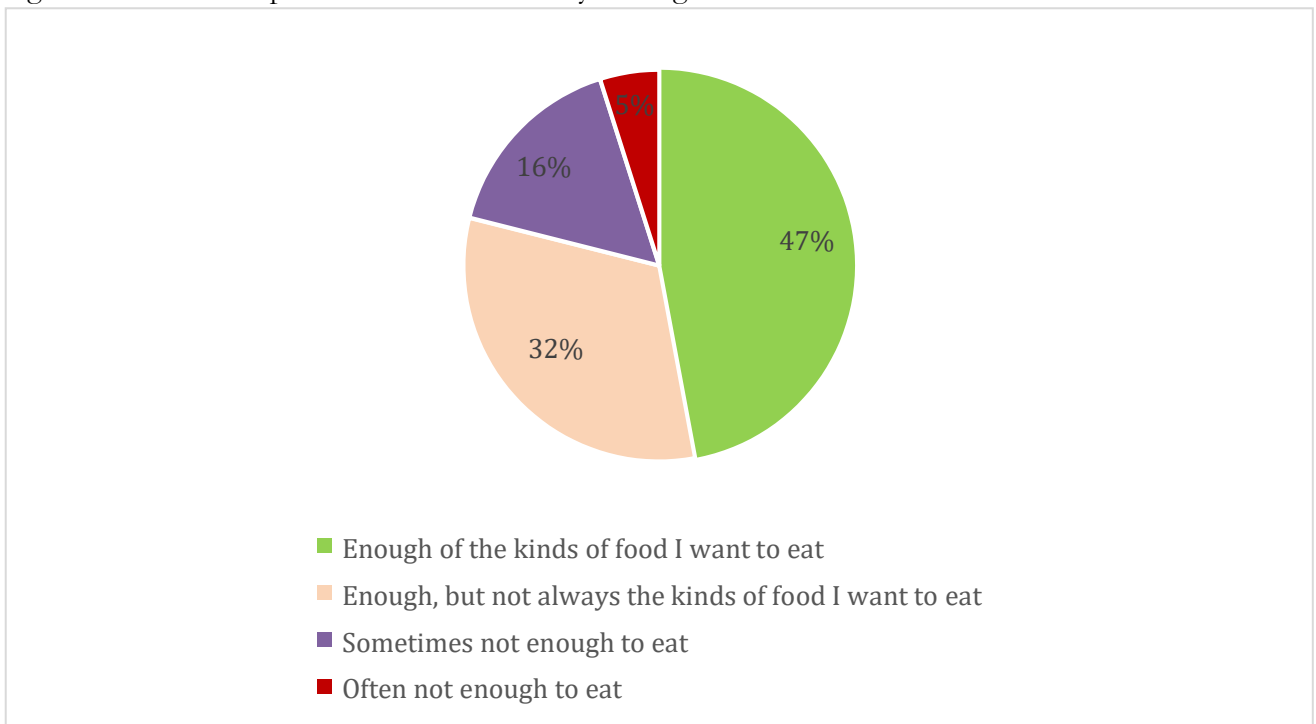
Figure X. Percent of Adults Classified as Food Insecure.



Sources: ● 2018 PRC Community Health Survey, Professional Research Consultants, Inc. [Item 149]  
● 2017 PRC National Health Survey, Professional Research Consultants, Inc.

Notes: ● Asked of all respondents.  
● Includes adults who A) ran out of food at least once in the past year and/or B) worried about running out of food in the past year.

Figure X. Best Description of Food Availability During the Past 12 Months.

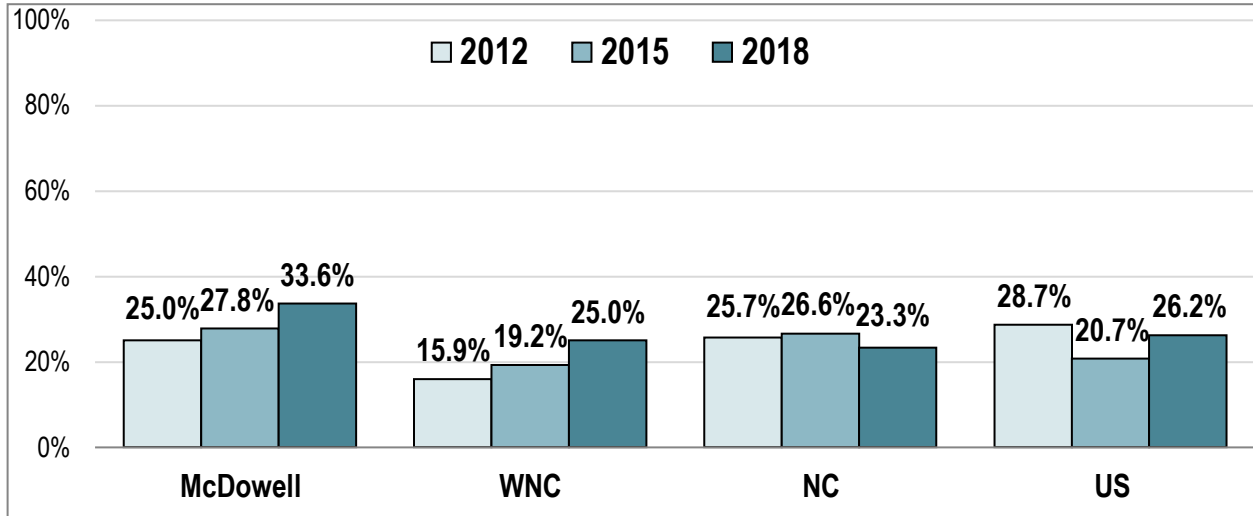


Source: ASU Survey



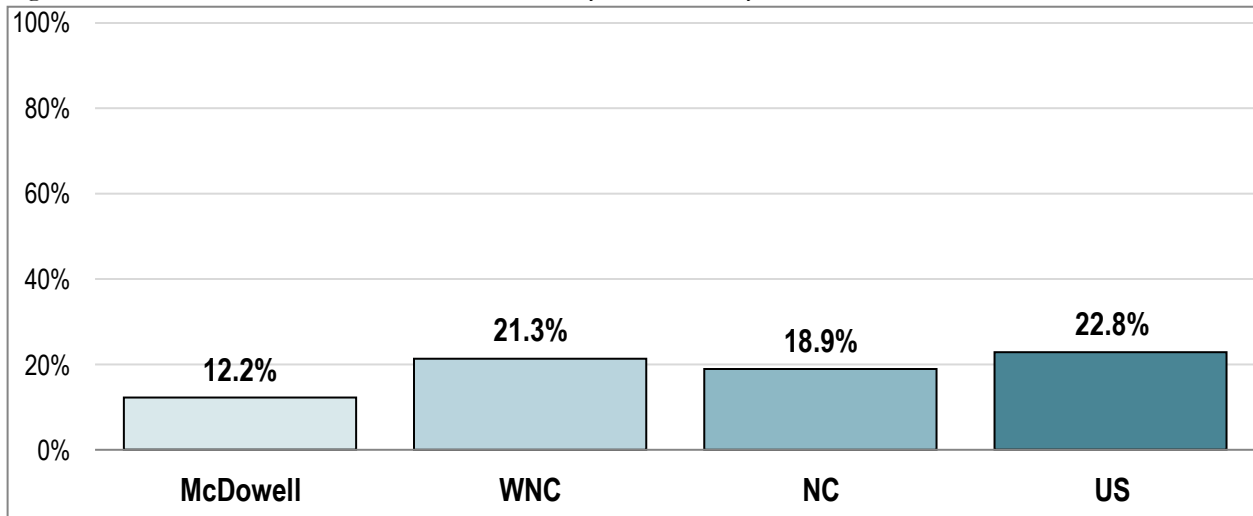
**Active Living: All community members have easy access to walking trails, playgrounds, bike lanes, sidewalks, and outdoor recreational opportunities**

Figure X. Percent of Adults who Reported No Leisure-Time Physical Activity in the Past Month.



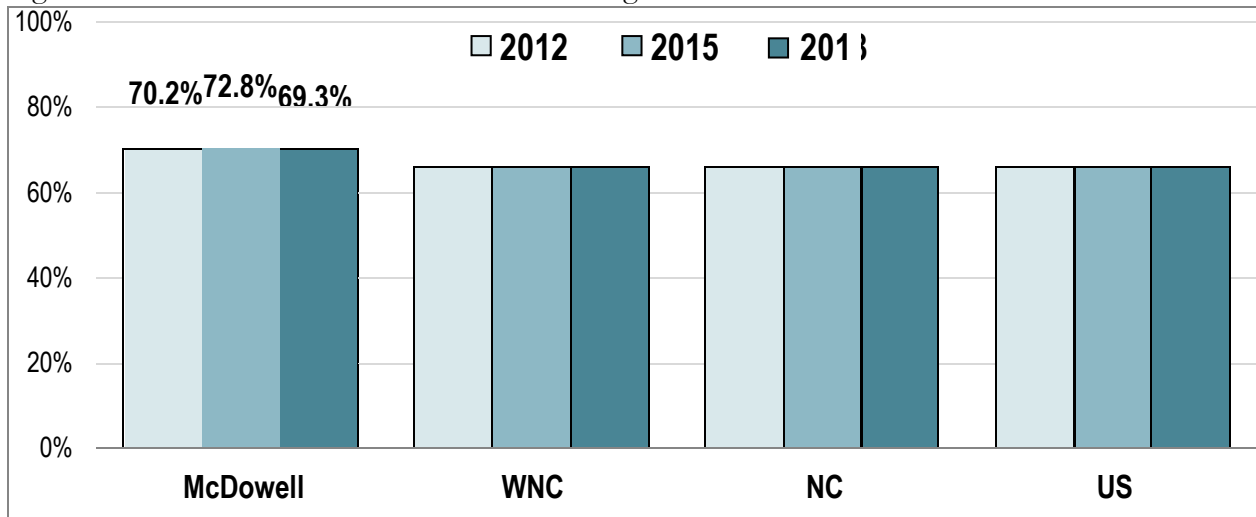
- Sources:
- 2018 PRC Community Health Survey, Professional Research Consultants, Inc. [Item 89]
  - Behavioral Risk Factor Surveillance System Survey Data. Atlanta, Georgia. United States Department of Health and Human Services, Centers for Disease Control and Prevention (CDC): 2016 North Carolinadata.
  - 2017 PRC National Health Survey, Professional Research Consultants, Inc.
  - US Department of Health and Human Services. Healthy People 2020. December 2010. <http://www.healthypeople.gov> [Objective PA-1]
- Notes:
- Asked of all respondents.

Figure X. Percent of Adults who Meet 2005 Physical Activity Guidelines.



- Sources:
- 2018 PRC Community Health Survey, Professional Research Consultants, Inc. [Item 152]
  - Behavioral Risk Factor Surveillance System Survey Data. Atlanta, Georgia. United States Department of Health and Human Services, Centers for Disease Control and Prevention (CDC): 2015 North Carolinadata.
  - 2017 PRC National Health Survey, Professional Research Consultants, Inc.
  - US Department of Health and Human Services. Healthy People 2020. December 2010. <http://www.healthypeople.gov> [Objective PA-2.4]
- Notes:
- Asked of all respondents.

