Town of Beaufort, NC
701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Town of Beaufort Board of Commissioners Work Session Meeting
4:00 PM Monday, October 26, 2020 - Zoom Meeting Due to COVID-19 Pandemic
Monthly Meeting

Call To Order

Roll Call

Agenda Approval

Public Comment

Project Updates

Items for Discussion and Consideration

1. Draft Minutes for the Sept. 28 Work Session & Oct. 12, 2020 Regular Meeting
2. 2021 BOC Meeting Dates
3. Noise Ordinance Revisions
4. Short Term Rental Regulations
5. Homer Smith Marina Covenant Amendment
6. Case #20-12 Special Use Permit for a Kennel, Indoor/Outdoor Operation for 102 Professional Park Drive & 1975 Live Oak Street
7. Cedar Street Utility Rehabilitation and Replacement

   Budget Amendment and Bid Award

8. Sewer Allocation Policy
9. Voluntary Annexation Request for 186 Chadwick Road (Alan Scibal) and 190 Chadwick Road (Sharon Eck)
10. Beaufort Pirate Invasion Event on November 20-21
11. September Financial Report/Notes

Mayor/Commission Comments

Adjourn

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Town of Beaufort Board of Commissioners Work Session
4:00 PM Monday, Oct. 26, 2020 – Zoom Meeting due to COVID19 Pandemic

AGENDA CATEGORY: Items for Discussion and Consideration

SUBJECT: Draft Minutes for the Sept. 28 Work Session & Oct. 12, 2020 Regular Meeting

BRIEF SUMMARY:

Draft minutes for the Sept. 28 Work Session & Oct. 12, 2020 Regular Meeting

REQUESTED ACTION:

Approve minutes as presented or amended.

EXPECTED LENGTH OF PRESENTATION:

2 minutes

SUBMITTED BY:

Rachel Johnson, Deputy Clerk

Oct. 12 Minutes prepared by Kate Allen, Town Planner

BUDGET AMENDMENT REQUIRED:

No

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Town of Beaufort Board of Commissioners Work Session Meeting
4:00 PM Monday, September 28, 2020 - Held Electronically Through Zoom Due to COVID19 Pandemic
Minutes

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Call To Order

Mayor Newton called the meeting to order.

Roll Call

Mayor Newton called roll and declared a quorum present for the meeting.

PRESENT
Mayor Everette Newton
Commissioner Sharon Harker
Commissioner Charles McDonald
Commissioner Ann Carter
Commissioner Marianna Hollinshed
Commissioner John Hagle

AGENDA APPROVAL

A motion was made to amend the agenda by removing the Closed Session and then approve.

Motion made by Commissioner Hagle.
Voting Yea: Commissioner Harker, Commissioner McDonald, Commissioner Carter, Commissioner Hollinshed, Commissioner Hagle

Public Comment

No public comments were made.

Project Updates

Town Engineer Sam Bell gave an update on the projects taking place.

Randolph Johnson Park--The final building inspection has been completed and the splash pad training will take place this week. All items should be finalized within the next two weeks.

Cedar Street Park--The design is 25% complete.

Topsail Park--Notice of Award of contract has been given and work should begin in a couple of weeks.

Street Paving Projects--Several streets in town have received the second layer of asphalt. There are some streets scheduled for milling to begin in the near future.

Turner Street Improvements--The contractor has been selected and anticipating construction to begin in mid October. Engineer Bell also spoke about some expansion options available for the project. There was discussion about having an additional crosswalk installed along Turner Street in front of Beaufort Historic Association (BHA). The project also includes a dedicated loading/unloading area for delivery trucks. The proposed spot is located along the Baptist Church parking lot. Some discussion was considered as to moving that proposed location to further down Turner Street closer to the Royal James Cafe. Board members also asked staff to please consider raised crosswalks for Turner Street.

Cedar Street Water and Sewer Repairs--Bids should be received by the end of next month.

WWTP Sludge Processing Building--The sanding and painting has been completed. The contractor did leave extra paint so the building maintenance can be handled by town workers. The completed work should last approximately 8 to 10 years.

First Street Culverts/Location of Future Beaufort Dental building--Mr. Bell reported the award and contract documents had been sent out for signatures. He also reported the property owners had agreed to some cost sharing for the moving of the lines. Town Manager Day indicated the lines were being moved from the middle of the property to along the edge of the street.

Town Hall renovations--Public Works employees are renovating the lobby area (Pollock Street)to include a security door and larger lobby area. The project is anticipated to take a couple of more weeks.

Commissioner Hollinshed asked for consideration to please be given to allowing people into the building when needing to deliver something or drop off something spur of the moment. Town Manager Day indicated signage would be prepared to address being able to drop off items.

Commissioner McDonald asked about the paving on Professional Park Drive and why some of the driveways had been taken out along the businesses on the Hwy 70 side. Town Engineer Bell indicated he would check and get back with additional information. Town Manager Day indicated those were areas needing repairs. Commissioner McDonald asked if those repairs to driveways was built into the cost of the project.

Commissioner Carter expressed the concern over the sludge buidling and the need to keep a maintenance plan going.

Commissioner Harker asked about the cost sharing for the relocation of the storm drain. Town Manager Day indicated the cost sharing was 50/50.

Commissioner Hagle asked for staff to please notify citizens of the next streets to be repaved. Town Manager Day indicated that would be done.

Mayor Newton asked for a confirmation if the Compass Hotel construction was scheduled for January time

frame and if NCDOT would also being doing the storm water work. This was confirmed for the Mayor.

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Items for Discussion and Consideration

1. Renewal of Permit for Hungry Town Tours

   Town Clerk Davis reported the Public Hearing had been held during the September 14, 2020 regular meeting with the comment period being held open an additional 24 hours due to the COVID19 pandemic. She reported no comments were made during the meeting nor during the 24 hour time limit. She reminded the board members the renewal of the permit will be for two years.

   A motion was made to approve the renewal of the permit for Hungry Town Tours.

   Motion made by Commissioner Hagle.
   Voting Yea: Commissioner Harker, Commissioner McDonald, Commissioner Carter, Commissioner Hollinshed, Commissioner Hagle

2. Draft Minutes for the August 24, 2020 Work Session and the September 14, 2020 Regular Meeting

   This item was placed on the agenda under Items of Consent.

3. Upcoming Events and Activities

   Mayor Newton indicated he would like to briefly review proposed upcoming events to be held in town. Some of those events are :

   Halloween, Lions Club Bridge Run-Nov. 7, Pirate Invasion-Nov 21, Santa House/Tree Lighting-John Newton Park, Christmas Parade, Flotilla, New Years Eve-Pirate Drop and a late breaking plan for an ECHS Fishing Tournament.

   Mayor Newton indicated he knew Halloween was not a town sponsored event, but he did express concern over large gatherings that might take place. He asked for the board to please give considerations on what should possibly happen in order to keep everyone safe.

   PIO/Special Events Coordinator Rachel Johnson asked for the board to please give consideration to the Lions Club and Pirate Invasion since those plans needed to be finalized in the near future.

   Commissioner Hollinshed asked for the organizers to please select one set time for the firing of the cannon and not have it at two or more times. She indicated the firing was disruptive, bothered pets and scared some children. Commissioner McDonald indicated he did not see a reason to limit the firing of the cannon.

   Commissioner Carter asked how the Pirate Invasion organizers proposed to promote crowd control and social distancing. Ms. Johnson indicated the re-enactors will help with the monitoring.

   Commissioner Harker asked if the cannon firing was overkill for the event. Ms. Johnson indicated during a normal invasion weekend the cannon would be fired on the main day of the event at the top of every hour. Ms. Johnson confirmed the current request was a reduction in the firing of the cannon. Commissioner Harker commented it was still Flu season and COVID19 was active. She asked how protection will be addressed. She also indicated she would like further information from the organizers.

   Commissioner Hagle indicated the run was all outside and did not see any issues with giving a preliminary approval. He also indicated he did not have a problem with the number of times the cannon is to be fired.

   Mayor Newton indicated he was hearing the board giving preliminary approval for the Lions Club 5K run and the board was asking for more information from the Pirate Invasion organizers.

   Motion made by Commissioner Hagle.
   Voting Yea: Commissioner Harker, Commissioner McDonald, Commissioner Carter, Commissioner Hollinshed, Commissioner Hagle

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4. Resolution Amending the Personnel Policy Chapter 4 Employment Section B Compensation Item 6 Salary Changes Promotions

   Town Clerk/Human Resources Officer Michele Davis gave the following report.

   A recent evaluation of the salary/grades and promotions has revealed a discrepancy in the Personnel Policy and the Salary/Grade Schedule. The Salary/Grade Schedule is based on a 5% increase between each Grade level. The Personnel Policy indicates employees promoted should be given a 10% pay increase which is not in line with the Salary/Grade Schedule. Staff is requesting to remove the 10% and change it to 5%.

   This item was placed on the agenda under Items of Consent.

5. Appointments to Historic Preservation Commission, Parks and Recreation Advisory Board and Board of Adjustment

   Town Clerk Davis gave the following report.

   The Town of Beaufort has the following vacancies on the Historic Preservation Commission, Board of Adjustment and Parks and Recreation Advisory Board:

   HPC—one position to fill an unexpired term ending in January 2021

   BOA—one position for an in-town alternate unexpired term ending in January 2022

   P&R—three positions for three-year terms

   She reported the three current members of the Parks and Recreation Advisory Board whose terms are ending September 30, 2020 have applied for reappointment.

6. August Financial Report/Notes

   Finance Director Wood indicated she did not have any specific concerns for the August financial report.

   Commissioner Hagle indicated it was good to see the revenues for Building Permits was two times higher this year than last year.

7. Capital Reserve Fund Amendment #4

   Finance Director Wood gave the following report.

   This amendment receives funds in the Capital Reserve Fund that are budgeted in FY 21 General Fund annual budget ($185,000- Future Capital Outlay for Street Project). It also, receives funds in the Capital Reserve Fund that are budgeted in the FY 21 Utility Fund annual budget ($350,000 Future Capital Outlay for Utility Line Project).

   This item was placed on the agenda under Items of Consent.

8. Capital Project- Community Improvement Projects Budget Amendment #1

   Finance Director Christi Wood gave the following report.

   This amendment requests the appropriation of donations ($12,640) and recreation fees ($5,912) for the Capital Project – Community Improvement Projects.

   Commissioner Hollinshed asked the nature of the specific projects. Ms. Wood indicated this fund was for Randolph Johnson Park and Cedar Street Park. Town Manager Day indicated these were revenues coming into the fund from donations and fees paid be developers Recreation Fees. Commissioner Hollinshed stated Community Improvements Projects was nebulous and asked if they funds were for specific items in the parks. Specific features such as the frog, flowers and other smaller items were identified by Rachel Johnson.

Commissioner Harker asked about this not being presented in the traditional monthly report. Ms. Wood indicated this was Fund 64 for Capital Projects and indicated Capital Project accounts were not part of the monthly reports.

Commissioner Hagle suggested to change the title of the account from Community Improvements Projects to Parks.

This item was placed on the agenda under Items of Consent.

9. Turner Street 100 Block Pedestrian Improvements

Town Engineer Sam Bell provided the following report.

Construction of the Turner Street 100 Block Pedestrian Improvements project is currently expected to begin mid-October. The construction work was awarded to Sunland Builders, Inc. on March 6, 2020; however, the contractor was asked to delay the start of work until after Labor Day per the desire of the Board of Commissioners. During this timeframe, Town Staff in conjunction with the consulting firm of Stewart examined the possibility of incorporating one or more crosswalks into the project. This examination has yielded two sets of proposed improvements. One improvement would mirror a crosswalk option presented by Stewart from their palette of options. The other would involve reworking a portion of the sidewalk at the north end of the current project along with an existing ramp.

Attached is a memorandum that summarizes the additional work being proposed. It is accompanied by a cost estimate plus graphics illustrating the proposed work. The estimate places the cost for constructing both sets of improvements at $40,900 to include a 15 percent contingency. This expense if authorized would of course, be in addition to the current $152,694 contract amount for the “baseline” work.

On possible extension of the project is the extension of the crosswalk across to Middle Lane and adding some bike racks. The second possible extension to the project is to make the crosswalk on the north side of the 100 block close to the BHA grounds ADA compliant. He continued by saying consideration is also being given to creating a loading/unloading zone to the area in front of the Baptist Church parking lot.

Town Manager Day reported there was interest from the businesses to create the loading/unloading area. Additionally, since there is such a grade of slope at the Royal James Cafe that crosswalk would require a zigzag type walkway for ADA compliance; in addition to the crosswalk at the northern end needs to be made ADA compliant.

Concerns were expressed by the commissioners about the proposed location of the loading/unloading zone and whether or not it could be moved further south. Commissioner Carter asked staff to please talk with the BHA about the crosswalk and their thoughts for what might be needed. Town Manger Day indicated a bump out could be considered for the crosswalk at the northern end. Mr. Bell indicated consideration could be given to a raised crosswalk like on Front Street.

Town Manager Day asked if the board members were okay with adding the additional costs to the budget amendment to include the crosswalks.

Commissioner Hagle asked about the bump out next to Middle Lane. He stated Middle Lane is used quite a bit and there is not really an existing sidewalk there but something more similar to a path next to the three foot wall in the bank parking lot. In response to a question regarding the width of the bump out, Mr. Bell confirmed it would not go any further into the street than the parking spaces.

Commissioner Hollinshed stated she liked the idea of the crosswalk be more visible in the area. She asked how many parking spaces may be lost with the improvements. Mr. Bell indicated the ramp at the Royal James Cafe would become steps and there would be a small wall all the way down the sidewalk. He confirmed the number of possible spaces lost would be three. She also

asked about possibly moving the steps just a bit at the Royal James then the loading area could be accommodated. Town Manager Day indicated staff would look at the area to see what could be tweaked.

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Commissioner Harker asked about reassigning the loading and whether or not the business owners are on board with losing parking in front of their establishment. Additionally she commented more congestion made be created with larger trucks to park. She expressed concern over two way traffic in the area of the Royal James Cafe. Mr. Bell indicated the crosswalk would be a pinch point, but it should not extend any further than the parking area. Commissioner Harker asked if bump outs would also be located on each side of the crosswalk closest to the BHA grounds. Mr. Bell indicated he would explore an additional bump out in the area.

Commissioner Hagle indicated he felt the raised crosswalk and the bump outs will be a good addition to the project. Town Manager Day indicated staff would make the changes in the proposed budget amendment.

This item was placed on the agenda under Items for Discussion and Consideration.

10. Cedar Street Park/Homer Smith Marina

Town Manager Day gave the following report.

At the August regular meeting the Board discussed a request from Homer Smith Marina for the town to support NCDOT abandoning 19,409 square feet of ROW, which would be used for parking needed for an expansion of the marina. In exchange, the owner offered to contribute $75,000 toward the construction of the restroom/kiosk at the new Cedar Street Park. A concept plan for the park showing the parking lot design at Homer Smith Seafood and the marina expansion is attached.

Commissioners expressed concerns about the desire for visible separation between marina parking from Cedar Street Park parking, marina patrons parking in the Cedar Street Park lot, and the amount of the contribution.

The Board directed staff to meet with Homer Smith Marina representatives to address these concerns and report back on how the concerns might be mitigated.

Homer Smith Marina desires to expand from 85 to 178 slips and replace the fish house with a clubhouse for marina patrons. Of the 178 slips, 4 will be reserved for fueling and pump-out, and 33 for transient boaters, with construction of the latter funded through a Boating Infrastructure Grant (Homer Smith representatives wish to note that transient and fueling/pump-out slips will not generate parking traffic).

Obtaining the previously requested 19,409 square feet of ROW from the NCDOT will provide enough space to exceed the Town's parking requirements for marinas.

To address concerns raised by Board members at the August regular meeting, Homer Smith Marina agrees to the following:

Marina patrons will be required to adhere a marina parking decal to their vehicle, making any marina patrons parking in the Cedar Street Parking lot identifiable.

Homer Smith Marina will construct a vegetative buffer between its parking lot and the Cedar Street Park parking lot that exceeds the Town's requirements, and also construct a fence (see attachment: Homer Smith Parking Detail – Vegetative Buffer).

Homer Smith Marina is willing to place a gate at the proposed west parking lot entrance. The gate would be locked and only accessible to fire, police, trash removal service, and large delivery vehicles. Town staff believe two entrances to the marina parking lot are necessary.

Homer Smith Marina is willing to donate $125,000 for the construction of a restroom/kiosk building at the Cedar Street Park.

Other Related Matters

In addition to obtaining the19,409 square feet of ROW from the NCDOT, there are a number of other requirements that Homer Smith Marina must fulfill before the expansion may proceed:

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Obtaining a CAMA Major permit

Obtaining site plan approval from the Town

Obtaining proper building permits

Reaching agreement with the Board of Commissioners to amend the 2012 covenant with the Town limiting the total number of boat slips from 85 to 178.

Commissioner Hollinshed indicated she appreciated the offer being increased for the restroom facility. She also stated if she was a patron of the marina she would not put the decal on her vehicle if she wanted to park in the spaces for Cedar Street Park. Additionally, she expressed concern over expanding the marina 100%. Town Manager Day indicated the facility at RJP was approximately $350K which is considerably larger than will be needed for Cedar Street Park. He indicated an estimate for the restroom/kiosk was approximately $125K including the infrastructure. The decal will be required to park in the marina parking area. Town Manager Day indicated the increase in spaces was entirely at board discretion because of the covenant agreement.

Commissioner Carter stated boaters will also have visitors in their own personal cars parking in the park spaces. She expressed concern over the increase in boat slips and the pier head line. Town Manager Day indicated Ron Cullipher was available to answer questions.

Mr. Cullipher indicated the expansion is in terms of slips and not in terms of the area of the marina. He indicated the proposed changes are all still inside of the first proposed. He indicated the difference in the number of slips was due to fewer larger boats needing 50 foot to 70 foot slips but the market has been for the small size boats. Mr. Cullipher indicated if the proposed design is approved, then developer will have more than the required parking spaces. He did state the proposal for the site plan would have to come back to the Planning Board and the Board of Commissioners.

Commissioner Harker asked about patrolling the area and whether or not signage will be needed for no marina parking. She asked about making some of the slips being made public. Town Manager Day indicated there were some transient slips that could be used possibly by the public.

Commissioner Hagle indicated he had all of the same concerns as the other commissioners regarding parking and the expansion of the number of slips. He indicated he believed the gate across the one driveway would be a good discouragement. In response to a question regarding the vegetative buffer, Mr. Cullipher indicated it would be up to where the power lines are located.

Mayor Newton indicated the marina was extremely busy this past summer. He asked the commissioners take this incrementally and see how the parking lot will accommodate the current number of slips and get some traction on the hotel. He indicated an increase in the slips could be catastrophic in the area. Commissioner Hagle indicated he agreed with the suggestion.

Commissioner Carter expressed concern over the developer paying for the increased parking area and then not getting the boat slips. Mr. Cullipher indicated it would be an issue for the developer since the additional slips would not make the funding for the additional parking feasible. Mr. Cullipher indicated the western most end of the parking area being 57 stone over fabric.

Town Manager Day asked if it was possible for the slips and parking to be phased in construction. Mr. Cullipher indicated he was not sure if that could be completed. He also suggested the town could consider increasing the parking in the park proposal. Town Manager Day indicated that could be considered but the town was trying to use only the current pavement.

This item was placed on the agenda under Items for Discussion and Consideration.

11. Noise Ordinance Revisions

Town Manager Day gave the following report.

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At the July 27 Work Session the Board discussed the current noise ordinance and the possible need to revise it. There appeared to be consensus for staff to review noise ordinances in other local governments and make a recommendation after such review.

Such a review has taken place, and it was found that Beaufort's noise ordinance is very similar to those used by other local governments. However, the recently adopted noise ordinance in Wilmington provides the police department with needed flexibility for reasonable enforcement. A revised noise ordinance based on the Wilmington ordinance is provided for review and consideration.

Commissioner Hollinshed indicated church bells should be considered before 8 am since some of the local churches do so before 8 am. Additionally, some people like to mow their lawns early mornings during the summer so please consider changing that to 7:45 am. She also commented on 91.09 Item D regarding Town Manager and or Police Chief allowing for extending activity for more than one hour should be removed since neither live in town. She also commented the absentee owner responsibility needed to be tweaked. She commented it is a good start. Town Manager Day indicated he would defer to the Town Attorney on the absentee owner responsibility. Town Attorney Grady indicated it would be hard to enforce and or charge criminally but easier to do with civil penalty or fine.

Commissioner McDonald asked how it could be enforced if not checked by a decibel meter. Town Manager Day indicated he would defer that answer to the Town Attorney. Mr. Grady indicated Noise Ordinances were hard to develop. He continued by saying most people would understand the level of disruption is unreasonable and will comply. He indicated personal preferences also had to be taken into consideration.

Commissioner Carter indicated she thought it was a good preliminary policy. She stated the local people did not have very loud mowing devices, but those doing commercial landscaping did have loud equipment and that was worse than the local noise. Town Manager Day indicated that was the intent of having the 8 am start time. A distinction can be made between commercial and residential but it may cause an issue.

Commissioner Harker asked about the permit for special events to include the noise permit information. Allowing the Police Chief or Town Manager having the authority to alter the time limits will the allowance be earlier or later. Town Manager Day indicated that was in the Wilmington ordinance and if a discretionary extension is to be given, then it should be given to the Mayor. Commissioner Harker also asked if the owner is to be held responsible how about the people actually creating the issue.

Commissioner Hagle stated the current ordinance had a lot of detail and what was needed at the time of approval. He stated time limits and noise levels should be looked at and decided if any changes should be made. He indicated he believed commercial and residential remain the same. He also stated someone had to be in charge of the event being held if the owner of the property was not present.

Commissioner Hollinshed asked for clarification that noise level regulations be softened during times of emergency situations.

This item was held until the October work session for further discussion. Town Manager Day asked the board members to please put in writing their suggested changes and then having additional discussion with changes at the October work session.

12. Short Term Rental Regulations

Town Manager Day gave the following report.

At this year's retreat the Board decided to pursue zoning amendments that will regulate short term rental properties (see attached presentation from retreat). An outline of potential regulations for both homestay and whole house lodging is provided for discussion and review.

If the Town Board desires to enact these or other short term rental regulations, then it should send them to the Planning Board to follow the usual process for zoning ordinance amendments.

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Regulation of short term rental properties is proposed to be divided into two categories: 1) Homestay Lodging, and 2) Whole House Lodging.

Homestay Lodging

Definitions:

Homestay lodging - A private, resident-occupied dwelling unit, with up to two guest rooms where overnight lodging accommodations are provided to transients for compensation for a maximum continuous period of twenty-nine (29) days, that does not include serving food, and where the use is subordinate and incidental to the main residential use of the building. The dwelling unit must serve as the host's principal residence.

Homestay host: A permanent, full-time resident of a property who is present during the homestay term for the entire time lodgers are staying on the property. The host may be temporarily absent from the property for purposes related to normal residential activities, such as shopping, working, attending classes, etc.; however, a host must be at the property overnight when lodgers are present.

Principal residence: The domicile where an individual has a true, fixed, permanent home and

principal establishment, and to which place, whenever absent, the individual has the intention of returning. A principal residence is the one a person: 1) uses as his/her voting address; and 2)

uses as the address on one of the following: his/her federal and state tax returns, military purposes, passport, vehicle registration, insurance policy, driver's license, bank account, or any other bill or item that requires a response; and 3) occupies for at least one hundred eighty-three

(183) days during a calendar year.

Regulations:

Homestay uses are permitted in single-family and multi-family zoning districts. (OPTION: provide greater limitations, or lesser limitations)

Homestay lodging uses shall only be allowed in lawfully permitted dwelling units serving as the principal residence of a host. Only a property owner may register a homestay lodging; however, the principal resident may act as a host. Homestay lodging uses do not include bed and breakfast lodging uses.

Permitting.

(a) A property owner shall apply for a zoning permit with the Town of Beaufort Planning and Inspections Department.

(b) Zoning permits are restricted to a property owner, who shall provide proof of possession of the registered premises, and to natural persons only. A host may be the property owner or another principal resident.

(c) A permit number shall be assigned to each registered establishment, which shall be clearly noted along with any advertisement for lodging.

(d) Homestay lodging existing prior to the enactment of this ordinance shall be subject to a one year amortization period and to the non-conforming use requirements of the Land

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Development Ordinance.

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The maximum number of guest rooms allowed shall be two in a single dwelling unit, and the maximum occupancy shall be two people per guest room. Accessory structures shall be considered a single guest room.

Parking:

(a) The host shall issue a parking placard to each guest parking on site.

(b) Guest parking shall be restricted to behind the plane of the front facade of the home, except that an existing improved parking surface on the property existing at the time of the adoption of this ordinance may also be used.

(c) No more than one (1) motor vehicle per rented guest room shall be parked onsite at any time.

The use provisions are not subject to variance by the board of adjustment.

Any property owner who receives a permit for homestay lodging, as well as any host, shall: 1) be responsible for ensuring compliance with all federal, state, and local laws, including, but not limited to tax code, building code, fire code, and environmental health regulations for the level of occupancy of the homestay; 2) not allow any party, event, classes, weddings, receptions, or other large gatherings on the premises.

Property owners who provide homestay lodging are responsible for keeping in full force and effect during all times the dwelling unit is used as a homestay lodging commercial general liability insurance with a total limit of not less than $500,000 each occurrence for bodily injury and property damage.

Homestay lodging hosts shall maintain records demonstrating that the home is a host's primary residence, the dates of rental for the previous three hundred sixty-five (365) days, and the number of renters. Such records shall be made available, upon request, to the Town.

Written notice shall be conspicuously posted inside each short-term lodging unit setting forth the following information:

(a) The name and telephone number of the host.

(b) The address of the lodging, the maximum number of overnight occupants, and the day(s) established for garbage collection.

(c) The non-emergency phone number of the Town of Beaufort Police Department.

(d) The annual registration documentation.

(e) That parties, events, classes, weddings, receptions, and other large gatherings are not permitted.

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Whole House Lodging

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Definitions:

Whole-house lodging – A private residential dwelling unit in which the entire dwelling unit is provided for overnight lodging accommodations to transients for compensation for a maximum continuous period of twenty-nine (29) days, and in which no food is provided.

Regulations:

Whole-house lodging establishments are permitted in all single family and multifamily residential zoning districts subject to the following conditions (OPTION: provide greater limitations, or lesser limitations) :

Each whole-house lodging establishment shall meet the minimum separation distance from any other residentially-zoned whole-house lodging establishment or any properly permitted bed and breakfast lodging also within a residential zoning district, as measured from parcel line to parcel line. The total number of permitted uses shall be limited by a cap.

The separation distances shall be 400 feet, with a cap of no more than 2% of the total number of residentially-zoned parcels within each zoning district.

Such uses shall require a local operator, available 24 hours per day, within 20 miles of the subject property.

Permitting.

(a) The property owner shall apply for a zoning permit for each establishment with the Town of Beaufort Planning and Inspections Department.

(b) The owner shall provide proof of possession of the applicant premises.

(c) A zoning permit number shall be assigned to each permitted whole house lodging, which shall be clearly noted along with any advertisement for lodging.

(d) Zoning permits are limited to natural persons only and no person shall be eligible for more than one permit for a whole-house lodging in any residential district.

(e) Whole house lodging existing prior to the enactment of this ordinance shall be subject to a one year amortization period and to the non-conforming use requirements of the Land Development Ordinance.

Parking:

(a) The local operator shall issue a parking placard to each guest parking on site.

(b) One (1) off-street, on-site parking space shall be provided for each bedroom.

(c) Guest parking shall be restricted to behind the plane of the front facade of the home, except that an existing improved parking surface on the property existing at the time of the adoption of this ordinance may also be used.

(d) No more than one (1) motor vehicle per bedroom shall be

parked onsite at any time.

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Option:

If off-street parking is not available on site, shared parking or rented spaces in a private or municipal parking lot may be used to satisfy this parking requirement.

Proof of a shared parking plan or rental of spaces shall be included with the zoning permit application. A shared parking plan will be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record must be approved by the town attorney and submitted to the city for recordation on forms made available in by the Town. Recordation of the agreement must take place before issuance of a zoning permit for any short-term lodging use to be served by the off-site parking area.

The use provisions of this section are not subject to variance by the board of adjustment.

Any property owner operating whole-house lodging shall 1) be responsible for ensuring compliance with all federal, state, and local laws, including, but not limited to tax code, building code, fire code, and environmental health regulations for the level of occupancy of the lodging and 2) not allow any party, event, classes, weddings, receptions, or other large gatherings on the premises.

