



TOWN COUNCIL MINUTES

REGULAR MEETING MINUTES

July 16, 2013

The Kure Beach Town Council held their regular Council meeting on Tuesday, July 16, 2013. Town Attorney Canoutas was in attendance and a quorum of Council was present.

COUNCIL MEMBERS PRESENT

Mayor Dean Lambeth
Mayor Pro Tem Chuck Keener
Commissioner David Heglar
Commissioner Steve Pagley

COUNCIL MEMBER ABSENT

Commissioner Emilie Swearingen

STAFF PRESENT

Finance Officer – Arlen Copenhaver
Fire Chief – Harold Heglar
Town Clerk – Nancy Avery
Deputy Town Clerk – Nancy Hewitt

CALL TO ORDER AND WELCOME

Mayor Lambeth called the meeting to order at 6:30 pm, delivered the invocation and led everyone in the Pledge of Allegiance.

MOTION – Mayor Pro Tem Keener made the motion to excuse Commissioner Swearingen from the Council meeting.

SECOND – Commissioner Heglar

VOTE – Unanimous

RECOGNITION AND AWARDS

1. Bill Hart, Chairman, New Hanover Soil and Water Conservation District

Talking Points:

- Read a resolution adopted by the District's Board of Supervisors commending the Town of Kure Beach on its environmentally friendly stormwater features at the Ocean Front Park.
- Stated that the district looks forward to the Town applying for their Stewardship Awards Program grant and recommended using the resolution as part of the application.

Said resolution is herein incorporated as part of these minutes.

APPROVAL OF CONSENT AGENDA ITEMS

1. Accept termination of Peter Boulter from Marketing Advisory Committee
2. Approve revised Horizon Coach Lines invoice for \$900 for Parks & Recreation bus trip to Myrtle Beach on December 5, 2013



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3. Approve Palace Theatre contract for \$903 for Parks & Recreation bus trip to Myrtle Beach on December 5, 2013
4. Adopt Resolution 13-11 approving the Local Water Supply Plan
5. Fire Department Report – June 2013
6. Finance Report
7. Approve Meeting Minutes:
 - June 12, 2013 – Public Hearing, Budget
 - June 18, 2013 – Closed Session, Dept Head Evaluations
 - June 18, 2013 – Regular Council

MOTION – Commissioner Heglar made the motion to adopt the Consent Agenda Items, as presented.

SECOND – Commissioner Pagley

VOTE – Unanimous

Said contracts and resolution are herein incorporated as part of these minutes.

ADOPTION OF THE AGENDA

Mayor Lambeth requested to amend the agenda by moving Item #1 under Old Business, the Metropolitan Planning Organization's Citizens Advisory Committee (CAC) appointment, to Presentations to Council.

Mayor Pro Tem Keener requested to amend the agenda by adding Advertising Signs for the Kure Beach Community Center Annual Barbecue under Community Center Committee Business. He also requested to add Pizza Sales at the Ocean Front Park under Parks & Recreation Committee Business.

MOTION – Commissioner Heglar made the motion to adopt the agenda, as amended.

SECOND – Mayor Pro Tem Keener

VOTE – Unanimous

DISCUSSION AND CONSIDERATION OF PRESENTATIONS TO COUNCIL

1. Appointment to the MPO CAC – Application received from John Ellen

Talking Points:

- He is an avid bicyclist and publicly thanked Council and others that were responsible for the widening of Dow Road. (Ellen)
- He feels Mr. Ellen will fit right in with the other members of the CAC. (Lambeth)

MOTION – Mayor Pro Tem Keener made the motion to appoint John Ellen to the Metropolitan Planning Organization's Citizens Advisory Committee.



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SECOND – Commissioner Heglar
VOTE – Unanimous

DISCUSSION AND CONSIDERATION OF COMMITTEE BUSINESS

1. Community Center Committee – Advertising for Annual Barbecue

Talking Points:

- The Community Center Committee's Annual Barbecue will be held on August 17th, and the committee wants signs to be put on the Ocean Rescue gator throughout the day of the event to help advertise it along the beach strand. Fire Chief Heglar doesn't have a problem with it. He would also like to advertise the event with signs placed on the lifeguard towers. (Keener)
- Feels advertising on the gator is OK, but would prefer not to put signs on the lifeguard towers. (Heglar & Pagley)

MOTION – Mayor Pro Tem Keener made the motion to allow the Kure Beach Community Center Committee to advertise its annual barbecue via a sign attached to the Ocean Rescue gator on the day of the event.

SECOND – Commissioner Heglar
VOTE – Unanimous

2. Parks & Recreation Advisory Board – Pizza Sales during Boogie in the Park

Council Comments:

- He thought Mayor Lambeth had received approval from the Kure Beach businesses to have an outside vendor sell food during Boogie in the Park on Sundays. He found out that the business owners in Kure Beach weren't happy with the competition and he would like to change his vote so as not to allow outside vendors to sell food in the park. (Keener)
- The food sales were supposed to have been done on a one-time, trial basis. (Lambeth)
- He would rather allow the Kure Beach businesses to sell food for the event rather than allow an outside vendor to do so. The park is free, the music free and one only has to walk 300 feet to get something to eat at the food establishments. He wants the businesses who pay taxes and garbage fees to make the income from customers. He suggested the businesses work with the Parks & Recreation Board to come up with a solution. (Heglar)
- He would like the businesses in Kure Beach to have a presence at the event. (Pagley)

Other Comments:

- George Turner, owner of Kure Beach Diner and Beach House Burgers, stated he doesn't like having outside food vendors at the park. He has a trailer that he could sell pizza from, but it wouldn't be cost efficient for him, especially since he has two food establishments within a few hundred feet of the park.