Figure X. Percent of Adults Classified as Overweight or Obese Based.

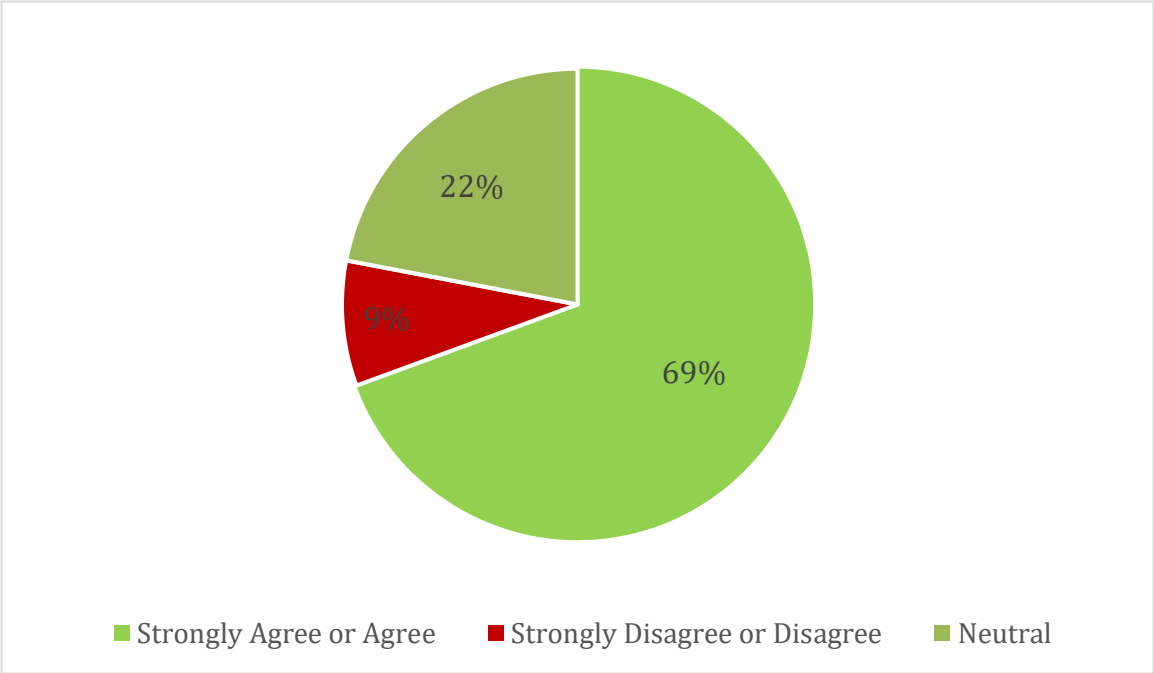


- Sources:
- 2018 PRC Community Health Survey, Professional Research Consultants, Inc. [Item 154]
  - Behavioral Risk Factor Surveillance System Survey Data. Atlanta, Georgia. United States Department of Health and Human Services, Centers for Disease Control and Prevention (CDC): 2016 North Carolinadata.
  - 2017 PRC National Health Survey, Professional Research Consultants, Inc.

- Notes:
- Based on reported heights and weights; asked of all respondents.
  - The definition of overweight is having a body mass index (BMI), a ratio of weight to height (kilograms divided by meters squared), greater than or equal to 25.0, regardless of gender. The definition for obesity is a BMI greater than or equal to 30.0.

**Public Safety: All residents feel safe and secure.**

Figure X. The Community is a Safe Place to Live.

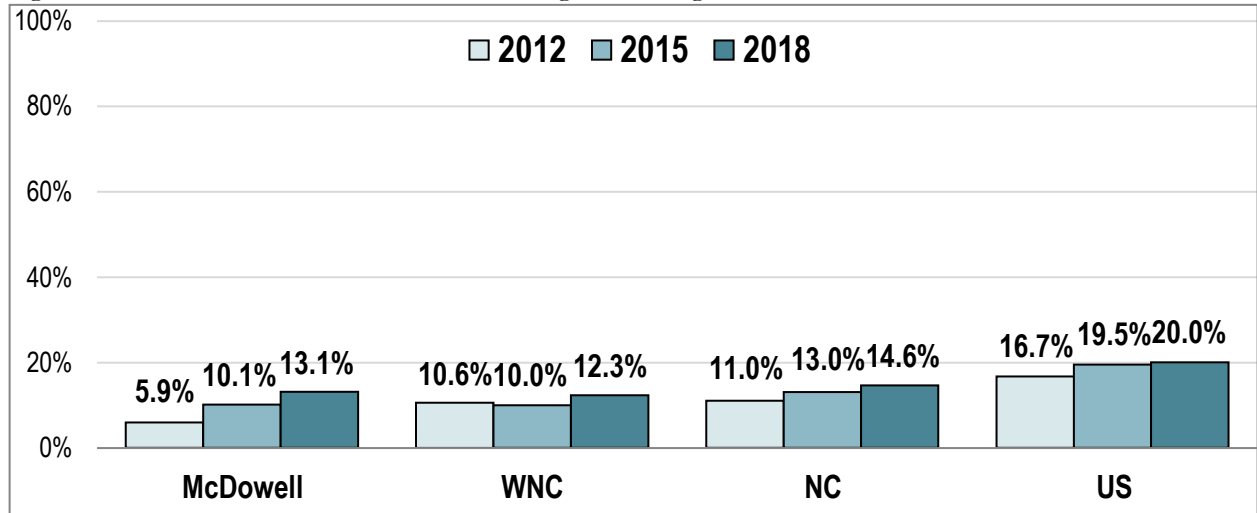


Source: ASU Survey

**Substance Use Disorder Individuals and families impacted by substance use disorder have support.**

- CHA: “drugs” listed as one of top 3 issues

Figure X. Percent of Adults Classified as Binge Drinking Alcohol.

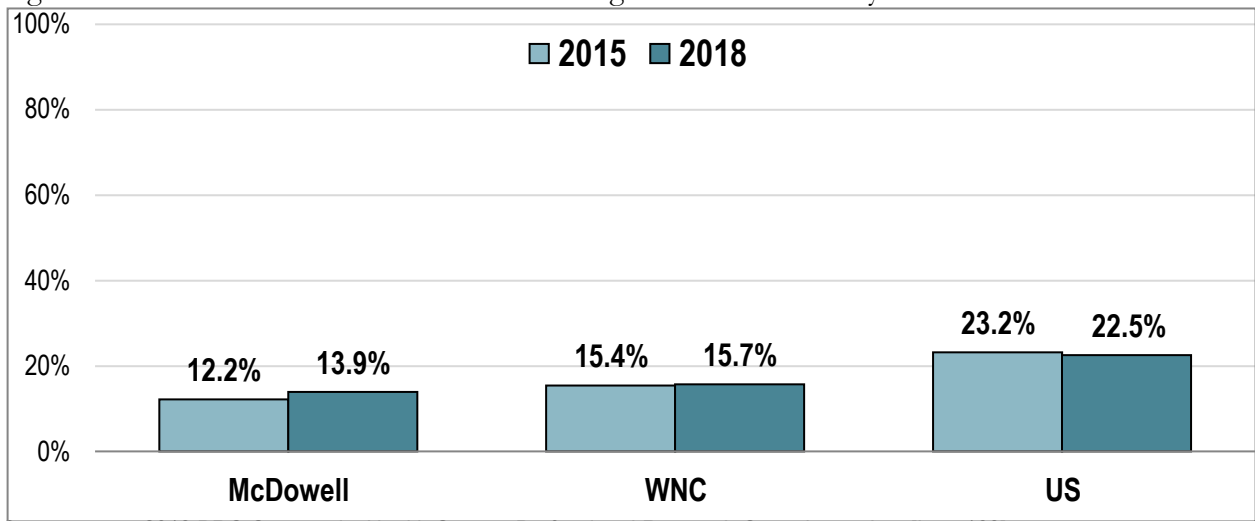


- Sources:
- 2018 PRC Community Health Survey, Professional Research Consultants, Inc. [Item 166]
  - 2017 PRC National Health Survey, Professional Research Consultants, Inc.
  - Behavioral Risk Factor Surveillance System Survey Data. Atlanta, Georgia. United States Department of Health and Human Services, Centers for Disease Control and Prevention (CDC): 2016 North Carolinadata.

- Notes:
- Asked of all respondents.
  - Binge drinkers are defined as men consuming 5+ alcoholic drinks on any one occasion in the past month or women consuming 4+ alcoholic drinks on any one occasion in the past month.
  - Previous survey data classified both men and women as binge drinkers if they had 5+ alcoholic drinks on one occasion in the past month.



Figure X. Percent of Adults Classified as Drinking Alcohol Excessively.



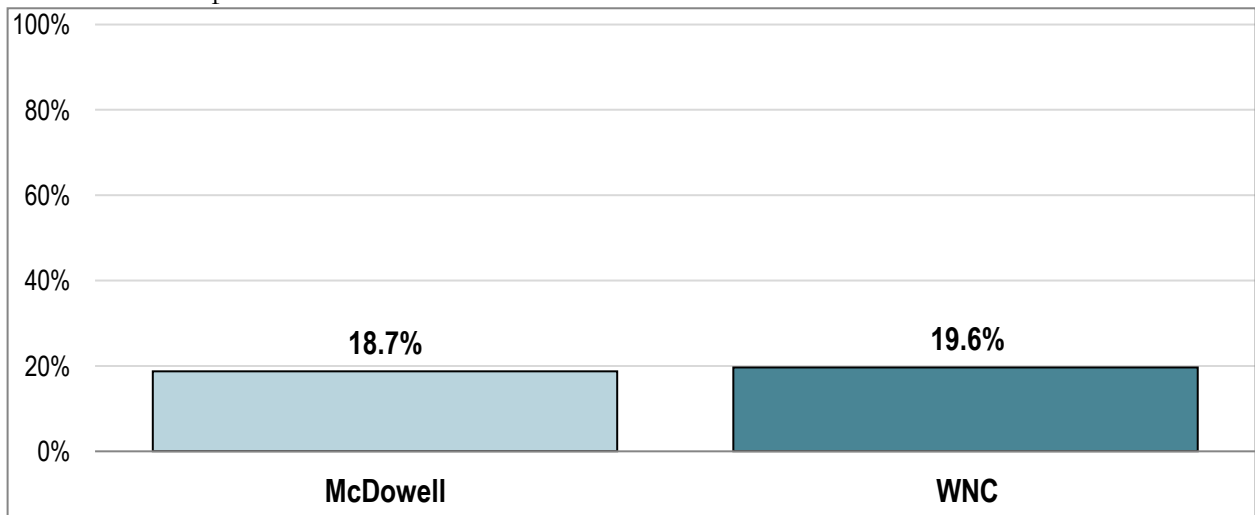
Sources: ● 2018 PRC Community Health Survey, Professional Research Consultants, Inc. [Item 168]

● 2017 PRC National Health Survey, Professional Research Consultants, Inc.