Property owners registering a whole-house lodging are responsible for keeping in full force and effect during all times the unit is used as a whole-house lodging commercial general liability insurance with a total limit of not less than $500,000 each occurrence for bodily injury and property damage.

Operators of whole house lodging shall maintain records listing the local operator, the dates of rental for the previous three hundred sixty five (365) days, and the number of renters. Such records shall be made available, upon request, to the Town.

Written notice shall be conspicuously posted inside each whole house lodging unit setting forth the following information:

(a) The name and telephone number of the operator.

(b) The address of the lodging, the maximum number of overnight occupants permitted, and the day(s) established for garbage collection.

(c) The non-emergency phone number of the Town of Beaufort Police Department.

(d) The zoning permit number.

(e) That parties, events, classes, weddings, receptions, and large gatherings are not permitted.

The operator shall ensure that all refuse is stored in appropriate containers and set out for collection on the proper collection day and that the carts are removed from the street or alley on the scheduled collection day, in accordance with all applicable Town Codes.

Preparation and service of food by operators for guests shall be prohibited. No cooking shall be permitted in individual bedrooms.

Occupancy shall be limited to two (2) persons per bedroom.

DRAFT

Mayor/Commission Comments

Adjourn

Mayor Everette S. (Rett) Newton

Michele Davis, Town Clerk

DRAFT

Town of Beaufort, NC
701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Town of Beaufort Board of Commissioners Regular Meeting
6:00 PM Monday, October 12, 2020 - Zoom Meeting due to Covid-19
Minutes

Call to Order

Town Manager John Day welcomed participants to the Oct. 12 Regular Meeting and provided instructions for those wishing to speak during Public Comment**.**

Mayor Newton called the meeting to order at 6:01 p.m.

Roll Call

Mayor Newton conducted roll call and declared a quorum present for the meeting.

Members Present

Mayor Everette Newton

Commissioner Ann Carter

Commissioner John Hagle

Commissioner Sharon Harker

Commissioner Marianna Hollinshed

Commissioner Charles McDonald

Agenda Approval

Commissioner Hagle made a motion to approve the agenda as presented.

Voting Yea: Commissioner Carter, Commissioner Harker, Commissioner McDonald, Commissioner Hollinshed, Commissioner Hagle.

Calendar

Rachel Johnson, PIO, Parks & Events Coordinator, Deputy Town Clerk, reviewed the calendar for the months of October and November. In addition to the regularly scheduled meetings, Ms. Johnson mentioned the ongoing relief effort, Carteret Cares for those impacted by recent hurricanes in Louisiana.

Donations will be accepted through 5:00 p.m. Thursday and can be dropped off at the Beaufort Fire Department. In addition, she mentioned White Cane Awareness Day is Oct. 15, Chat with the Chief is scheduled for 3:00 p.m. Oct. 21, and the Lion's Club Bridge Run will take place Saturday, Nov. 7.

Mayor Newton asked the Board if there were any questions; there were none.

Public Comment

Mayor Newton announced the three-minute time limit for public comment, noting two people were signed up to speak: Peter Crumley and Janet Woodward.

Peter Crumley thanked the Board and the Town for the construction of the raised crosswalk in front of the Maritime Museum. He explained the notable improvement to safety in the town for pedestrians, adding that the subject is very near and dear to his heart as a blind walker. Mr. Crumley said that he would like to see that design moving forward, especially with the Turner Street project.

Mr. Crumley thanked the town and Rachel Johnson for a wonderful job at Randolph Johnson Park. He also spoke about the potential right-of-way turnover from NCDOT to a private entity. In his opinion, public property should remain public property. He mentioned the Cedar Street Park area has historically been an area where people fish and enjoy the outdoors and urged the Board to take that under consideration when discussing the item on the agenda.

Mayor Newton invited Janet Woodward to speak.

Manager Report

John Day, Town Manager, spoke about Halloween during the COVID-19 pandemic. He referenced guidelines from the North Carolina Department of Health and Services and Center for Disease Control that are available for review on the Town's website and Facebook page. He discussed low, medium and high-risk Halloween activities and emphasized the need to protect the community's most vulnerable citizens.

Mayor Newton asked the Board for any additional questions or comments regarding the Manager's Report.

Commissioner Carter echoed similar concerns and encouraged residents to be cautious during Halloween and noted a recent increase in COVID-19 cases in the area.

Commissioner McDonald asked about the status of the odor control measures for Beau Coast. Mr. Day explained that the equipment has been ordered by Preston Development, but the delivery date has not yet been determined. He further explained that staff continues to work with the developer in preparation of its arrival. Commissioner McDonald then asked for additional information on the amount of sand to be removed from the basin or pond and the value of the sand. Mr. Day asked Greg Meshaw, Public Services Director/Town Engineer to speak on the matter. Mr. Meshaw said he would provide the commissioners with that information within the next couple of days. Mr. Meshaw also mentioned that staff is working with the developer to create an agreement outlining the Town's responsibilities. Further discussion ensued. Commissioner McDonald asked about any fencing around the site. Mr. Meshaw explained that there Mr. Blackley's group will be installing a gate. He added that a fence is unnecessary as the remainder of the area is surrounded by forest.

Items of Consent

Mayor Newton reviewed the Items of Consent and asked the pleasure of the Board.

Commissioner Hagle made a motion to approve as presented. The motion passed unanimously.

Voting Yea: Commissioner Carter, Commissioner Harker, Commissioner McDonald, Commissioner Hollinshed, Commissioner Hagle.

1. Draft Minutes for the August 24, 2020 Work Session and the September 14, 2020 Regular Meeting
2. Capital Project- Park Improvements Projects Budget Amendment #1
3. Capital Reserve Fund Amendment #4

Items for Discussion and Consideration

4. *Approval of Stewart Inc. as the consultant for the CAMA Comprehensive Land Use Plan & Unified Development Ordinance*

Kate Allen, Town Planner, discussed the Request for Proposals for a new CAMA Comprehensive Land Use Plan and Unified Development Ordinance submitted in August 2020. There were five proposals submitted. Ms. Allen noted the Selection Committee – Commissioner Carter, John Day, Kyle Garner, and herself – conducted interviews Oct. 1 and 2. Following the interviews, the committee unanimously selected Stewart as the preferred consultant for the project. Ms. Allen asked the Board's permission to proceed with Stewart, Inc. for the CAMA Comprehensive Land Use Plan & Unified Development Ordinance.

Mayor Newton asked the Board for any questions or comments.

Commissioner Carter did not have any questions but noted that she participated in the interview process. She said that she was very impressed with the proposal and that she has consistently been pleased with Stewart in previous projects.

Commissioner Harker, Commissioner McDonald and Commissioner Hollinshed had none.

Commissioner Hagle noted the timeline in the proposal indicated a start date in September and asked if the project timeline would be extended a few weeks considering September has ended. Ms. Allen confirmed that the timeline would be extended and updated to reflect the later start date. Commissioner Hagle then asked about "Catalyst Sites" that were mentioned in the proposal. Ms. Allen explained that it is comparable to focus areas identified in the Small Area Plan with areas prime for redevelopment, etc. Mr. Day mentioned representatives from Stewart were also in attendance if the Board had any questions for them.

Commissioner Hagle made a motion to approve as presented. The motion passed unanimously.

Voting Yea: Commissioner Carter, Commissioner Harker, Commissioner McDonald, Commissioner Hollinshed, Commissioner Hagle.

5. *Potential Project Additions Turner Street 100 Block Pedestrian Improvements*

Sam Bell, Assistant Town Engineer, provided an update on the Turner Street 100 Block Project Addition Alternatives. He discussed the proposed Middle Lane Crosswalk, noting increased pedestrian safety at a high traffic location, traffic calming on Turner Street and Middle Lane, as well as the aesthetic improvements to the East side of Turner Street. Commissioner Hagle asked if the sidewalk would eventually be extended down Middle Lane. Mr. Bell confirmed that as soon as the [bank] property is redeveloped, the existing wall would be converted into a sidewalk.

Mr. Bell then discussed the original proposal, the Mid-block Crosswalk ADA Improvements. Benefits include: ADA compliance, better drainage and access for alleyway,

loading zone striping, and an additional bike rack location. Mr. Bell then presented updates to the original proposal based on comments from the Work Session. His presentation included renderings of a raised crosswalk and showed the relocation of a bump out leading to the crosswalk which will serve as a traffic calming measure and pedestrian haven. He noted the raised crosswalk would result in the loss of two parking spaces but would increase pedestrian visibility.

Mr. Bell discussed alternate loading zone locations and the pros and cons of each. Loading Zone Alternate 1 would shift the loading zone in front of Fishtowne, Turner Street Market, and Beaufort Pet Provisions. Alternate 2 would be closer to Front Street. Both alternates would result in the loss of approximately three parking spaces. Mr. Bell added that the spaces could be added elsewhere on Turner Street.

Mr. Bell then discussed bike rack alternatives, noting the initial proposal included a “loop type” bike rack. He said Commissioner Harker indicated the “grid type” bike rack would be a more acceptable design at the most recent Work Session.

Mr. Bell provided feedback from local businesses regarding the loading zone alternates. Turner Street Market is opposed to Alternate 1 due to the proximity to the outdoor seating areas and loss of 15 minute parking spots. Beaufort Pet Provisions is also opposed to Alternate 1 unless there is a way to keep the 15 minute parking spots. The Beaufort Historic Association (BHA) recommended keeping the loading zone at its current location and voiced opposition to losing two parking spots to the raised crosswalk. The BHA also emphasized the need for native plant species for all improvements.

Mr. Bell explained that after considering both alternates, staff recommendations are to construct a street level crosswalk at Middle Lane, rework sidewalk and ramps to make ADA compliant and stripe loading zone area in street, relocate planned bump-out island, construct mid-block raised crosswalk, landscape unused ramp area, construct curb and gutter to tie into proposed bump-out and existing curb and gutter, and substitute grid type bicycle ramps for loop type. The total estimated additional cost is $62,000.

Mayor Newton asked for questions or comments from the Board.

Commissioner Carter asked if the grid type bicycle rack would take up less space than the originally proposed loop type. Mr. Bell said the grid type might take up slightly more space but could accommodate more bicycles. He also mentioned bike locks seem to work better with the standard grid type bike rack.

Commissioner Harker asked if there is another bike rack located closer to Royal James, or if this would be the only bike rack for the street. Mr. Bell said that the initial proposal included two bike racks; one by Fishtowne and one closer to Front Street. He mentioned the possibility of a third bike rack at an area in between. The proposal tonight only includes two bike rack locations.

Commissioner McDonald asked if the intent was to improve pedestrian, vehicle traffic, or loading/unloading zones. Mr. Bell indicated the project objective is to improve all three aspects, as well as overall visibility. Commissioner McDonald asked if the tree in front of Turner Street Market would have to be removed. Mr. Bell confirmed that all existing trees in the project area will

be removed, but new trees will be planted with the new landscaping. Commissioner McDonald referenced historic issues with tree removal. Commissioner McDonald indicated that in order to ensure a smooth process, [staff] should be in contact with the local businesses and delivery companies and [staff] should draft an ordinance saying merchandise deliveries should happen at certain times of the day before traffic really picks up.

Commissioner Hollinshed thanked Mr. Bell for exploring additional loading zone alternatives. In looking at the proposed alternatives, Commissioner Hollinshed said she believes the initial location is the best option. She added that removal of the Crape Myrtles would be a big improvement, especially once replaced with something else.

Commissioner Hagle believes it is a good design. He echoed Commissioner McDonald's comments regarding business owners and suppliers, emphasizing the need for delivery drivers to utilize the loading zone as the town has been rather lenient historically. He then asked if the raised crosswalk would be similar to the one in front of the Maritime Museum. Mr. Bell confirmed the design would be similar.

Commissioner Hagle made a motion to approve as presented. Commissioner Carter asked about the loading zone location.

Commissioner Hagle amended the motion to approve with the loading zone in the originally proposed location north of the new crosswalk. The motion passed unanimously.

Voting Yea: Commissioner Carter, Commissioner Harker, Commissioner McDonald, Commissioner Hollinshed, Commissioner Hagle.

6. *Cedar Street Park/Homer Smith Marina*

John Day explained that the Board discussed this proposal at the last Regular Meeting and indicated members of the Board conducted additional research regarding the request. He asked the Board to consider the proposal and do what the Board feels is in the best interest of the Town.

Mayor Newton asked for clarification of the requested action tonight, noting four criteria that will be follow on actions. Mr. Day acknowledged additional elements and considerations that will need to be addressed, to include the covenant in place between the Town and Homer Smith Marina regarding expansion. He explained that the agreement will need to be amended for there to be an expansion. The owner has made it quite clear that the improvements and additional right-of-way to be used for parking is only necessary if there is an expansion. Mr. Day indicated a clear relationship between the issues, noting that Mr. Frost would likely need to have an understanding of whether or not there could be an expansion of some sort before he would be interested in the additional property and expanding parking.

Commissioner Carter asked for clarification that by agreeing to transfer the right-of-way to Mr. Smith, that the Board is tacitly agreeing to amend the covenant in order to allow them to increase the number of slips.

Mr. Day explained that without the Board agreeing to amend the covenant, there would not be a reason for the owner to spend money to expand parking and contribute to other improvements. He then informed the Board that Ron Cullipher is present to answer any

questions on behalf of the owner.

Commissioner Carter noted that the owner would only need the space for additional parking for additional boat slips. Without permission to get additional boat slips, there is no need for additional parking.

Commissioner Harker asked if the existing parking spaces from the original approved plan would be enough for additional boat slips.

Ron Cullipher (The Cullipher Group, PA) explained that the original site plan that was approved – to include the demolition of the fish house and construction of the clubhouse – contains 43 parking spaces. Based on the current rules, the existing 43 parking spaces can accommodate 150 slips without the addition of the property Mr. Frost is requesting. He explained that the goal was to have more than the minimum required parking with a better site plan, more landscaping and to accommodate overflow traffic that seems to be a big concern. Mr. Cullipher went on to explain that if the property owner pays the contribution for the restroom kiosk facility, the goal is to get up to 178 slips with a portion of those slips being transient. He explained that if the property owner is able to acquire the right-of-way and provide funding as offered, they would like to go through the process to formally submit plans and go through the formal approval process.

Commissioner Harker discussed an existing power line that goes across the [right-of-way] property, noting that when the Town initially began designing Cedar Street Park, they determined very little can be done in that area for safety reasons. She asked Mr. Cullipher to confirm that a portion of the parking area is still going to be gravel, that they plan to fence the area off and make it look presentable. Mr. Cullipher confirmed, noting the plan for heavy landscaping. Commissioner Harker confirmed with Mr. Cullipher that the donation will still be in place to construct the bathrooms. Commissioner Harker then mentioned the proposed gate, indicating the additional parking would eliminate the need for visitors to look for parking further down Cedar Street. She asked if the marina would be hosting any large parties or events that would promote more traffic than standard day to day operations. Mr. Cullipher said he does not anticipate anything of the sort. Commissioner Harker then asked if someone will be on site to monitor the parking area as the proposal includes car decals for marina patrons. Mr. Cullipher confirmed that the dockmaster will be on site, though he was unsure of exact schedule. Commissioner Harker asked if the additional transient spots were a part of the grant criteria. Mr. Cullipher confirmed.

Commissioner McDonald asked if there has been a precedent set with other property owners to do something similar to what Homer Smith Marina is requesting. Mr. Cullipher mentioned the adjoining property and that acquired 20 feet of right-of-way on either side of Cedar Street from NCDOT for the parking plan [hotel project]. Commissioner McDonald asked Mr. Day if that means the precedent has been set. Mr. Day acknowledged that it could be seen that way.

Commissioner Hollinshed asked who originally owned the frontage. She asked if it was a part of Homer Smith or the Fish House and then acquired by DOT when they built the bridge, as the bridge was originally on Ann Street. She noted that the ratio of slips to parking according to our ordinance is adequate. She explained that she still has concerns about overweighing this portion of town between this project and other projects already underway. Commissioner Hollinshed also voiced concerns about holiday weekends and parking shortages.

Commissioner Hagle voiced support for the gate at the west end of the parking area. He also noted the power lines severely restrict the possible use of the property and parking would be a great use for it. Commissioner Hagle went on to discuss the parking requirements of the Land Development Ordinance and pointed out that the proposal includes approximately 30% more spaces than would be required. He noted that it is a very busy area with a lot of upcoming development.

Commissioner Hagle asked Mr. Day if the Board would need to make a separate vote for the agreement with the Town. Mr. Day explained that the town would need to have an amendment to the agreement drafted. It would need to be very specific about what it allows. Mr. Day suggested any additional questions about the agreement portion should be directed to Arey Grady, Town Attorney.

Commissioner Hagle mentioned the agreement clearly states the number of slips allowed and said that this is a discussion that will be coming to the forefront very soon.

Mayor Newton explained that this case is about public trust and voiced concerns about an all or nothing approach. He emphasized the importance of a comprehensive and incremental approach in order to avoid real problems in the future.

Commissioner Hagle asked Mayor Newton if the Board could discuss the agreement at the next meeting. He added that a lot of the language could be included in the agreement. Mayor Newton agreed with Commissioner Hagle and added that data is a key element as well – how many visitors do we have now, how many visitors do we anticipate as a result of this project? Commissioner Hagle agreed, noting significant changes in that are of town over the last several years.

Commissioner Carter voiced concerns about additional delays for the marina and data collection, noting the close of the busy season. She further pointed out that the proposal meets the standards of the ordinance. Commissioner Harker noted the recent approval of the neighboring hotel project and voiced concerns about a lack of consistency in expectations of developers, highlighting the importance of equal and consistent standards. Commissioner Harker also mentioned emails from citizens regarding the proposal and support thereof, an increase in revenues, and the ability to compromise in the language of the agreement. She posed questions about the data collection, responsible party, and accuracy of the data. Discussion ensued.

Arey Grady, Town Attorney, asked to address the Board. He explained that the proposal is to consent to the NCDOTs turning over of the right-of-way. He said the marina would have numerous other requirements to meet, some of which were included in the agenda packet – CAMA permit approval, site plan approval, and amend the covenant. He explained that if the Board agreed to relinquish the right-of-way tonight, it is not implicitly approving the other two necessary board actions (site plan approval and covenant amendment). He mentioned the possibility of granting a conditional approval to NCDOT contingent upon an approved site plan, covenant amendment and CAMA permit.

Mayor Newton asked Mr. Day where the donation for the park bathroom comes into consideration. Mr. Day explained that it would be tied to the action with NCDOT. He also mentioned NCDOT would likely not be inclined to proceed with a conditional approval. Mr. Day agreed with Mr. Grady that the three items should be considered together, though the site plan could potentially come later if the covenant is amended to reflect a certain number of slips. He suggested considering the NCDOT right-of-way and amendment to the covenant simultaneously

to develop a framework for the site plan.

Mayor Newton asked Mr. Day for a recommendation moving forward. Mr. Day indicated that some direction from the Board would be helpful in order to draft an amendment to the covenant. That direction would have to do with the number of slips, whether there would be any phasing in the construction of said slips, and any other conditions the Board would like to include that fall outside of the purview of standard planning and development process. He said the Board could hold a special Work Session or discuss the proposal at the next Work Session. The suggestions from that meeting can be used for the attorney to draft an amendment to the covenant to bring before the Board at the next Regular Meeting.

Commissioner Carter expressed concerns about asking the developer to spend money without a guaranteed return on their investment. She further acknowledged the need to be responsible and ensure the town is going to benefit to the maximum it can. She agreed the Board should discuss the proposal further at another work session. Commissioner Harker, Commissioner McDonald, Commissioner Hollinshed and Commissioner Hagle agreed.

Mayor Newton asked Mr. Day to put this on the agenda for a work session, whether it be a special meeting or regularly scheduled work session. Mr. Day asked the Board to consult with the attorney if it would like to hold a special session – possibly Monday, October 19, 2020 – to be sure he could have something drafted in time.

Mayor Newton and the Board agreed to discuss the matter at a future work session.

7. *Upcoming Events and Activities*

Rachel Johnson provided an update on upcoming events and activities. Ms. Johnson mentioned additional information for the Lion's Club Bridge Run was provided to the Board following the work session.

Pirate Invasion submitted a canon firing schedule and social distancing plan as requested. Ms. Johnson explained that she had an opportunity to speak with Carl Cannon earlier in the day and learned they are considering making the Gallants Channel portion of the event a private ticketed event. Ms. Johnson presented a map showing the layout and social distancing plan for the Grayden Paul/Eury Park portion of the event.

Mayor Newton asked the Board for any questions or concerns.

Commissioner Harker asked Ms. Johnson to confirm that the plan is to keep people moving rather than congregating in large groups.

Commissioner Hollinshed asked to clarify that there will be three canon firing sessions on Saturday. Ms. Johnson asked Mr. Carl Cannon to confirm. Mr. Cannon provided an overview of the plan and canon firing schedule. He also spoke to the social distancing measures that will be in place as well as temperature checks and mandatory masks. Commissioner Hollinshed noted that none of the Gallants Channel layout was submitted in the packet. Ms. Johnson explained that because Gallants Channel is private property, it is not subject to approval from the Town.

Commissioner Hagle asked if the attack at 3:30 p.m. would be on Taylors Creek. Mr. Cannon confirmed and explained that the attack will follow the flotilla. Mr. Cannon further explained that he has no plans to advertise that portion of the event. Commissioner Hagle then asked if the vendors will be set up at Gallants Channel. Mr. Cannon said that they are not planning on having a lot of vendors – a few food trucks and vendors with pirate stuff. Ms. Johnson explained that the request is for Grayden Paul Park to be permitted to sell t-shirts, so that would be their own booth there. They also requested John Newton park to be allowed two pirate themed vendors. Commissioner Hagle confirmed that there would only be two vendors at the park. Mr. Cannon agreed, noting that he does not want to abandon the downtown area. Discussion ensued.

Mr. Cannon addressed the Board and said that he wants to hold the event the right way with the Board's approval. He explained that safety is a concern and he does not want to have a "Super Spreader" event and social distancing guidelines will be followed. He also volunteered to share the layout and proposal for the Gallants Channel property as well. Although the Friends of the Maritime Museum have not officially approved the request, he anticipates approval by the end of day.

Mr. Day pointed out an error in the proposed dates. Friday in November is the 20, so the event would be the 20 and 21. On Nov. 22, they are holding a memorial to honor the dead on both sides.

Commissioner Hagle made a motion to approve the request.

Commissioner McDonald asked if there are any other activities scheduled for the same dates downtown. Mr. Cannon explained that they are renting the Gallants Channel property, so there will not be anything else happening at that site. Ms. Johnson explained that there will be activities at Grayden Paul & Eury Park on Saturday, and ticketed activities at the Gallants Channel property. She noted that she is not aware of any other scheduled activities at this time. Commissioner McDonald then asked about the pirates means of transportation. Ms. Johnson said that there will be different crews at each location, so they should not have to go back and forth frequently. Mr. Cannon added that the people downtown will be downtown all day. If they have to transport people, they have a skif available to carry performers back and forth if necessary.

Mayor Newton reminded the Board of the motion and conducted a roll call vote. *The motion passed unanimously.*

Voting Yea: Commissioner Carter, Commissioner Harker, Commissioner McDonald, Commissioner Hollinshed, Commissioner Hagle

8. *Appointments to Historic Preservation Commission, Parks and Recreation Advisory Board and Board of Adjustment*

Mayor Newton explained that there are several vacancies on volunteer boards. One position for the Historic Preservation Commission (HPC), one position for an in-town alternate for the Board of Adjustment (BOA), and three positions on the Parks & Recreation Advisory Board. Mayor Newton read the names of applicants for each board.

Mayor Newton asked Deputy Clerk Rachel Johnson to confirm the accuracy of the list. Ms. Johnson verified the list was accurate.

Mayor Newton asked for a motion to open nominations for the first of three vacancies on the Parks and Recreation Advisory Board.

Commissioner Harker made a motion to open nominations for the first vacancy on the Parks and Recreation Advisory Board. The motion passed unanimously.

Mayor Newton asked for nominations for the first of three vacancies on the Parks and Recreation Advisory Board.

Commissioner Carter nominated Brian O'Haver to fill the first vacancy on the Parks and Recreation Advisory Board.

Mayor Newton asked if there were any other nominations. Hearing none, Mayor Newton asked for a motion to close the nominations.

Commissioner Hagle made a motion to close the nominations. The motion passed unanimously.

Mayor Newton asked for a vote to appoint Brian O'Haver to the Parks and Recreation Advisory Board.

Voting Yea: Commissioner Carter, Commissioner Harker, Commissioner McDonald, Commissioner Hollinshed, Commissioner Hagle

Mayor Newton asked for a motion to open nominations for the second vacancy on the Parks and Recreation Advisory Board.

Commissioner Hollinshed made a motion to open nominations for the second vacancy on the Parks and Recreation Advisory Board. The motion passed unanimously.

Mayor Newton asked for nominations for the second vacancy on the Parks and Recreation Advisory Board.

Commissioner Hollinshed nominated Johnna Davis.

Mayor Newton asked if there were any other nominations. Hearing none, Mayor Newton asked for a motion to close the nominations.

Commissioner Hagle made a motion to close nominations for the second vacancy on the Parks and Recreation Advisory Board. The motion passed unanimously.

Mayor Newton asked for a vote to appoint Johnna Davis to the Parks and Recreation Advisory Board.

Voting Yea: Commissioner Carter, Commissioner Harker, Commissioner McDonald, Commissioner Hollinshed, Commissioner Hagle

Mayor Newton asked for a motion to open nominations for the third vacancy on the Parks and Recreation Advisory Board.

Commissioner Harker made a motion to open nominations for the second vacancy on the Parks and Recreation Advisory Board. The motion passed unanimously.

Mayor Newton asked for nominations for the second vacancy on the Parks and Recreation Advisory Board.

Commissioner Carter nominated Julie Arthur to fill the second vacancy on the Parks and Recreation Advisory Board.

Mayor Newton asked if there were any other nominations. Hearing none, Mayor Newton asked for a motion to close the nominations.

Commissioner Hagle made a motion to close the nominations. The motion passed unanimously.

Mayor Newton asked for a vote to appoint Julie Arthur to the Parks and Recreation Advisory Board.

Voting Yea: Commissioner Carter, Commissioner Harker, Commissioner McDonald, Commissioner Hollinshed, Commissioner Hagle

Mayor Newton asked for a motion to open nominations for the vacancy on the Historic Preservation Commission.

Commissioner Hollinshed made a motion to open nominations for the vacancy on the Historic Preservation Commission. The motion passed unanimously.

Mayor Newton asked for nominations to fill the vacancy on the Historic Preservation Commission.

Commissioner Hagle nominated James Taylor to fill the vacant position on the Historic Preservation Commission.

Mayor Newton asked if there were any other nominations. Hearing none, Mayor Newton asked for a motion to close the nominations.

Commissioner Carter made a motion to close the nominations. The motion passed unanimously.

Mayor Newton asked for a vote to appoint James Taylor to the Historic Preservation Commission.

Voting Yea: Commissioner Carter, Commissioner Harker, Commissioner McDonald, Commissioner Hollinshed, Commissioner Hagle

Mayor Newton asked for a motion to open nominations for the vacancy on the Board of Adjustment.

Commissioner Harker made a motion to open nominations. The motion passed unanimously.

Mayor Newton asked for nominations for the vacant position on the Board of Adjustment. Hearing none, Mayor Newton asked for a motion to close the nominations.

Commissioner Harker made a motion to close the nominations. The motion passed unanimous

Mayor Newton thanked everyone for their patience and noted the remaining vacancy on the Board of Adjustment will be filled at a later date.

Mayor/Commission Comments

Commissioner Carter: No comments.

Commissioner Harker: No comments.

Commissioner McDonald: No comments.

Commissioner Hollinshed urged everyone to support the Beaufort Fireman's Association in their collection of goods for the people in Louisiana. She noted the conditions down there are horrible right now, considering they've been hit twice [with hurricanes] within fifteen miles. She also mentioned King Tides coming in later in the week. Commissioner Hollinshed then announced that she had been asked to investigate a traffic calming device for Ann Street west of Turner Street. She noted three blocks there that people are just flying down.