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- Craig Bloszinsky, Co-Chairman of the Parks & Recreation Board, said the pizza was on sale from 4:30 pm to 7:00 pm on Sunday during Boogie in the Park and the vendor sold about 60 pieces of pizza. He isn't sure if the vendor is interested in coming back.
- Tony Gonsalves said only Freddie's Restaurant and the Kwik Mart were interested in offering special food deals during the event. But, their food sales were low. That's when an outside vendor was approached by Parks & Recreation to sell food during the event.

MOTION – Commissioner Heglar made the motion to not allow non-Kure Beach food vendors to sell food at the Ocean Front Park on Sundays during Boogie in the Park.

SECOND – Mayor Pro Tem Keener

VOTE PASSED, THREE TO ONE, AS FOLLOWS – Mayor Pro Tem Keener and Commissioners Heglar and Pagley FOR; Mayor Lambeth AGAINST.

Additional Comments:

- During the Tuesday Open Air Market at the Ocean Front Park, coffee and some other food items are being sold. (Bloszinsky)
- Coffee is being sold in sample cups as part of selling coffee beans. There is also a wine vendor who gives out samples of wine. (Avery)

COUNCIL CONSENSUS – Council asked Town Attorney Canoutas to research the legalities of allowing wine sample consumption at the Ocean Front Park and to bring back his findings to the August Council meeting.

3. Shoreline Access & Parking Committee

Request for Council approval to move forward with Withers & Ravenel's (W&R) proposal to makeover the beach-access parking lots at J through E Avenues.

Talking Points:

- Council talked about this at last month's meeting and wanted to wait for the new fiscal year to discuss the proposal further. Travel charges on the proposal are due to the contractor coming from Raleigh. Currently, the parking lots have straight-in parking which tends to block handicapped parking. The Town might have to lose some parking spaces to make the parking less congested and more conducive to handicapped parking. (Gonsalves)
- The \$800 for travel expenses should be removed from W&R's proposal, or the committee should find a local contractor willing to handle the project. (Pagley)
- There is \$7,500 in the Committee Budget for this fiscal year and the project will require a little less than 30% of it. (Copenhaver)



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MOTION – Commissioner Heglar made the motion to have the Finance Officer work with the Chairman of the Shoreline Access & Parking Committee, Tony Gonsalves, to reduce the price of travel being charged by W&R, or to look for a local engineer to handle the project. Once all information is gathered, the Finance Officer will poll Council to seek its wishes. The issue should not be discussed at the next Council meeting.

SECOND – Commissioner Pagley

VOTE – Unanimous

DISCUSSION AND CONSIDERATION OF DEPARTMENT HEAD BUSINESS

1. Administration and Finance

a. Approve two new job descriptions

- Fire Fighter/EMT-B – Fire Department
- Event Marketing Coordinator – Admin & Finance

Talking Points:

- In the classification of EMT-B, the B stands for “Basic.” He hired three new people: Jesse Turner, Hunter Ford and Daniel Russell. Ed Kennedy was promoted to Assistant Fire Chief. He has a good group of workers who are dedicated to Kure Beach more than they are to getting a paycheck. (Fire Chief Heglar)
- She hired Nikki Keely to fill the position of Event Marketing Coordinator. (Avery)

MOTION – Commissioner Heglar made the motion to approve the Fire Fighter/EMT-B job description for the Fire Department and to approve the Event Marketing Coordinator job description for the Administration and Finance Department.

SECOND – Commissioner Pagley

VOTE – Unanimous

Additional Discussion (Fire Chief Heglar):

He said that the Volunteer Fire Department is drawing up plans to extend the firehouse 15' by 40', using its own money to pay for the project. He would like to extend two current offices, and make space for bunk rooms, private lockers and a private bath. He asked for Council's blessings on the plan and reiterated, after being asked for clarification by the Town Clerk, that the project would be paid for from the Volunteer Fire Department funds; not from the Town's budget.

MOTION – Commissioner Heglar made the motion to approve the Volunteer Fire Department's plan to extend the firehouse by another 600 square feet (40'x15') in order to extend two offices and add bunk rooms, private lockers and a bathroom; completely funded by the Volunteer Fire Department.

SECOND – Mayor Pro Tem Keener

VOTE – Unanimous



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Additional Discussion:

- An email was received from a visitor complaining that he was given no warning that Kure Beach regulations prohibit leaving unattended beach equipment on the beach after 7:00 pm. (Lambeth)
- The Beach Protection Committee distributed brochures to rental agencies and hotels, listing the beach regulations, before the season began. But, these regulations are not posted on the signs at the beach accesses. (Avery)
- The visitor left his tent on the beach three nights in a row. He learned about it after receiving a complaint from a resident. When he went to take down the equipment, along with other people's equipment that was left on the beach, the visitor was there and he explained the regulations to him. (Fire Chief Heglar)

b. Resolution Amending the Code of Ordinances and Fee Schedule

Talking Points (Avery):

- Police Chief Cooper found discrepancies in the Town's Fee Schedule, compared to the Code of Ordinances.
- Fines and expenses that were in the Code were not listed in the Fee Schedule.
- The Fee Schedule and the Code of Ordinances have been amended to be in sync with each other.