Notes: ● Asked of all respondents.

● Excessive drinking reflects the number of persons aged 18 years and over who drank more than two drinks per day on average (for men) or more than one drink per day on average (for women) OR who drank 5 or more drinks during a single occasion (for men) or 4 or more drinks during a single occasion (for women) during the past 30 days.

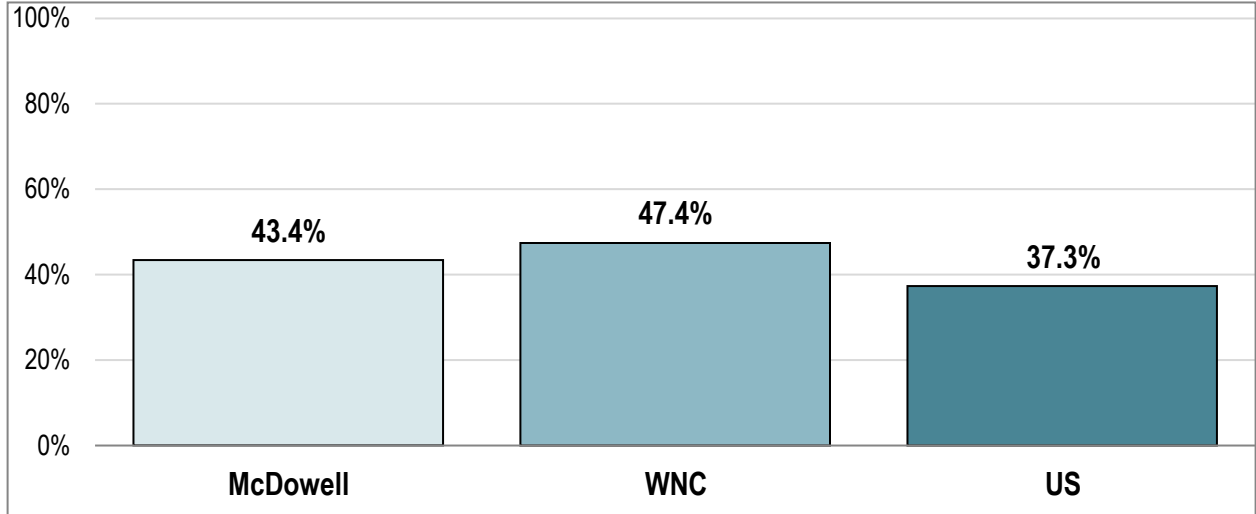
Figure X. Percent of Adults who Reported Using Opiates or Opioids in the Past Year, with or without a Prescription.



Sources: ● 2018 PRC Community Health Survey, Professional Research Consultants, Inc. [Item 316]

Notes: ● Asked of all respondents.

Figure X. Percent of Adults who Report their Life has Been Negatively Impacted by Substance Use (Self or Other)



Sources: 

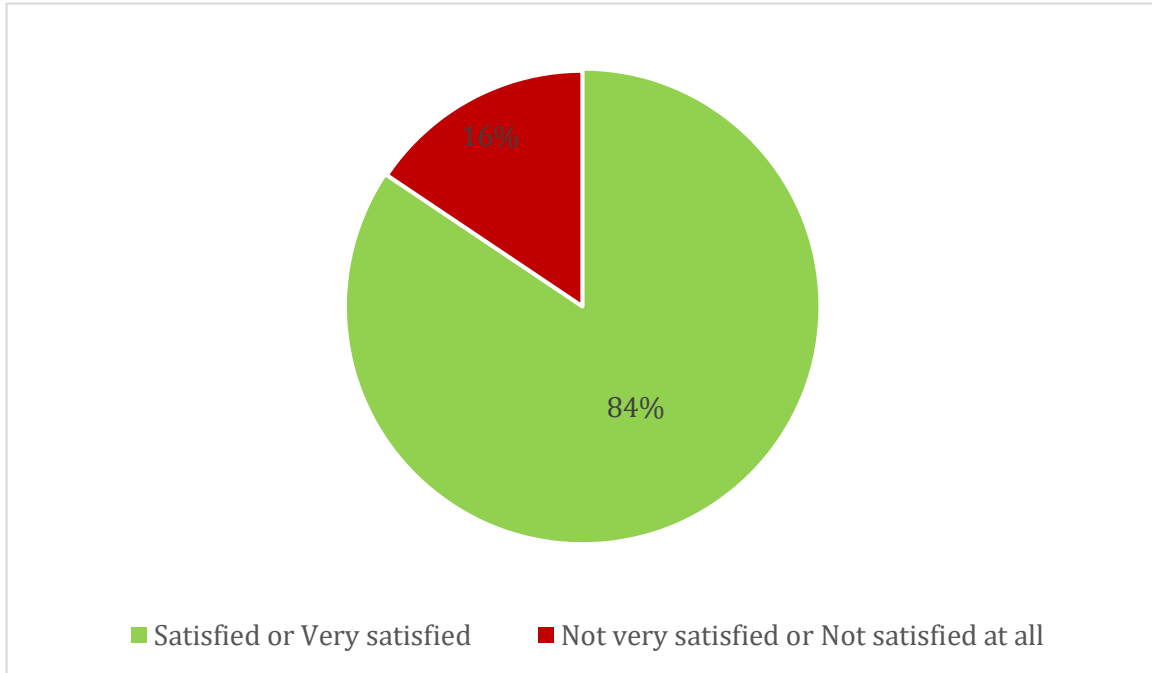
- 2018 PRC Community Health Survey, Professional Research Consultants, Inc. [Item 61]
- 2017 PRC National Health Survey, Professional Research Consultants, Inc.

Notes: 

- Asked of all respondents.

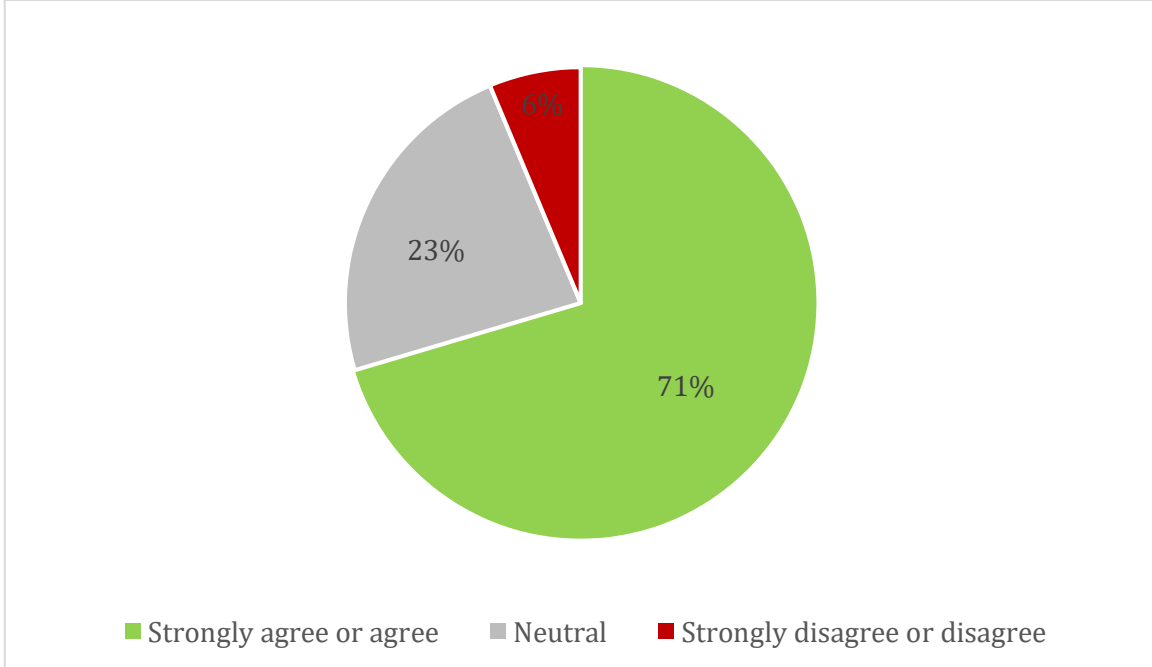
**Additional Community Characteristics and Opinions**

Figure X. Satisfaction with Quality of Life in the Community.



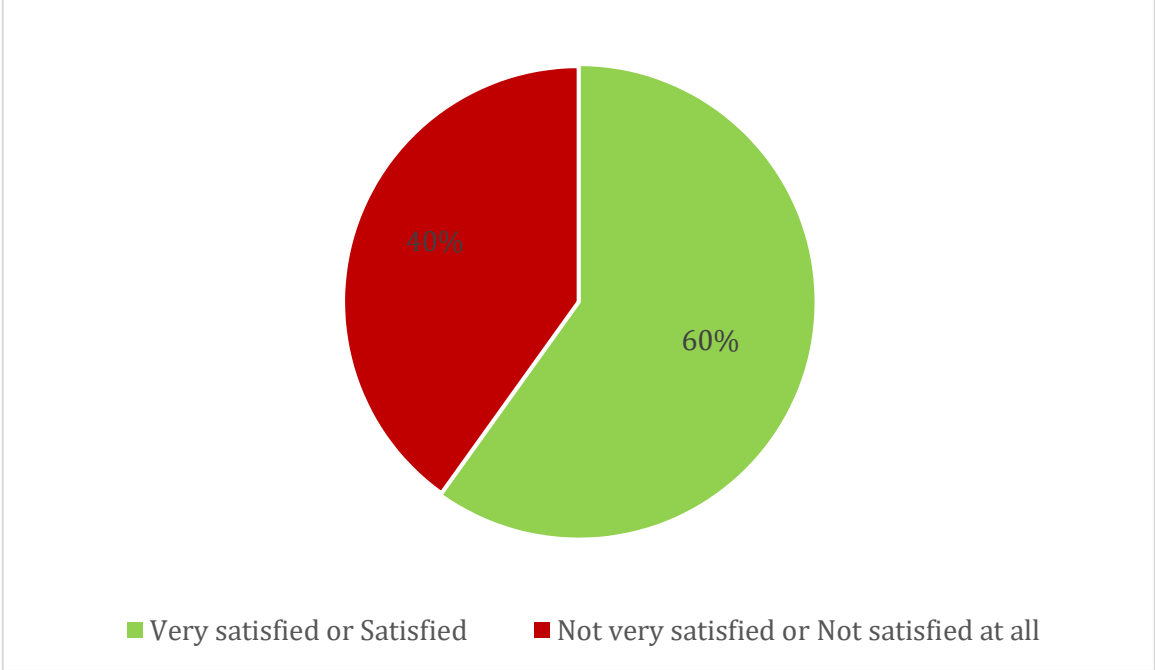
Source: ASU Survey

Figure X. “Generally speaking, you can trust the people and institutions in your community.”