Commissioner Hagle echoed Commissioner Hollinshed's comments regarding the Beaufort Fireman's Association collecting supplies for the people in Louisiana. He mentioned friends and family in that part of the world that have been fortunate, but lots of their friends have not been. Commissioner Hagle then delivered his safety message regarding safe driving. He noted an increase in traffic incidents based on the data he receives. He explained conditions are changing – shorter daylight hours, fog in the morning, fog in the evening. He urged everyone to focus on their driving and adjust for these changing conditions.

Closed Session

Mayor Newton asked for a motion to go into closed session in accordance with NCGS 143-318.11(a)(3) and (6).

Commissioner Harker made a motion to go into closed session. The motion passed unanimously.

Voting Yea: Commissioner Carter, Commissioner Harker, Commissioner McDonald, Commissioner Hollinshed, Commissioner Hagle

9. Closed Session

Adjourn

Mayor Newton asked for a motion to adjourn.

Commissioner Hagle made a motion to adjourn. The motion passed unanimously.

Voting Yea: Commissioner Carter, Commissioner Harker, Commissioner McDonald, Commissioner Hollinshed, Commissioner Hagle

The meeting adjourned at approximately 8:50 p.m.

Minutes prepared by Kate Allen, Town Planner

_____

Mayor Everette S. (Rett) Newton

_____

Rachel Johnson, Deputy Clerk

Proposed 2021 BOC Meeting Schedule

There is one conflict on Dec. 27, 2021 as Town Hall is closed for the Christmas holiday.

January

Regular Meeting: 6 p.m. Jan. 11

Work Session: 4 p.m. Jan. 25

February

Regular Meeting: 6 p.m. Feb. 8

Work Session: 4 p.m. Feb. 22

March

Regular Meeting: 6 p.m. March 8

Work Session: 4 p.m. March 22

April

Regular Meeting: 6 p.m. April 12

Work Session: 4 p.m. April 26

May

Regular Meeting: 6 p.m. May 10

Work Session: 4 p.m. May 24

June

Regular Meeting: 6 p.m. June 14

Work Session: 4 p.m. June 28

July

Regular Meeting: 6 p.m. July 12

Work Session: 4 p.m. July 26

August

Regular Meeting: 6 p.m. Aug. 10

Work Session: 4 p.m. Aug. 24

September

Regular Meeting: 6 p.m. Sept. 13

Work Session: 4 p.m. Sept. 27

October

Regular Meeting: 6 p.m. Oct. 11

Work Session: 4 p.m. Oct. 25

November

Regular Meeting: 6 p.m. Nov. 8

Work Session: 4 p.m. Nov. 22

December

Regular Meeting: 6 p.m. Dec. 13

Work Session: 4 p.m. Dec. 27 (Town Hall is closed this day – suggest alternate date)

Town of Beaufort, NC
701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Town of Beaufort Board of Commissioners Work Session
4:00 PM, Monday, September 28, 2020 – Held Through Zoom Due to COVID19 Pandemic

AGENDA CATEGORY: Items for Discussion and Consideration

SUBJECT: Noise Ordinance Revisions

BRIEF SUMMARY:

At the September 28th Work Session the Board discussed a draft for a revised noise ordinance. Commissioners decided to submit their comments and questions on the draft ordinance to the Town Manager for compilation and discussion at the next work session.

Board members' comments and questions have been compiled and incorporated into the draft ordinance.

REQUESTED ACTION:

Discussion and review.

EXPECTED LENGTH OF PRESENTATION:

15 minutes

SUBMITTED BY:

John Day, Town Manager

BUDGET AMENDMENT REQUIRED:

No

TOWN OF BEAUFORT
Proposed
Commissioner Comments/Questions Shown in Red
ARTICLE I. – NOISE

Sec. 91.01. – Purpose.

The provisions hereinafter contained are enacted pursuant to the authority granted to the town under G.S. § 160A-184, for the purpose of preventing noise disturbances or unreasonably loud noise. Noise exceeding certain levels or durations and during specific times of day can be detrimental to the health, safety, and welfare of the citizenry, and may infringe upon an individual's right to peaceful and quiet enjoyment of their activities of daily living. It is the policy of the town to prohibit noise disturbances or unreasonably loud noise from all sound sources, subject to its police power, in order to secure and promote the public health, comfort, convenience, safety, welfare, and prosperity of the citizens of Beaufort. Nothing in this article is intended to deter individuals from lawfully exercising the individual right of freedom of speech and commerce, or any other freedom guaranteed under the Constitutions of the United States of America or of the State of North Carolina, and nothing in this article is intended to unreasonably limit or restrain commercial or industrial enterprise.

Sec. 91.02. – Scope.

This article shall apply to all sound, vibration, and other noise originating within the corporate limits of the Town of Beaufort. Nothing in this article shall be construed to limit or prevent the Town of Beaufort or any person from pursuing any other legal remedies for damages or the abatement of noise. The Beaufort Police Department shall have primary enforcement responsibility for noise and sound level control pursuant to this Article.

Sec. 91.03. – General Prohibition.

Except as allowed in this Article, no person shall willfully engage in any activity on any premises or public area in the town, which activity produces or constitutes a noise disturbance on adjoining or neighboring properties or public areas.

Sec. 91.04. – Definitions.

The words and phrases defined in this section shall have the meaning indicated when used in this Article unless otherwise specifically provided, or unless otherwise clearly required by the context:

(a) **"A" weighting scale**. The sound pressure level in decibels as measured on a sound level meter using the A-frequency-weighted network and slow meter response setting. Sound levels are represented herein by the designation dB(A).

(b) **Absentee Owner**. An owner of any premises subject to this Article who is not also an occupant of the premises.

(c) **Adjoining Property.** Property which shares a contiguous boundary with another

property.

(d) **Amplified Sound.** Any sound or noise, including the human voice, that is increased in volume or intensity by means of electrical power.

(e) **ANSI.** The American National Standards Institute or its successor bodies.

(f) **Commercial Establishment.** An establishment used for commercial purposes with common business areas.

(g) **Commercial/Industrial Area.** Any area within the town that is zoned H-BD, H-WBD PUD, B-1, B-W, LI, IW, TR, or any area presently devoted to a commercial use that is a nonconforming situation as defined by the zoning ordinance.

(h) **Construction.** On-site erection, fabrication, installation, repair, alteration, demolition, or removal of any right-of-way surfaces, structure, facility, or addition thereto, including all related activities including, but not restricted to, clearing of land, earth moving, blasting, and landscaping.

(i) **Decibel [dB].** Unit for describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure (20 micronewtons per square meter).

(j) **Downtown.** Any area within the town that is zoned CBD. Q: Does the definition for Downtown apply to only districts H-BD, H-WBD and BW? A: CBD in the original draft was incorrect. A determination as to which districts to include in "Downtown" should be made.

(k) **Emergency.** Any occurrence or set of circumstances involving actual or imminent physical or psychological trauma or property damage which demands immediate action in order to maintain or restore public safety and prevent or alleviate such trauma or property damage.

(l) **Impulsive Sound.** Sound of short duration, usually less than one second, with an abrupt onset and rapid decay. Examples of sources of impulsive sound include explosions, drop forge impacts and the discharge of firearms.

(m) **Motorized Vehicles.** Generally—Any motor vehicle as defined in G.S. 20-4.01 and G.S. 105-164.3, including but not limited to:

(1) Excursion passenger vehicles as defined in G.S. 20-4.01(27).

(2) Common carriers of passengers as defined in G.S. 20-4.01(27).

(3) Motorcycles and mopeds as defined in G.S. 20-4.01(27).

(4) Truck tractors and U-Drive It Vehicles as defined in G.S. 20-4.01(48) and G.S. 20-4.01(48)a.

(5) Farm tractors as defined G.S. 20-4.01(11).

(6) Mopeds as defined in G.S. 105-164.3.

I looked up the G.S. references for Motorized Vehicles and references did not appear to be correct. Note: Citations corrected.

(n) **Necessary Activity**. Any activity analyzed and determined by the town to be an activity that cannot be avoided for the purpose of construction, public safety, constitutionality, or any other activity otherwise prohibited which the town considers acceptable to be permitted for a limited period of time.

(o) **Necessary Business Equipment**. A piece(s) of equipment physically affixed, joined, or connected to the outside of a building, and without which a business located inside the building would not be able to operate. Examples include but are not limited to heating and air conditioning units, electrical generators, water pumps, ventilation systems, and air/water chillers.

(p) **Neighboring Property**. Property which does not share a contiguous boundary with another property, but which is close enough in proximity to be affected by sound produced on the other property.

(q) **Noise Disturbance.** Any sound or combination of sounds which, because of its volume or quality or time of day, tends to annoy, disturb, frighten, or otherwise cause an adverse psychological or physiological effect upon reasonable persons of normal sensitivity, or unreasonably prevents such persons from being able to enjoy their activities of daily living.

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

(s) **Plainly Audible.** Any sound or component of sound for which any of the content of that sound is unambiguous, verifiable, and discernible above ambient levels by a person using his or her unaided hearing faculties, including but not limited to comprehensible musical rhythms, understandable speech, or rhythmic bass.

(t) **Residential Areas**. Any area within the town that is zoned R-20, R-8MH, R-8, R-8A, RC-5, RS-5, PUD, TR, or TCA.

(u) **Responsible Person.** An owner, tenant, occupant, employee, agent, or any other person who is or who appears to be responsible for the premises, dwelling, or commercial establishment creating, allowing, or causing to be created a noise disturbance in violation of this Article.

(v) **Sound**. Any disturbance of the air or other medium that is detectable by the unaided

human ear or which produces vibrations detectable by persons of normal sensitivity.

(w) **Sound Level**. The weighted sound pressure level obtained by the use of a sound level meter and frequency weighting network as specified in ANSI specifications for sound level meters.

(x) **Sound Level Meter**. Device used to measure sound pressure levels with a standardized frequency weighting and indicated exponential time weighting for measurements of sound level, or without time weighting for measurement of time-average sound pressure level or sound exposure level.

(y) **Sound Pressure Level**. In decibels, twenty (20) times the logarithm to the base ten (10) of the ratio of the magnitude of a particular sound pressure to the standard reference pressure. The standard reference pressure is 0.0002 microbars.

(z) **Sound Source**. Any person, animal, device, operation, process, activity, or phenomenon which emits or causes sound.

Sec. 91.05. – Specific Prohibitions.

The following acts are specifically declared to be unreasonably loud, annoying, frightening, or disturbing sounds which constitute a noise disturbance and the emission of which shall therefore constitute a violation of this Article:

(a) The sounding of any horn or signal device on any automobile, motorcycle, bus or other vehicle for an unnecessary or unreasonable period of time, or for the purpose of harassing another person. Suggest boats be added in as in the current ordinance.

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

(c) Operation of any motor vehicle without a proper muffler system, as defined in G.S. 20-128(a).

(d) Construction activity in residential or downtown areas between the hours of 7:00 p.m. and 8:00 a.m., or at any time on Sunday or the following holidays: New Year's Day, Thanksgiving Day, or Christmas Day, except by permit for necessary activity.

Construction activity of all types often begins at 7 am.

(e) The intentional projection of sound from any drum, music, loudspeaker, or other instrument or device onto adjoining or neighboring properties for the purpose of attracting attention by creation of noise to any business, location, performance, show, event, sale, or display.

(f) Keeping any animal or bird which frequently or for long periods of time makes noises that would tend to disturb or annoy a reasonable person of normal sensitivity in the vicinity.

(g) The collection of garbage, recyclables, or yard waste between the hours of 7:00 p.m. and 7:00 a.m. in Residential areas.

(h) The operation of lawn mowers and other domestic power tools outside between the hours of 8:00 p.m. and 8:00 a.m.

Suggest that 8:00am in (h) be changes to 7:30am.

For sure yard people start early 7 days a week. Do we limit commercial yard people only? What about day of the week?

My comments related to work hours Sec. 91.05 (h) limiting the start to 8 am. Over the last several years I have noticed that general contracting, especially roofs, seem to begin earlier, especially in the summer when temperatures are above 80 degrees, daytime. Maybe some relief for extraordinary conditions.

Current noise ordinance section 91.05 B6 has information about large trucks including refrigerated. Q: Is this covered in the definition for Necessary Business Equipment? Section 91.05. A: No. The Board may want to consider adding these additional prohibitions from the current noise ordinance:

1. Loading or unloading of a vehicle with more than six wheels;
2. The parking of a motor vehicle with more than six wheels with its engine running;
3. The parking of a vehicle with more than six wheels with a refrigerated cargo compartment while the refrigeration unit is operating;
4. The loading or unloading of cargo from a motor vehicle with the use of mechanical or hydraulic lifts; or
5. The outdoor dumping of bottles or cans from one container into another.

Sec. 95.06. – Exceptions.

To the extent that such uses are for a legitimate purpose, the following are excepted from the application of this Article:

(a) Sound or noise emanating from regularly scheduled outdoor athletic events held any town park, or at any school athletic facility within the town limits, and occurring between the hours of 8:00 a.m. and 10:00 p.m.;

(b) Sound or noise emanating from concerts and other events held at town facilities and approved by the Town of Beaufort;

(c) Construction activity performed by or for an agency of government, provided that all equipment is operated in accordance with manufacturer's specifications and is equipped with all noise-reducing equipment in proper condition;

(d) Sound or noise of safety signals, warning devices, and emergency pressure relief valves;

(e) Sound from church or school bells or chimes, provided that bells or chimes may not sound for more than five (5) minutes in any hour and may only be heard between the

hours of 8:00 a.m. and 7:00 p.m.; (e) change 8am to 7:30am

(f) Sound or noise emanating from street fairs, festivals, or other public celebrations produced, sponsored, or approved by the Town of Beaufort;

(g) Sound or noise emanating from film and video production activities for which film permits have been issued by the town, provided that all equipment is operated in accordance with manufacturer's specifications and is equipped with all standard noise-reducing equipment in proper condition; Q: Why does this apply only to film/video companies and not other commercial businesses. A: This ordinance is based on that of the City of Wilmington, where filming of movies, TV shows and commercials is not uncommon. On location filming is often at early morning hours, so it could need to be excepted. Beaufort isn't often used for on location filming, but has potential to be. This section could be eliminated.

(h) Sound or noise from lawful fireworks displays;

(i) Lawnmowers, agricultural equipment, and domestic power tools operated between the hours of 8:00 a.m. and 8:00 p.m., provided that all equipment is operated in accordance with manufacturer's specifications and is equipped with all standard noise-reducing equipment in proper condition; I recommend that 8:00am be changed to 7:30am which is what it is currently. I assume this applies to both individual and commercial.

(j) Necessary business equipment, provided that such equipment is operated in accordance with manufacturer's specifications, is in good working order, and is equipped with appropriate noise-reducing equipment and any reasonable screening;

(k) Music during properly permitted parades or military ceremonies;

(l) The collection of garbage, recyclables, or yard waste between the hours of 7:00 a.m. and 7:00 p.m.;

(m) Emergency vehicles in the course of performing their official duties; and

(n) Any other sound authorized by town-issued permit or town contract, to the extent allowed by such permit or contract.

Sec. 91.07. – Noise Violation Based on Sound Level Meters.

(a) Enforcement of this Article does not require the use of a sound level meter to determine compliance. However, when a sound level meter is used to determine sound levels pursuant to this Article, the standards, instrumentation, personnel, measurement procedures, and reporting procedures shall be as specified in this section, and all terminology not defined in this section shall be in conformance with the ANSI.

(b) Sound level measurement shall be made with a sound level meter using the A-

weighting scale, set on slow response.

(c) Sound level meters shall be serviced, calibrated, and operated as recommended by the manufacturer and in accordance with regulations prescribed by the police department. Persons using the sound level meter shall be trained in sound level measurement and the operation of sound level measuring equipment.

(d) Sound level measurements shall be made from within the boundary line of an adjoining or complaining property. Whether the sound level violates the prescribed limits in Sec. 6-33 below will be determined by whether the readings taken within the adjoining or complaining property are in excess of the levels allowed for the zoning area of the property that is the source of the sound.

(e) Except as specified in (g) below, the sound level measurement shall be averaged over a period of at least one (1) minute for purposes of determining the sound level. Sound levels may not exceed the prescribed level by more than three (3) decibels at any time during the measurement period.

(f) During sound level measurement, the microphone shall not be positioned so as to create any unnatural enhancement of the measured sound. A windscreen shall be used when appropriate.

(g) Traffic noise and noise from other sources not connected with the sound being measured shall not be considered in taking sound level measurements.

(h) In the case of noise that is impulsive or not continuous, the sound level measurement shall be taken over a period of time of at least one (1) minute. Any such sound or noise that exceeds the prescribed level more than two (2) times in a minute shall be deemed to exceed the prescribed sound levels.

(i) If an officer does not have possession of a department-owned and ANSI-approved sound level meter at the time of responding to a noise complaint, sound level measurements for the purpose of determining violations of this Article may not be taken using any other device, including but not limited to applications on cellular devices or any hand-held personal sound level meters obtained from any other source. The officer shall instead proceed under the other sections of this Article in order to determine whether a noise disturbance is occurring.

Sec. 91.08. – Sound Level Limits by Zoning Area.

MAXIMUM SOUND LEVEL READINGS			
(Waterfront Business District)			
8:00 a.m. to Midnight	75 dB(A)	Midnight to 8:00 a.m.	60 dB(A)

(Residential)			
8:00 a.m. to 8:00 p.m.	65 dB(A)	8:00 p.m. to 8:00 a.m.	50 dB(A)
(Commercial/Industrial)			
7:00 a.m. to Midnight	75 dB(A)	Midnight to 7:00 a.m.	60 dB(A)

Suggest waterfront business district early time be changed to 7am for both periods.
The current ordinance was modified because of complaints from some citizens that lived near downtown. That is why it has more specific details.

Sec. 91.09. – Noise Permits.

(a) A noise permit shall be obtained in advance for any activity where the sound level to be produced exceeds or should be reasonably expected to exceed the sound level limits or time limits set out in this Article on any other property.

(b) Any application for a permit under this section shall be submitted to the Beaufort Town Clerk at least ten (10) Town business days in advance of the planned use, except for a necessary activity. The application shall designate a responsible person who shall be in control of the sound producing or sound amplification equipment or the contact person for the event, and who will ensure that the equipment or event complies with the terms of the permit.

(c) The Chief of Police or his/her designee shall have the ability to alter the times allowable under the permit and the acceptable sound levels allowed under the permit. Except in the case of necessary activities, the Chief of Police shall not extend the allowable time limit for a prohibited or excepted activity by more than one (1) hour, or increase the allowable sound level for any activity by more than ten (10) decibels over the sound level limits otherwise allowed in this Article.

(d) In the Town Manager's discretion and after consultation with the Chief of Police or his/her designee, the Town Manager shall have the ability to alter the allowable time limit for a prohibited or excepted activity by more than one (1) hour, or increase the allowable sound level for any activity by more than ten (10) decibels over the sound level limits otherwise allowed in this Article.

No extensions, especially from those not subjected to the noise. If the event is late starting, too bad. A compromise might be any extension needed before 6PM.

Neither the town manager nor the police chief should have the right to alter times allowable under the permit. It should be an in town designee.

(e) No more than thirty (30) days of events, consecutive or otherwise, may be applied for using any single permit.

(f) If multiple events are applied for using the same permit, in no case shall the time allowed between the first event on the permit and the last event on the permit be more than one (1) calendar year.

(g) The following criteria shall be considered in the determination of whether to grant or deny an application for a noise permit:

(1) The use and activities permitted by the zoning regulations in such areas;

(2) The intensity of sound levels regularly produced by activities and devices in such areas;

(3) The time at which the sound amplification will occur;

(4) The duration of the requested amplification;

(5) The proximity of the requested activity to commercial buildings and residential dwellings, and the density of the surrounding commercial and residential areas;

(6) The history of verified complaints generated by previous activities similar in nature and context;

(7) The history of noise complaints against the applicant from adjoining or neighboring properties;

(8) Whether the sounds produced by such devices and activities are plainly audible, recurrent, intermittent, impulsive, or constant;

(9) Failure to complete the application properly; and

(10) The necessity of the requested amplification.

There is really not a necessity except for emergency purposes.

(f) If an applicant is denied a permit under this section, the reasons for denial shall be set forth in writing and furnished to the applicant. If an applicant believes the denial is improper for any reason, the applicant shall promptly submit a copy of the denied permit application, together with a short statement of the reasons he believes he is entitled to a permit, to the Town Manager or his/her designee. The Town Manager shall have the discretion to review the appeal and grant the permit, upon his determination that the applicant has made a substantial showing of entitlement, with any conditions or amendments to the permit that the Town Manager deems to be in the best interest of the public and the Town.

(g) A violation of any section of this Article that results in either a civil fine or a criminal penalty, may also be the basis for revocation of any permit, in the discretion of the police officer responding to the noise complaint, upon consultation with his supervising officer.

Sec. 91.10. – Noise Violations Not Based on Sound Level Meters.

(a) Any police officer responding to a noise complaint may, in the officer's discretion, issue a civil citation or enforce any other penalties under this Article if the officer determines that a noise disturbance, as defined in Sec. 91.04, does exist.

(b) An officer does not have to use a sound level meter or actually witness the sound or noise personally in order to take enforcement action under this section. Citations may be issued based upon statements and evidence obtained from complaining witnesses when the officer determines that such evidence is reliable, appropriate, and sufficient.

(c) It shall be a violation of this Article for any person to communicate a noise complaint to any Town staff or official, using the 911 system or otherwise, for the purpose of harassing the subject of the complaint, and knowing or having reason to know that no noise disturbance actually exists or existed.

(d) Factors to consider in determining whether a noise disturbance exists include, but are not limited to, the following:

(1) The volume of the noise;

(2) The intensity of the noise;

(3) Whether the nature of the noise is usual or unusual;

(4) Whether the origin of the noise is natural or unnatural;

(5) The volume and intensity of the background noise, if any;

(6) The proximity of the noise to residential sleeping facilities;

(7) The nature and zoning of the area from which the noise emanates;

(8) The density of the inhabitation of the area from which the noise emanates;

(9) The time of the day or night the noise occurs;

(10) The duration of the noise;

(11) Statements of any complaining witnesses, including any pictures or audio/video documentation produced by complaining witnesses; and,

(12) Whether the noise is recurrent, impulsive, intermittent, or constant.

Sec. 91.11. – Owner/Occupant Responsibility.

(a) Penalties for violations of this Article may be assessed against persons responsible for either the premises or the sound source.

(b) All persons responsible for either the premises or the sound source who are actively or constructively present at the time of the violation shall be listed on the same citation, and shall be jointly and severally responsible for any such violation.

(c) An absentee owner shall be responsible for any actions by tenants, guests, or other licensees that constitute third or subsequent violations of this Article.

(d) No absentee owner shall be liable unless such owner has already been notified of first or previous violations of the Article, and further provided that such first or previous violations shall have occurred within the previous twelve-month period. Notice of any first or previous violations pursuant to this paragraph shall be effected by registered or certified mail.

(e) No absentee owner may be subjected to criminal liability under this section.

(f) The person responsible for any premises shall be responsible and liable for any violations of this Article by tenants, guests, or licensees on the premises if the person responsible is actively or constructively present at the time of the violation.

(g) Any person responsible for causing a violation of this Article on or at any commercial establishment shall be liable for any civil or criminal remedy which may be imposed by this Article.

(h) Any person in charge of, and physically present, at any commercial establishment shall also be liable for any civil or criminal remedy which may be imposed by this Article.

(i) It is no defense to either civil or criminal liability of the person in charge of a commercial establishment that a violation of this Article was caused by a tenant, guest, invitee, permittee, or licensee.

The Owner/Occupant Responsibility needs to be tightened. A period of twelve months is too long before fines are considered. This will also play into the STR ordinance as it has been one of the major issues.

Having an absentee owner responsible for excessive sound is not practical, especially if a family or even a rental unit. The absentee owner should only be responsible if the situation is recurrent.

Sec. 91.12. – Noise Violation Appeal Process.

(a) Any person issued a civil penalty under the provisions of this Article may appeal by filing an appeal in writing to the Chief of Police within ten (10) calendar days after the civil penalty is issued. The written appeal shall state all reasons that the civil penalty was wrongly applied and shall include all supporting documentation that the appellant contends supports the appeal.

(b) If a person files a written appeal within the time provided in this section, the penalty being appealed shall be stayed pending the decision of the Chief of Police.

(c) The Chief of Police, or his/her designee at the rank of Bureau Commander or higher, shall issue a written determination, within ten (10) working days of receipt of the written appeal, stating whether the disputed civil penalty will be approved without

change or modified or reversed.

(d) All decisions shall be served on the petitioner.

(e) The determination of the Chief of Police, or his/her designee , is final, subject to appeal only in the Superior Court of Carteret County by proceedings in the nature of certiorari, such appeal to be filed within thirty (30) days of the date the adverse decision was mailed.

Additional Comments/Questions:

1. Summary: the major complaint on a consistent basis is ***vehicle noise***, either blaring music, or illegal equipment such as mufflers. The PD could be a bit more involved on this one as Front St. and environs are now the place to "profile". The heavy trucks delivering early in the morning, especially refrigerated one, are another source but at least they are "working". Trash trucks, sometimes there are three at a time doing specific specialty pick-ups such as business, household and recycle.
2. Enforcement is a major drawback. Motor vehicles—and this should also include boats—are moving targets and difficult to locate when a complaint comes in.

Current

Town of Beaufort Code of Ordinances

ARTICLE I. - NOISE

Sec. 91.01. - Purpose of noise regulations.

(A) It is recognized that excessive and unnecessary noise endangers the physical and emotional health and welfare of the people, interferes with legitimate business and recreational activity, increases construction costs, depresses property values, offends the senses, creates public nuisances and in other respects reduces the quality of life.

(B) It is further recognized that a substantial body of science and technology exists by which excessive sound may be measured and substantially abated. Because the regulation of excessive and unnecessary noise that may jeopardize human health or welfare or substantially degrade the quality of life is well within the purview of the town police powers, it is declared to be the purpose of this article to prevent, prohibit and provide for the regulation and abatement of excessive and unnecessary noise which may injure the physical and emotional health or welfare of its citizens or degrade the quality of life.

(Ord. 08:007, passed 5-1-2008)

Sec. 91.02. - Definitions.

(A) For the purpose of §§ 91.01 through 91.07 (which sections are referred to herein as "this article"), the following definitions shall apply unless the context clearly indicates or requires a different meaning.

A-weighted sound level means the sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read is designated dB(A).

Decibel (dB) means a unit for describing the amplitude of sound, equal to 20 times the logarithm to the base ten of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micronewtons per square meter.

Emergency work means any work performed for the purposes of preventing or alleviating physical trauma or property damage threatened or caused by an existing or imminent peril.

Event means a gathering of people for the purpose of recreation, entertainment, worship, fundraising, or cultural activity outdoors on a zoning lot, or other property, where amplified sound is emitted from the property.

Nighttime. As used in this article, *nighttime* shall mean the time period between the hours of 10:00 p.m. and the following 7:00 a.m.

Noise means any sound which annoys or disturbs humans or which causes or tends to cause an adverse psychological or physiological effect on humans.

Outdoor amplified sound means any sound using sound amplifying equipment where such equipment is located outside of a residential or commercial structure or within such structures where it is obvious that the sound emitted from the amplifying equipment is intended to be transmitted to the outside through open doors or windows or other openings in the structure.

Sound amplifying equipment means any device for the amplification of the human voice, music, or any other sound, including televisions, electronic loud speakers, jukeboxes, stereos, compact disc players and radios.

Sound level meter means an instrument which includes a microphone, amplifier, IRS detector, integrator or time averages, output meter and weighting network used to measure sound pressure levels.

Unnecessary noise means any excessive or unusually loud sound which disturbs the peace and quiet of any neighborhood or which does annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of any reasonable person of ordinary sensibilities or causes damage to property.

(B) All terminology not defined in this section but used in this article shall be in conformance with applicable publications of the American National Standards Institute (ANSI) or its successor body.

(Ord. 08:007, passed 5-1-2008; Am. Ord. 09-04, passed 10-14-2009)

Sec. 91.03. - Sound level allowances.