MOTION – Commissioner Heglar made the motion to adopt Resolution 13-13, amending the Fee Schedule to be in sync with fees listed in the Kure Beach Code of Ordinances.

SECOND – Commissioner Pagley

VOTE – Unanimous

Said resolution and fee schedule are herein incorporated as part of these minutes.

DISCUSSION AND CONSIDERATION OF OLD BUSINESS

None

DISCUSSION AND CONSIDERATION OF NEW BUSINESS

1. Resolution 13-12 Opposing Biggert-Waters Act of 2012

Talking Points:

- The Home Builders Associations has asked that Council not approve the draft resolution yet so they have time to revise it. It is important that Council discuss the item at next month's meeting and act upon it at that time. (Lambeth)
- The impact would be on any structures built between 1974 and 1978, when elevation certifications weren't required. It would affect non-permanent residents who live in Kure Beach less than 80% of the time. They will be grandfathered in until 2014, and then they



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will get a letter and a 25% annual increase until they produce an elevation certificate to determine where they are on the FEMA flood maps. Permanent residents will get about a 10% increase. We are expecting new FEMA flood maps in the fall and there will be a reduction in some of the flood zones. (Avery)

MOTION – Mayor Lambeth made the motion to bring back discussion and consideration of a resolution opposing the Biggert-Waters Act of 2012 to the August Council meeting and asked that the Building Inspector, John Batson, attend the meeting in order to tell Council how many properties in Kure Beach would be impacted by the Act and how they would be impacted.

SECOND – Commissioner Heglar

VOTE – Unanimous

2. Sewer Authority Update

Talking Points (Heglar):

- Commissioner Heglar and Finance Officer Copenhaver met with Carolina Beach at the meeting of the Sewer Authority.
- During the last three years, there were charges in the rate for which Kure Beach shouldn't have been charged.
- About \$272,000 will be refunded to Kure Beach from Carolina Beach.
- Commendations go to Finance Officer Copenhaver for discovering that Kure Beach was overpaying Carolina Beach.
- The Sewer Authority will meet again in October, after Carolina Beach's annual audit results come out, and Kure Beach might get another \$50,000 to \$75,000 in refunds.

ADJOURNMENT

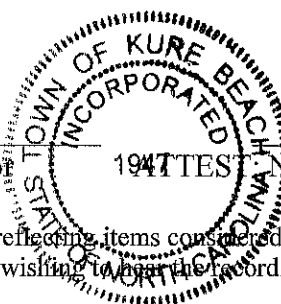
MOTION – Commissioner Heglar made the motion to adjourn.

SECOND – Mayor Pro Tem Keener

VOTE – Unanimous

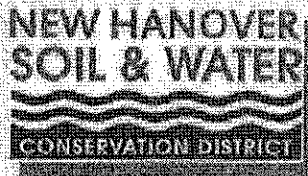
The meeting adjourned at 7:35 pm.

Dean Lambeth, Mayor



Nancy Hewitt, Deputy Town Clerk

NOTE: These are action minutes reflecting items considered and actions taken by Council. These minutes are not a transcript of the meeting. Persons wishing to hear the recording of this meeting may request to do so by contacting the Town Clerk.



NEW HANOVER SOIL AND WATER CONSERVATION DISTRICT

RESOLUTION COMMENDING THE TOWN OF KURE BEACH ON ITS OCEAN FRONT PARK

WHEREAS, Conservation Districts are local units of government established under state law to carry out natural resources stewardship programs at the local level, and have been involved in delivering voluntary, locally-led conservation across America for more than 75 years; and

WHEREAS, the New Hanover Soil & Water Conservation District is a local unit of government established and organized under N.C. General Statute 139, created locally in 1981 and governed by a five-member Board of Supervisors; and

WHEREAS, the mission of the New Hanover Soil and Water Conservation District is to protect and enhance water quality throughout New Hanover County through land conservation, stormwater management, technical support to citizens and organizations, and conservation education; and

WHEREAS, the New Hanover County Town of Kure Beach, facing a threat to the water quality of its popular beach, became a leading local government in pro-actively managing stormwater with the installation of three test infiltration systems in the dunes as designed by N.C. State University; and

WHEREAS, the Town developed a broader strategy to further improve water quality and the local economy that included seeking grants to address water quality threats, while at the same time, to stimulate the local economy through construction of a park on waterfront property it acquired near the Kure Beach Fishing Pier; and


WHEREAS, a multi-use, environmentally friendly park design was developed by a Town committee that included installation of the following:

- a rooftop rainwater collection system that directs water into a large underground cistern for on-site irrigation;
- a rain garden and native and adapted plants to prevent stormwater from rapidly leaving the site;
- pervious pavers along the sidewalks and within the parking stalls allowing for slow seepage of stormwater into the ground; and
- tying in the park's stormwater infiltration system to the dune infiltration system; and

WHEREAS, the dune infiltration system has already greatly reduced pollutants from storm-water entering the ocean and the park's conservation measures will further help maintain the stability of the beaches, prevent erosion and keep pollutants out of the ocean.


NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of the New Hanover Soil and Water Conservation District commends the Town of Kure Beach for its foresight, creativity and concern for its citizens, visitors and the environment through installation of the dune infiltration system, acquisition of essential property for a park and the careful design and installation of stormwater practices in its newly dedicated Ocean Front Park.


Adopted by the New Hanover Soil and Water Conservation District Board of Supervisors at its regular meeting on the 17th day of May, 2013.


Chairman: 
William J. (Bill) Hart

Members.