Source: ASU Survey

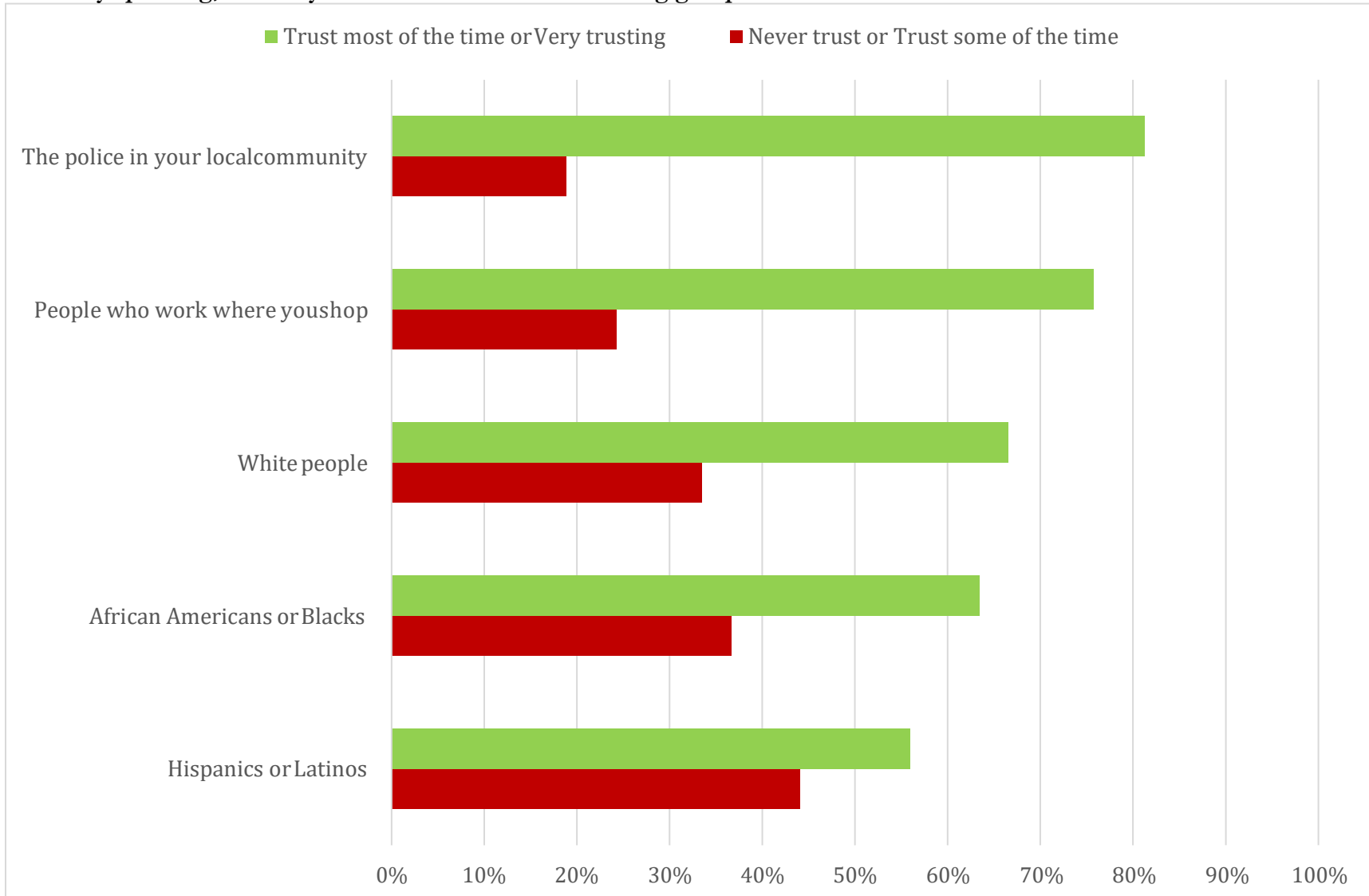
Figure X. Satisfaction with the Community Health Care System.



Source: ASU Survey

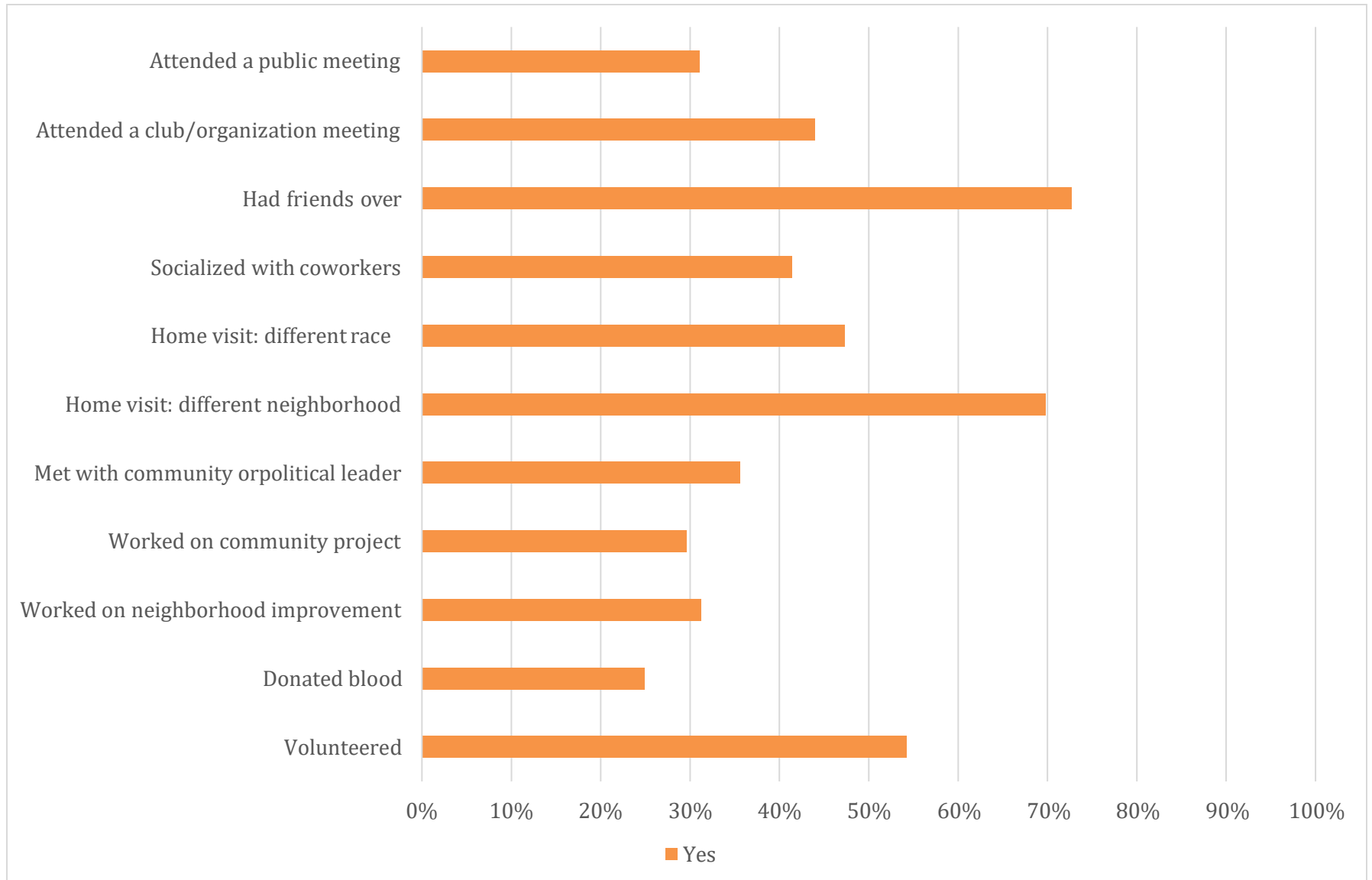


Generally speaking, what is your trust level with the following groups?

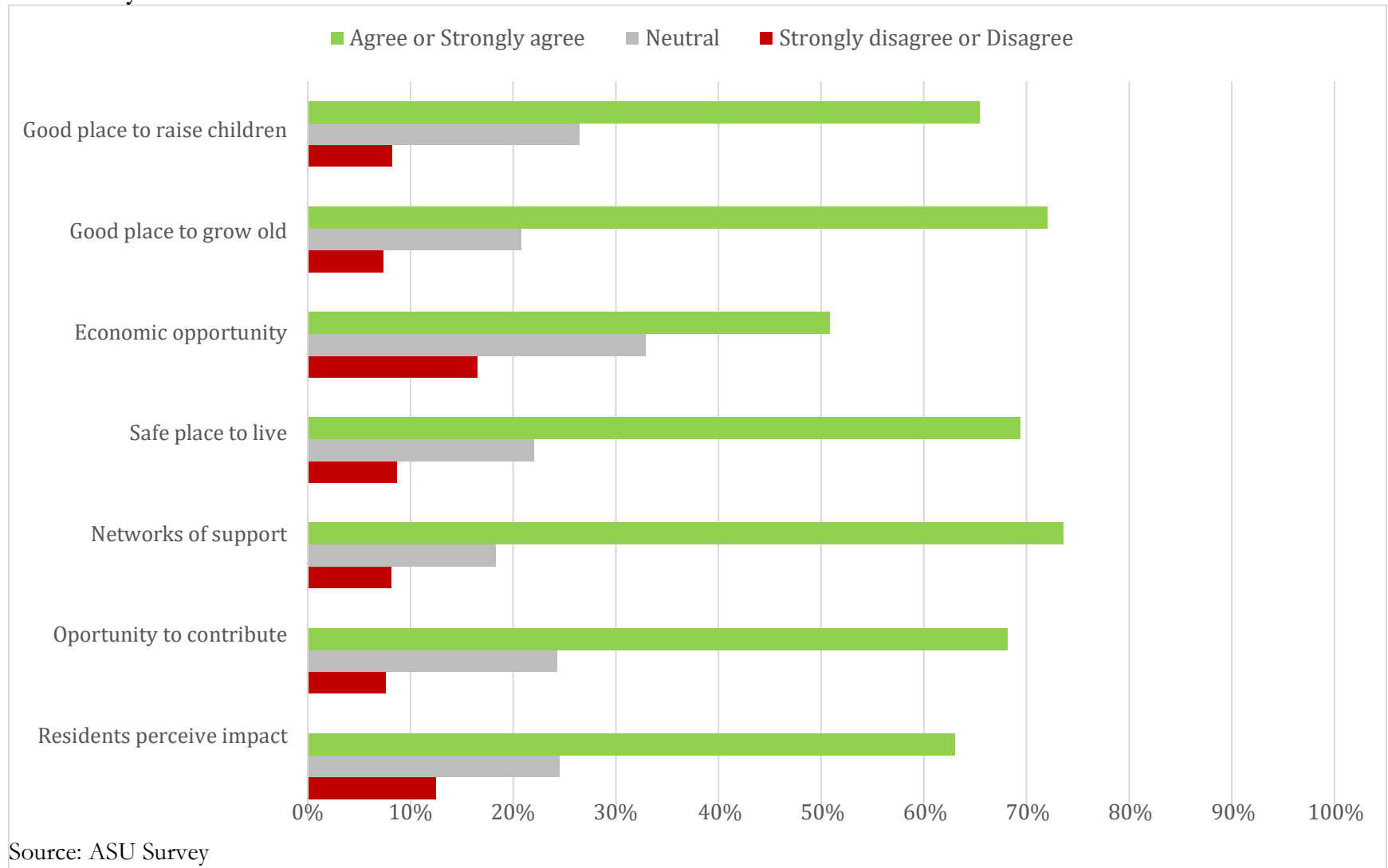


Source: ASU Survey

**In the past 12 months have you...**



### Community Attributes



## APPENDIX G: JOINT STATEMENT OF UNITY

West Marion Community Forum & Marion East Community Forum

In light of the events in Charlottesville, VA, we, the leaders of the West Marion and Marion East Community Forums stand against racism, bigotry, neo-Nazis, and white nationalism. We value and are committed to diversity, inclusivity, and respect for the integrity of all community members, regardless of race, ethnicity, class, sexual orientation, gender, disabilities, or religion. These principals of inclusion are fundamental to our forums, as we work towards a stronger and more unified McDowell County.