(A) *General standards.* Except as set forth herein, it shall be unlawful during the daytime or night time hours for any person to cause or allow the emission of sound from any source or sources which, when measured pursuant to the procedure outlined by this article, exceed the maximum decibel limits as follows:

Zone	Time	Allowable dB(A) without amplified sound permit*	Allowable dB(A) with amplified sound permit*
Residential**	7:00 a.m. - 10:00 p.m.	60	85
	10:00 p.m. - 7:00 a.m.	50	
Business***	7:00 a.m. - 10:00 p.m.	75	
	10:00 p.m. - 7:00 a .m.	60	
	8:00 a.m. - 10:00 p.m.		90
WC Zone****	7:00 a.m. - 12:00 a .m.	75	
	12:00 a.m. - 7:00 a.m.	60	
	8:00 a.m. - 1:00 a.m.		90
*Exceptions allowed in accordance with § 91.06			

**Residential Zones: R-MF (CU), R-5 (CU), R-8 (CU), R-8A (CU), R-10 (CU), R-10MH (CU), R-15 (CU), R-20 (CU)
***Business Zones: B-l (CU), B-3 (CU), WC (CU), O & I (CU), CD (CU), L-I(CU), I-W(CU), I-P (CU)
****WC Zone: WC (CU)

(B) *Amplified sound permit standards.*

(1) The amplified sounds authorized by the amplified sound permit under § 91.07 shall conform with the table in subsection (A) of this section.

(2) In residentially zoned areas all outdoor amplified sound permits shall expire at 10:00 p.m. each night with the following exception. A nonprofit organization sponsoring a cultural event open to the general public on a fee or non-fee basis may be issued up to three outdoor amplified sound permits per calendar year that expire at 12:00 a.m. on a zoning parcel basis.

(3) In all residentially zoned areas amplified sound permits are available only for zoning lots with habitable dwellings, and a maximum of four amplified sound permits may be issued for a zoning lot during a calendar year. An amplified sound permit issued under this article may be transferred to an owner's adjacent vacant lot or lots. Multi-family buildings and duplexes shall be considered one zoning lot.

(Ord. 08:007, passed 5-1-2008)

Sec. 91.04. - Noise measurement standards and determinations.

(A) Sound level measurements shall be made with a sound level meter using the A-weighting scale set on low response.

(B) Sound level meters shall be at least Type II meeting the American National Standard Institute (ANSI) S1.4-1971 requirements and shall be operated according to the manufacturer's standards. Person(s) using the sound level meters shall be trained in sound level measurement and the operation of sound level measurement equipment.

(C) The measurement shall be made on the public street right-of-way adjoining the property where the noise is being produced, using sound measuring equipment. The measurement shall not be made on the private property where the noise is being produced. At the discretion of the police officer, the sound measurement may be taken on the property of the person complaining about the noise.

(D) Sound measurements shall be conducted at the time when the suspect noise or sound is being emitted.

(Ord. 08:007, passed 5-1-2008)

Sec. 91.05. - Noises prohibited.

(A) *General prohibitions.* In addition to the unlawful acts set forth in § 91.03, it shall be a public nuisance and therefore unlawful to create, cause or allow the continuance of any excessive or unusually loud noise which disturbs the peace and quiet of any neighborhood or which does annoy, disturb, injure or endanger the comfort, repose, health, peace or safety of any reasonable person of ordinary

sensibilities or causes damage to property particularly during the nighttime. The following are deemed to be examples of a violation of this section when the noise from such activity is of such character, intensity, and duration as to be a public nuisance:

(1) *Yelling shouting, whistling, singing.* Yelling, shouting, whistling or singing on the public streets or private property particularly at nighttime.

(2) *Noisy parties.* Congregating or participating in any party or gathering of people particularly at nighttime.

(3) *Loading operations.* Loading, unloading, opening or otherwise handling boxes, crates, containers, or other similar objects during nighttime.

(4) *Repair of motor vehicles.* The repair, rebuilding or testing of any motor vehicle during nighttime.

(5) *Radio, phonograph, television, musical instruments.* The playing of any radio, phonograph, musical instrument, television or any similar device, particularly during nighttime.

(6) *Power equipment.* Operating or permitting the operation of any power saw, sander, drill, grinder, leaf blower, lawnmower or other garden equipment or tools of a similar nature outdoors during the nighttime.

(B) *Specific prohibitions.* The following acts are declared unlawful.

(1) *Horns and signaling devices.* The intentional sounding of any horn or signaling device of a motor vehicle on any street or public place continuously or intermittently, except as a danger or emergency warning. The intentional sounding of any horn or signaling device on any boat located at a private or public dock or on a public water continuously or intermittently, except as a danger or emergency warning or as required by United States Coast Guard regulation.

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

(3) *Explosives.* The use or firing of explosives, fireworks or similar devices unless pursuant to a lawfully issued permit.

(4) *Outdoor amplified sound.* Outdoor amplified sound exceeding the standards set forth in § 91.03.

(5) *Garbage disposal at night.*

(a) Any of the following acts during the nighttime:

1. The dumping or emptying of garbage containers into garbage trucks;

2. The operating of exterior mechanical trash compactors; or

3. The placing or removing of garbage containers with motor vehicles.

(b) Excepted from the prohibitions in this subsection (B)(5) are garbage removal activities during events or festivals that have been specifically approved by the Board of Commissioners.

(6) *Loading and unloading activities at night.*

(a) Any of the following acts from 11:00 p.m. until 7:00 a.m. within the WC and CD zoning districts:

1. Loading or unloading of a vehicle with more than six wheels;

2. The parking of a motor vehicle with more than six wheels with its engine running;

3. The parking of a vehicle with more than six wheels with a refrigerated cargo compartment while the refrigeration unit is operating;

4. The loading or unloading of cargo from a motor vehicle with the use of mechanical or hydraulic lifts; or

5. The outdoor dumping of bottles or cans from one container into another.

(b) Excepted from the prohibitions in this subsection (B)(6) are activities during events or festivals that have been specifically approved by the Board of Commissioners.

(C) *Incidental factors.* In determining whether a noise is a public nuisance, the following factors incident to such noise are to be considered.

(1) The time of day;

(2) Whether the noise is recurrent, intermittent or constant;

(3) The volume and intensity;

(4) Whether the noise has been enhanced in volume or range by any type of electronic or mechanical means; and

(5) Whether the noise is related to the normal operation of a business or other labor activity.

(D) *Enforcement.* The Chief of Police or designee shall have the authority to order those person(s) determined to be in violation of this article to cease producing the sound in excess of that authorized. Such order shall not affect other enforcement methods available to the town for violation of this article.

(Ord. 08:007, passed 5-1-2008)

Cross reference— Penalty, see § 91.99.

Sec. 91.06. - Exceptions.

The following are exempt from the provisions of this article:

(A) Any bell or chime from any building clock, school or church;

(B) Any siren, whistle or bell lawfully used by emergency vehicles or any other alarm systems used in an emergency situation, provided that burglar alarms not terminating within 30 minutes after the owner or tenant of the property has been notified shall be unlawful;

(C) Noise created as a result of or relating to an emergency;

(D) Warning devices required by OSHA or any local, county, state or federal safety regulations;

(E) Noise created by any aircraft flight operations which are specifically preempted by the Federal Aviation Administration;

(F) Noises resulting from the provision of municipal sanitation services;

(G) Commercial construction operations from the daylight hours between 7:30 a.m. and 7:00 p.m. for which building permits have been issued or for which permits are not required due to ownership of the project by an agency of government, providing all equipment is operated in accordance with the manufacturer's specifications and with all the manufacturer's standard mufflers and noise-reducing equipment in use and operating properly;

(H) All noises coming from motor vehicles properly equipped with the manufacturer's standard mufflers and noise-reducing equipment;

(I) Noise from lawful fireworks on legal holidays from dawn until the following midnight;

(J) Commercial lawnmowers and agricultural equipment used between the daylight hours of 7:30 a.m. and 7:00 p.m. when operated with all the manufacturer's standard mufflers and noise-reducing equipment in use and operating properly;

(K) Sound amplification equipment used in conjunction with a telecommunications system on business properties to notify employees of that business of incoming phone calls; providing that this system be

used only between the hours of 7:00 a.m. and 10:00 p.m. and that any speakers attached to the system be oriented toward the interior of the property;

(L) Sound emanating from regularly scheduled, outdoor athletic events held by schools or local government recreation departments;

(M) Yard maintenance and construction activities by the occupants of private residences between 7:30 a.m. and 7:00 p.m.;

(N) Noises resulting from the provision of government services;

(O) Emergency work necessary to restore property to a safe condition following a fire, accident or natural disaster; to restore public utilities; or to protect persons or property from an imminent danger;

(P) Sounds emitted by manufacturing operations in L-1, I-P, and I-W zones of less than 75 dB(A) at the property line; and

(Q) Notwithstanding any provision to the contrary in this article, noise pursuant to a permit issued under § 91.07 and within the decibel limits of § 91.03 shall not be a violation of § 91.05.

(R) The sound of a person's voice at an event transmitted over a public address system prior to 8:30 p.m.; provided, however that the noise from such public address system shall not exceed the dB(A) limits provided in subsection (A) of this section, and, this exemption is only available on a zoning lot during two days during a calendar year.

(Ord. 08:007, passed 5-1-2008; Am. Ord. 09-04, passed 10-14-2009)

Cross reference— Penalty, see § 91.99.

Sec. 91.07. - Amplified sound permit.

(A) *Permit required.*

(1) It shall be unlawful for any person to sponsor, promote, supervise, participate in or produce outdoor amplified sound in the town exceeding the dB(A) levels established in § 91.03(A) chart for "Allowable dB(A) without amplified sound permit" without having first secured an amplified sound permit under this section.

(2) Permits issued under this section shall allow sound limits within the standards of § 91.03.

(3) A minimum of 14 days before an event where outdoor amplified sound is to be used, the person, business or nonprofit organization sponsoring or promoting the event shall apply to the town for a permit authorizing the outdoor amplified sound. The 14-day period may be waived by the town for applications filed under the expedited process provided in subsection (A)(4) of this section. The application for the permit shall state the following:

(a) Name of the sponsoring person or organization;

(b) The proposed date or dates and time for the event utilizing outdoor amplified sound;

(c) The proposed location of the outdoor amplified sound;

(d) The estimated number of people who will attend the event;

(e) The type of outdoor amplified sound to be offered;

(f) The location, type and numbers of musical instruments to be involved in the outdoor amplified sound;

(g) The location and orientation of all devices to transmit amplified outdoor sound, including, but not limited to, loud speakers or any other non-amplified instrument or device, including but not limited to drums and other percussion devices, whether amplified or not, for the

purpose of creating noise at any performance, show, sale or display of merchandise involving outdoor amplified sound; and

(h) The direction that the outdoor amplified sound will project.

(4) Failure to apply a minimum of 14 days prior to the date of the first proposed use of amplified outdoor sound at an event shall be grounds for denial of the application. Applicants who fail to meet the 14-day minimum may be granted a permit through a special expedited process upon payment of an additional fee to offset the town's staff costs of processing an expedited application.

(5) Annual outdoor amplified sound permit. A business owner or operator within a nonresidential zoning district may apply for an annual outdoor amplified sound permit if the business provides events with amplified outdoor sound in a consistent manner. The application shall include the information listed in subsection (A)(3) of this section.

(6) The applicant shall pay a fee for the investigation and processing of each permit and activities hereunder for each application.

(B) *Issuance and expiration.*

(1) The applicant shall be the individual property owner, tenant or appointed agent responsible for the event. The applicant must designate on the application form a natural person who will be responsible for the permit holder's compliance with the terms of this article. This person shall be known in this article as the "monitor" and shall be an agent of the permit holder if he himself or she herself is not the permit holder.

(2) The application for an outdoor amplified sound permit shall be investigated by the Building Inspector and the Chief of Police. The Town Clerk shall issue a permit allowing outdoor amplified sound to the applicant if the Building Inspector and the Chief of Police find as a fact that the proposed outdoor entertainment meets the following standards:

(a) The location and use of electrical equipment in connection with the outdoor entertainment meets the state's Electrical Code.

(b) Sound speakers will be elevated not more than ten feet off the ground.

(c) Sound speakers and amplified equipment will be arranged so as to minimize the disturbance to residences resulting from the orientation of amplifying equipment.

(d) The proposed site for the outdoor amplified sound is adequate for the number of people estimated to be in attendance and that adequate safety precautions have been provided for by the person sponsoring or promoting the entertainment.

(e) The proposed outdoor amplified sound will not interfere with the operations and functions of any hospital, rest home, family care home, group care facilities, private or public schools or day care centers.

(3) Any permit issued pursuant to this section shall be valid only for the dates and time indicated in the permit. Upon expiration of a permit, a new application for a permit and an application fee is required for additional events on the property where amplified sound will be used, subject to the limits on the number of events on a lot in § 91.03(B). Annual outdoor amplified sound permits in non-residential zoning areas expire at the end of the calendar year for the year issued.

(a) For properties in residential zoning areas, a permit shall be issued and be valid for up to two consecutive days only beginning on the first proposed date of use of amplified sound.

(b) For properties in non-residential zoning areas, excluding properties for which an annual outdoor amplified sound permit has been issued, a permit shall be issued and be valid for up to seven consecutive days only beginning on the first proposed date of use of amplified sound.

(C) *Conditions.*

(1) In a residentially zoned area, if the estimated number of people attending the event where an outdoor amplified sound permit is required exceeds 99, the permit holders are required to pay to the town a fee calculated by the Town Manager to be the cost to the town, including overtime pay, of assigning a police officer full-time to monitor the event.

(2) Permit holders shall agree to cooperate with the Police Department in enforcing this article by having the monitor available at the site during the entire time for which the permit has been issued and capable of assisting the police in enforcing this article. Failure of such monitor to be present or to assist the police in complying with the terms of the permit will be cause for the immediate revocation of said permit.

(D) *Revocation.*

(1) The Town Clerk shall have the authority to revoke any permit for outdoor amplified sound if he or she finds that the information stated in the application is incorrect, either when originally filed or at the time of the review by the Town Clerk, or that the terms and conditions of this article are not being complied with by the permit holder.

(2) Upon revocation of the permit, the permit holder shall not thereafter sponsor, promote, supervise, participate in or engage in any outdoor entertainment in the town without having secured another permit from the town.

(3) The Chief of Police or his or her designee shall have the authority to revoke any permit for outdoor entertainment if he or she finds that the noise created during an event exceeds allowable decibel levels or if he or she finds that the noise or a combination of noise and behaviors of participants constitutes a public nuisance, or if he or she notifies the monitor of a violation of this article or the conditions of the permit and the violation is not immediately abated and remains abated for the duration of the event.

(Ord. 08:007, passed 5-1-2008; Am. Ord. 09-04, passed 10-14-2009)

State Law reference— Authority to regulate mass gatherings, see G.S. 130A-258.

Town of Beaufort, NC
701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Town of Beaufort Board of Commissioners Work Session
4:00 PM October 26, 2020

AGENDA CATEGORY: Items for Discussion and Consideration

SUBJECT: Short Term Rental Regulations

BRIEF SUMMARY:

At the September 28th Work Session the Board discussed potential regulations for both homestay and whole house short term lodging. Commissioners decided to submit their comments and questions on the potential regulations to the Town Manager for compilation and discussion at the next work session.

Board members' comments and questions have been compiled and incorporated into the document containing the potential regulations for short term rentals and is attached.

If the Town Board desires to enact these or other short term rental regulations, then it should send them to the Planning Board to follow the usual process for zoning ordinance amendments.

REQUESTED ACTION:

Discussion and review; consider sending proposed short term rental regulations to the Planning Board for action.

EXPECTED LENGTH OF PRESENTATION:

15 minutes

SUBMITTED BY:

John Day, Town Manager

BUDGET AMENDMENT REQUIRED:

No

Short Term Rentals
Outline of Proposed Regulations

Commissioner Comments/Questions are in Red

Regulation of short term rental properties is proposed to be divided into two categories: 1) Homestay Lodging, and 2) Whole House Lodging.

Homestay Lodging

Definitions:
Homestay lodging - A private, resident-occupied dwelling unit, with up to two guest rooms where overnight lodging accommodations are provided to transients for compensation for a maximum continuous period of twenty-nine (29) days, that does not include serving food, and where the use is subordinate and incidental to the main residential use of the building. The dwelling unit must serve as the host's principal residence.

Homestay host: A permanent, full-time resident of a property who is present during the homestay term for the entire time lodgers are staying on the property. The host may be temporarily absent from the property for purposes related to normal residential activities, such as shopping, working, attending classes, etc.; however, a host must be at the property overnight when lodgers are present.

Principal residence: The domicile where an individual has a true, fixed, permanent home and principal establishment, and to which place, whenever absent, the individual has the intention of returning. A principal residence is the one a person: 1) uses as his/her voting address; and 2) uses as the address on one of the following: his/her federal and state tax returns, military purposes, passport, vehicle registration, insurance policy, driver's license, bank account, or any other bill or item that requires a response; and 3) occupies for at least one hundred eighty-three (183) days during a calendar year.

Regulations:
Homestay uses are permitted in single-family and multi-family zoning districts. (OPTION: provide greater limitations, or lesser limitations)

Homestay lodging uses shall only be allowed in lawfully permitted dwelling units serving as the principal residence of a host. Only a property owner may register a homestay lodging; however, the principal resident may act as a host. Homestay lodging uses do not include bed and breakfast lodging uses.

1) Permitting.

   (a) A property owner shall apply for a zoning permit with the Town of Beaufort Planning and Inspections Department.
   (b) Zoning permits are restricted to a property owner, who shall provide proof of possession of the registered premises, and to natural persons only. A host may be the property owner or another principal resident. Q: Can multi bedroom units in a

multi-family structures (like an apartment building) that is owned by and LLC or company be a homestay facility if the owner of LLC or company apply for a permit? A: No – Companies may not apply.

(c) A permit number shall be assigned to each registered establishment, which shall be clearly noted along with any advertisement for lodging.

(d) Homestay lodging existing prior to the enactment of this ordinance shall be subject to a one year amortization period and to the non-conforming use requirements of the Land Development Ordinance.

2) The maximum number of guest rooms allowed shall be two in a single dwelling unit, and the maximum occupancy shall be two people per guest room. Accessory structures shall be considered a single guest room.

3) Parking:

(a) The host shall issue a parking placard to each guest parking on site.

(b) Guest parking shall be restricted to behind the plane of the front facade of the home, except that an existing improved parking surface on the property existing at the time of the adoption of this ordinance may also be used.

(c) No more than one (1) motor vehicle per rented guest room shall be parked onsite at any time.

Parking only behind the front is not possible on many regular lots for fulltime home owners or regular renters. Many full time homeowners have family or friends in and overflow parking can spill over into front yards and/or street parking. We do not limit them.

With the off-street parking requirement, the current resident could give up an off-street parking area that they use, park on the street, and allow the renters to use the parking that the owner uses. Requiring off-street parking will limit STRs in some areas of town, also.

4) The use provisions are not subject to variance by the board of adjustment.

5) Any property owner who receives a permit for homestay lodging, as well as any host, shall: 1) be responsible for ensuring compliance with all federal, state, and local laws, including, but not limited to tax code, building code, fire code, and environmental health regulations for the level of occupancy of the homestay; 2) not allow any party, event, classes, weddings, receptions, or other large gatherings on the premises.

6) Property owners who provide homestay lodging are responsible for keeping in full force and effect during all times the dwelling unit is used as a homestay lodging commercial general liability insurance with a total limit of not less than $500,000 each occurrence for bodily injury and property damage.

7) Homestay lodging hosts shall maintain records demonstrating that the home is a host's primary residence, the dates of rental for the previous three hundred sixty-five (365) days,

and the number of renters. Such records shall be made available, upon request, to the Town.

I0) Written notice shall be conspicuously posted inside each short-term lodging unit setting forth the following information:

(a) The name and telephone number of the host.
(b) The address of the lodging, the maximum number of overnight occupants, and the day(s) established for garbage collection.
(c) The non-emergency phone number of the Town of Beaufort Police Department.
(d) The annual registration documentation.
(e) That parties, events, classes, weddings, receptions, and other large gatherings are not permitted. Should "large gatherings" be defined? The term "large gatherings" needs to be refined.

Whole House Lodging

Definitions:
Whole-house lodging – A private residential dwelling unit in which the entire dwelling unit is provided for overnight lodging accommodations to transients for compensation for a maximum continuous period of twenty-nine (29) days, and in which no food is provided.

Regulations:

Whole-house lodging establishments are permitted in all single family and multifamily residential zoning districts subject to the following conditions (OPTION: provide greater limitations, or lesser limitations):

1. Each whole-house lodging establishment shall meet the minimum separation distance from any other residentially-zoned whole-house lodging establishment or any properly permitted bed and breakfast lodging also within a residential zoning district, as measured from parcel line to parcel line. The total number of permitted uses shall be limited by a cap.

   The separation distances shall be 400 feet, with a cap of no more than 2% of the total number of residentially-zoned parcels within each zoning district.
   Should the cap apply to an area vs current zone? I would suggest that this be considered and tested against the cap percentage. The major purpose of the ordinance is to reduce the impact of STR's on the nature and character of a neighborhood. This means to me that limiting the number in an area verses considering all the same zone in total town.

   With whole house rentals setting an arbitrary distance between rental units only for STRs has no valid purpose, nor does limiting the number in a neighborhood unless rentals are also limited. I understand that STRs affect neighborhood dynamics but then so can regular rentals.

2. Such uses shall require a local operator, available 24 hours per day, within 20 miles of the subject property.
Finally having a STR owner live within 20 miles of a unit makes no sense whatsoever. Many owners have local agents that manage their units—rental agencies or individuals. NOTE: OPERATORS are required to live within 20 miles, not OWNERS.

3. Permitting.
   (a) The property owner shall apply for a zoning permit for each establishment with the Town of Beaufort Planning and Inspections Department.
   (b) The owner shall provide proof of possession of the applicant premises.
   (c) A zoning permit number shall be assigned to each permitted whole house lodging, which shall be clearly noted along with any advertisement for lodging.
   (d) Zoning permits are limited to natural persons only and no person shall be eligible for more than one permit for a whole-house lodging in any residential district.
   (e) Whole house lodging existing prior to the enactment of this ordinance shall be subject to a one year amortization period and to the non-conforming use requirements of the Land Development Ordinance.

4. Parking:
   (a) The local operator shall issue a parking placard to each guest parking on site.
   (b) One (1) off-street, on-site parking space shall be provided for each bedroom.
   (c) Guest parking shall be restricted to behind the plane of the front facade of the home, except that an existing improved parking surface on the property existing at the time of the adoption of this ordinance may also be used.
   (d) No more than one (1) motor vehicle per bedroom shall be parked onsite at any time.

   With the off-street parking requirement, the current resident could give up an off-street parking area that they use, park on the street, and allow the renters to use the parking that the owner uses. Requiring off-street parking will limit STRs in some areas of town, also.

   Parking only behind the front is not possible on many regular lots for fulltime home owners or regular renters. Many full time homeowners have family or friends in and overflow parking can spill over into front yards and/or street parking. We do not limit them.

   Option:

   If off-street parking is not available on site, shared parking or rented spaces in a private or municipal parking lot may be used to satisfy this parking requirement.
   Proof of a shared parking plan or rental of spaces shall be included with the zoning permit application. A shared parking plan will be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record must be approved by the town attorney and submitted to the city for recordation on forms made available in by the Town. Recordation of the agreement must take place before issuance of a zoning permit for any short-term lodging use to be served by the off-site parking area.

5. The use provisions of this section are not subject to variance by the board of adjustment.

6. Any property owner operating whole-house lodging shall 1) be responsible for ensuring compliance with all federal, state, and local laws, including, but not limited to tax code, building code, fire code, and environmental health regulations for the level of occupancy of the lodging and 2) not allow any party, event, classes, weddings, receptions, or other large gatherings on the premises. Should "large gatherings" be defined? The term "large gatherings" needs to be refined.

7. Property owners registering a whole-house lodging are responsible for keeping in full force and effect during all times the unit is used as a whole-house lodging commercial general liability insurance with a total limit of not less than $500,000 each occurrence for bodily injury and property damage.

8. Operators of whole house lodging shall maintain records listing the local operator, the dates of rental for the previous three hundred sixty five (365) days, and the number of renters. Such records shall be made available, upon request, to the Town.

9. Written notice shall be conspicuously posted inside each whole house lodging unit setting forth the following information:

   (a) The name and telephone number of the operator.
   (b) The address of the lodging, the maximum number of overnight occupants permitted, and the day(s) established for garbage collection.
   (c) The non-emergency phone number of the Town of Beaufort Police Department.
   (d) The zoning permit number.
   (e) That parties, events, classes, weddings, receptions, and large gatherings are not permitted. The term "large gatherings" needs to be refined.

10. The operator shall ensure that all refuse is stored in appropriate containers and set out for collection on the proper collection day and that the carts are removed from the street or alley on the scheduled collection day, in accordance with all applicable Town Codes.

11. Preparation and service of food by operators for guests shall be prohibited. No cooking shall be permitted in individual bedrooms.

12. Occupancy shall be limited to two (2) persons per bedroom.

Additional Comments/Questions:

1. Q: Would this ordinance apply to ETJ? A: Yes, unless ETJ is specifically excluded.
2. Enforcement will require more personnel time which needs to be considered.
3. Throwing this on the code enforcement, who I don't believe is a sworn officer, might not be good. Most things happen on weekends, especially occupancy violations of quantity, parking, noise. Chief Burdette believes in talking it down before action and sometimes a "stop by" of the PD is all it takes to cure the complaint.

4. Also would put a burden on our code enforcement officers with no financial benefit to the town.
5. I really want some mechanism so that occupancy taxes are reported and verified.
6. Q: The enforcement of this is difficult as who is going to check the bedroom? A: The number of bedrooms would be verified during permitting. Number of guest vs. number of bedrooms would like only be checked if there were a complaint.
7. The major complaints coming from STRs over the years is PARKING, trash/recycles, and noise.
8. No matter now it is written the property owner is responsible and on site owners or in-town managers is a good thing. Who is going to get the 2 AM call?
9. I have serious concerns that effective regulation of this is possible and also that it is an infringement of property rights. Specifically: we do not benefit from Occupancy tax so why do we use our resources to enforce it.
10. Q: How does it provide regulatory consistency—this sets two standards—long term rentals with no restrictions and only STR regulated—there is a question of 'consistency' in how rentals are monitored. A: The matter of regulatory consistency has to do with other types of short term rentals, such as hotels and B&Bs, which are specific uses that are called out in the zoning ordinance. Whole House and Home Stay STRs are NOT currently regulated in the zoning ordinance, thus adding regulations for them provides for the "regulatory consistency".
11. Using zoning to try to regulate is likely a temporary use of terminology and likely will shortly be challenged by the courts. All in all I fail to see how regulation of STRs is really possible without considerable potential for legal challenge and also since many STR owners require the income in order to be able to retain a second or former family home.
12. It sets limitations on STRs that are not present on regular rentals. I find this difficult to justify.
13. Also limiting parking, etc. for STRs but not regular rentals or for that matter permanent home owners is not justifiable, as is limiting the number of STRs in an area but not limiting regular rentals.

Short Term Rentals

WHY SHOULD THEY BE REGULATED?

HOW CAN THEY BE REGULATED?

Short Term Rental (STR) - Definition

Rental of a residence (or part thereof) to a transient lodger for a limited duration, usually less than 30 days

- Homestay: owner occupied. Owner is on-site while rooms/detached cottage is rented to guest
- Whole-house: no primary resident; entire property is rented to guests

Why Regulate?

- Maximizes Housing Availability and Affordability
- Preserve Neighborhood Character
- Provides for Health and Safety
- Generates Occupancy Tax Revenue
- Provides Regulatory Consistency

Statutory Considerations - Regulations

STRs subject to Vacation Rental Act & Periodic Inspection Statutes, which prohibit:

- Local ordinances that require a permit to lease STRs
- Requiring owners to enroll in any governmental program in order to get certificate of occupancy
- Levying a special fee or tax on STRs that are not levied on other commercial and residential property

Statutory Considerations - Regulations

STRs may be regulated through zoning and development ordinances:

- Restrict to certain zoning districts
- Operational guidelines – parking capacity, occupancy limits, noise restrictions, responsible party designation, health & safety inspections, etc.
- Quantitative regulations – capping the number of units in a district or multi-unit building

Discussion



Town of Beaufort, NC
701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
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Town of Beaufort Board of Commissioners Work Session
4:00 PM September 28, 2020

AGENDA CATEGORY: Items for Discussion and Consideration

SUBJECT: Homer Smith Marina Covenant Amendment

BRIEF SUMMARY:

At the September 28th Work Session the Board discussed a request from Homer Smith Marina for the town to support NCDOT abandoning 19,409 square feet of ROW, which would be used for parking needed to support an expansion of the marina. In exchange, the owner offered to contribute $125,000 toward the construction of the restroom/kiosk at the new Cedar Street Park, and agreed to other conditions described in the attached Homer Smith Marina Expansion Agreement Summary

The Board asked the Town Attorney and staff to draft an amendment to the 2011 covenant between the Town and Homer Smith Marina that governs the maximum number of slips permitted to be constructed so that there may be an increase in the total number of slips to 178.