Steve Skavroneck


Arthur (Art) Brownell


Donna Moffitt


Sue Hayes

Confirmation



Horizon Coach Lines NC Division
408 Center Street
Jacksonville, NC 28546
Phone: 910 577 4422 • Fax: 910 577 5089

*New Name!
Same Local Company!*

Local Offices *Charlotte - Raleigh/Durham - Jacksonville - Winston-Salem - Asheville*

ClientID	TOKU001	Charter ID	132842
Client Name		Movement ID	153492
Company	Town of Kure Beach	Status	Firm
Client Ref 1		Passengers	0
Client Ref 2	Paula Withrow	Distance	188
First Pickup	Kure Beach, NC	Destination	Myrtle Beach, SC
Pickup Date/Time	12/5/13 9:00 am	Arrival Date/Time	12/5/13 12:00 am <i>9:00 am</i>
One Way	No	Leave Date/Time	12/5/13 12:00 am
Roundtrip	Yes	Back Date/Time	12/5/13 6:00 pm

First Pickup Instructions

Destination Instructions

VEHICLES

<u>Vehicle #</u>	<u>Seats</u>	<u>Vehicle Description</u>	<u>Total</u>
1	47	47Pax	
Movement Total			\$900.00

SALESPERSON

Toni Ridley

I have checked all the details above and agree that they are correct. I confirm that I would like to make a firm booking and I accept the above price and payment. I agree to the attached General Terms & Conditions. The signed confirmation is due within 10 days. The final payment is due 21 days before departure. The final itinerary is due 14 days before departure. The cost of drivers hotel, parking fees or permits are the responsibility of the chartering party. Drivers must have separate rooms.

Signature: _____ Print Name: _____ Date: _____

Dedicated to the highest standards of safety and service since 1937!





1418 Celebrity Circle | Myrtle Beach, SC 29577
Phone: 843-247-8927 | Fax: 843-638-1365

Hold #: 507409

Date Booked: Wednesday, June 26, 2013

Patron Info

Company Name: Town of Kure Beach

Contact Name: Paula Withrow

Address: 438 Sandman Dr.

Kure Beach, NC 28449

Phone Number: 910-458-7435

Email Address: kprow214@charter.net

Billing Info

Company Name: Town of Kure Beach

Contact Name: Paula Withrow

Address: 438 Sandman Dr.

Kure Beach, NC 28449

Phone Number: 910-458-7435

Email Address: kprow214@charter.net

Dear Paula Withrow,

Thank you for your order. If you have any questions please call group sales at (843) 626-8927.

Show: JERSEY NIGHTS	Show Date: 12/5/2013	Show Time: 2:00 PM	
	Qty	Price	Total
GOADULT:	43	\$21.00	\$903.00
GRCOMP:	2	\$0.00	\$0.00
		Order Fees:	\$0.00
		Total:	\$903.00

Group Name: Town of Kure Beach - M

GROUP POLICIES

1. GROUPS of 15 or more paid admissions. If count falls below fifteen paid admissions, the group rate will automatically revert to the individual admissions rate.
2. DEPOSITS & CONTRACT: A \$100.00 deposit per booking and SIGNED CONTRACT is required within 30 days of booking date. This deposit is refundable if reservation is cancelled in writing or by fax 72 hours or more prior to show date.
3. FINAL COUNTS: Booking agents are responsible for calling in a final count at least 72 hours prior to show date. If final count is not received 72 hours prior to show date, booking agent will be responsible for original count or seated count day of show, whichever is greater.
4. FINAL PAYMENTS: Final payments are due 72 hours prior to show date.
5. COMP POLICY- Once you have 20 PAID seats you will receive 1 comp and 2 comps for 30 PAID seats.
6. CANCELLATIONS - Must be in writing by Fax or Email 72 hours or more prior to show date, otherwise the booking party agrees to pay for the number of seats reserved or occupied, whichever is greater.
7. CANCELLATIONS of TWO SHOW PACKAGES- If canceling entire package, above cancellation policy applies. If only canceling one of the two shows, show rate will revert back to one show pricing.
8. ARRIVAL TIME- One hour prior to show time. Late arrivals will be seated in the mezzanine until intermission, so as not to disturb other patrons. During intermission, your group will then be seated in their

assigned seats.

If the Palace Theatre and its show productions are unable to perform any of its obligations under this agreement by reason of fire, strike, civil disturbance, government regulations, acts of God, casualties unavoidable by the Theatre, or by other causes beyond the control of management, then all obligations on its part shall immediately terminate and all money will be refunded. PLEASE SIGN AND RETAIN A COPY FOR YOUR RECORDS, ACKNOWLEDGING YOU HAVE READ AND REVIEWED THIS CONTRACT IN ITS ENTIRETY AND AGREE TO ALL THE TERMS AND CONDITIONS. **Contract must be returned signed to ensure the holding of your seats; failure to do so may result in cancellation of your group.**

Company Representative Signature

Date

* All shows and show times are subject to change.