We encourage community members to take action in the following ways:

- Hold each other accountable and speak out against racism in all spheres: family, friends, jobs, businesses, schools, clubs, churches, and neighborhoods.
- Start a conversation in church to commit to being anti-racist and dismantling oppression.
- Go outside of your comfort zone – talk to your neighbors and build bridges with communities of color.
- We appreciate our initial set of community partners, listed below, who stand united and in strong agreement with this statement of unity and call to action.

Mayor Steve Little  
Mayor Pro Tem Billy Martin  
City Council Member Everett Clark  
City Council Member Lloyd Cuthbertson  
City Council Member Juanita Doggett  
City Council Member Don Ramsey  
City Manager Bob Boyette  
Police Chief Allen Lawrence, Marion Police  
Department  
Sheriff Dudley Greene, McDowell Sheriff's  
Office  
NAACP of McDowell County  
Spillway Bridge & Co.  
Democratic Executive Council  
Centro Unido Latino-Americano  
YMCA of Western North Carolina  
McDowell Health Coalition  
Editor/GM The McDowell News Scott  
Hollifield  
Sharon L. Parker, PA, Attorney at Law

McDowell Arts Council Association  
Donald Fred Coats, Attorney at Law  
Crooked Door Coffee House  
McDowell Chamber of Commerce  
McDowell School Board  
City Council Member Ann Harkey  
City Council Member Woody Ayers  
Terry & Stephanie Evans  
Kozy Kritters Inn & Doggie Daycare owners  
Susan & Rick Menard  
Ron & Marcia Sinclair  
Matthew and Elizabeth Suttles  
Thressa O'Neil  
Elizabeth House  
Law Offices of Christopher Houston  
Rumfelt, PLLC  
Cheryl Swofford  
Jacob Blair  
Reverend Jonathan Gaylord  
Gail Connelly

## APPENDIX H: QUOTES FROM SOCIAL MEDIA

We posted a question a day for 10 days to gather quotes related to the issue areas presented in this report. A total of 18 people responded across West Marion, Marion East, and Old Fort. Their direct quotes are shared below.

Share in 1 to 3 sentences why **housing** is important to the health and wellbeing of community members in McDowell County. What do you wish public officials could know or understand about challenges related to housing in your community?

- A warm, safe place to eat, sleep, bathe and recharge from daily routines is a critical element to mental, physical health. Organizing a structured, community involved program to rehab houses in our community should help with the shortage of decent houses. A house doesn't have to be 3 bed/2 bath to be a home.
- Individuals with Substance use disorder and mental health challenges have difficulty functioning in environments with high barriers as well as a lack of education on how to help with these issues. When people who do not have their basic needs meet, they have a hard time seeking employment, health care, and just general wellness. If we as a community expect to thrive, we must look at all social determinants.
- A suggestion for housing for those without a home or those starting over: Obtain property to start a community of little houses and build up a little community. There are many examples of this online and on YouTube. Allow the future owner to participate in the building of the home so that they can take pride in what they are doing, build self-esteem and confidence in their abilities and build up their determination to push through whatever issues they may be facing. If we had enough housing to go around that is affordable with responsible landlords, there could be less homeless people wandering the streets and/or loitering; which would help make others feel safer in their own neighborhoods. More mental health and substance use disorder services need to be more easily accessible to those needing the services; including education, learning new skills. Extending the hours for those services and making them more available after 5 pm would also help accessibility.
- The other side of the issue is that landlords have to repair the damage done by renters after they move out. Usually they move out because they won't pay the rent and leave a mess for the landlords to have to deal with. My dad and uncle rented small houses at very cheap rents back in the day and they ended up having to repair after every renter. We also rented these properties and had the same experience. We will never rent again to anybody for any reason. People today don't care about anything, won't take care of what they have, throw away possessions at any whim. I don't know how to train people to be responsible for what they have, but that is what needs to be done.
- The outrageous cost of rentals in the county is getting out of control. The wages in our county do not support rent costs that are so high. I understand the economics behind the rising costs is as simple as supply and demand, but surely there is something the county can do help the situation.
- I have, over the years, followed local politics. Many, many, many discussions have been had on this discussion. Luckily through the diligence of our local government, we have a viable solution. The grade A development property that (I believe) was the Drexel plant has been given to Marion and McDowell County. Through hard work, the clean-up is paid for and it



will be available to sell sometime next year. A sale (at a reduced price) of said property to a developer for affordable housing is a no brainer. It helps with a tax base. 200+ new affordable apartments would force other rentals down. Everyone wins.

- It has been recognized that poor housing and the lack of housing, has long term impacts on physical and mental well-being. The housing crisis in McDowell County is growing because of poor living conditions in some sections of the county. Public officials need to hold Landlords accountable to have safe homes for individuals and families, so they can build a better quality of life and gain greater independence. The health effects of poor housing affect vulnerable people especially older people and the young. I think community leaders need to engage communities to find a solution that will benefit long term changes in the lack of affordable housing which has become an increasing problem across our county.
- Quality housing especially affects the health and welfare of our elderly. Those who have lived in this community for many years are now seeing their homes falling into despair, simply because the COST of living and home maintenance continues to rise and paychecks, whether they are from a job, social security, retirement or disability, remain the same.

Share in 1 to 3 sentences why **transportation** is important to the health and wellbeing of community members in McDowell County. What do you wish public officials could know or understand about challenges related to transportation in your community?

- From what I see, public transportation is terribly underutilized. I work in a plant and -over 15 years- where I have seen employees use it TWICE. I guess a campaign to make the current services (both the DSS and West Marion led services) more well-known would be an improvement.
- Bike commuting can be made safer with designated bike lanes and signage.
- Challenges related to transportation include families living in remote areas that can't get to the public transportation spots or are subject to time constraints of public transportation coming to them. Any barrier limits access to healthcare facilities, healthy foods, healthy activities, work & school.
- Public transportation specifically is important for many folks to be able to better themselves by getting to work and being able to take care of their livelihoods, but it has to expand beyond city and town limits.

Share in 1 to 3 sentences why access to **affordable childcare** is important to the health and wellbeing of community members in McDowell County. What do you wish public officials could know or understand about challenges related to childcare in your community?

- Affordable child care is important to the healthcare and wellbeing of the caregivers by allowing a time of rest/respice. It is a crucial part of the mental health wellbeing of the caregiver first and then the child second. Not everyone in the community has access to the same services due to gaps in financial requirements and gaps in the financial aid requirements of those organizations offering the services. So some of us do without rest but desperately need it.

Share in 1 to 3 sentences why **food insecurity** is important to the health and wellbeing of community members in McDowell County. What do you wish public officials could know or understand about challenges related to Food Insecurity in your community?

- The amount of negative nutrition education in the United States, as the amount of money and the technical quality of advertising for nutrition education simply do not compare to the advertising for non-nutritious food, especially advertising targeted to children. It would be interesting to establish the order of magnitude of the difference. County officials need to pay more attention to the negative nutrition education that bombards families and children.
- Food insecurity means people aren't getting their nutritional needs met. Leads to poor health, chronic diseases. In the case of youth, poor educational achievement. We need to be able to meet basic needs of our community.
- I'm in Nebo and for me food insecurity isn't just the expense of food it's getting to it. Lack of transportation is as large an impediment as any other I face in getting proper nutrition.
- Some people are lacking food and nutrition help due to how they may or may not qualify and that isn't just income based.

Share in 1 to 3 sentences why **active living** is important to the health and wellbeing of community members in McDowell County. What do you wish public officials could know or understand about challenges related to Active Living in your community?

- Being active with others in all aspects of indoor and outdoor recreational areas have been proven by many studies to be an important part of the overall health of typical lives of those with and without disabilities. It isn't right to leave out a whole community of disabled people, visible or unseen disabilities, handicaps, special needs, different abilities, Grandparent caregivers, Veterans, senior citizens, etc; even if just one. None of the parks in McDowell County are handicapped accessible, nor do they contain all-inclusive, safe equipment. Not everyone can lift their feet 4-6+ inches off the ground to get into a log-framed sandbox. Most children, even without sensitivities issues will not play in sandboxes that contain bees that burrow in the sand and hover continuously over the sanded areas. Not everyone has a powered wheelchair to motivate across mulched, sanded, uneven areas. Some only have canes, walkers with small wheels, etc. Use of these devices in these areas cause some certain amounts of pain, even suffering just to ambulate in or out of an area, much less to try and use the equipment.

Children with disabilities are even separated in play outside from their typical peers because of mobility issues, sensory issues, and lack of inclusive equipment; true inclusive equipment. There is none all-inclusive play equipment at any school or park that allows for play alongside typical peers. This does not mean having one item like a tic-tac-toe board and calling it good. Some schools even have the children with disabilities playing in gravel or rocked areas because they have no equipment or accommodations while their typical peers play on the swingsets and climbing equipment, etc. in other, separated areas. How would that make you feel?

The parks are all unsafe for children/adults that have a tendency to wander because of lack of fencing and fencing with safety mechanisms. The public swimming pool at the recreational department lacks safe, inclusive accommodations for handicapped/disabled residents; no safe entry into or out of the pool, such as a declining pool entrance to walk into the pool safely, no lifts for disabled, no area for smaller children to play safely; not everyone can afford the YMCA or fit into their financial aid requirements so these residents are left out of public access to public areas. I believe there is a federal law against that. There are no safe walking areas outside of Main Street. There are no safe biking areas on the roadways, even in city limits. Children/adults who walk to school are forced to walk on the roads that are unsafe without proper walkways and access to safe crosswalks.

- Active living is so important to one's physical health obviously but it is also an important component to mental health. Having access to a place to walk, even in the winter, does wonders for one's soul and body. One of the biggest challenges is having a safe well lit area to walk in the evenings in Old Fort, especially now that time has changed. Even walking through town has its problems as you have to cross the streets in areas that may or may not be marked well. Would love to have a Greenway in this area.

Share in 1 to 3 sentences why **youth engagement** is important to the health and wellbeing of community members in McDowell County. What do you wish public officials could know or understand about challenges related to youth engagement in your community?