The amendment is attached for review and adoption, and well as the original covenant.

REQUESTED ACTION:

Consider approval of amendment of the covenant between Homer Smith Marina and the Town.

EXPECTED LENGTH OF PRESENTATION:

15 minutes

SUBMITTED BY:

John Day, Town Manager

BUDGET AMENDMENT REQUIRED:

No

Homer Smith Marina Expansion Agreement Summary
October 21, 2020

Homer Smith Marina desires to expand its marina from 85 to 178 slips and replace the fish house with a clubhouse for marina patrons. Of the 178 slips, 4 will be reserved for fueling and pump-out, and 33 for transient boaters, with construction of the latter funded through a Boating Infrastructure Grant.

Following is a summary of provisions of the amendment to the 2011 covenant between Homer Smith Marina and the Town of Beaufort governing the number of slips that may be developed by Homer Smith Marina:

1. Marina patrons will be required to adhere a marina parking decal to their vehicle, making any marina patrons parking in the Cedar Street Parking lot identifiable.
2. Homer Smith Marina will construct a vegetative buffer between its parking lot and the Cedar Street Park parking lot that exceeds the Town's development requirements, and also construct a fence.
3. Homer Smith Marina will place a gate at the proposed west parking lot entrance. The gate would be locked and only accessible to fire, police, trash removal service, and large delivery vehicles.
4. Homer Smith Marina will donate $125,000 toward the construction of a restroom/kiosk building at Cedar Street Park at the time of execution of the amendment.
5. The expansion of the marina will take place in two phases. The first phase will allow for up to 150 slips, including 33 slips for transient vessels and 4 slips for refueling and waste pump-outs. The second phase will allow for an additional 28 slips, construction of which may not commence sooner than 24 months after the certificate of occupancy is issued for phase 1.
6. The Town will endorse Homer Smith Marina's request to NCDOT that it abandon 19,409 square feet of adjacent ROW.
7. The agreement becomes effective upon issuance of a special use permit to Homer Smith Marina for expansion of slips.

Prepared by:
Grady Quattlebaum, PLLC
244-A Craven Street
New Bern, N.C.

Revenue Stamps: N/A
Parcel ID #:
Type of Instrument: S/INS
Grantor's Primary Residence: NO

Return to: Grady Quattlebaum, PLLC, 244-A Craven St., New Bern, NC

Address of Town of Beaufort: c/o Grady Quattlebaum, PLLC, 244-A Craven St., New Bern, NC

Address of Homer Smith, LLC & Homer Smith's Docks and Marina Club, Inc.: P. O. Box 68, Salter Path, NC

AMENDMENT TO COVENANT

THIS AMENDMENT TO COVENANT is made and entered into effective as of _____ _____, 2020, by and between **TOWN OF BEAUFORT, HOMER SMITH, LLC, and HOMER SMITH'S DOCKS and MARINA CLUB, INC.** as follows:

W I T N E S S E T H:

ARTICLE I
Recitals

1.1 Beaufort and Homer Smith, LLC, previously executed a Covenant ("Covenant") recorded in Book 1402, Page 13 in the Office of the Register of Deeds of Carteret County, North Carolina.

1.2 Section 3.3 of the Covenant provides that it may be amended by written instrument

approved by both Beaufort and Homer Smith, LLC.

1.3 The Homer Smith Marina currently contains 85 Wet Slips and 10 transient slips.

1.4 Homer Smith, LLC proposes to expand the Homer Smith Marina, and such expansion will bring the total number of Wet Slips to 141, the total number of transient slips to 33 and the total number of refueling/pump-out slips to 4.

1.5 In order to expand the Homer Smith Marina, Homer Smith desires to acquire from the North Carolina Department of Transportation +/-19,409 square feet of right-of-way ("ROW") of Cedar Street.

1.6 Homer Smith has requested Beaufort to agree to amend the Covenant to permit additional Wet Slips and to consent to the transfer of the ROW, and Beaufort has so agreed, provided certain terms and conditions as herein set forth are met.

1.7 Subsequent to the effective date of the Covenant, Homer Smith conveyed a portion of the Homer Smith Property to Homer Smith's Docks and Marina Club, Inc., which joins in the execution of this Amendment to acknowledge that this Amendment continues to bind the real property so conveyed.

1.8 The parties hereto execute this Amendment to covenant ("Amendment") to memorialize their agreements herein described.

ARTICLE II
Definitions

All capitalized terms used herein shall have the same meaning set forth in the Covenant, provided any terms in this Amendment contained in quotes shall be defined as so designated.

ARTICLE III
Amendments

Beaufort and Homer Smith, LLC, agree the Covenant shall be amended by restating and amending Section 3.2 of the Covenant to read as follows:

3.2 (a) Limit on Numbers of Slips: Homer Smith covenants and agrees with Beaufort that the number of Wet Slips in the Homer Smith Marina will not, without the written consent of Beaufort,

exceed 141 Wet Slips, 33 transient slips and 4 refueling/pump-out slips, with the addition of slips after January 1, 2021 to be "phased" as herein provided and subject to the conditions set forth below.

3.2 (b) Phasing of Expansion: The Homer Smith Marina may be expanded in phases as follows: (i) a first phase ("First Phase") which will result in the Homer Smith Marina consisting of no more than 113 Wet Slips, 33 transient slips and 4 refueling/pump-out slips and (ii) a second phase ("Second Phase") which will result in the Homer Smith Marina consisting of no more than 141 Wet Slips, 33 transient slips and 4 refueling/pump-out slips. Homer Smith may not begin construction on the Second Phase within twenty-four (24) months after the issuance of a final certificate of occupancy for all slips constructed in the First Phase. In no event shall the Homer Smith Marina contain more than 141 Wet Slips, 33 transient slips and 4 refueling/pump out slips.

3.2 (c) Other Legal Requirements for Expansion: Any additional Wet Slips constructed for the Homer Smith Marina shall meet all federal, state and local laws, rules and regulations, including but not limited to the Land Development Ordinance of Beaufort and the North Carolina Coastal Management Act.

3.2 (d) No Waiver: This Amendment shall not be construed as an implicit or explicit approval by Beaufort under any ordinance or development regulation of Beaufort, including but not limited to the Land Development Ordinance of Beaufort.

3.2 (e) Parking: Homer Smith Marina employees, agents, guests, owners, tenants and invitees (collectively "Patrons") shall be prohibited while using the Homer Smith Marina from parking on Cedar Street or within any parking lot or area owned or operated by Beaufort. Homer Smith shall require all vehicles of all Patrons to display a window decal so that Beaufort may enforce this Section 3.2(e). Homer Smith shall construct a vegetive buffer and fence between its parking area, Cedar Street and Beaufort's real property described in Deed recorded in Book 333, Page 328, Office of the Register of Deeds of Carteret County, North Carolina, such vegetative buffer and fencing to meet with the written approval of Beaufort. The parking area for the Homer Smith Marina shall contain a separate locked entrance on the western side of same, and use of such entrance shall be restricted to (a) service providers and (b) law enforcement and other first responders.

3.2 (f) Consent to transfer: Beaufort shall execute such documents as may be reasonably

necessary to demonstrate to the North Carolina Department of Transportation Beaufort's consent to the transfer of the ROW.

3.2 (g) Donation: Upon execution of this amendment, Homer Smith shall donate to Beaufort the sum of one hundred twenty-five and 00/100 ($125,000.00). Beaufort shall designate such funds to be used exclusively for the benefit of Cedar Street Park.

3.2(h) Amendment Runs with the Land: This Covenant shall apply to the Homer Smith Property and the riparian area appurtenant to and/or adjacent to the Homer Smith Property and will run with the title to the Homer Smith Property and the riparian area appurtenant to and/or adjacent to the Homer Smith Property, including but not limited to that portion of the Homer Smith Property heretofore conveyed to Homer Smith's Docks and Marina Club, Inc.

3.2(i) Contingency to Effectiveness: This Amendment's effectiveness, including specifically but not limited to the obligations set forth in 3.2(g) & 3.2(h), is contingent upon Homer Smith receiving a special use permit from Beaufort authorizing the expansion of the Homer Smith Marina as herein contemplated.

ARTICLE IV
Remaining Terms of Covenant

Except as expressly herein modified and amended, all provisions of the Covenant shall remain in full force effect.

IN WITNESS HEREOF, Beaufort and Homer Smith, LLC have each executed this instrument in such form as to be binding.

HOMER SMITH, LLC

By: _____
Tony Frost, Manager

HOMER SMITH'S DOCKS AND MARINA CLUB, INC.

By: _____

Tony Frost, _____

TOWN OF BEAUFORT

By: **_____**
Everette Newton, Mayor

(TOWN SEAL)

_____

_____,
Clerk to the Board of Commissioners

ACKNOWLEDGEMENT

The undersigned Notary Public does hereby certify that **TONY FROST** personally appeared before such Notary Public this day in the State of North Carolina and County of Carteret and acknowledged (i) that he is a Manager of **HOMER SMITH, LLC**, a limited liability company, and (ii) that by authority duly given and as the act of such limited liability company, he signed the foregoing instrument in the name of such limited liability company on such limited liability company's behalf as its act and deed.

WITNESS my hand and notarial seal, this _____ day of _____, 2020.

My Commission Expires:

_____

NOTARY SEAL/STAMP MUST APPEAR
LEGIBLY IN BOX TO RIGHT

_____
NOTARY PUBLIC

ACKNOWLEDGEMENT

The undersigned Notary Public does hereby certify that **TONY FROST** personally appeared before such Notary Public this day in the State of North Carolina and County of Carteret and acknowledged (i) that he is _____ of **HOMER SMITH'S DOCKS AND MARINA CLUB, INC.**, a corporation, and (ii) that by authority duly given and as the act of such corporation, he signed the foregoing instrument in the name of such corporation on such corporation's behalf as its act and deed.

WITNESS my hand and notarial seal, this _____ day of _____, 2020.

My Commission Expires:

_____

NOTARY SEAL/STAMP MUST APPEAR
LEGIBLY IN BOX TO RIGHT

_____
NOTARY PUBLIC

ACKNOWLEDGEMENT

The undersigned Notary Public does hereby certify that on the _____ day of _____, 2020, **EVERETTE NEWTON**, with whom I am personally acquainted, personally appeared before me in the State of North Carolina and the County of Carteret and, being by me duly sworn, says that he is the Mayor for the **TOWN OF BEAUFORT**, and that **_____** is the Clerk to the Board of Commissioners, the body politic and corporate described in and which executed the foregoing instrument; that she knows the common seal of said body politic and corporate; that the seal affixed to the foregoing instrument is said common seal; that the name of the body politic and corporate was subscribed thereto by the said Mayor that the said common seal was affixed, all by order of the Board of Commissioners of said body politic and corporate; and that the said instrument is the act and deed of said body politic and corporate.

WITNESS my hand and official seal this the _____ day of _____, 2020.

_____

My Commission Expires: NOTARY PUBLIC

_____

NOTARY SEAL/STAMP MUST APPEAR
LEGIBLY IN BOX TO RIGHT

K+W

NORTH CAROLINA, CARTERET COUNTY
This instrument and this certificate are duly filed at the date and time and in the Book and Page shown on the first page hereof.
Joy Lawrence, Register of Deeds
By _____
Asst. Deputy, Register of Deeds

FILE # 1402013

FOR REGISTRATION REGISTER OF DEEDS
Joy Lawrence
Carteret County, NC
March 06, 2012 04:28:02 PM
COUNTER R/C 15 P
FEE: $26.00
FILE # 1402013

STATE OF NORTH CAROLINA

COUNTY OF CARTERET

COVENANT

This Covenant is made for purposes of reference this the 21st day of October, 2011 by and between the Town of Beaufort, a North Carolina municipal corporation, and Homer Smith, LLC, a North Carolina limited liability company.

Article I

DEFINITIONS

As used in this Covenant, the following terms are defined as described:

1.1 **"1/4 Rule" shall mean the regulation issued by the North Carolina Department of Environment and Natural Resources published at 15A NCAC 07H .0208 (b)(6)(G)(iii) which, with certain exceptions, limits pier and docking facility lengths to 1/4 the width of the body of water in which such facilities are located.**

1.2 **"Beaufort" shall mean the Town of Beaufort, North Carolina.**

1.3 **"CAMA" shall mean the Coastal Area Management Act (N.C.G.S. 113A-100, et seq.) and any successor or replacement legislation that regulates the**

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construction, maintenance or operation of marinas in public trust waters of North Carolina.

1.4 "Contested Case" shall mean the proceeding in the North Carolina Office of Administrative Hearings, file number 10 EHR 8547, captioned Beaufort Partners, LLC & John Gardner v. DCM & Homer Smith, LLC wherein Beaufort Partners challenges the validity or scope of the Homer Smith, LLC CAMA Permit.

1.5 "DCM" shall mean the Division of Coastal Management of the North Carolina Department of Environment and Natural Resources "DENR").

1.6 "Homer Smith, LLC ("Homer Smith, LLC or Homer Smith")", is a North Carolina limited liability company.

1.7 "Homer Smith, LLC CAMA Permit" shall mean that major development permit No. 114-10 issued to Homer Smith, LLC on October 15, 2010 for construction of an 85 wet-slip marina and associated facilities on the Homer Smith, LLC Property and extending into the public trust waters of Town Creek adjacent thereto.

1.8 "Homer Smith Marina" shall mean the system of piers, docks, pilings and related structures permitted for construction and operation in the waters of Town Creek adjacent to the Homer Smith, LLC Property (as defined below) as well as the related facilities constructed or maintained on the Homer Smith, LLC Property.

1.9 "Homer Smith, LLC Property" is that real property, and the riparian area appurtenant thereto, in the Town of Beaufort, Carteret County, North Carolina and more particularly described in that certain deed, dated January 10, 2008, and recorded in Book 1254, beginning at Page 222, Carteret County Registry.

1.10 "Municipal Pierhead Line" shall mean the line described in more detail below on the south side of Town Creek, established and adopted by Beaufort on August 8, 2011 pursuant to 15A NCAC 07H .0208 (b) (6) (G) (iii) to modify the 1/4 Rule and allow the Partners' Marina and the Homer Smith Marina (and other riparian owners on the south side of Town Creek) to extend their pier and docking facilities further north

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than permitted by the 1/4 Rule. A drawing defining said Municipal Pier Head Line is attached as Exhibit "A" and incorporated by this reference.

1.11 "Partners" shall mean Beaufort Partners, LLC, a North Carolina limited liability company, John G. Gardner and wife, Gypsie W. Gardner and Wade Cary Enterprises, Inc., a North Carolina corporation.

1.12 "Partners' CAMA Permit" shall mean Major Development CAMA Permit No. 103-09, issued on July 16, 2009 to Beaufort Partners, LLC for construction of a 59 wet slip marina and associated facilities on the Partners' Property and extending into the public trust waters of Town Creek adjacent to the Partners' Property pursuant

1.13 "Partners' Marina" shall mean the system of piers, docks, pilings and related structures permitted for construction and operation in the waters of Town Creek adjacent to the Partners' Property (as defined below) as well as related facilities constructed or maintained on said Property

1.14 "Partners' Property" is that real property, and the riparian rights appurtenant thereto, in the Town of Beaufort, Carteret County, North Carolina as more particularly described in those certain deeds identified as follows: (1) Beaufort Partners, LLC deed, dated February 21, 2008, recorded in Book 1259, beginning at Page 284; (2) Wade Cary Enterprises, Inc. deed, dated July 3, 1997, recorded in Book 803, beginning at Page 91; and (3) the Gardners' deed, dated April 14, 2009, recorded in Book 1305, beginning at Page 141 - all recorded in the Carteret County Registry, and all being referred to for a more specific description of the properties subject to these Restrictive Covenants.

1.15 "Wet Slip" shall mean an area defined on two or more sides by docking and/or tie pilings, for the purposes of accommodating a single boat, vessel or personal watercraft. "Wet Slip" does not encompass or include transient boat docking along the side or end or T-heads of piers or docks.

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Article II

RECITALS

2.1 Partners are the current owner of Partners' Property. Partners has been issued the Partners' CAMA Permit and a building permit by Beaufort to construct the same. The Partners' CAMA Permit and Beaufort's building permit allow Partners to construct and maintain 59 Wet Slips in the Partners' Marina.

2.2 Homer Smith is the current owner of the Homer Smith Property. Homer Smith has been issued the Homer Smith CAMA Permit and a declaration of vested rights to construct the same by the Beaufort Board of Commissioners. The Homer Smith CAMA Permit and Beaufort's declaration of vested rights allow Homer Smith to construct and maintain 85 Wet Slips in the Homer Smith Marina.

2.3 Partners filed the Contested Case generally to challenge the alleged navigation issues between the Partners' Marina and the Homer Smith's Marina. In mediation of the Contested Case, the concept of Beaufort establishing a "pierhead line" near the southern side of Town Creek arose as a means of modifying the 1/4 Rule allowing Partners and Homer Smith additional flexibility to reconfigure their marinas to eliminate the alleged navigational conflict over Homer Smith's setback of its marina from the common riparian line, or extension thereof.

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2.4 Beaufort, having considered, among other factors, the irregular shore line on the south side of Town Creek, has found it to be in the public interest to establish a pierhead line in this area that will allow construction of marinas extending into Town Creek more than permitted by the 1/4 Rule. A pierhead line established by Beaufort could allow Partners and/or Homer Smith to construct more wet slips in public trust waters than currently permitted as part of their marinas. Beaufort has determined that, at this time, additional slips in these marinas are not in the public interest. While not making any specific findings of fact regarding either marina project, Beaufort has concerns over possible impacts associated with the permitting of additional wet slips in this area, including the potential for adverse negative secondary effects in terms of more congestion of boats and boat traffic on public trust waters, additional vehicular traffic to and from the marinas, additional security needs, and other secondary effects not set forth herein. Accordingly, while Beaufort has established the Municipal Pierhead Line, it has conditioned the validity of the same on the following three conditions which are:

(a) Both Partners and Homer Smith agree that, notwithstanding the extended Municipal Pierhead Line, the numbers of Wet slips in their marinas will be limited to those specified in their existing CAMA and

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municipal permits, subject to amendment only by future written agreement between that respective property owner or owners and Beaufort amending the terms of that respective owner's or owners' Restrictive Covenants;

(b) Partners and Homer Smith agree in writing to reconfigure their respective marina layouts to avoid any dispute over the setback of their marinas from their mutual riparian line, or an extension thereof; and

(c) The Municipal Pierhead Line is presented to the United States Army Corps of Engineers and DCM for consultation purposes, and no objections are received.

The Board of Commissioners of Beaufort also delegated to the Beaufort Town Manager the authority to review the revised schematic plans for the two marinas in light of changes facilitated by the Municipal Pierhead Line to determine if there remains substantial compliance with the marina plans previously approved by Beaufort so that the "vested rights" of each marina project continue. On or about September 16, 2011, Partners and Homer Smith reached agreement in writing regarding reconfiguration of their respective marina layouts to resolve their existing disputes regarding the setback of their marinas from their mutual riparian line. The Town Manager has reviewed

this agreement and associated marina layouts drawing, and has determined that said plans remain in substantial compliance with those previously reviewed and approved by Beaufort.

2.5 Prior to the execution and delivery hereof, the Corps of Engineers and DCM have been consulted and have not objected to the Municipal Pierhead Line, and Partners and Homer Smith have each agreed in writing to the reconfiguration of their marina project layouts relative to their mutual riparian line or extension thereof and the manager of the Town of Beaufort has reviewed and approved the schematic drawing of each marina project.

2.6 The purpose of this Covenant is for Homer Smith to agree to limit the number of Wet slips in its marina to the number currently permitted by DCM, unless Homer Smith and Beaufort mutually agree in writing otherwise, in order to satisfy the remaining condition imposed by Beaufort for its establishment and adoption of the Municipal Pierhead Line. Partners similarly has agreed to limit the number of Wet slips in its marina and has executed and delivered to Beaufort a similar Covenant accomplishing same. Attorneys for Partners and Homer Smith have reviewed both covenants to assure their acceptability. For this Covenant to be effective, it and the Partners' Covenant with Beaufort will be recorded on the same

day, and as close to the same moment in time as possible at the Carteret County Registry.

2.7 The holder of all deeds of trust on the Partner's Property have joined in the execution of its Covenant to subordinate the terms of such deed of trust to the terms thereof, and the holder of any deed of trust on the Homer Smith property will join in the execution of this Covenant to subordinate the terms of such deed of trust to the terms hereof.

Article III

COVENANT AND STATEMENT OF AGREEMENT

To satisfy a condition for the effectiveness of the Municipal Pierhead Line, and for other good and valuable consideration, Homer Smith covenants and agrees with Beaufort as follows:

3.1 Recitals Incorporated. The Recitals above are incorporated herein and made a part hereof.

3.2 Limit on Numbers of Slips. Notwithstanding that establishment of the Municipal Pierhead Line would, or might, allow Homer Smith to construct additional Wet Slips as part of its marina under CAMA regulations, Homer Smith covenants and agrees with Beaufort that the number of Wet Slips in the Homer Smith Marina will not, without the written consent of Beaufort, exceed 85. This Covenant shall apply to the Homer Smith

Property and the riparian area appurtenant to and/or adjacent to the Homer Smith Property and will run with the title to the Homer Smith Property and the riparian area appurtenant to and/or adjacent to the Homer Smith Property.

3.3 Amendment. This Covenant may be amended or modified only by written instrument approved by the Board of Commissioners of Beaufort, the holder at the time of amendment of the Homer Smith CAMA Permit or successor permit, and the owner at that time of the Homer Smith Property.

3.4 Continuation of Vested Rights. The Manager of the Town of Beaufort has reviewed the schematic drawings of Homer Smith Marina made to reconfigure the same within the Municipal Pierhead Line. This schematic drawing is identified as that certain drawing by Stroud Engineering, P.A., captioned "Proposed Site Plan, Beaufort Harbor Marina & Yacht Club, Revision No. 2, 9/21/11." By executing this Covenant the Town Manager determines and affirms that the revised plan for the previously permitted Homer Smith Marina is in substantial conformity with the Homer Smith Marina for which a 5 year declaration of vested rights to construct the same previously was issued by the Beaufort Board of Commissioners and, as a result, Homer Smith's vested rights to construct the marina shall remain in full force and effect until expiration of such rights according to State law or municipal ordinance.

3.5 Miscellaneous.

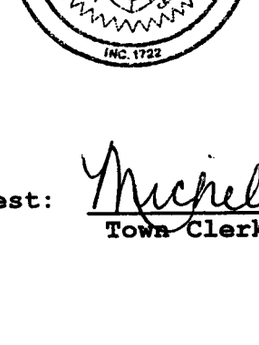
a. Successors and Assigns. This Covenant shall inure to the benefit of and shall bind, Homer Smith, the holder of the Homer Smith's CAMA Permit, and the successor owners of the Homer Smith Property and or successor holder(s) of Homer Smith's CAMA Permit.

b. Rule of Construction. All parties to this Covenant have had ample opportunity to participate in the drafting hereof and there will be no rule of construction or interpretation applied on account of draftsmanship.

(Intentionally left blank.)

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IN WITNESS WHEREOF this instrument is executed and delivered.



TOWN OF BEAUFORT

By: _____
Richard L. Stanley, Mayor

Attest: Michele Davis
Town Clerk

_____
Charles W. Burgess, Jr.
Beaufort Town Manager

HOMER SMITH, LLC

By: Tony M. Frost
Tony M. Frost, Manager

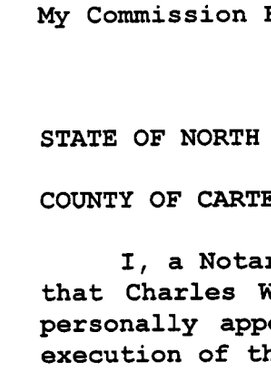
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STATE OF NORTH CAROLINA

COUNTY OF CARTERET

I, a Notary Public of the county and state aforesaid, certify that Richard L. Stanley, personally appeared before me this day and acknowledged he is Mayor of the Town of Beaufort and that by authority duly given and as the act of said municipal corporation, he signed the foregoing instrument in its name on its behalf as its act and deed.

WITNESS my hand and official stamp or seal this 15th day of November, 2011.



M Michele Davis
Notary Public

M Michele Davis
Printed name of Notary Public

My Commission Expires: 5-10-2014

STATE OF NORTH CAROLINA

COUNTY OF CARTERET

I, a Notary Public of the County and State aforesaid, certify that Charles W. Burgess, Jr., Manager of the Town of Beaufort, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the 15th day of November, 2011.

M Michele Davis
Notary Public

M Michele Davis
Printed name of Notary Public

My Commission Expires: 5-10-2014

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STATE OF NORTH CAROLINA

COUNTY OF CARTERET

I, a Notary Public for said County and State, certify that Tony M. Frost, Manager of HOMER SMITH, LLC, a North Carolina limited liability company, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal this the 10th day of November, 2011.

GREENE COUNTY NC NOTARY PUBLIC EDGAR W HAGGERTY JR

Edgar W Haggerty JR
Notary Public

Edgar W Haggerty
Printed name of Notary Public

My Commission Expires: 6-20-2014

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Subordination Statement/Agreement

This Subordination Statement/Agreement is given pursuant to paragraph 2.7 of the above Covenant. As used in this Statement/Agreement the "Deed of Trust" is described as:

Date of Deed of Trust: November 28, 2007

Recording Information: Book 1250, Page 130, Carteret County Registry

Grantor: Anna Marie Frost and Alice Marie Willis

Trustee: C.R. Wheatly, III

Beneficiary: Marie Smith

The undersigned executes this Subordination Statement/Agreement to subordinate the terms of the Deed of Trust to the Covenant dated October 21, 2011 between the Town of Beaufort and Homer Smith, LLC to which this Statement/Agreement is attached.

Marie Smith

Marie Smith, Beneficiary

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STATE OF NORTH CAROLINA

COUNTY OF CARTERET

I, a Notary Public of the County and State aforesaid, certify that Marie Smith, Beneficiary, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the 10th **day of** November**, 2011.**

GREENE COUNTY, NC
NOTARY PUBLIC
EDGAR W HAGGERTY JR

Signature of Notary Public

Edgar W Haggerty JR

Printed Name of Notary Public

My Commission Expires: 6-20-2014

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Town of Beaufort, NC
701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Town of Beaufort Board of Commissioners Workshop Meeting
4:00 PM Monday, October 26, 2020 – Virtual Meeting via Zoom

AGENDA CATEGORY: Discussion & Consideration

SUBJECT: Case #20-12 Special Use Permit for a Kennel, Indoor/Outdoor Operation for 102 Professional Park Drive & 1975 Live Oak Street

BRIEF SUMMARY:

The applicant, Austin Vet Clinic, wishes to apply for a Special Use Permit for a Kennel, Indoor/Outdoor Operation for 102 Professional Park Drive & 1975 Live Oak Street. A description of the operation is included the packet including the hours of operation and the outside area to be used.

At the October 19, 2020 meeting the Planning Board unanimously recommended approval of the Special Use Permit with the following conditions:

- **That the indoor kennel area have sound proofing material to dampen the sound of animals and;**
- **That the vegetative buffer be designed and installed by an arborist to provide sound dampening between the outside area and the residents of Pearl Drive.**

REQUESTED ACTION:

Place on the November Agenda for a Quasi-Judicial Public Hearing

EXPECTED LENGTH OF PRESENTATION:

10 Minutes

SUBMITTED BY:

Kyle Garner, AICP

Planning & Inspections Director

PLANNING
STAFF REPORT

To: Mayor & Board of Commissioners

From: Kyle Garner, AICP, Planning Director

Date: October 20, 2020

Case No.: 20-12

THE REQUEST: Special Use Permit for a Kennel, Indoor/Outdoor Operation for 102 Professional Park Drive & 1975 Live Oak Street

BACKGROUND:

Location:	102 Professional Park Drive & 1975 Live Oak Street
Owner:	Lovings Family LLC
Applicant:	Austin Vet Clinic
Requested Action:	Provide Recommendation to Board of Commissioners
CAMA Land Use:	General Commercial
PINs:	731605073874000, 731605075636000
Size:	Existing Building 7,800 sq. feet
Existing Land Use:	Former Mech Works Office Building
Adjoining Land Use & Zoning:	North East– Single-Family Residences; Zoned TR & R-20 South East– Across Live Oak – Varied Commercial Operations zoned B-1 & R-20 South West – By the First Freewill Baptist Church - Zoned TR North West – Commercial Office & Gym; Zoned TR
SPECIAL INFORMATION:	This is an existing building and the business currently exist on Lennoxville Road and is an expansion of that business.