Phone: 866-247-6877 * Fax: 843-626-1465 * 1420 Celebrity Circle | Myrtle Beach, SC 29577



TOWN COUNCIL
TOWN OF KURE BEACH, NC

RESOLUTION R13-11

RESOLUTION TO APPROVE THE LOCAL WATER SUPPLY PLAN

WHEREAS, North Carolina General Statute 143-355 (I) requires that each unit of local government that provides public water services or plans to provide such services shall, either individually or together with other such units of local government, prepare and submit a Local Water Supply Plan; and

WHEREAS, as required by the statute and in the interests of sound local planning, a Local Water Supply Plan for the Town of Kure Beach, has been submitted to the Kure Beach Town Council for approval; and

WHEREAS, the Kure Beach Town Council finds that the Local Water Supply Plan is in accordance with the provisions of North Carolina General Statute 143-355 (I) and that it will provide appropriate guidance for the future management of water supplies for the Town of Kure Beach, as well as useful information to the Department of Environment and Natural Resources for the development of a state water supply plan as required by statute;

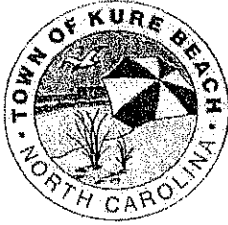
NOW, THEREFORE, BE IT RESOLVED THAT the Kure Beach Town Council approves the Local Water Supply Plan entitled, 2012 Local Water Supply Plan Update, dated March 27, 2013, and it shall be submitted to the Department of Environment and Natural Resources, Division of Water Resources; and

BE IT FURTHER RESOLVED THAT the Kure Beach Town Council intends that this plan shall be revised to reflect changes in relevant data and projections at least once every five years or as otherwise requested by the Department, in accordance with the statute and sound planning practice.

Adopted by the Kure Beach Town Council this the 16th day of July, 2013.

Dean Lambeth, Mayor

Attest: Nancy Hewitt, Deputy Town Clerk



TOWN COUNCIL
TOWN OF KURE BEACH, NC

RESOLUTION R13-13

A RESOLUTION AMENDING THE CODE OF ORDINANCES AND FEE SCHEDULE

WHEREAS, it is necessary for the civil citation fines referenced in the Code of Ordinances and those listed on the posted Fee Schedule be in sync; and

WHEREAS, a recent review of both the Code of Ordinances and the FY13-14 Fee Schedule indicated some discrepancies resulting in the need for amendments to both documents; and

WHEREAS, none of the amendments are adding new fines or ordinances which requires no public hearing.

NOW, THEREFORE, BE IT RESOLVED THAT the Kure Beach Town Council hereby adopts Resolution R13-13 amending the Code of Ordinances and the FY13-14 Fee Schedule as referenced on attachments A, B and C.

Adopted by the Kure Beach Town Council this 16th day of July, 2013.

Dean Lambeth, Mayor

Attest: Nancy Avery, Town Clerk

Proposed amendments to the Code of Ordinances

The following sections of the Code of Ordinances of the Town of Kure Beach, NC are hereby amended by:

1. Chapter 12, Division 2 Beach, Section 35, subsection e Penalty - Litter, glass and alcoholic beverages prohibited on beach.

Amend by striking 'twenty-five dollar (\$25.00)' and replacing with 'one hundred fifty dollars (\$150.00)'

(e) Penalty. Any person violating the provisions of this section shall be subject to a ~~twenty-five dollar (\$25.00)~~ One hundred fifty dollars (\$150.00) infraction for the first offense; second offense shall subject the offender to a misdemeanor charge as by law prescribed.

2. Chapter 12, Division 2, Beach, Section 37, subsection 1 Violation

Amend by striking '12-35' and replacing with '12-36'

(1) Any person violating the provisions of sections ~~12-35~~ 12-36—12-37 shall be subject to a civil citation in the amount of twenty-five dollars (\$25.00) for the first offense; second offense shall subject the offender to a civil citation in the amount of fifty dollars (\$50.00).

3. Chapter 10 Motor Vehicles and Traffic, Article VI Stopping, Standing and Parking, Division 2 Parking Rules, Section 227 Beach Access Parking, Subsection b Penalty

Amend by striking "twenty-five dollar (\$25.00)" and replacing with 'fifty dollar (\$50.00)

(b) Penalty: Any person violating this section shall pay a ~~twenty-five dollar (\$25.00)~~ fifty dollar (\$50.00) fine.

4. Chapter 10 Motor Vehicles and Traffic, Article VI Stopping, Standing and Parking, Division 2 Parking Rules, Section 236, Subsection b Penalty

Amend by striking 'see section 10-308' and replacing with 'fifty dollar (\$50.00) fine.

5. Chapter 10 Motor Vehicles and Traffic, Article VI Stopping, Standing and Parking, Division 2 Parking Rules, Section 237

Amend by removing from reserved section to read as follows:

Any person violating the provisions of sections 10-222 -- 10-236 shall be subject to a civil citation in the amount of fifty dollars (\$50.00) for the first offense; second offense shall subject the offender to a civil citation in the amount of fifty dollars (\$50.00)

Adopted this 16th day of July, 2013

Dean Lambeth, Mayor

ATTEST: Nancy Avery, Town Clerk

PROPOSED AMENDMENTS TO CODE OR ORDINANCES AND FEE SCHEDULE TO BRING THEM IN SYNC AS PRESENTED IN RESOLUTION R13-13

CODE SECTION	AMENDMENT TO CODE	AMENDMENT TO FEE SCHEDULE	REASON
3-2 Alcoholic Beverages Requirements for taverns and bars		Add \$50.00 fine first offense to Fee Schedule	Not on current Fee Schedule
5-121 Buildings – Numbering of buildings		Add \$50.00 fine to Fee Schedule	Not on current Fee Schedule
10-222 – 10-236	Chapter 10, Article VI, Division 2, Section 227b – change \$25.00 to \$50.00 Chapter 10, Article VI, Division 2, Section 236(b) delete ‘see section 10-308’, replace with ‘\$50.00 fine’. Chapter 10, Article VI, Division 2, Section 237 – remove from reserve and add “Any person violating the provisions of sections 10-222 – 10-236 shall be subject to a civil citation in the amount of fifty dollars (\$50.00) for the first offense; second offense shall subject the offender to a civil citation in the amount of fifty dollars (\$50.00)	Add ‘Sec 10-222 – 10-236’ to ‘Parking Ticket’ section of fee schedule.	Ordinance section not referenced. Reference to section 10-308 is not valid as that is for bicycle violations, not vehicles This section of code is not clear on penalty and amount. This addition clarifies
10-68 Motor Vehicles & Traffic – Soliciting		Add \$10.00 first offense to Fee Schedule	Not on current Fee Schedule