- Our youth are our future. As fellow community members, they should be able to have a voice about what concerns them in our community; without taint, without judgment, without being scared to come forward and have an opinion, without retaliation or being ostracized. The Forum is here in our community, but getting the youth that live here to come and participate is another issue in itself. Projects, change, support cannot happen if they aren't engaged.
- Youth engagement is critical for developing leaders for our future. As communities grow more diverse public officials need to make sure that all youth are connected, supported and empowered to ensure their success with every opportunity that is represented to them. Young people who are engaged in community work are more likely to finish school and less likely to engage in risky delinquent behavior. When young people are engaged in community projects they develop a strong sense of pride and ownership of their local public places and communities .
- It may be cliché but the youth is our future! If we want our communities to thrive we have to involve our youth in decision making. If they have ownership and are invested in what's going on they will be more apt to return home after college which will not only strengthen the community but the economy.
- Youth engagement should be at the heart of what all the forums work towards. After all, we are investing in the present to make sure our future has a community. The challenges for youth engagement in Old Fort are very simple. There is nothing for them to do here. At all. We need to somehow create and foster volunteer opportunities within the Old Fort community to engage our youth.

Share in 1 to 3 sentences what you wish public officials could know or understand about challenges related to **Substance Use Disorder** in your community.

- Coming from my background in the school system: Substance use disorder affects an entire family. Many issues that children face in school come from the issues that they are bringing with them from home. Public officials, especially those that are responsible for funding public schools, need to realize that until the physical and psychological needs of children are met and taken care of, their teachers cannot teach them. When a child is worrying whether mom or dad will be okay while they are at school, there is no room in his or her brain to learn academics. We have to fund positions in schools that will help teachers meet those needs of children affected by substance abuse disorder.

Share in 1 to 3 sentences why strengthening the **local economy** is important to the health and wellbeing of community members in McDowell County. What do you wish public officials could know or understand about challenges related to strengthening the local economy in your community?

- Strengthening the local economy brings in new businesses and access to needed resources to improve our communities.

Share in 1 to 3 sentences why **public safety** is important to the health and wellbeing of community members in McDowell County. What do you wish public officials could know or understand about challenges related to public safety in your community?

- Handicapped Accessibility is vital in all our communities and is a public safety issue overall. It provides safe access to wellness, healthy living, social skills, transportation, safe public access to all facilities, access to being able to participate actively and safely as an important member of our communities.

Share in 1 to 3 sentences why **food and farming** is important to the economic health of community members in McDowell County.

- The culture of this town was built in textiles and agriculture. Some of the richest farmland I know of is in the area surrounding Old Fort. With the Catawba River originating here in the area surrounding Old Fort as well, we need to teach our youth how to “live off the land”. Supporting the economic health of our community is most definitely important as we establish farm to table partnerships, but this is tied more closely to the physical health of our community as we consume food grown here, not preserved with chemicals that are meant to give products a long shelf life. In addition to farming, I’d love to see youth learning the importance of canning and preserving the way our grandparents did (my daughter knows)

**APPENDIX I: MARION CITY CODE**

**ORDINANCE  
AMENDING CHAPTER 4 BUILDING AND BUILDING REGULATIONS**

**BE IT ORDAINED** by the City Council of the City of Marion, North Carolina as follows:

Section 1. That Chapter 4 Building and Building Regulations, of the Code of Ordinances, City of Marion, North Carolina, is amended as follows:

Section 2. Chapter 4 Building and Building Regulations, Article VI. *Dwellings Unfit for Human Habitation and Abandoned Structures* is amended in its entirety as follows:

**ARTICLE VI.  
MINIMUM HOUSING**

**DIVISION 1.  
GENERALLY**

**Sec. 4-125 Definitions.**

The following definitions shall apply in the interpretation and enforcement of this chapter.

*Basement* shall mean a portion of a building which is located partly underground, having direct access to light and air from windows located above the level of the adjoining ground.

*Board* shall mean the board of adjustment.

*Cellar* shall mean a portion of a building located partly or wholly underground having an inadequate access to light and air from windows located partly or wholly below the level of the adjoining ground.

*Deteriorated* shall mean that a dwelling is unfit for human habitation and can be repaired, altered, or improved to comply with all of the minimum standards established by this article, at a cost not in excess of 50 percent of its value, as determined by finding of the inspector.

*Dilapidated* shall mean that a dwelling is unfit for human habitation and cannot be repaired, altered or improved to comply with all of the minimum standards established by this chapter, at a cost not in excess of 50 percent of its value, as determined by finding of the inspector.

*Dwelling* shall mean any building which is wholly or partly used or intended to be used for living or sleeping by human occupants; provided that temporary housing as hereinafter defined shall not be regarded as a dwelling.

*Dwelling unit* shall mean any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.

*Extermination* shall mean the control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poisoning, spraying, fumigating, trapping or by any other recognized and legal pest elimination methods approved by the inspector.



*Garbage* shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food.

*Habitable room* shall mean a room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, water closet compartments, laundries, heater rooms, foyers or communicating corridors, closets and storage spaces.

*Infestation* shall mean the presence, within or around a dwelling, of any insects, rodents or other pests in such number as to constitute a menace to the health, safety or welfare of the occupants or to the public.

*Meaning of certain words.* Whenever the words "dwelling, dwelling unit, roominghouse, rooming unit, premises" are used in this chapter, they shall be construed as though they were followed by the words "or any part hereof."

*Multiple dwelling* shall mean any dwelling containing more than two dwelling units.

*Occupant* shall mean any person over one year of age, living, sleeping, cooking or eating in, or having actual possession of a dwelling unit or rooming unit.

*Operator* shall mean any person who has charge, care or control of a building or part thereof, in which dwelling units or rooming units are let.

*Owner* shall mean any person who alone, or jointly, or severally with others:

- (1) Shall have title to any dwelling or dwelling unit, with or without accompanying actual possession thereof; or
- (2) Shall have charge, care or control of any dwelling or dwelling unit, as owner or agent of the owner, or as executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this chapter, and of rules and regulations adopted pursuant to the provisions of this chapter to the same extent as if he were the owner.

*Plumbing* shall mean and include all of the following supplied facilities and equipment: gas pipes, gas burning equipment, water pipes, mechanical garbage disposal units (mechanical sink grinders), waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents and any other similar supplied fixtures, together with all connections to a water, sewer or gas line.

*Public authority* shall mean the minimum housing inspector.

*Rooming unit* shall mean any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.

*Roominghouse* shall mean any dwelling, or that part of any dwelling containing one or more rooming units, in which space is let by the owner or operator to three or more persons who are not husband and wife, son or daughter, mother or father or sister or brother of the owner or operator.

*Rubbish* shall mean combustible and noncombustible waste materials, except garbage and ashes, and the term shall include paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, and dust.

*Supplied* shall mean paid for, furnished, or provided by, or under the control of, the owner or operator.

*Temporary housing* shall mean any tent, trailer or other structure used for human shelter which is designed to be transportable and which is not attached to the ground, to another structure, or to any utilities system on the same premises for more than 30 consecutive days.

*Unfit for human habitation* shall mean that conditions exist in a dwelling which violate or do not comply with one or more of the minimum standards of fitness or one or more of the requirements established by this chapter.

**State Law reference**— Similar provisions, G.S. 160A-442.

**Sec. 4-126. Findings; purpose.**

- (a) It is hereby found and declared that there exist in this city dwelling units which are unfit for human habitation due to deterioration, dilapidation, defects increasing the hazards of fire, accidents and other calamities, lack of ventilation, light and sanitary facilities, and due to other conditions rendering such dwellings unsafe or unsanitary, and dangerous and detrimental to the health, safety and morals, and otherwise inimical to the welfare of the residents of the city.
- (b) In order to protect the health, safety and welfare of the residents of the city this chapter hereby establishes and provides for administration of minimum standards of fitness for the initial and continued occupancy of all buildings used for human habitation.

**State Law reference**— Exercise of police power authorized, G.S. 160A-441.

**Sec. 4-127. Responsibilities of owners and occupants.**

- (a) *Public areas.* Every owner of a dwelling containing two or more dwelling units shall be responsible for maintaining in a clean and sanitary condition the shared or public areas of the dwelling and premises thereof.
- (b) *Cleanliness.* Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit, and premises thereof which he occupies and controls.
- (c) *Rubbish and garbage.* Every occupant of a dwelling or dwelling unit shall dispose of all his rubbish and garbage in a clean and sanitary manner by placing it in the supplied storage facilities. In all cases the owner shall be responsible for the availability of rubbish and garbage storage facilities.
- (d) *Supplied plumbing fixtures.* Every occupant of a dwelling unit shall keep all supplied plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation of same.
- (e) *Care of facilities, equipment, and structure.* No occupant shall willfully destroy, deface, or impair any of the facilities or equipment, or any part of the structure of a dwelling or dwelling unit.

**Sec. 4-128. Conflict with other provisions.**

If any provision, standard, or requirement of this chapter is found to be in conflict with any provision of any other ordinance or code of the city, the provision which establishes the higher standard or more stringent requirement for the promotion and protection of the health and safety of the residents of the city shall prevail.

**Sec. 4-129. Violations; penalty.**

- (a) No owner of any dwelling or dwelling unit shall fail, neglect, or refuse to repair, alter, or improve the same, or to vacate and close and remove or demolish the same, upon order of the building

inspector duly made and served as provided in this chapter, within the time specified in the order, and each day that the failure, neglect, or refusal to comply with the order continues shall constitute a separate and distinct offense. No owner of any dwelling or dwelling unit, with respect to which an order has been issued pursuant to section 4-207 to occupy or permit the occupancy of the same after the time prescribed in such order for its repair, alteration or improvement or its vacation and closing, and each day that such occupancy continues after such prescribed time shall constitute a separate and distinct offense.

- (b) The violation of any provision of this article shall constitute a Class 1 misdemeanor, as provided by G.S. 14-4.

**Secs. 4-130—4-150. Reserved.**

## **DIVISION 2. MINIMUM STANDARDS**

**State Law reference—** Minimum housing standards, G.S. 160A-441 et seq.

### **Sec. 4-151. Fitness for dwellings and dwelling units.**

- (a) Every dwelling and unit used as a human habitation, or held out for use as a human habitation, shall comply with all of the minimum standards of fitness for human habitation and all of the requirements of the Marion City Code.
- (b) No person shall occupy as owner-occupant, or let to another for occupancy or use as a human habitation, any dwelling or dwelling unit which does not comply with all of the minimum standards of fitness for human habitation and all of the requirements of this chapter.

**State Law reference—** Permits generally, G.S. 160A-417 et seq.

### **Sec. 4-152. Space use and location.**

*Room sizes.* Every dwelling unit shall contain at least the minimum room size in each habitable room as required by the state residential building code.