Public Utilities:	Water	Existing Service
	Sanitary Sewer	Existing Service

ACTION:

1. Provide consistency statement to the Board of Commissioners; and
2. Provide comments, concerns and suggestions to the Board of Commissioners

Exhibit - A

STAFF COMMENTS:

This application is just for the kennel portion of the vet operation. The other use is considered as permitted use and the existing site meets all standards.

Section 20-B - Special Use Permits (Special Use Permit Application Procedures) requires a complete application to include a site plan.

At their October 19, 2020 meeting the Planning Board recommended of the Special Use Permit with the following conditions:

- **That the indoor kennel area have sound proofing material to dampen the sound of animals and;**
- **That the vegetative buffer be designed and installed by an arborist to provide sound dampening between the outside area and the residents of Pearl Drive.**

SECTION 20 Special Use Permit (*Town of Beaufort Land Development Ordinance*)

E) Required Findings

1) In addition to any other findings or requirements as specified by any other section of this Ordinance, before any application for a special use may be granted or denied, the BOC shall make each of the following findings:

a) The proposed use is an allowable special use in the zoning district it is being located within;

b) The application is complete;

c) The location and character of the use will be in conformity with the Town's land use plan and other comprehensive planning elements;

d) Streets, driveways, parking lots, traffic control, and any other traffic circulation features shall be designed and provided in accordance with current traffic engineering standards and Town regulations and found to be adequate for the proposed special use;

e) The proposed special use will not substantially injure the value of adjoining or abutting properties;

f) The proposed special use will be compatible and in harmony with adjoining land uses and the development patterns of the immediate area; and,

g) The proposed use will not materially endanger the public health or safety of the community if located where proposed and developed according to the submitted and approved plan.

CAMA Core Land Use Plan

Generally, growth and land development is anticipated to occur in all future land use categories except for the Conservation/Open Space classification. The type and density/intensity of projected development varies within each Future Land Use Map classification. Future Land Use projections are delineated in Figure 8, Future Land Use Map. The Future Land Use Map classifications are considered part of the Land Use Plan's policy.

Future Land Use Map Classifications

- **General Commercial Classification.** The General Commercial classification encompasses approximately 0.24 square miles (154 acres) or about 3.3 percent of the planning jurisdiction. The properties classified as General Commercial are located along the Town's major road corridor--US Highway 70.

- The General Commercial classification is intended to delineate lands that can accommodate a wide range of retail, wholesale, office, business services, and personal services. Areas classified as General Commercial may also include some heavy commercial uses as well as intensive public and institutional land uses. Minimum lot sizes typically range from 5,000 to 8,000 square feet unless a larger minimum lot area is required by the health department for land uses utilizing septic systems. Maximum floor area ratios (the total building floor area divided by the total lot area) range from 0.57 to 0.83. Land uses within General Commercial-designated areas are generally compatible with the B-1, General Business; B-W, Marina Business; and the TR, Transitional zoning districts. Public water service is needed to support the land uses characteristic of this classification. Public sewer service is needed to support the most intensive commercial uses. Streets with the capacity to accommodate higher traffic volumes are necessary to support commercial development.

- General Commercial-classified areas are anticipated to accommodate some of the most intensive land uses found in the Town's planning jurisdiction. The Town's goals and policies support the use of land in General Commercial-classified areas for a wide variety of retail and commercial services uses where adequate public utilities and streets are available or can be upgraded to support the intensity of development encouraged in this classification. Public and institutional land uses that support and that are compatible with this type of commercial development are also encouraged.

Use of the Future Land Use Plan Map to Guide Development

In preparing the Future Land Use Map, consideration was given to land development objectives and policies, land suitability, and the ability to provide the infrastructure to support growth and development. The Future Land Use Map depicts the general location of projected patterns of future land uses. The Future Land Use Map is a plan or guideline for the future.

The ultimate use and development of a particular parcel of land will be determined by property owners' desires, overall market conditions, implementation tools employed by the Town to regulate land use and development (such as the Town's zoning ordinance, subdivision regulations, flood hazard regulations), the absence of specific natural constraints to development, and the availability of the necessary infrastructure (water, sewer, roads, etc.) to support development.

Consequently, even though the Future Land Use Map may indicate a specific projected use in a particular location, many factors come into play to determine if the projected use is appropriate and the land can be developed as projected. Also, formal amendments to the zoning ordinance and subdivision ordinance will be required to specifically authorize the type of mixed use development envisioned in this Land Use Plan.

Achieving the projected patterns of land use indicated by the Future Land Use Map will be greatly impacted by timing. Much of the projected land use indicated on the Future Land Use Map will not come to fruition without market demand. Therefore, market and economic conditions must be conducive for growth and development. While the Land Use Plan attempts to provide a general expectation of growth based upon projected population change, it simply cannot predict the economic future. The demand for houses, businesses, industries, etc. will fluctuate widely with economic conditions.

The timing of the provision of infrastructure improvements, particularly water and sewer services and roads, will also have a tremendous impact on growth and development. Development will occur where infrastructure is available or can be made available to sustain that development. Consequently, achieving the Future Land Use Map land use projections will depend in large part upon if and when infrastructure is provided. The provision of public infrastructure depends upon the capability to provide the service and demand for the service. Economic climate will be a major factor in both the capability to make infrastructure available and the level of service demand (*Core Land Use Plan*, Section IV: Plan for the Future, pg. 100).

Guide for Land Use Decision Making

The Land Use Plan, as adopted by the elected officials of the Town of Beaufort and as may be amended from time to time, will serve as the primary guide upon which to make land use policy decisions. Every land use policy decision, such as a rezoning request or approval of a conditional or special use permit, will be measured for consistency with the goals, policies, and recommendations of the Plan. The elected officials, Planning Board, Board of Adjustment, and Town staff should utilize the Land Use Plan as the basic policy guide in the administration of the zoning ordinance, subdivision regulations, and other land development regulatory tools. Persons involved in the land development business as well as the general public can also utilize the Land Use Plan to guide private decisions regarding land use and land development.

The policy statements and recommendations of the Land Use Plan can also be of assistance to the elected officials in making long-range decisions regarding such matters as the provision of municipal services, thoroughfare planning, stormwater planning and management, implementation of economic development strategies, recreational facility planning, and preparation of capital and operating budgets.

It should be noted, however, that the Land Use Plan is one of a variety of guides in making a public policy decision. The Plan should be viewed as a tool to aid in decision making and not as the final decision (*Core Land Use Plan*, Section V: Tools for Managing Development, pg. 102).

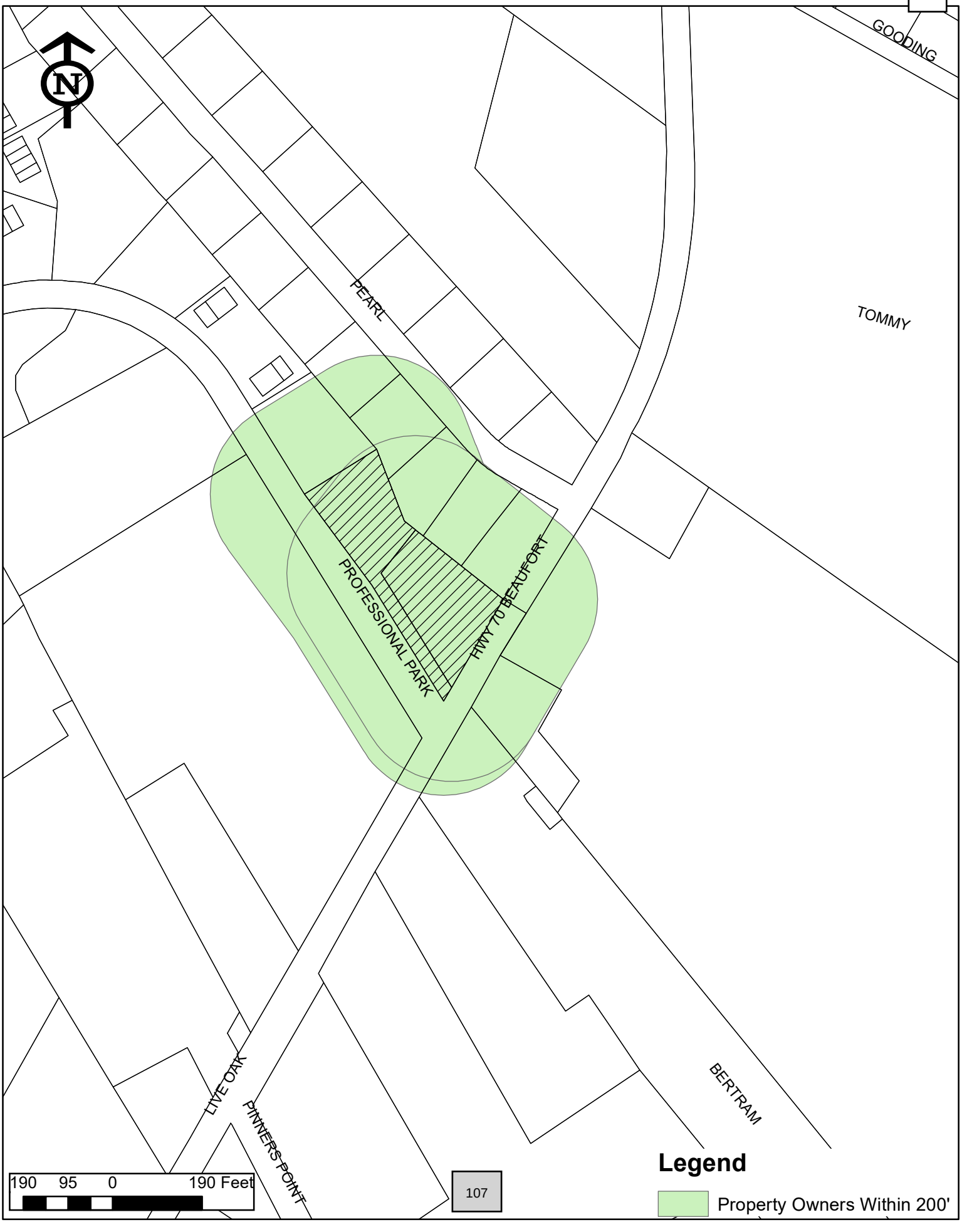
Exhibits:

Vicinity Map
Zoning Map
CAMA Land Use Map
Application
Site Plan
Interior Space Layout
List of Property Owners within 200 feet

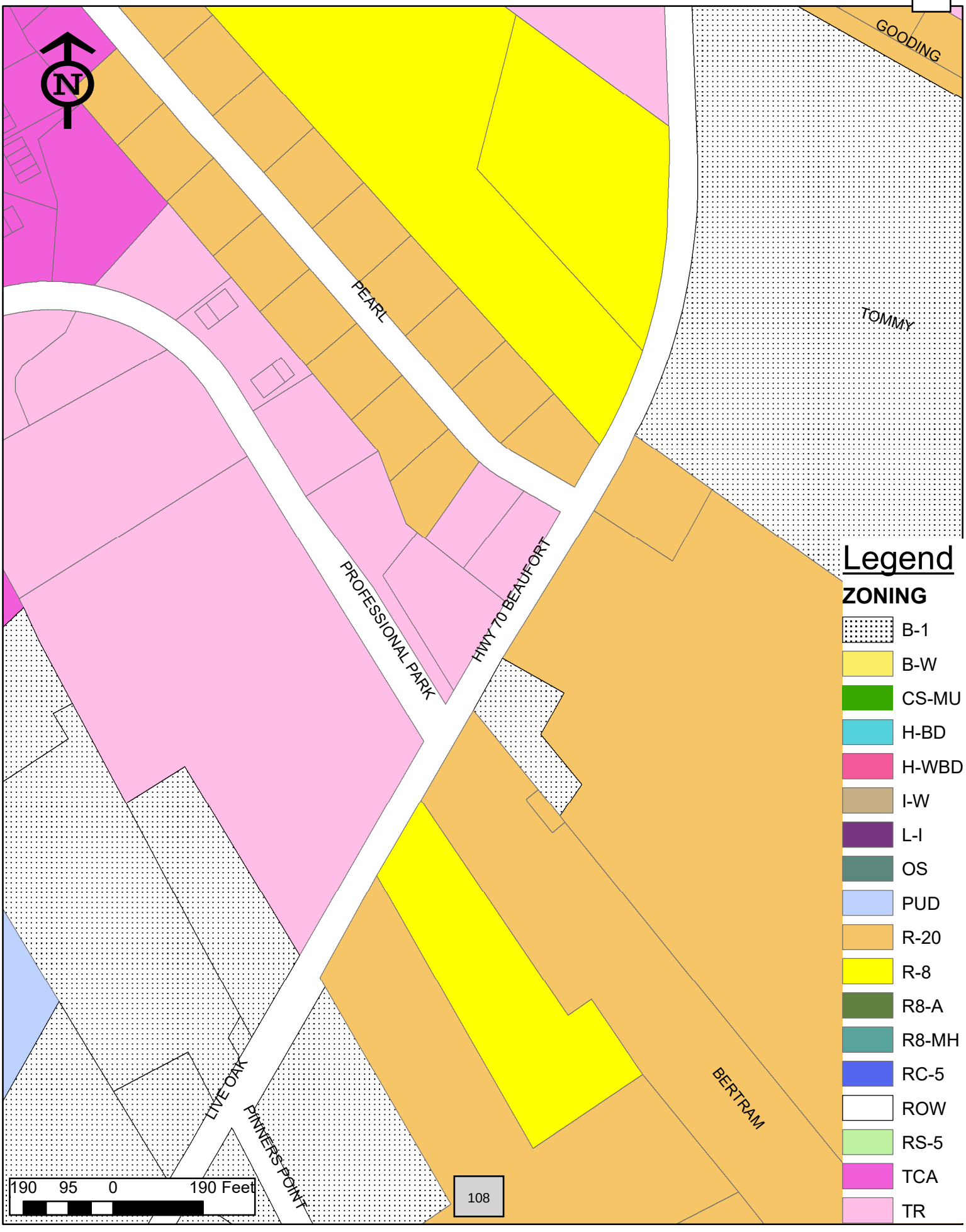
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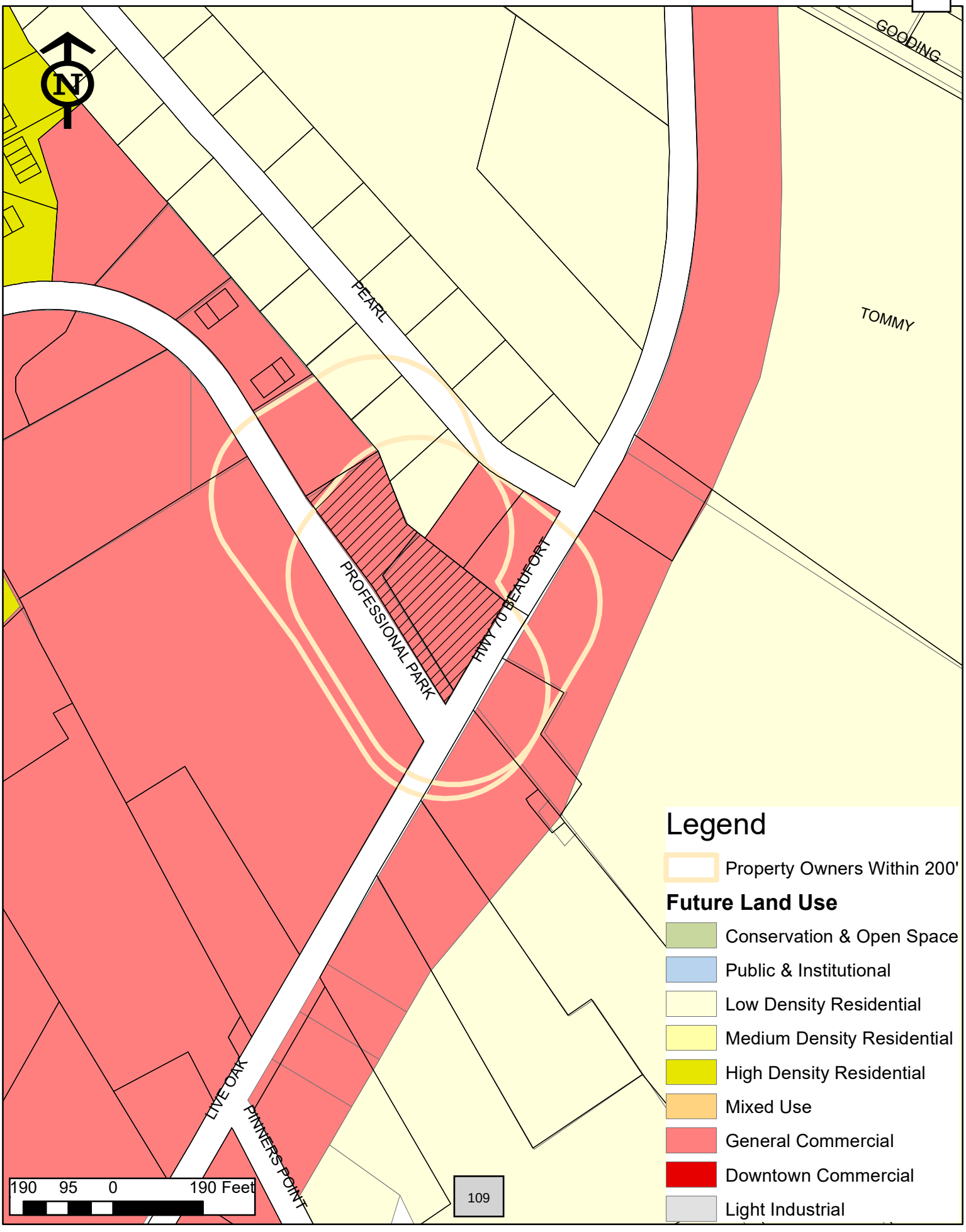
Case # 20-12 Vicinity Map - 102 Professional Park Dr. & 1975 Live Oak - Special Use Permit - Ke



Case # 20-12 Zoning Map - 102 Professional Park Dr. & 1975 Live Oak - Special Use Permit - Kennel



Case # 20-12 Future Landuse Map - 102 Professional Park Dr. & 1975 Live Oak - Special Use Permit - Ke



OWNER	MAIL_HOUS	MAIL_ST	MAIL_CITY	IL_ST	MAIL_ZI	MAIL_ADD2
BEAUFORT FIRST FWB CHURCH			BEAUFORT	NC	28516	PO BOX 2069
BERTRAM RENTAL PROPERTIES LLC	416	VICTORIA HILLS DR	FUQUAY VARINA	NC	27526	
COASTAL FITNESS & HEALTH INC			BEAUFORT	NC	28516	PO BOX 2126
E&R INVESTMENT PROPERTIES LLC	6410	CHEEK ROAD	DURHAM	NC	27704	
FRANKLIN MASONIC LODGE 109	104	PROFESSIONAL PARK DR	BEAUFORT	NC	28516	
FULCHER,JOEY JR ETUX MEGHAN	105	PEARL DRIVE	BEAUFORT	NC	28516	
GRASSI,FRANK	2004	FARNSTEAD CT	MOREHEAD CITY	NC	28557	
LOVINGS FAMILY LLC			BEAUFORT	NC	28516	PO BOX 2322
NEELY,BERTIE EUBANKS	846	NEELY RD	ASHEBORO	NC	27203	
SPAID,JOSEPH A ETUX MAUREEN	107	PEARL DR	BEAUFORT	NC	28516	
TAYLOR,GEORGE A ETUX MARIA L/T	238	JONAQUINS DRIVE	BEAUFORT	NC	28516	

APPLICATION FOR A SPECIAL USE PERMIT

Instructions:

Please complete the form below including all required attachments, a **$400.00 application fee,** and return to the Beaufort Town Hall; 701 Front Street; P.O. Box 390; Beaufort, N.C.; 28516. Incomplete applications will not be processed but will be returned to the applicant. Please call Planning and Inspections at (252) 728-2142 if there are any questions.

APPLICANT INFORMATION

Applicant Name: Dr. Sam Schmitt / Austin Veterinary Clinic

Applicant Address: 1550 Lennoxville Rd. ; Beaufort, NC 28516

Phone Number: #838-9028 Email: schmitts@vt.edu (cc: sam@wilsoncreekrealty.com)

Property Owner Name: Lovings Family, LLC (Ran Lovings)

Address of Property Owner: 2680 Lennoxville Rd. ; Beaufort, NC 28516

Phone Number: #732-4140 Email: rlovings@mechanicsinc.com

PROPERTY INFORMATION

Property Address: 102 Professional Park Dr. / 1975 Live Oak St.

15-Digit PIN: 731605073874000 / 731605075636000 Lot/Block #: Deed Book: 1329/1339 Pg. No: 417/438

Size of Property (in square feet or acres): 1.087 ac. / 1.36 ac. Current Zoning: TR

Current Use of Property: office/commercial / vacant lot Requested Use: medical office w/ boarding facility

An application fee of **$400.00**, either in cash, money order, or check made payable to the "*Town of Beaufort*" must accompany this application (a credit card payment can be made in person at Town Hall). The complete application, payment, and supporting materials must be received by Town Staff at least 15 working days prior to a regularly scheduled Planning Board meeting date.

Please refer to the Town's ***Land Development Ordinance***, Sections 20 & 27, and all other pertinent sections of the Ordinance for information required to accompany this application. Any plans or documents submitted should be submitted in an electronic or digital format and one printed color copy of such documents submitted with the application.

The town's website address is www.beaufortnc.org.

Applicant Signature — Date of Applicant's Signature: 9/23/20

Property Owner Signature (if different than above) — Date of Owner's Signature: 9/23/20

OFFICE USE ONLY Revised 8/2020

Date: _____ Reviewed for Completeness By: _____

Received by: _____ Deemed Complete and Accepted: _____

9.21.2020

Re: Special Use Permit Application

Dear Beaufort Planning Board,

Dr. Sara Austin and Dr. Sam Schmitt, doing business as Austin Veterinary Clinic, in Beaufort are pleased to apply for a special use permit regarding a portion of their planned expanded services at their new veterinary hospital in Beaufort, NC. Due to year over year growth of their existing patient base, along with seeing a need for expanded services in the area, Dr. Austin and Dr. Schmitt have recently entered into a contract to purchase the existing office / commercial building at 102 Professional Park Dr. along with the adjacent vacant lot which has a physical address of 1975 Live Oak Street. Their intention is to up fit the existing building into a first class, full service, veterinary hospital. The planned expansion from their current practice location will help them to satisfy the growing need of both current and future patients in the community.

In meeting with town officials, it is our understanding that the hospital / office portion of this intended plan and use is already allowed within the current zoning classification of "Transitional District" (TR). We are applying for a special use permit in order to incorporate a boarding facility at the hospital as well. The portion of the facility that would be dedicated to the boarding of animals can be seen on the attached internal design of the hospital plan, and is approximately about 10% of the total internal operational footprint. There would also be a small outside fenced in area adjacent to the existing building on the vacant lot as seen on the attached site design sketch. Some important facts regarding this plan, and request, are as follows……..

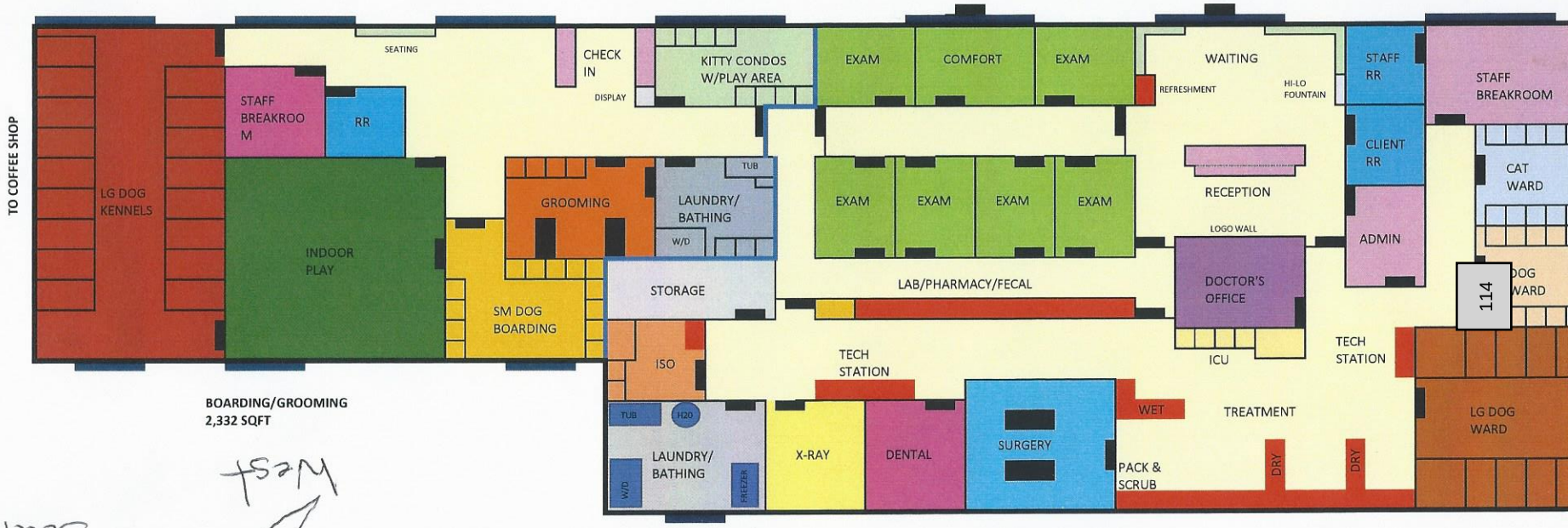
- The exterior of the existing building, parking areas, etc. will remain as they are now. All planned modifications and changes will be internal.
- The proposed boarding facility will plan to accommodate approximately 10 felines and between 10 to 15 canines.
- As seen there is a design plan for an inside play area for the animals within the building so it is not necessary to only limit their exercise and / or rehabilitation to an outside area.
- The outside, fenced in, area will be directly adjacent to the building and be approximately 30' by 50'. It will be a commercial grade privacy fence.
- This outside area will ONLY be utilized when weather permits, and during normal business hours. (9am to 5pm).
- The outside area will never be utilized when staff is not on site.

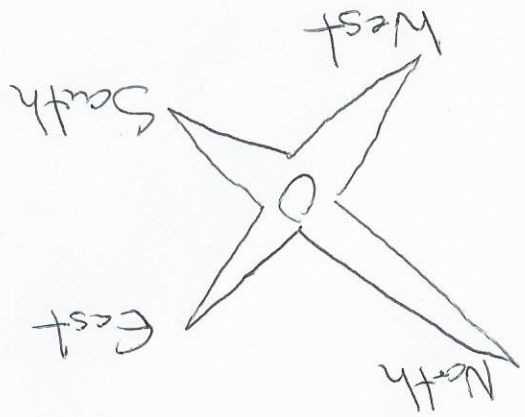
We look forward to addressing any further questions that may arise during the review process as well as to continue to serve the community and our patients in our new, expanded, facility.