PROPOSED AMENDMENTS TO CODE OR ORDINANCES AND FEE SCHEDULE TO BRING THEM IN SYNC AS PRESENTED IN RESOLUTION R13-13

transportation					
10-69 Motor Vehicles & Traffic – Vehicles prohibited in certain areas			Add \$50.00 first offense; misdemeanor second offense	Not on current Fee Schedule	
10-261 Handicap parking violation			Add “Sec 10-261” to “Parking in a handicap space” on fee schedule	Ordinance section not referenced	
11-31 Noises – violations			Correct \$50 fine for first offense to \$250 fine; second offense change to misdemeanor class 3	Not correct on current Fee Schedule	
11-80 Nuisances – Real estate signs on Town property			Add \$50.00 fine to Fee Schedule	Not on current Fee Schedule	
12-34 Beach-leaping from commercial fishing pier			Add \$250 fine to Fee Schedule	Not on current Fee Schedule	
12-35e Beach – litter, glass, alcohol	Chapter 12, Div 2 Beach, Sec 35, subsec e Penalty - Litter, glass and alcoholic beverages prohibited on beach. Delete ‘twenty-five dollar (\$25.00)’ replace with ‘one hundred fifty dollars (\$150.00)’			Ordinance doesn’t reflect Fee increase	

PROPOSED AMENDMENTS TO CODE OR ORDINANCES AND FEE SCHEDULE TO BRING THEM IN SYNC AS PRESENTED IN RESOLUTION R13-13

12-37.1 Violation	Chapter 12, Div 2, Beach, Sec 37, subsec 1 Violation Change '12-35 – 12-37' to '12-36 – 12-37'	Ordinance includes fine for litter, glass & alcohol as \$25 – Fee changed to \$150
12-41 Beach Vitex		Add \$25 first offense and \$50 second offense
12-45 Temporary Structures in excess of 200 feet		Add \$250.00 (7 days prior) Add \$250.00 (7 days prior) \$500.00 (less than 7 days prior)
19-401 Zoning violation Civil Penalty		Add \$50 fine to Fee Schedule



**TOWN OF KURE BEACH
FEE SCHEDULE**

FISCAL YEAR 2013-2014

PROPOSED AMENDMENTS TO PAGES 4 AND 6 PER RESOLUTION R13-13

Fee Schedule to be updated each year as part of the adoption of the new fiscal year budget ordinance.

<u>TAX RATE per \$100</u>	\$0.2615
 <u>WATER FEES</u>	
Residential (monthly minimum - up to 3,000 gallons)	\$13.50
Incremental rate per 100 gallons over the 3,000 gallons monthly minimum	\$0.36
 Commercial (monthly minimum - up to 3,000 gallons)	 \$18.50
Incremental rate per 100 gallons over the 3,000 gallons monthly minimum	\$0.555
 Out of Town (ETJ) (monthly minimum - up to 3,000 gallons)	 \$23.00
Incremental rate per 100 gallons over the 3,000 gallons monthly minimum	\$0.63
 <u>SEWER FEES</u>	
Residential (monthly minimum - up to 3,000 gallons)	\$23.50
Incremental rate per 100 gallons over the 3,000 gallons monthly minimum	\$0.465
 Commercial (monthly minimum - up to 3,000 gallons)	 \$25.50
Incremental rate per 100 gallons over the 3,000 gallons monthly minimum	\$0.57
 Out of Town (ETJ) (monthly minimum - up to 3,000 gallons)	 \$40.50
Incremental rate per 100 gallons over the 3,000 gallons monthly minimum	\$0.81
 <u>OTHER WATER & SEWER FEES</u>	
Water Service Fee - nonrefundable fee for service technician site visit	\$30.00
Additional Water Service Fee - fee for each additional visit if customer fails to meet technician at site	\$10.00
Water Service Meter Check Fee - customer request that a meter be read, checked, or turned on or off. If problem found with meter, fee can be waived at discretion of the Public Works Director	\$30.00
Water Cut-ons Outside Working Hours	\$25.00
Special Meter Tests - if customer requests meter test and the meter is found to be defective, charge will be refunded	\$50.00
Reconnection Fee - if water is cut-off due to non-payment	\$60.00
Returned Check Fee	\$25.00
Account Past Due Charge - per month	\$10.00

WATER TAP FEE

3/4 X 5/8	\$1,500.00
1 Inch	\$2,000.00
1 1/2 Inch	\$2,500.00
2 Inch	\$3,000.00

SEWER TAP FEE

4 inch	\$1,500.00
4 inch	\$1,500.00
6 inch	\$2,000.00
6 inch	\$2,000.00

USER FEE Sect 17-127 of Code

Common Areas-No Charge	\$2,500.00
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IMPACT FEE