### **Sec. 4-153. Structural condition.**

- (a) Walls or partitions or supporting members, sills, joists, rafters or other structural members shall not list, lean or buckle, and shall not be rotted, deteriorated, or damaged, and shall not have holes or cracks which might admit rodents.
- (b) Floors and roofs shall have adequate supporting members and strength to be reasonably safe for the purpose used.
- (c) Foundations, foundation walls, piers or other foundation supports shall not be deteriorated or damaged.
- (d) Steps, stairs, landings, porches, or other parts or appurtenances shall be maintained in such condition that they will not fail or collapse.
- (e) Adequate facilities for egress in case of fire or panic shall be provided.
- (f) Interior walls and ceilings of all rooms, closets and hallways shall be finished of suitable materials, which will, by use of reasonable household methods, promote sanitation and cleanliness, and shall be maintained in such a manner so as to enable the occupants to maintain reasonable privacy between various spaces.

- (g) The roof, flashings, exterior walls, basement walls, floors, and all doors and windows exposed to the weather shall be constructed and maintained so as to be weathertight and watertight.
- (h) There shall be no chimneys or parts thereof which are defective, deteriorated or in danger of falling, or in such condition or location as to constitute a fire hazard.
- (i) There shall be no use of the ground for floors, or wood floors on the ground.

**Sec. 4-154. Safe and sanitary maintenance.**

- (a) *Exterior foundation, walls, and roofs.* Every foundation wall, exterior wall, and exterior roof shall be substantially weathertight and rodentproof; shall be kept in sound condition and good repair; shall be capable of affording privacy; and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon. Every exterior wall shall be protected with paint or other protective covering to prevent the entrance or penetration of moisture or the weather.
- (b) *Interior floor, walls, and ceilings.* Every floor, interior wall, and ceiling shall be substantially rodentproof; shall be kept in sound condition and good repair; and shall be safe to use and capable of supporting the load which normal use may cause to be placed thereon.
- (c) *Windows and doors.* Every window, exterior door, basement or cellar door, and hatchway shall be substantially weathertight, watertight, and rodentproof; and shall be kept in sound working condition and good repair.
- (d) *Stairs, porches, and appurtenances.* Every inside and outside stair, porch, and any appurtenance thereto shall be safe to use and capable of supporting the load that normal use may cause to be placed thereon, and shall be kept in sound condition and good repair.
- (e) *Bathroom floors.* Every bathroom floor surface and water closet compartment floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.
- (f) *Supplied facilities.* Every supplied facility, piece of equipment, or utility which is required under this article shall be so constructed or installed that it will function safely and effectively, and shall be maintained in satisfactory working condition.
- (i) *Egress.* Every dwelling unit shall be provided with adequate means of egress as required by the city's building code.

**Sec. 4-155. Plumbing systems.**

- (a) Each dwelling unit shall be connected to a potable water supply and to the public sewer or other approved sewage disposal system.
- (b) Each dwelling unit shall contain not less than a kitchen sink, lavatory, tub or shower, water closet, and adequate supply of both cold water and hot water. All water shall be supplied through an approved pipe distribution system connected to a potable water supply.
- (c) All plumbing fixtures shall meet the standards of the city's plumbing code and shall be maintained in a state of good repair and in good working order.
- (d) All required plumbing fixtures shall be located within the dwelling unit and be accessible to the occupants of same. The water closet and tub or shower shall be located in a room or rooms affording privacy to the user.

**Sec. 4-156. Heating systems.**

Every dwelling and dwelling unit leased as rental property shall have facilities for providing heat in accordance with either subsection (1) or (2) of this section.

- (1) *Central and electric heating systems.* Every dwelling unit shall have a central or electric heating system or sufficient chimneys, flues, or gas vents, with heating appliances connected and shall be of sufficient capacity so as to heat at least one habitable room, excluding kitchen, in every unit to which it is connected with a minimum temperature of 68 degrees Fahrenheit measured at a point three feet above the floor with an outside temperature of 20 degrees Fahrenheit.
- (2) *Other heating facilities.* Portable kerosene heaters are not acceptable as a permanent source of heat as required by subsection (1) of this section but may be used as a supplementary source in single family dwellings and duplex units. An owner who has complied with subsection (1) shall not be held in violation of this section where the occupant of a dwelling uses a kerosene heater as a primary source of heat.

**Sec. 4-157. Electrical systems.**

- (a) The minimum capacity of the service supply and the main disconnect switch shall be sufficient to adequately carry the load required in accordance with the state electrical code.
- (b) Every dwelling and dwelling unit shall be wired for electric lights and convenience receptacles. Every habitable room shall contain at least two floor or wall-type electric convenience receptacles, connected in such manner as determined by the state electrical code. There shall be installed in every bathroom, water closet room, laundry room and furnace room at least one supplied ceiling, or wall-type electric light fixture. If wall or ceiling light fixtures are not provided in any habitable room, then each such habitable room shall contain at least three floor or wall-type electric convenience
- (c) All fixtures, receptacles, equipment and wiring shall be maintained in a state of good repair, safe, capable of being used, and installed in accordance with the state electrical code.
- (d) No extension cords shall be spliced or used as fixed wiring of a dwelling. Electrical odor, flickering lights, visibility frayed wiring, broken switch plates or outlets or failure of circuit-tester check shall be evidence of an unsafe electrical system.

**Sec. 4-158. Control of insects, rodents, and infestations.**

- (c) *Extermination.* Every occupant of a dwelling containing a single dwelling unit shall be responsible for the extermination of any insects, rodents, or other pests therein or on the premises; and every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for such extermination whenever his dwelling unit is the only one infested. Whenever infestation is caused by failure of the owner to maintain a dwelling in a rodentproof and reasonably insectproof condition, extermination shall be the responsibility of the owner. Whenever infestation exists in two or more of the dwelling units in any dwelling or in the shared or public parts of any dwelling containing two or more dwelling units, extermination shall be the responsibility of the owner.
- (d) *Rubbish storage and disposal.* Every dwelling and every dwelling unit shall be supplied with approved containers and covers for storage of rubbish as required by city ordinances, and the owner,



operator or agent in control of such dwelling or dwelling unit shall be responsible for the removal of rubbish.

**Secs. 4-159—4-175. Reserved.**

**DIVISION 3.  
DWELLINGS UNFIT FOR HUMAN HABITATION AND ABANDONED  
STRUCTURES**

**Section 4-176. Unsafe Conditions**

- (a) The building inspector shall determine that a dwelling is unsafe and represents a threat to life and property, if any of the following conditions exist:
- (1) No operating heating facilities that would maintain a minimum room temperature of 68 degrees at a point three feet from the floor in all habitable rooms.
  - (2) No potable water supply.
  - (3) No hot water supply.
  - (4) No electricity.
  - (5) Presence of overloaded, non-isolated electrical circuits, or unsafe or exposed electrical wiring.
  - (6) Lack of properly functioning sanitary facilities.
  - (7) The presence of raw sewage or open sewer inside the dwelling, whether from broken or plugged fixtures or pipes inside the dwelling, or migrating into the dwelling from the outside, or the presence of inadequate ventilation of sewer systems.
  - (8) Presence of unsafe structural conditions:
    - a. Foundations, foundation walls, piers or other foundation supports; exterior walls, interior structural walls, joists, rafters, sills, floors, and other structural members which are not capable of supporting the load which normal use would cause to be placed thereon;
    - b. Roofs, flashing, exterior walls, basement walls, foundation walls, floors, hatchways, windows, which are not maintained so as to be in good condition;
    - c. The ground used as a floor or any wood floors that are placed on the ground;
    - d. Outside or inside stairs, steps, porches, landings and other parts or appurtenances which are in such condition as may increase the hazards of collapse, tripping, falling, rodent or pest infestation, fire or otherwise endanger the health or safety of the occupants, including broken windows; or
    - e. Lack of exterior doors or exterior doors that lack deadbolt lock and deadlatch having the ability to retract by a single action.

- (9) Presence of uncontained flammable or combustible liquids or gases, poisonous solids, liquids or gases that threaten life or health and that are the property of the owner.
  - (10) Missing portion of roof or ceiling which allows drafts, severe bulging, or large amounts of loose or falling surface materials such as plaster.
  - (11) Chimneys and other heating systems that do not meet minimum standards.
  - (12) The building is a physical threat due to the immediate possibility of collapse.
  - (13) The primary means of exit in the event of emergency is structurally unsafe.
  - (14) Interior wall sheathing or sheeting that is not present or has been removed causing diminished protection from the spread of fire from story to story or from habitable spaces to bedrooms.
  - (15) Insulations and weatherproofing which did not meet the state building code at the time of construction or is not properly maintained.
- (b) Every dwelling shall be provided with an approved smoke detector on each level of the dwelling and in all stairwells, hallways, and other common areas of multiple unit dwellings. Dwellings that utilize gas shall also be provided with a carbon monoxide detector. Detectors shall be installed in accordance with the manufacturer's recommendations and listing and when activated shall provide an audible alarm. The detector shall be listed in accordance with Underwriters Laboratories Listing 217 ("Single and Multiple Station Smoke Detectors"). Safety standards for detectors recommend that these should be tested on an annual basis at a minimum.

**Secs. 4-177—4-200. Reserved.**

#### **DIVISION 4.**

##### **ADMINISTRATION AND ENFORCEMENT**

**State Law reference—** Administrative search and inspection warrant, G.S. 15-27.2; building inspection, G.S. 160A-411 et seq.; police power authorized, G.S. 160A-441.

**Sec. 4-201. Board of adjustment.**

The board of adjustment as established by Article XII of the Zoning Ordinance (Chapter 21 of Marion's Code of Ordinances) shall hear appeals of decisions and orders of the building inspector.

**Sec. 4-202. Duties of inspector.**

The building inspector is hereby designated as the officer to enforce the provisions of this chapter and to exercise the duties and powers prescribed by the provisions of this chapter. Such inspector shall:

- (1) Investigate the dwelling conditions, and inspect dwellings and dwelling units, located in the city, in order to determine if such dwellings and dwelling units are unfit for human habitation, and for the purpose of carrying out the objectives of this chapter with respect to such dwellings and dwelling units;
- (2) Take such action, together with other appropriate departments and agencies, public and private, as may be necessary to effect rehabilitation of housing which is deteriorated;
- (3) Keep a record of the results of inspections made under this chapter and an inventory of those dwellings that do not meet the minimum standards of fitness prescribed by this chapter; and

- (4) To perform such other duties as may be prescribed by the provisions of this chapter.

**State Law reference**— Officer to be designated, G.S. 160A-443(1).

**Sec. 4-203. Powers of inspector.**

The inspector is authorized to exercise such powers as may be necessary or convenient to carry out and effectuate the purpose and provisions of this chapter, including the following powers in addition to others granted by the provisions of this chapter:

- (1) To investigate the dwelling conditions in the city in order to determine which dwellings therein are unfit for human habitation;
- (2) To administer oaths and affirmations, examine witnesses and receive evidence;
- (3) To enter upon premises for the purpose of making examinations and inspections; provided, such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession; and
- (4) To appoint and fix the duties of such officers, agents, and employees as he deems necessary to carry out the purposes of this chapter.