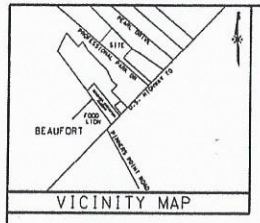
Sincerely,

Dr. Sara Austin / Dr. Sam Schmitt

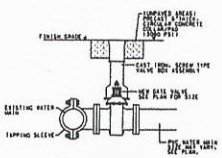
front of building / parking

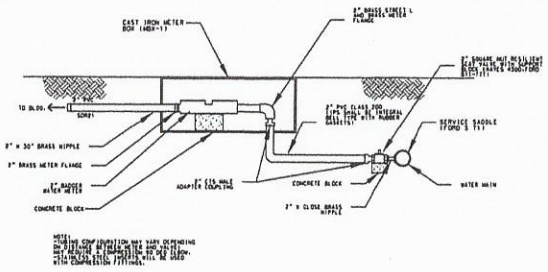


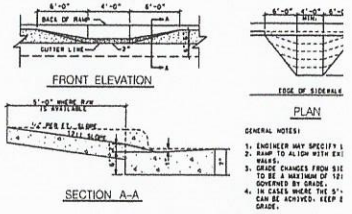


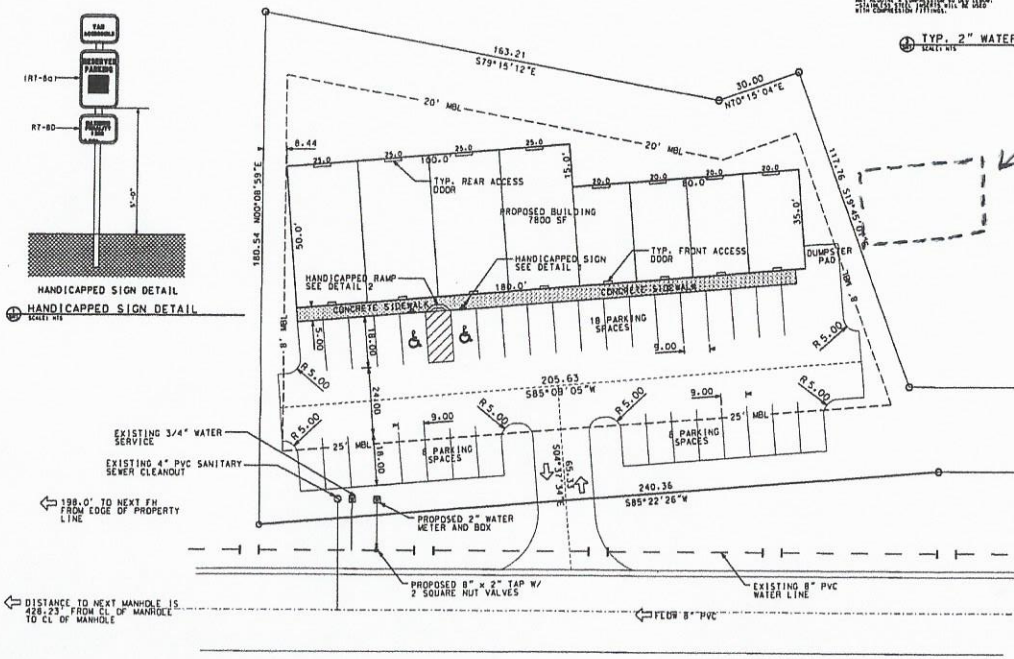












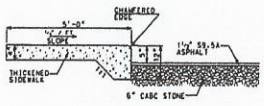
SITE DATA:

TOTAL TRACT AREA	= 41,764.94 SQ FT
ZONING CLASSIFICATION	= CH
EXISTING IMPERVIOUS:	
BUILDING	= 7,800.00 SQ FT
PARKING LOT	= 13,102.60 SQ FT
SIDEWALKS	= 882.51 SQ FT
TOTAL IMPERVIOUS	= 21,785.81 SQ FT
% IMPERVIOUS	= 52%

SETBACKS FOR COMMERCIAL

FRONT = 25'
SIDE = 8'
BACK = 20'

WATER SOURCE - TOWN OF BEAUFORT
SEWER SOURCE - TOWN OF BEAUFORT



LEGEND

AC	ACRE
CO	CLEAN OUT
DI	DROP INLET
EIP	EXISTING IRON PIPE
EIR	EXISTING IRON ROD
EL	ELEVATION
ES	EDGE PAVEMENT
FN	EXISTING PK NAIL
FWN	EXISTING
GV	EXISTING SANIT. SEWER CLEANOUT
EXSSCO	EXISTING SANIT. SEWER MANHOLE
EXSSMH	EXISTING WATER SERVICE
EXWS	EXISTING WATER VALVE
EXWV	FLARED END SECTION
FES	FIRE HYDRANT
FH	GUY WIRE
GW	GUY WIRE ANCHOR
GWA	HANDICAP
HC	INVERT
INV	LINEAR FEET
LF	MINIMUM BUILDIN LINE
MBL	NON OR I GENERLT
NU	POWER POLE
PP	POLYVINYLCHLORINE
PVC	REINFORCED CONCRETE PIPE
RCP	SIDEWALK
SW	TEMPORARY BENCH MARK
TBM	

20 10 0 20 40
SCALE: 1" = 20'

PROPOSED SITE PLAN

MechWorks, I

BEAUFORT TOWNSHIP, CARTERET COUNTY, NORTH CAROLINA

CLIENT: L.A.DOWNEY, INC

ADDRESS: P.O. BOX 1466
MOREHEAD CITY, NC 28557

PHONE: (252)726-2847

STROUD ENGINEERING, P.A.
1818 HIGHWAY 24
MOREHEAD CITY, N.C. 28557
(252) 247-7479
preliminary not for construction

RONALD D.CULLIPHER P.E.

REVI

NO.	BY
1	JDS

SHEET 1 OF 3
PROJECT #: PM1811 MECHWORKS
DESIGN FILE #: PM1811 MECHWORKS/PM1811 CONTRUCTION PLANS

115

9

Town of Beaufort, NC
701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Town of Beaufort Board of Commissioners Work Session
4:00 PM October 26, 2020

AGENDA CATEGORY: Items for Discussion and Consideration

SUBJECT: Cedar Street Utility Rehabilitation and Replacement Budget Amendment and Bid Award

BRIEF SUMMARY:

Sealed Bids for the construction of the Cedar Street Utility Rehabilitation and Replacement Project will be received by the Town of Beaufort on Thursday, October 29, 2020. The work for which bids are being received consists of 750 linear feet (LF) of 8" PVC gravity sewer construction; 430 LF of gravity sewer pipe lining; 2 manhole replacements; construction of 3 new manholes; rehabilitation of 3 manholes; construction of 3,900 LF of water main ranging in diameter sizes from 2 inches to 8 inches; removal or filling of 580 LF of 6" sanitary sewer; removal or filling of 2540 LF of 6" water main; and 56 water service replacements. The work is being performed in advance of planned street improvements to be constructed by the N.C. Department of Transportation to include construction of several stormwater bioretention street "bump-outs"; replacement of stormwater piping; and rehabilitation of the street pavement.

Two budget amendments are attached that move funds from the Capital Reserve Fund to the Cedar Street Utility Rehabilitation and Replacement Capital Project Fund.

REQUESTED ACTION:

Approve budget amendments and award the contract to construct the Cedar Street Utility Rehabilitation and Replacement project to the lowest responsive, responsible bidder.

EXPECTED LENGTH OF PRESENTATION:

5 minutes

SUBMITTED BY:

Greg Meshaw, Town Engineer

BUDGET AMENDMENT REQUIRED:

Yes

TOWN OF BEAUFORT
CAPITAL RESERVE FUND AMENDMENT #6

WHEREAS, the Town of Beaufort adopted a Capital Reserve Fund Ordinance for Bulkhead/Board Walk Project, Utility Line Improvement Project, and Street Resurfacing Project on May 13, 2019, and

WHEREAS, the Board of Commissioners recognizes that periodic modifications to the revenues and expenditures for capital projects may be necessary for fiscal management purposes and to implement the decisions of the Board of Commissioners;

BE IT THEREFORE ORDAINED that the Board of Commissioners of the Town of Beaufort amend the Capital Reserve Fund for the Bulkhead/Board Walk Project, Utility Line Improvement Project, and Street Resurfacing Project as follows:

- Transfer funds from Capital Reserve Fund to Capital Project Fund – Cedar Street Utility Rehab/Replacement.
  - Construction Admin Services $ 39,000
  - Inspection Representation $ 73,000
  - Estimated Construction Cost $1,244,000
  - Change order for Professional Services Agreement $ 10,000
  - **Total** **$1,366,000**

SECTION II: EXPENDITURES

DECREASE

FUTURE CAPITAL OUTLAY FOR Utility Line Project ..... $ 1,366,000

TOTAL DECREASE ..... **$ 1,366,000**

INCREASE

TRANSFER TO CPF- Cedar Street Utility Rehab/Replacement ..... $ 1,366,000

TOTAL INCREASE ..... **$ 1,366,000**

SECTION III: DISTRIBUTION

Copies of this ordinance shall be furnished to the Town Manager/Finance Officer, Assistant Town Manager, and the Deputy Finance Officer to be kept on file by them for their direction in the disbursement of funds for carrying out this project:

Adopted this 9th day of November 2020

ATTEST:

Rachel Johnson
Deputy Town Clerk

Everette S. Newton
Mayor

TOWN OF BEAUFORT

CAPITAL PROJECT BUDGET AMEDNMENT #1

CEDAR STREET UTILITY REHABILITATION AND REPLACEMENT

BE IT ORDAINED by the Board of Commissioners by the Town of Beaufort that the following Capital Project Budget Ordinance is adopted in accordance with Section 13.2 of Chapter 159 of the General Statutes of North Carolina for Cedar Street Utility Rehab and Replacement.

WHEREAS, the Board of Commissioners recognizes that periodic modifications to the revenues and expenditures for capital projects may be necessary for fiscal management purposes and to implement the decisions of the Board of Commissioners;

BE IT THEREFORE ORDAINED that the Board of Commissioners of the Town of Beaufort amends the Capital Project Fund for Cedar Street Utility Rehab and Replacement as follows:

SECTION I: REVNUE

Transfer from Capital Reserve Fund to fund Cedar Street Utility Rehab and Replacement administrative and construction cost

INCREASE

TRANSFER FOM CAPITAL RESERVE FUND	$ 1,366,000
TOTAL REVENUE	**$ 1,366,000**

SECTION II: EXPENDITURES

INCREASE

ADMIN/LEGAL	$ 49,000
CONSTRUCTION	$ 1,317,000
TOTAL EXPENDITURES	**$ 1,366,000**

SECTION III: DISTRIBUTION

Copies of this ordinance shall be furnished to the Town Manager and Finance Officer to be kept on file for their direction in the disbursement of funds for carrying out this project.
Adopted this 9th day of November 2020.

ATTEST:

Rachel Johnson
Deputy Town Clerk

Everette S. Newton
Mayor

Town of Beaufort, NC
701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Town of Beaufort Board of Commissioners Work Session
4:00 PM October 26, 2020

AGENDA CATEGORY: Items for Discussion and Consideration

SUBJECT: Sewer Allocation Policy

BRIEF SUMMARY:

The Town of Beaufort has made significant public investments in improvements to the Town's sewage treatment and disposal facilities and sewage collection and transmission system in order to avoid the environmental damage and danger to the public health caused by limited or inadequate collection and treatment of wastewater. Recognizing that the capacity of the treatment and disposal facilities is finite and adding additional capacity is expensive, the Board of Commissioners asked during their 2020 retreat that Town Staff develop a Sewer Allocation Policy for consideration.

The need for an such policy has become even more evident with the acceptance of the Deerfield Shores Subdivision sewer system. This is because the pump station serving the subdivision has capacity for approximately 15 more residential units. There are however, approximately 17 vacant parcels which could be potentially served by the system. There also appears to be roughly 27 residences on individual septic systems meaning that a request for sewer service could come at any time from any of these locations due to a failing septic system. As such, some existing and potential property owners have contacted Town Staff wanting to procure allocation for future use. Attached is one such request received from an individual who desires to procure allocation for a parcel they plan to purchase. The proposed policy attempts to address this situation by allowing the owners/potential owners to reserve allocation for 2 years upon payment of a non-refundable reservation fee.

REQUESTED ACTION:

Consider approving the Sewer Allocation Policy as presented.

EXPECTED LENGTH OF PRESENTATION:

10 minutes

SUBMITTED BY:

Greg Meshaw, PE, Town Engineer/Public Services Director

BUDGET AMENDMENT REQUIRED:

No

	TOWN OF BEAUFORT POLICY	
	Department: Public Services	**Effective Date:**
Policy Title: Wastewater Allocation Policy **Version No.:** 001		**Supersedes:**
		Prepared By: Gregory K. Meshaw, PE Town Engineer/Public Services Director
		Approved By:
		Approval Date:

1. Purpose

The Town of Beaufort ("Town") has made a significant public investment in improvements and increased capacity to the Town's sewage treatment and disposal facilities ("Plants") and sewage collection and transmission system ("Sewers") in order to avoid the environmental damage and danger to the public health caused by limited or inadequate collection and treatment of wastewater. Recognizing that the capacity of the treatment and disposal facilities is finite and adding additional capacity is expensive, this Sewer Allocation Policy has been established to direct growth to areas most appropriate for the efficient provision of municipal sewer service while also establishing a plan for tracking this limited resource. Accordingly, the purpose of this policy is to effectively allocate available sewer capacity to new developments as a means of maintaining a reasonable balance of land-uses in a fair and equitable manner.

2. Definitions

The following words will have the meanings below when used in this ordinance:

(A) Allocation: A conditional designation of estimated sewer treatment capacity to a specific owner and project, subject to the provisions of this policy and any document of approval.

(B) Allocation Phase: A provision included as part of an allocation to a specific development that defines the amount of the total allocation which may be used at a specified time.

(C) Applicant: Any individual, firm, partnership, company, association, corporation, governmental entity, or any other legal entity whose development or improvement of land requires sewer allocation under this policy. The Town may require disclosure of the names of all persons who have a financial interest in any project requesting or having been granted an allocation.

DRAFT

(D) Application Requirements: All approvals, permits, and/or certifications required for an applicant to begin construction of the infrastructure necessary to serve a proposed development.

(E) Development: An undertaking involving real property improvement put forth for consideration or acceptance for which Town and/or State approvals, authorizations, or permits are required. A division of real property improvements by phase and/or section lines does not constitute separate developments.

(F) Development Proposal: An application for approval of a specific plan, subdivision, conditional use permit, site plan, parcel map, or any other discretionary development permit or entitlement application which has been filed with and is pending consideration by the Town.

(G) DWR: The Division of Water Resources which is part of the North Carolina Department of Environmental Quality, or its successors, ensures safe drinking water in accordance with federal requirements, issues pollution control permits, monitors permit compliance, evaluates environmental water quantity and quality, and carries out enforcement actions for violations of environmental regulations.

(H) GPD: Typical measurement of the flow or discharge of wastewater in gallons per day.

(I) Infill Development: Development that is served by existing Town infrastructure and does not require a permit or permit modification from Division of Water Quality for new or existing sewer mains.

(J) Infrastructure: The facilities and installations needed to support a proposed development such as transportation, water, sewer, recreation, and other improvements.

(K) NCDEQ: The North Carolina Department of Environmental Quality or its successors.

(L) Plat: A map, generally of a subdivision, showing the location, boundaries, and ownership of individual properties. A Plat may simply be the device for officially recording ownership changes, new lot divisions, or new rezonings.

(M) PWS: The Public Water Supply Section, which is part of the North Carolina Department of Environmental Quality, or its successors, regulates public water systems within the state under the statutory authority of North Carolina General Statute 130A Article 10.

(N) Reservation Fee: A fee for the allocation of sewage treatment capacity, specified as dollars per gpd, as established by the adopted fee schedule.

(O) Reserve Capacity: The permitted sewer treatment capacity minus the actual wastewater flow being discharged to the treatment facility averaged over the preceding twelve months expressed in gallons per day or similar unit of measurement.

DRAFT

(P) Sewer Allocation: A specified amount of sewage treatment capacity (typically measured in gallons per day, gpd) committed to a specific project through action by City staff or Board. An allocation may or may not include allocation phasing.

(Q) Site Plan: A plan, drawn to scale and showing the scale for which it is drawn, showing uses and structures proposed for a parcel of land as required by the regulations involved. It includes lot lines, streets, building sites, reserved open space, existing structures, natural and man-made landscaping features and, depending on requirements, the location of proposed utility lines.

(R) Sketch Plan: An illustrative plan or model that shows the maximum densities for residential and non-residential development, including building massing and height, locations of public use and other spaces, and the relationship to existing and proposed buildings and properties.

(S) Uncommitted Reserve Capacity: Is that portion of the reserve capacity remaining after subtracting the development wastewater flow of all projects for which sewer allocation has be granted but have not yet begun discharging to the sewer collection system.

i. Where applicable, the rated capacity of pump stations and interceptors shall also be taken into account. The most restrictive volume prevails where rated capacities for various components of the collection system differ. For example, an allocation request for 10,000 gpd cannot be granted if the a pump station through which this flow would be routed has an uncommitted reserve capacity of only 6,000 gpd despite the wastewater treatment plant reserve capacity being on the order of tens or even hundreds of thousand gallons. The 10,000-gallon request could only be granted if plans for upgrading the capacity of the station have been approved for construction; the upgrade project has been bonded for construction; or the upgrade project is under construction.

3. Allocation Plan

A. The approval of any Final Plat, Site Plan or Building Permit shall be contingent upon approval of sewer allocation adequate for the sewage flows expected to result from development. Under this policy, an approved allocation shall be a prerequisite to the approval of all Final Plats and Site Plans and the issuance of all building permits for those structures that are not part of a development with a previous allocation that has not reverted back to the Town through revocation or expiration.

B. All sewer allocation requests shall be considered on a prioritized basis by category. Projects shall be grouped into one of the tiers below to determine the level of priority and level of consideration needed.

Tier 1 – Infill development, developments approved prior to effective date of this policy, and Town-funded projects.

Tier 2 – Requests that meet all Town application requirements.

Tier 3 – Requests that do not meet all Town application requirements.

C. Sewer allocation necessary to serve proposed developments shall be based on use capacities as identified in Section 15A of the North Carolina Administrative Code 02T

DRAFT

.0114. All sewer capacity shall be considered, allocated, and tracked through the following categories.

- Residential
- Commercial
- Discretionary

4. Residential Allocation

A. Residential Allocation will be considered for all single family, duplex, townhome, and apartment projects and shall be allocated over two categories. These categories are Single Family Developments which includes single family and duplexes; and Multi-Family Developments such as triplexes, quadplexes, townhomes, and apartments.

1. Single Family Development: Single family and duplex developments shall be eligible for a maximum allocation per development phase of 36,000 gpd per 12-month period or the equivalent of one hundred (100) three-bedroom units.

2. Multi-Family Development: Developments such as triplex, quadplex, townhomes, and apartment projects shall be eligible for a maximum allocation per development phase of 48,000 gpd per 12-month period. For example, an applicant would be eligible for up to 200 two-bedroom units per phase.

B. Residential Allocation shall be considered "used" when the Town Engineering Division as well as, the DWR and PWS Divisions of NCDEQ receive and approve the "Engineer's Certification of Construction" and "As-Built Record Drawings" for the water and sanitary sewer improvements serving the project development phase that was granted the sewer allocation. Release of allocation for a subsequent phase of the development will not occur until the allocation for the prior phase has been used.

5. Commercial Allocation

A. The Commercial Category shall include all developments that are commercial or industrial in nature. The maximum allocation per development phase for projects in the Commercial Category is 15,000 gpd per 12-month period.

B. Sewer allocation granted from the Commercial Category shall be considered "used" when the water meter is installed for the structure to which the allocation was committed.

6. Discretionary Allocation

The Discretionary Category shall include all municipal projects and any other development as approved by Town Board. There is no maximum allocation per development phase; however, Board reserves the right to set a maximum allocation available per phase if deemed appropriate.

7. Procedure

A. All sewer allocation requests shall be made in writing on the Town's standard form and shall be considered for a proposed development only after the project site has been annexed or an agreement for out-of-Town services has been approved. The reservation of sewer allocation will be considered on a priority basis.

DRAFT

B. Tier 1 projects may be reviewed and approved by Town Staff if application requirements have been satisfied and all applicable conditions have been met. Staff shall have the authority to grant allocation to infill developments, plans eligible for approval by Town staff that do not require consideration by the Board, and Town-funded projects requiring allocation of no more than 10,000 gpd. In addition, staff may grant additional allocation to serve subsequent phases of developments approved prior to the effective date of this policy if:

   1. the approved plan is still valid;
   2. previous allocations have been used; and
   3. the allocation being requested does not exceed the allocation limits per development phase as prescribed by this Policy.

C. Sewer allocation requests for Tier 1 projects that do not meet the criteria of paragraph 7.B must be reviewed and approved by Town Board.

D. Tier 2 projects shall include development proposals that have met all applicable Town application requirements. Approval of allocation for these projects shall follow the same final approval process as required for development proposal. For example, site plans or subdivisions requiring Town Board consideration shall require allocation to also be considered by Board. If a plan is eligible for approval by Town staff, then the allocation may also be granted at a staff level

E. Tier 3 projects are the lowest priority in consideration for reserving sewer allocation. Typically, these projects are speculative in nature since the applicant has not made a significant investment in the proposed project. Board will consider reserving allocation for these projects upon submittal of a preliminary plan or sketch plan and a reservation fee in accordance with this policy.

   1. The preliminary plan or sketch plan for a Tier 3 allocation request shall meet the minimum requirements for site plans as established on the Town's standard "Building Permit Application" or in the case of subdivisions, the minimum requirements for sketch plans as described by the Town's Subdivision Ordinance.

   2. The reservation fee shall be a nonrefundable per gallon charge based on twenty percent (20%) of the sewer system development fees in effect at the time the allocation request is made. If, for any reason, the applicant fails to meet the milestones, as stated in this section, the reservation fee shall be forfeited, and the allocation shall automatically revert to the Town. If the applicant meets the prescribed milestones, the reservation fee shall be credited to the sewer system development fee required for the proposed project.

   3. Tier 3 projects shall have twenty-four (24) months to receive all approvals, certifications, and/or permits to begin construction of the water and sewer infrastructure. Once the development has received all approvals and final sewer allocation, the allocation shall be used in accordance with the timeframe as established in the Expiration section of this Policy or the reservation fee and allocation shall be forfeited.

DRAFT

F. An applicant may request allocation sufficient to serve two phases of a development. Such request shall be for the initial phase and reservation of allocation for the successive phase. A request for phased allocation shall be accompanied by a development phasing schedule that clearly shows the planned phases of the development together with the allocations desired per phase.

1. A request to release allocation for a subsequent phase may be made once an allocation for a previous phase has been used.

2. Staff may release an approved allocation phase once the prior phase has been used and all provisions of this policy have been satisfied.

G. An applicant is only eligible to reserve allocation to serve the equivalent of two developments, for use per 12-month period, in any one category.

8. Expiration

A. Sewer allocation granted to a development shall be "used", as defined herein, within twenty-four (24) months of approval. Thereafter, any allocation reserved for a subsequent phase of development must be used within 12 months of the allocation being released for that phase. If allocation has not been used within the stipulated time periods it shall automatically revert to the Town.

1. An allocation will not be granted until the plans have been approved or the review has been completed whenever a development proposal is part of a project.

9. Extensions

A. Town staff may grant a 6-month first extension to a development unable to use the initial allocation within the 24-month period. The request for such extension must be accompanied by documentation demonstrating use of allocation before the expiration date is unavoidable due to factors beyond the applicant's control. The six-month extension may be granted if, at the sole discretion of staff, the delay is a result of factors beyond the applicant's control.

B. Town Board may consider additional extensions for developments with valid plans in 12-month increments. Extension requests made to Board shall be accompanied by a non-refundable processing fee as identified in the adopted Fee Schedule.

10. Appeal Process

Staff decisions may be appealed to Town Board. Appeal requests must be in writing and include a detailed description of the proposed development, allocation requested, and reason for the appeal. All decisions rendered by Board shall be final.

11. Reversion and Revocation

A. Sewer allocation is granted to a specific development to be located on a specific parcel or parcels of land and based on the approved development which received sewer allocation. Upon completion of the development or permit expiration, the unused allocation (adjusted to the actual development constructed, if necessary), will automatically revert to the Town. Further, allocation granted to a development may be immediately revoked

DRAFT

and the Reservation Fee forfeited immediately upon written notice to the applicant that Town staff has determined the allocation was granted based on false or misleading information.

B. Town Board reserves the right to revoke allocation, if deemed necessary, on projects (or portions thereof) with excess capacity or where system development fees have not been paid within thirty-six (36) months of the original allocation.

C. Any sewer allocation granted outside the provisions of this Policy from the effective date forward shall be null and void unless granted by Town Board pursuant to Section 13, Policy Review.

DRAFT

12. Transferability

Sewer Allocation may only be used for the specific development on the parcel(s) for which it was originally granted. Unused sewer allocation for a development may only be transferred from the individual, firm, partnership, company, association, corporation, governmental entity, or other legal entity owning the development to another only after receiving written authorization from the Town. Under no circumstances shall allocation be used for any other development.

13. Policy Review

Town Board hereby reserves all rights to review, modify, or deviate from this policy at the sole discretion of the Board. This shall include, but is not limited to:

- granting variances to the policy;
- determining sewer capacity available per category to maintain a fair and equitable balance between categories and to promote growth deemed in the best interest of the Town;
- the release of additional allocation recaptured through the Town's Inflow and Infiltration (I&I) detection and elimination program; and
- other relevant factors as determined by Board.

14. Severability

If any portion of this Policy and any amendments made hereto are held unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Policy and any amendments made hereto shall not be affected and shall remain in full force and effect.

DRAFT

Herb & Debra Ridgeway

727 Swan Neck Lane

Raleigh, NC 27615

October 15, 2020

Council / Board members,

Thank you for taking the time to consider out request to secure sewer service for property located at 803 Deerfield Drive.

My name is Herb Ridgeway. I am 63 years old. My family has been coming down to the coast in this area since I was a child. My parents retired and relocated there, and I would like to retire there as well. We have entered into a contract to buy the property at 803 Deerfield Dr. and are still in the Due Diligence period.

The lot does not perk, we knew that when we signed the contract, but the Town of Beaufort sewer line runs along the front of the property. We thought we would just connect to the Town sewer system.

While looking into the cost of connecting Mr. Meshaw told us that it was the policy of the Town to not let people "reserve" what limited space was available for future use. The capacity of the system in place only had room for another 15 spaces and they were for the immediate need of first come – first serve customers. The Town requires approved plans, specifications and building permits to apply for one of these spots. We don't have those yet.

Our retirement timeline is about 3 to 4 years out. Here is the plan.

1. Buy a lot. Clean it up, keep the grass cut, maybe do a little landscaping where it won't be in the way of construction.
2. Get our house plans drawn up. We have already been in contact with Front Street Design. I work at an engineering company but I'm not an architect. We have sketched up a house that hopefully Front Street Design can develop it into a set of plans. This may take a few months, last time we talked they were pretty busy.
3. Find a couple of builders, get quotes, and pick one. This may also take a few months or more. We've never tried to get a builder to spec out a house and get permits, I don't know how long that takes.
4. Start construction within the next year or so and hopefully finish construction in about 2 years. I can (and have been because of Covid) work from home so the plan was to move there and maybe work the last couple of years from there.

The only problem with the plan is, we can not buy a piece of property, spend a year getting plans and builders and permits just to come down to find out that all the allocated sewer connections are gone. I totally understand why the Town has the policy they do, but for us, having a sewer connection does in

fact seem like an immediate need because there is no way to build a home on this property without the Town sewer connection. We would like to make a proposal for your consideration.

There is a system development fee of $5524. We would like to pay this fee to hold 1 of the 15 spots as soon as we have the closing on the property. We will agree to make the payment NON-Transferrable and NON-Refundable so the Town will be assured that we are not trying to reserve a space to resell the property. We will also agree to a time period that is agreeable with the Town to get our plans and permits in place. We would like to suggest 1 year.

I know this may not be any of the Towns concern but because of Covid the price of building has gone up dramatically. We have not designed our retirement plan around this but it would be advantageous for us to let this pandemic settles down a little before we start construction – Not that it would effect any agreement we came to.

Thank you again for taking the time to consider our request.

Herb & Debra Ridgeway

Cell 919-274-9775

TOWN OF Beaufort
Public Services Department
701 Front Street, Beaufort, NC 2816
P.O. Box 390, Beaufort, NC 28516
Phone: 252-728-2141

WASTEWATER ALLOCATION REQUEST

The Town of Beaufort, in an effort to manage and maintain the sewer and water capacity for the Town, requires that this application be completed and submitted to the Town for consideration of a utility allocation. Review fee is due upon submittal of request.