Voluntary Annexation Only Sect 17-128 of Code	\$400.00
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STORM WATER FEES

Building Fee	\$4,000.00
Residential-monthly	\$8.71
Business - monthly	varies by account

RECYCLE FEE - per bin monthly (residential)

\$4.88

GARBAGE COLLECTION FEES

Residential -per can monthly	\$4.00
Commercial- per can monthly	\$17.50
Garbage cart purchase	\$80.00

TRASH PICKUP FEE

Minimum	\$10.00
1/4 load	\$30.00
1/2 load	\$60.00
3/4 load	\$90.00
Full load	\$120.00
Appliances	\$10.00

PRIVILEGE LICENSE FEES

Privilege License Fees as stipulated in N.C. General Statute 105-33(C).

VEHICLE DECAL FEES

Resident	\$5.00
Late Fee (resident)	\$10.00
Non-resident	\$5.00

COPY/FAX FEES

Fax: 1 PAGE	\$2.00
Fax: Each additional page	\$1.00
Zoning map - each	\$5.00
Copies: Per page	\$0.10
Copy of Zoning Ordinance	\$10.00
Copy of Town Code	\$70.00
Flood map - each	\$5.00

RENT COMMUNITY CENTER:DEPOSIT & PER HOUR FEES-2 HOUR MINIMUM (then hourly)

Deposit (refundable if center is cleaned, as instructed, and there's no damage)	\$250.00
KB Resident/Property Owner & Non-Profit Organization	Revsd 2/19/13 \$75.00 per hour
Non-resident & Commercial Organization for Profit	\$100.00 per hour

OTHER FEES COMMUNITY CENTER

Non refundable fee each time existing contract is revised	\$10.00
Service charge for cancellation of contract	\$50.00
Rental fee will not be refunded for cancellation of lease by lessee made within 30 days before the event. Security deposit will be refunded.	

RENT OCEAN FRONT PARK PAVILION:DEPOSIT & PER HOUR FEES-*4 HOUR MINIMUM (then hourly)

***Exception: Can rent pavilion for 1 HOUR, if rented in conjunction with Community Center**

Deposit (refundable if no damage to pavilion/grounds)	Revsd 2/19/13 \$250.00
KB Resident/Property Owner & Non-Profit Organization, Pavilion ONLY	Revsd 2/19/13 \$75.00 per hour
Non-resident & Commercial Organization for Profit, Pavilion ONLY	Revsd 2/19/13 \$125.00 per hour
KB Resident/Property Owner & Non-Profit Organization, Pavilion & Lawn	Revsd 2/19/13 \$100.00 per hour
Non-resident & Commercial Organization for Profit, Pavilion & Lawn	Revsd 2/19/13 \$150.00 per hour

PARKS AND RECREATION PROGRAM FEES

Fees for specific Parks and Recreation activities will be set prior to commencement of the activity varies

SPECIAL EVENT FEES

General Use Impact Fees:

minimal use of public property -low impact - per day	\$150.00
includes intermittent traffic control - medium impact-per day	\$300.00
includes closing of public streets - high impact - per day	\$500.00

Personnel:

Police-minimum of two hours - per hour (includes overhead)	\$40.00
Sanitation - per hour (includes overhead)	\$40.00
Street - per hour (includes overhead)	\$40.00
Fireman - per hour (includes overhead)	\$40.00

Facilities Rental:

Council Chambers - per day	\$100.00
Public land per site - per day	\$100.00
Public building - per day	\$100.00

Equipment:

Police/Fire/Lifeguard or other Town Vehicle - per hour	\$25.00
Trash pickup - per cart per pickup	\$15.00
-minimum 2 carts required for recyclable materials and one for regular trash	

PERMIT/CONSTRUCTION FEES

Fence	\$25.00	
Pool-residential	\$300.00	
Pool -commercial	\$2,000.00	
Landscape	\$25.00	
House moved (plus any cost incurred by public works or police dept)	\$150.00	
House moved out of town (plus any cost incurred by public works or police dept)	\$150.00	
Demolition (residence)	\$150.00	
Demolition (commercial)	\$300.00	
Building -New Construction - processing fee	\$200.00	
Mobile Home Fee-set up (plus permit fee)	\$200.00	
Mobile Home and Travel Trailer Park - \$5.00 space up to 100 spaces	\$350.00	
Yard sale	\$1.00	
Temporary structures in excess of 200 feet Sec 12-45	\$250.00	7 days prior/\$500 less than 7 days
Replace permit card -Each	\$10.00	
Improvements, additions and renovations to include decks, garages, etc:		
from \$0 to \$500	\$25.00	
from \$501 to \$2,500	\$50.00	
from \$2,501 to \$5,000	\$100.00	
from \$5,001 to \$10,000	\$150.00	
from \$10,001 to \$20,000	\$200.00	
from \$20,001 to \$30,000	\$250.00	
from \$30,001 to \$40,000	\$300.00	
from \$40,001 to \$50,000	\$350.00	
from \$50,100 and above + \$5.00 per \$1,000.00 over \$50,001	\$400.00	
Signs		
from \$0 to \$500	\$25.00	
from \$501 to \$2,500	\$40.00	
from \$2,501 to \$5,000	\$55.00	
from \$5,001 to \$10,000	\$70.00	
from \$10,001 to \$20,000	\$85.00	
from \$20,001 to \$40,000	\$95.00	
from \$40,001 to \$50,000	\$130.00	
from \$50,100 and above + \$3.00 per \$1,000.00 over \$50,000	\$155.00	