**State Law reference**— Similar provisions, G.S. 160A-448.

**Sec. 4-204. Right of access.**

- (a) For the purpose of making inspections, the inspector is hereby authorized to enter, examine, and survey at all reasonable times all dwellings, dwelling units, rooming units and premises. The owner or occupant of every dwelling, dwelling unit, or rooming unit, or the person in charge thereof, shall give the inspector free access to such dwelling, dwelling unit, or rooming unit and its premises at all reasonable times for the purposes of such inspection, examination, and survey.
- (b) Every occupant of a dwelling or dwelling unit shall give the owner thereof, or his agent or employee, access to any part of such dwelling or dwelling unit, and its premises, at all reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this article or with any lawful order issued pursuant to the provisions of this chapter.

**State Law reference**— Power to inspect, G.S. 160A-412, 160A-424, 160A-448.

**Sec. 4-205. Methods of service of complaints and orders.**

- (a) Complaints or orders issued by the inspector shall be served upon persons either personally or by registered or certified mail. When service is made by registered or certified mail, a copy of the complaint or order may also be sent by regular mail. Service shall be deemed sufficient if the registered or certified mail is unclaimed or refused, but the regular mail is not returned by the post office within 10 days after the mailing. If regular mail is used, a notice of the pending proceedings shall be posted in a conspicuous place on the premises affected.
- (b) If the identities of any owners or the whereabouts of such persons are unknown and the same cannot be ascertained by the inspector in the exercise of reasonable diligence, or if the owners are known but have refused to accept service by registered or certified mail, the inspector shall make an affidavit to that effect, and the serving of such complaint or order upon the owners or other persons may be made by publishing in a newspaper having general circulation

in the city at least once no later than the time at which personal service would be received. Where service is made by publication, a notice of the pending proceedings shall be posted in a conspicuous place on the premises affected by the complaint or order.

**State Law reference**— Similar provisions, G.S. 160A-445.

**Sec. 4-206. Preliminary investigation; notice; hearing.**

Whenever a petition is filed with the inspector by a public authority or by at least five residents of the city charging that any dwelling or dwelling unit is unfit for human habitation, or whenever it appears to the inspector, upon inspection, that any dwelling or dwelling unit is unfit for human habitation, the inspector, if his or her preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of and parties in interest in such dwelling or dwelling unit a complaint stating the charges and containing a notice that a hearing will be held before the inspector at a place therein fixed, not less than ten (10) nor more than 30 days after the serving of such complaint. The owner of any party in interest shall have the right to file an answer to the complaint and to appear in person, or otherwise, and give testimony at the place and time fixed in the complaint. Notice of the hearing shall also be given to at least one of the persons signing a petition relating to the dwelling. Any person desiring to do so may attend such hearing and give evidence relevant to the matter being heard. The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the inspector.

**State Law reference**— Similar provisions, G.S. 160A-443(2).

**Sec. 4-207. Procedure after hearing.**

- (a) After the notice and hearing, the inspector shall state in writing his determination whether such dwelling or dwelling unit is unfit for human habitation, and, if so, whether it is deteriorated or dilapidated.
- (b) If the inspector determines that the dwelling or dwelling unit is deteriorated, he shall state in writing his findings of fact in support of that determination, and shall issue and cause to be served upon the owner thereof an order directing and requiring the owner to repair, alter, and improve such dwelling or dwelling unit to comply with the minimum standards of fitness established by this article within a specified period of time, not to exceed 90 days.

The order may also direct and require the owner to vacate and close such dwelling or dwelling unit until such repairs, alterations, and improvements have been made if continued occupancy during the time allowed for repair will present a significant threat of bodily harm, taking into account the nature of the necessary repairs, alterations, or improvements; the current state of the property; and any additional risks due to the presence and capacity of minors under the age of 18 or occupants with physical or mental disabilities. The order shall state that the failure to make timely repairs as directed in the order shall make the dwelling subject to the issuance of an unfit order under section 4-208; or

- (c) If the inspector determines that the dwelling is dilapidated, he shall state in writing his findings of fact to support such determination, and shall issue and cause to be served upon the owner thereof an order directing and requiring the owner to vacate and close the dwelling, and to remove or demolish the same within a specified period of time, not to exceed 90 days.

**State Law reference**— Similar provisions, G.S. 160A-443(3).

**Sec. 4-208 Failure to comply with order of building inspector.**

- (a) If the owner of any deteriorated dwelling shall fail to comply with an order of the inspector to repair, alter, or improve the same within the time specified therein, or if the owner of a dilapidated dwelling shall fail to comply with an order of the building inspector to vacate and close, and remove or demolish the same within the time specified therein, the inspector shall submit to the city council at its next regular meeting an ordinance authorizing the inspector to proceed to effectuate the purpose of this Article with respect to the particular property or properties which the building inspector shall have found to be unfit for habitation and which property or properties shall be described in the ordinance. No such ordinance shall be adopted to require demolition of a dwelling until the owner has first been given a reasonable opportunity to bring the dwelling or dwelling unit into conformity with the housing code. This ordinance shall be recorded in the office of the register of deeds in McDowell County and shall be indexed in the name of the property owner in the grantor index.
- (b) After failure of an owner of a deteriorated dwelling, or of a dilapidated dwelling, to comply with an order of the inspector within the time specified therein, if injunctive relief has not been sought or has not been granted as provided in subsection (a), the inspector shall submit to the city council an ordinance ordering the inspector to cause such dwelling to be repaired, altered, improved, or vacated and closed and removed or demolished, as provided in the original order of the inspector, and pending such removal or demolition, to placard such dwelling with the following words: "This building is unfit for human habitation; the use or occupation of this building for human habitation is prohibited and unlawful." Occupation of a building or structure so posted shall constitute a Class 1 misdemeanor as provided by G.S. 160A-443.

**Sec. 4-209. Failure to comply with order to vacate a dwelling.**

If any occupant fails to comply with an order to vacate a dwelling, the building inspector may file a civil action in the name of the City of Marion to remove such occupant. The action to vacate the dwelling shall be in the nature of summary ejectment and shall be commenced by filing a complaint naming as parties-defendant any person occupying such dwelling. The clerk of superior court shall issue a summons requiring the defendant to appear before a magistrate at a certain time, date and place not to exceed ten (10) days from the issuance of the summons to answer the complaint. The summons and complaint shall be served as provided in section 42-29. The summons shall be returned according to its tenor, and if on its return it appears to have been duly served, and if at the hearing the building inspector produces a certified copy of an ordinance adopted by the city council pursuant to subsection 4-128(c) authorizing the building inspector to proceed to vacate the occupied dwelling, the magistrate shall enter judgment ordering that the premises be vacated and that all persons be removed. The judgment ordering that the dwelling be vacated shall be enforced in the same manner as the judgment for summary ejectment entered unto G.S. section 42-30. An appeal from any judgment entered hereunder by the magistrate may be taken as provided in G.S. section 7A-228, and the execution of such judgment may be stayed as provided in G.S. section 7A-227. An action to remove an occupant of a dwelling who is a tenant of the owner may not be in the nature of a summary ejectment proceeding pursuant to this paragraph unless such occupant was served with notice at least thirty (30) days before the filing of the summary ejectment proceeding that the city council has ordered the building inspector to proceed to exercise his duties under section 4-128 of this article to vacate and close or remove and demolish the dwelling.

**Sec. 4-210. Appeals from orders of building inspector.**



- (a) An appeal from any decision or order of the building inspector may be taken by any person who is the subject of the decision or order. Any appeal from the building inspector shall be taken within ten (10) days from the rendering of the decision or notice of the order, and shall be taken by filing a notice of appeal with the planning and development department which shall specify the grounds upon which the appeal is based. Upon the filing of any notice of appeal, the building inspector shall forthwith transmit to the board of adjustment all papers constituting the record upon which the decision appealed from was made. When an appeal is from a decision of the building inspector refusing to allow the person aggrieved thereby to do any act, his decision shall remain in force until modified or reversed. When any appeal is from a decision of the building inspector requiring the person aggrieved to do any act, the appeal shall have the effect of suspending the requirement until the hearing of the board of adjustment, unless the building inspector certifies to the board of adjustment, after the notice of appeal is filed with him, that by reason of the facts stated in the certificate, a copy of which shall be furnished the appellant, a suspension of his requirement would cause imminent peril to life or property, in which case the requirement shall not be suspended except by a restraining order, which may be granted for due cause shown upon not less than one day's written notice to the building inspector, by the board of adjustment, or by a court of record upon petition made pursuant to G.S. 160A-446(f) and the provisions of this article.
- (b) The board of adjustment shall fix a reasonable time for the hearing of all appeals, shall give due notice to all the parties, and shall render its decision within a reasonable time. Any party may appear in person or by agent or attorney. The board may reverse or affirm, wholly or partly, or may modify the decision or order appealed from, and may make such decision and order as in its opinion ought to be made in the matter, and to that end it shall have all the powers of the building inspector, but the concurring vote of four members of the board shall be necessary to reverse or modify any decision or order of the building inspector. The board shall have power also in passing upon appeals, in any case where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance, to adapt the application of the ordinance to the necessities of the case to the end that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done.
- (c) Every decision of the housing appeals board shall be subject to review by proceedings in the nature of certiorari instituted within fifteen (15) days of the decision of the housing appeals board, but not otherwise.

**State Law reference**— Similar provisions, G.S. 160A-446(c), (d), (e).

**Sec. 4-211. Petition to superior court.**

Any person aggrieved by an order issued by the building inspector or a decision rendered by the housing appeals board may petition the superior court for an injunction restraining the building inspector from carrying out the order or decision and the court may, upon such petition, issue a temporary injunction restraining the building inspector pending a final disposition of the cause. The petition shall be filed within thirty (30) days after issuance of the order or rendering of the decision. Hearings shall be had by the court on a petition within twenty (20) days, and shall be given preference over other matters on the court's calendar. The court shall hear and determine issues raised and shall enter such final order or decree as law and justice may require. It shall not be necessary to file bond in any amount before obtaining a temporary injunction under this article or G.S. section 160A-446(f).

**State Law reference**— Similar provisions, G.S. 160A-446(f).

**Sec. 4-212. Lien for costs.**

The amount of the costs of repairs, alterations or improvements, or vacating and closing, or removal or demolition by the building inspector shall be a lien against the real property upon which the cost was incurred, which lien shall be filed, have the same priority, and be collected as the lien for special assessments provided in Article 10 of Chapter 160A of the North Carolina General Statutes.

If the dwelling is removed or demolished by the building inspector, he shall sell the materials of the dwelling, and any personal property, fixtures or appurtenances found in or attached to the dwelling, and shall credit the proceeds of the sale against the cost of the removal or demolition and any balance remaining shall be deposited in the superior court by the building inspector, shall be secured in a manner directed by the court, and shall be disbursed by the court to the persons found to be entitled thereto by final order or decree of the court.

Nothing in this section shall be construed to impair or limit in any way the power of the City of Marion to define and declare nuisances and to cause their removal or abatement by summary proceedings, or otherwise.

**State Law reference**— Similar provisions, G.S. 160A-443(6); special assessments, G.S. Ch. 160A, Article 10.

**Secs. 4-213—4-225. Reserved.**

Section 3. This ordinance shall become effective upon its adoption.

**Adopted** this the 17th day of October, 2017.