PLANNING/ZONING FEES

Text amendment to Town Code	\$100.00
Advertisement for public notices	\$50.00
Application - minor subdivision (per lot)	\$200.00
Subdivision Appeal:	
TRC to Planning Board	\$150.00
TRC to Planning Board (Height Exception Application fee - Sec. 19-333.1)	\$250.00
TRC to BOA	\$375.00
Final plat approval submission (or 50 cents per lot, whichever is greater)	\$125.00
Request for zoning change (plus \$5.00 fee for each notification mailed)	\$100.00
Chapter 19 Zoning violation Sec 19-401	\$50.00

BOARD OF ADJUSTMENT FEES

Appeal/Variance	\$375.00
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FIRE INSPECTION AND PERMIT FEES

Commercial New and Existing Construction Permit Fees:

A= Total gross building floor area of construction

B= Fee per Square Foot

0 - 5,000 sf

5,001-15,000 sf

Over 15,000 sf

$A \times B = \text{Permit Fee}$

$(A \times B \times .75) + (1250 \times B) = \text{Permit Fee}$

$A \times B \times .50 + (5000 \times B) + \text{Permit Fee}$

Occupancy Type:

Fee Per Square Foot

Residential

\$0.05

Storage

\$0.035

Assembly

\$0.06

Institutional

\$0.06

Business

\$0.06

Mercantile

\$0.06

Hazardous

\$0.05

Factory Indust

\$0.04

Education

\$0.065

Construction Permits:

Sprinkler Systems

\$85.00

Fire Alarm Systems

\$85.00

Suppression Systems

\$85.00

Fire pump and related Equipment

\$85.00

Private Fire Hydrants

\$85.00

Standpipe Installation per Riser

\$85.00

Additions

Use Schedule or Min. \$45 + Inspection Fees

Up Fits

Use Schedule or Min. \$45 + Inspection Fees

Mobile Buildings

\$45 + Inspection fee

Accessory Structures

\$45 + Inspection fee

Commercial Inspection Fee

\$45 Per Inspection per bldg. (Applies to all bldgs.)

Occupancy Certification

\$25 + Inspection Fee

Occupying building without CO

\$250

Working without Permit

\$50 or 2x Permit Fee, whichever is greater

Stop Order Removal

\$200

Failure to Obtain Final Inspection

\$100

Afterhours/Weekend/Holiday Inspections

\$120

ABC Permit

\$45

Fire Flow Test

\$45

Day Care State Inspection

\$45

Witness Fire Flow/Pump Test

\$45

Commercial Construction Inspection

\$45

Reinspection Fee

\$45

Standpipe Test per Riser

\$75

Temporary Structures (Tents, Etc)

Revert to Building Permit Fee

CIVIL CITATION PROGRAM FEES

Beach:

	<u>1st Offense</u>	<u>2nd Offense</u>
Dogs prohibited on beach strand Sec. 4-17	\$150.00	Misdemeanor
Vehicles prohibited on beach strand Sec. 10-111	\$25.00	Misdemeanor
Fire prohibited on beach strand Sec. 12-40	\$100.00	\$200.00
Litter, glass & alcohol prohibited on beach Sec.12-35	\$150.00	Misdemeanor
Boats, jet skis prohibited w/in 300' from high tide mark Sec. 12-37	\$25.00	\$50.00
Surfing regulations Sec. 12-33	\$25.00	Misdemeanor
Dune trespassing prohibited Sec. 12-39	\$100.00	Misdemeanor
Digging holes in the beach/beach restoration Sec. 12-46	\$100.00	Misdemeanor
No items on beach between 7pm-8am/No beach equip. within 15 ft of turtles/No beach equip. within 25 ft of emergency access points Sec. 12-43	\$50.00	\$100.00
Sleeping on beach after midnight prohibited Sec. 12-31	\$25.00	Misdemeanor
Nude bathing, including thong bathing suits or similar attire, prohibited Sec. 12-32	\$25.00	Misdemeanor
Leaping from commercial pier Sec 12-34	\$250.00	

Animals/Pets:

Dogs must be on a leash Sec. 4-16	\$150.00	Misdemeanor
Animal/Pet waste removal Sec. 4-16.1	\$150.00	Misdemeanor

Vehicles/Parking:

Failure to purchase & display Town decal Sec. 10-23	\$25.00	Misdemeanor
Parking Ticket Sec 10-222 - 236	\$50.00	
Parking in a handicap space Sec 10-261	\$150.00	Misdemeanor
Soliciting transportation Sec 10-68	\$10.00	
Vehicles prohibited certain areas Sec 10-60	\$50.00	Misdemeanor

Miscellaneous:

Bicycle regulations Sec. 10-291-308	\$25.00	\$50.00
Noise violations prohibited Sec. 11-31	\$250.00	Misdemeanor class 3
Alcohol consumption/open containers prohibited on public property Sec. 3-1	\$50.00	Misdemeanor
Requirements for taverns and bars Sec 3-2	\$50.00	G.S.18B-302.1
Beach Vitex Prohibited Sec 12-41	\$25.00	\$50.00
Numbering of buildings Sec 5-121	\$50.00	
Real estate signs on town property Sec 11-80	\$50.00	

Revised Fee Schedule Adopted by Town Council July 16, 2013

Dean Lambeth, Mayor

ATTEST Nancy Avery, Town Clerk