Wastewater Allocation Request Review Fee: $50

SITE INFORMATION

Name of Project: _____ **Acreage of Property:** _____

County Tag Number: _____ **NC PIN:** _____

Address/Location: _____

_____

Zoning District: _____

Location Status: ☐ Town Limits ☐ Existing Out-of-Town Service Area
☐ Out-of-Town Service Approval/Agreement

APPLICANT INFORMATION

Applicant: _____

Mailing Address: _____

Phone Number: _____ **Fax:** _____

Contact Person: _____

Email Address: _____

PROPERTY OWNER INFORMATION

Name: _____

Mailing Address: _____

Phone Number: _____ **Fax:** _____

Email Address: _____

FOR OFFICE USE ONLY

Date Received: _____ File Number/Name: _____

PROJECT INFORMATION

Use: ☐ **New** ☐ **Expanded** ☐ **Change** **Use Type:** ☐ **Residential** ☐ **Commercial**

Proposed Use(s): _____ **Existing Use(s):** _____

Developer Name: _____

Mailing Address: _____

Phone Number: _____ **Fax Number:** _____

Email Address: _____

ALLOCATION REQUEST (See instructions on page 3 regarding use of Professional Engineer)

The following supplemental information is required:

- **Complete development proposal for Tier 1 or Tier 2 allocation request**
- **Preliminary plan or sketch plan for Tier 3 allocation request meeting requirements for site plans as established on the Town's Building Permit Application or as described for sketch plans by the Town's Subdivision Ordinance**
- **If a phasing schedule is proposed, include as an attachment**

Residential:

Gross Acreage: _____

Single Family	# of Units	GPD per Unit	Total Requested GPD
1-2 Bedroom Units			
3 Bedroom Units			
>3 Bedroom Units			
Total		------	

Multi-Family	# of Units	GPD per Unit	Total Requested GPD
1-2 Bedroom Units			
3 Bedroom Units			
>3 Bedroom Units			
Total		------	

Non-Residential: ***(Design Flow Guideline provided as Appendix A)****

**If design flow deviates from the flow rates presented in Appendix A, provide supporting documentation/justification as an attachment in the form of 12 months of water bills demonstrating gallons per day utilized.*

Gross Acreage: _____

Use	Measurement Unit	# of Units	GPD per Unit	Total Requested GPD
Total			------	

TOTAL REQUESTED GALLONS PER DAY: _____

APPLICANT AFFIDAVIT

I/We, the undersigned, do hereby make application and petition to the Town of Beaufort to approve the subject Wastewater Allocation. I hereby certify that I have full legal right to request such action and that the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Beaufort, North Carolina, and will not be returned.

_____ _____ _____

Print Name ***Signature of Applicant*** ***Date***

ENGINEER'S CERTIFICATION

The allocation request data provided on page 2 of this form shall be provided by a Professional Engineer for all requests except single lot residential infill requests and commercial requests equal to or less than 250 gallons per day. The certification statement below shall be completed by the Professional Engineer providing the data.

I, _____ hereby attest that the total requested allocation and the values used to derive the total are to the best of my knowledge, accurate and complete having been prepared in accordance with the instructions of this form while also adhering to applicable State laws, regulations, and rules, concerning the determination of design daily wastewater flows from facilities served by public wastewater collection and treatment systems.

_____

Signed and Dated Professional Engineer Seal

_____ _____

Firm Name Address

_____ _____

Telephone No. Email Address

TOWN OF BEAUFORT OFFICE USE ONLY:

Approved by: ☐ Town Engineer
☐ Board of Comissioners

Allocation approved: _____ gallons per day

Date of Approval: _____

Confirmation signature by:

_____
Town Manager

APPENDIX A: DESIGN FLOW RATES

The following table from the North Carolina Administrative Code 02T.0114 shall be used to determine the minimum allowable design daily flow of wastewater facilities. Alternatively, the Town in its sole and absolute discretion may calculate the customer's initial average daily wastewater flow based on data from the customer's operations (or from similarly situated customers) with a comparable sanitary sewer system, where such data are available and reasonably current.

Establishment Type	Daily Flow Rate
Barber and Beauty Shops	
Barber Shops	50 gal/chair
Beauty Shops	125 gal/booth or bowl
Businesses, Offices and Factories	
General business and office facilities	25 gal/employee/shift
Factories, excluding industrial waste	25 gal/employee/shift
Factories or businesses with showers or food preparation	35 gal/employee/shift
Warehouse	100 gal/loading bay
Warehouse – self storage (not including caretaker residence)	1 gal/unit
Churches	
Churches without kitchens, day care or camps	3 gal/seat
Churches with kitchen	5 gal/seat
Churches providing day care or camps	25 gal/person (child & employee)
Fire, Rescue and Emergency Response	
Fire or rescue stations without on-site staff	25 gal/person
Fire or rescue stations with on-site staff	50 gal/person/shift
Food and Drink Facilities	
Banquet, dining hall	30 gal/seat
Bars, cocktail lounges	20 gal/seat
Caterers	50 gal/100 sq. ft. floor space
Restaurant, full Service	40 gal/seat
Restaurant, single service articles	20 gal/seat
Restaurant, drive-in	50 gal/car space
Restaurant, carry out only	50 gal/100 sq. ft. floor space
Institutions, dining halls	5 gal/meal
Deli	40 gal/100 sq. ft. floor space
Bakery	10 gal/100 sq. ft. floor space
Meat department, butcher shop or fish market	75 gal/100 sq. ft. floor space
Specialty food stand or kiosk	50 gal/100 sq. ft. floor space
Hotels and Motels	
Hotels, motels and bed & breakfast facilities, without in-room cooking facilities	120 gal/room
Hotels and motels, with in-room cooking facilities	175 gal/room
Resort hotels	200 gal/room
Cottages, cabins	200 gal/unit
Self-service laundry facilities	500 gal/machine
Medical, Dental and Veterinary Facilities	
Medical or dental offices	250 gal/practitioner/shift
Veterinary offices (not including boarding)	250 gal/practitioner/shift
Veterinary hospitals, kennels, animal boarding facilities	20 gal/pen, cage, kennel or stall
Hospitals, medical	300 gal/bed
Hospitals, mental	150 gal/bed
Convalescent, nursing, rest homes without laundry facilities	60 gal/bed
Convalescent, nursing, rest homes with laundry facilities	120 gal/bed
Residential care facilities	60 gal/person
Parks, Recreation, Camp Grounds, R-V Parks and other Outdoor Activity Facilities	
Campgrounds with comfort station, without water or sewer hookups	75 gal/campsite

Establishment Type	Daily Flow Rate
Campgrounds with water and sewer hookups	100 gal/campsite
Campground dump station facility	50 gal/space
Construction, hunting or work camps with flush toilets	60 gal/person
Construction, hunting or work camps with chemical or portable toilets	40 gal/person
Parks with restroom facilities	250 gal/plumbing fixture
Summer camps without food preparation or laundry facilities	30 gal/person
Summer camps with food preparation and laundry facilities	60 gal/person
Swimming pools, bathhouses and spas	10 gal/person
Public access restrooms	325 gal/plumbing fixture
Schools, Pre-school and Day Care	
Day care and preschool facilities	25 gal/person (child & employee)
Schools with cafeteria, gym and showers	15 gal/student
Schools with cafeteria	12 gal/student
Schools without cafeteria, gym or showers	10 gal/student
Boarding schools	60 gal/person (student & employee)
Service Stations and Car Wash Facilities	
Service stations, gas stations	250 gal/plumbing fixture
Car wash facilities	1200 gal/bay
Sports Centers	
Bowling center	50 gal/lane
Fitness, exercise, karate or dance center	50 gal/100 sq. ft.
Tennis, racquet ball	50 gal/court
Gymnasium	50 gal/100 sq. ft.
Golf course with only minimal food service	250 gal/plumbing fixture
Country clubs	60 gal/member or patron
Mini golf, putt-putt	250 gal/plumbing fixture
Go-kart, motocross	250 gal/plumbing fixture
Batting cages, driving ranges	250 gal/plumbing fixture
Marinas without bathhouse	10 gal/slip
Marinas with bathhouse	30 gal/slip
Video game arcades, pool halls	250 gal/plumbing fixture
Stadiums, auditoriums, theaters, community centers	5 gal/seat
Stores, Shopping Centers, Malls and Flea Markets	
Auto, boat, recreational vehicle dealerships/showrooms with restrooms	125 gal/plumbing fixture
Convenience stores, with food preparation	60 gal/100 sq. ft.
Convenience stores, without food preparation	250 gal/plumbing fixture
Flea markets	30 gal/stall
Shopping centers and malls with food service	130 gal/1000 sq. ft.
Stores and shopping centers without food service	100 gal/1000 sq. ft.
Transportation Terminals	
Air, bus, train, ferry, port and dock	5 gal/passenger

Source: North Carolina Administrative Code 02T.0114, January 1, 2007

Town of Beaufort, NC
701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Town of Beaufort Board of Commissioners Work Session
4:00 PM Monday, Oct. 26, 2020
Zoom Meeting due to COVID-19

AGENDA CATEGORY:	Items for Discussion and Consideration
SUBJECT:	Voluntary Annexation Request for 186 Chadwick Road (Alan Scibal) and 190 Chadwick Road (Sharon Eck)

BRIEF SUMMARY:

A request has been made for a voluntary annexation for .681 acres at 186 Chadwick Road (PIN 731505193342000) and .523 acres at 190 Chadwick Road (PIN 731505194412000).

Both properties are zoned Residential, contiguous and are approximately 60 feet from the Town of Beaufort's City limits. The applicants mistakenly stated on the application that the properties are not contiguous and are 200 feet from the Town limits. These will be updated with the applicant's approval prior to moving forward.

The anticipated impact to town services is being investigated for GPD for Water and GPD for Sewer. Currently, Police and Fire serve this area and would not be impacted.

A map of the two properties is attached.

To start the annexation process, the Board of Commissioners will need to direct the Deputy Clerk to investigate the sufficiency of the request. A Resolution Directing the Clerk to Investigate the Petition is included in this packet.

REQUESTED ACTION:

Motion approving the Resolution Directing the Clerk to Investigate the Petition for Voluntary Annexation.

EXPECTED LENGTH OF PRESENTATION:

5 minutes

SUBMITTED BY:

Rachel Johnson, Deputy Clerk

BUDGET AMENDMENT REQUIRED:

No

Town of Beaufort NC
701 Front St. • P.O. Box 390 • Beaufort, N.C. 28516
252-728-2141 • 252-728-3982 fax
www.beaufortnc.org

APPLICATION FOR VOLUNTARYANNEXATION REQUEST

Instructions: Please complete the form below and include all required attachments, including the **$100 application fee (to The Town of Beaufort)** and return to Town Manager, Town Hall, 701 Front St., PO Box 390, Beaufort, NC, 28516. Incomplete applications will not be processed and returned to the applicant. Please contact Town Hall at (252) 728-2141 with any questions.
Complete applications must be received 15 days prior to the scheduled meeting.

Applicant Name: Sharon A. Eck

Applicant Address: 190 Chadwick Rd. Beaufort

Phone Number: 919-602-4770 Email: Andy@Beaufort furniture.com

Property Owner Name: Same

Address of Property: _____

Phone Number: _____ Email: _____

PROPERTY INFORMATION

Property Address: 190 Chadwick Rd. Current Zoning: residential

15 Digit Pin: 7315 05 19 4412 000 Size of Property (Square Feet or Acres): .523 acres

Is the property Contiguous to the City Limits: ☐ Yes ☑ No;

If Not Contiguous please indicate how many miles it is to the City Limits: 200 ft.

Current Use of Property:

☒ Residential ☐ Vacant
☐ Commercial ☐ Other: _____

Sharon A. Eck Date: June 29 2020
Applicant Signature

OFFICE USE ONLY Revised 03/16

Received by: Rachel Johnson Reviewed for Completeness By: _____

Date: 10/14/20 Date Deemed Complete and Accepted: _____

SHARO 010 20-00843

Sharon A. Eck Date: June 20, 2020

Property Owner Signature (if different than above)

A fee of $100 to the Town of Beaufort must accompany this application.

REQUIRED ATTACHMENTS FOR A VOLUNTARY ANNEXATION REQUEST

Please provide the following as attachments to the voluntary annexation request form:

1. Copy of the Annexation Survey (suitable for recording)
2. Copy of all the deeds for the area to be annexed to verify ownership
3. A TYPED list of adjoining property owners
4. Carteret County Tax Parcel Card (Included should be parcel number and tax value)
5. Anticipated impact to city services including estimated gallons of water/sewer per day

TOWN OF BEAUFORT
701 FRONT ST.
PO BOX 390
BEAUFORT, NC 28516-0390

INVOICE #
20-00843

INVOICE DATE: 10/15/20
DUE DATE: 10/16/20

ACCOUNT ID: SHARO010 PIN: 87360

Sharon Eck
190 Chadwick Road
Beaufort, NC 28516

QUANTITY/UNIT	SERVICE ID	DESCRIPTION	UNIT PRICE	AMOUNT
		Annexation		
1.0000	APPFEE	Other Application Fees Annexation Request	100.000000	100.00
			TOTAL DUE:	$ 100.00

RECEIVED
OCT 16 REC'D
By

PAYMENT COUPON - PLEASE DETACH AND RETURN THIS PORTION ALONG WITH YOUR PAYMENT

TOWN OF BEAUFORT
701 FRONT ST.
PO BOX 390
BEAUFORT, NC 28516-0390

INVOICE #: 20-00843
DESCRIPTION: Annexation
ACCOUNT ID: SHARO010 PIN: 873607
DUE DATE: 10/16/20
TOTAL DUE: $ 100.00

Sharon Eck
190 Chadwick Road
Beaufort, NC 28516

PID R 7315.05.19.4412000

LISTER 7/31/2015 VWD
TWP BEAUFORT CITY
LOT BLK
NBHD 11004700 USE 000100 RESIDENTIAL
LEGAL: LOT OFF SR 1311 - BEAUFORT

ECK, SHARON A

190 CHADWICK ROAD
BEAUFORT NC 28516

2020 144,034 MKT CARD 002
117,183 PY Val USE 56,200 LAND 001
DEF 82,117 BLDG 001
.523 ACRES 5,717 XFOB 002
FIRE BEAUFORT FIRE RESCUE BEAUFORT RESCUE OTHER
PL BK/PG PLAT ADDRESS 0000190 CHADWICK RD BEAUFORT 28516
DEED 1500 270 AICUZ PRINTED 9/09/2020 BY JEANH

EXTRA FEATURES

Seq	Bldg	Code	Description	Length	Width	Height	#Units	UT	Qty	Qual	UTPrice	Year	Adj1	Adj2	Adj3	Adj4	%Good	Value
001		000190	SHED	12	16		192.000	SF	1	0C	14.930	0000	.85	1.00	1.00	1.00	100.00	2,437
002		000970	PREFAB GARAGE	32	18		576.000	SF	1	0D	6.700	0000	.85	1.00	1.00	1.00	100.00	3,280

LAND

Seq	Zone	Code	Use	Description											
Front	Depth	Back	FT	#Units	UT	UTPrice	Adj1	Adj2	Adj3	Adj4	Fadj	Dadj	Nbhd Adj	Eff Rate	Value
1	114701			RESIDENTIAL LOT											
100	228	60		100.000	FF	500.000	1.00	1.00	1.00	1.00	1.00	1.12	1.000	562.000	56,200

142

PID R 7315.05.19.4412000

ECK,SHARON A

190 CHADWICK ROAD
BEAUFORT NC 28516

2020 144,034 MKT CARD 001
117,183 PY Val USE 56,200 LAND 001
DEF 82,117 BLDG 001
.523 ACRES 5,717 XFOB 002

LISTER 7/31/2015 VWD
TWP BEAUFORT CITY FIRE BEAUFORT FIRE RESCUE BEAUFORT RESCUE OTHER
LOT BLK PL BK/PG PLAT ADDRESS 0000190 CHADWICK RD BEAUFORT 28516
NBHD 11004700 USE 000100 RESIDENTIAL DEED 1500 270 AICUZ PRINTED 9/09/2020 BY JEANH
LEGAL: LOT OFF SR 1311 - BEAUFORT

BUILDING CHARACTERISTICS for BldgSeq# 001 (Item# 001)

Code	Description	Code	Description	Code	Description	Code	Description	Code	Description	Code	Description
MODL	01 SNG FAMILY	BVAL	00001C SNG FAMILY	ARCH	04 RANCH	QUAL	0C C GRADE	STYS	1.0	SIZE	N/A
FNDN	02 CONC BLOCK	FRME	N/A	WNDO	N/A	EXW1	29 HARDIPLANK	EXW2	.	EXW2%	
HEAT	00 NO INFO	A/C	01 NO A/C	RSTR	03 GABLE	RCV1	03 COMP SHNGL	RCV2	.	RCV2%	
INT1	01 MINIMUM	INT2	N/A	INT2%		FLR1	02 MINIMUM	FLR2	.	FLR2%	
KTCH	N/A	DPRT	02	BATH	2.00	BDRM	3	ROOM		SPCD PC	%COMPLETE
+/-	N/A	FRPL	N/A	UD-3	N/A	UD-4	N/A	HTFL	01 NONE	HTF2	01 NONE
COND	0G GOOD	INSP	04 ESTIMATED	UD-9	N/A	UD-9	N/A	UD-9%		AYB 2012	EYB 2012

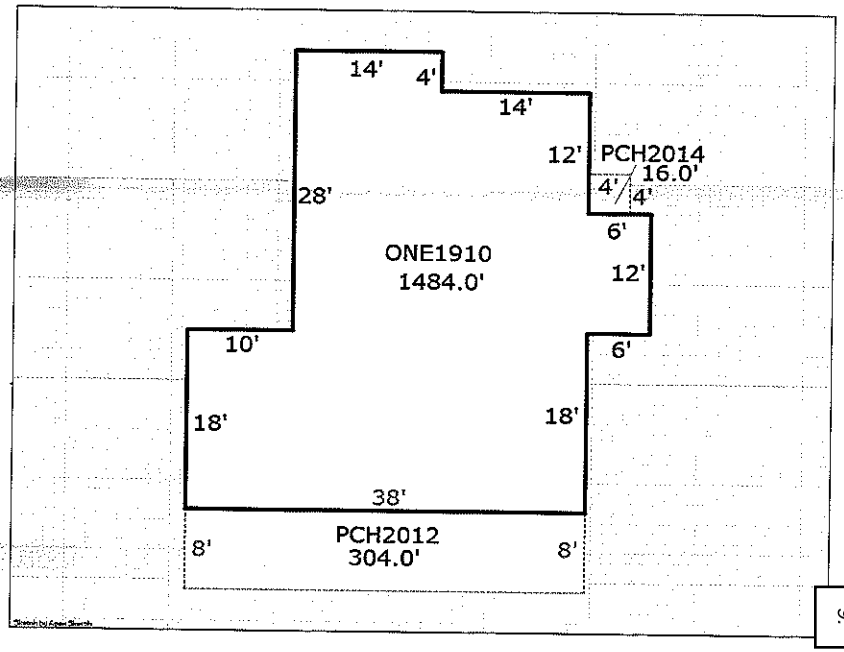
AREA CALCULATION

Subarea	Actual	Adj	Heated	Prime	Rate	Value	%Good	RCNLD
ONE STO	1484	1484	1484	1484	76.40	113377	65.00	73,695
PORCH	304	106			26.64	8099	65.00	5,264
PORCH	16	6			28.63	458	65.00	298
						4400	65.00	2,860
TOTAL	1804		1484		85.13		65.00	
TOTAL		1596		1484		126334		82,117

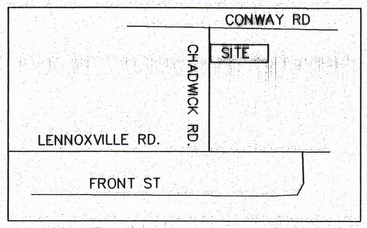
TRAVERSE

ONE1910=1484$ PCH2012=304$ PCH2014=16$.

143



9



VICINITY MAP NOT TO SCALE

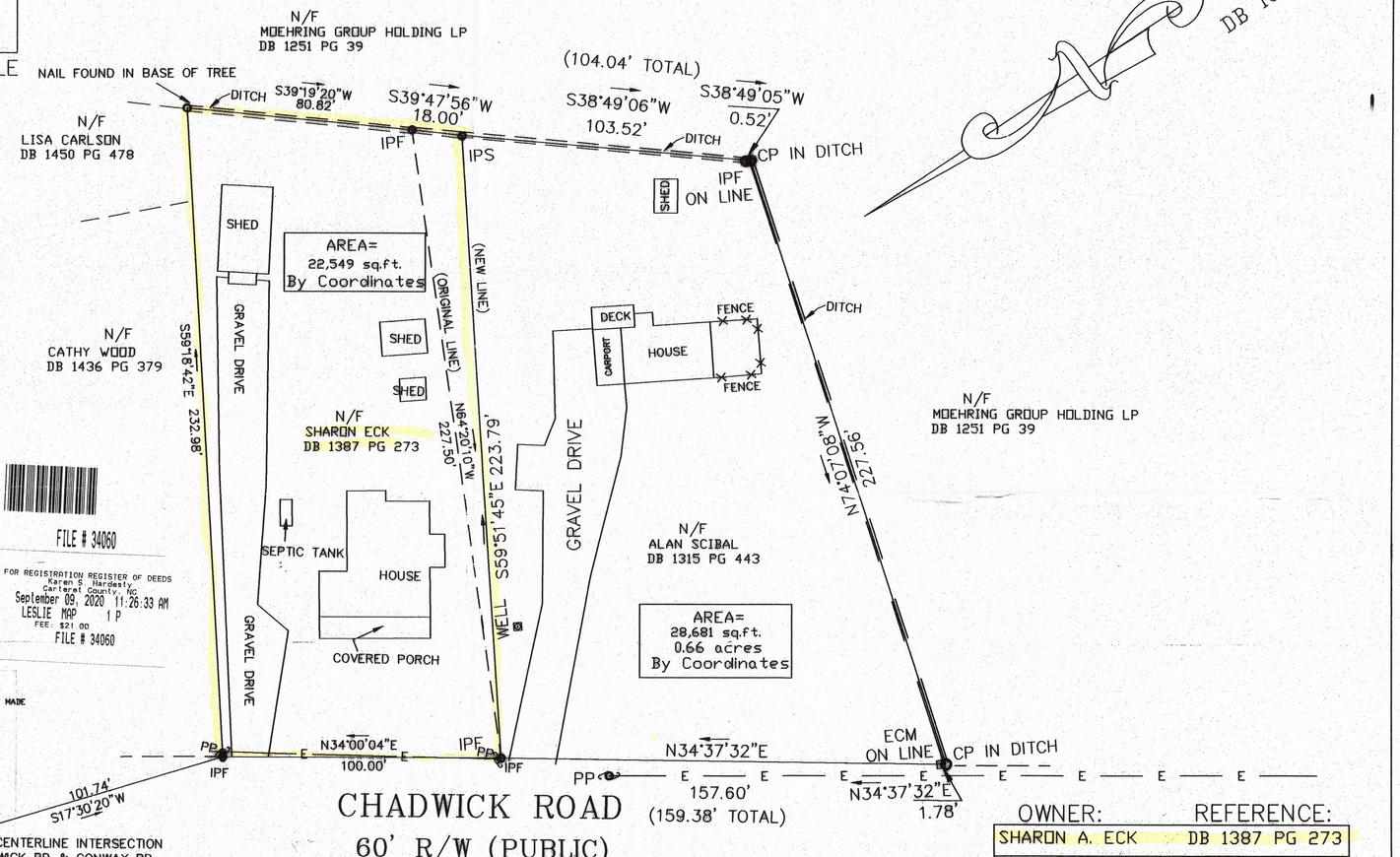
LEGEND

IRS	IRON ROD SET
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
N/F	NOW OR FORMERLY
DB	DEED BOOK
MB	MAP BOOK
PG	PAGE
R/W	RIGHT OF WAY
MBL	MINIMUM BUILDING LINE
E	OVERHEAD ELECTRIC
PKF	PK NAIL FOUND
NF	NAIL FOUND
CP	COMPUTED POINT
PP	POWER POLE

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.



CHADWICK ROAD
60' R/W (PUBLIC)

OWNER:	REFERENCE:
SHARON A. ECK	DB 1387 PG 273
ALAN SCIBAL	DB 1315 PG 443

SEAL L-3776

FILE # 34060

FOR REGISTRATION REGISTER OF DEEDS
Karen S. Hardesty
Carteret County, NC
September 09, 2020 11:26:33 AM
LESLIE MAP 1 P
FEE: $21.00
FILE # 34060

I, THOMAS EDWARD STRICKLAND,III PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION REFERENCED AS SHOWN ON THE FACE OF THIS PLAT); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS BROKEN LINES DRAWN FROM INFORMATION FOUND IN BOOK ____, PAGE ____; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000 +; AND ALL AREAS WERE CALCULATED BY COORDINATE COMPUTATION; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 2nd DAY OF 3/2/14, A.D., 20__

Thomas Edward Strickland, III 3/2/14
THOMAS EDWARD STRICKLAND,III P.L.S.
L-3776
REGISTRATION NUMBER

STATE OF NORTH CAROLINA, COUNTY OF CARTERET

I, Regan Rotelli, REVIEW OFFICER OF CARTERET COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

Regan Rotelli 9/9/2020
REVIEW OFFICER DATE

NORTH CAROLINA
CARTERET COUNTY

FILED FOR REGISTRATION AT 11:26 am O'CLOCK
ON THE 9 DAY OF September 2020
RECORDED IN MAP BOOK 31, PAGE 60

Karen S. Hardesty by Leslie Talbott Deputy
REGISTER OF DEEDS CARTERET COUNTY

I, THOMAS EDWARD STRICKLAND,III PROFESSIONAL LAND SURVEYOR L-3776, CERTIFY TO ONE OR MORE OF THE FOLLOWING AS INDICATED:

D. X That the survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exception to the definition of subdivision;

3/2/14 Thomas Edward Strickland, III 3/2/14
DATE THOMAS EDWARD STRICKLAND,III P.L.S. 3776

THIS IS AN EXEMPT SUBDIVISION PER ARTICLE V 1a. THE COMBINATION/RECOMBINATION OF PREVIOUSLY RECORDED LOTS.

Kyle Garner, Town Planner 3/12/14
DIRECTOR OF PLANNING Town of BEAUFORT Date

RECOMBINATION SURVEY FOR
ANDY BIRMINGHAM
PROPERTIES
ON CHADWICK ROAD, BEAUFORT
BEAUFORT TWSP., CARTERET COUNTY, N.C.

STRICKLAND SURVEYING, P.A.	SURVEYED: 3/2/14
4915 ARENDELL ST, STE J PMB 132 MOREHEAD CITY, N.C. 28557	INV#/ FB#: 4545
(252) 727-1970 C-1496 THOMAS EDWARD STRICKLAND III P.L.S.	DATE: 3/2/14 SCALE: 1" = 30'

34060

Town of Beaufort NC
701 Front St. • P.O. Box 390 • Beaufort, N.C. 28516
252-728-2141 • 252-728-3982 fax
www.beaufortnc.org

APPLICATION FOR VOLUNTARYANNEXATION REQUEST

Instructions: Please complete the form below and include all required attachments, including the **$100 application fee (to The Town of Beaufort)** and return to Town Manager, Town Hall, 701 Front St., PO Box 390, Beaufort, NC, 28516. Incomplete applications will not be processed and returned to the applicant. Please contact Town Hall at (252) 728-2141 with any questions.
Complete applications must be received 15 days prior to the scheduled meeting.

Applicant Name: Alan Scibal

Applicant Address: 186 Chadwick Road

Phone Number: 252-725-3201 Email: AHOY@BEAUFORTFURNITURE.com

Property Owner Name: Alan Scibal

Address of Property: 186 Chadwick Road

Phone Number: _____ Email: _____

PROPERTY INFORMATION

Property Address: 186 Chadwick Road Current Zoning: residential

15 Digit Pin: 731505193342000 Size of Property (Square Feet or Acres): .681 Acres

Is the property Contiguous to the City Limits: ☐ Yes ☑ No;

If Not Contiguous please indicate how many miles it is to the City Limits: 200 feet

Current Use of Property:

☑ Residential ☐ Vacant
☐ Commercial ☐ Other: _____

Alan Scibal Date: 7.30.20
Applicant Signature

OFFICE USE ONLY Revised 03/16

Received by: Rachel Johnson Reviewed for Completeness By: _____

Date: 10/14/20 Date Deemed Complete and Accepted: _____

AlanSco05 20-00844

Alan Scubal Date: 7.30.20

Property Owner Signature (if different than above)

A fee of $100 to the Town of Beaufort must accompany this application.

REQUIRED ATTACHMENTS FOR A VOLUNTARY ANNEXATION REQUEST

Please provide the following as attachments to the voluntary annexation request form:

1. Copy of the Annexation Survey (suitable for recording)
2. Copy of all the deeds for the area to be annexed to verify ownership
3. A TYPED list of adjoining property owners
4. Carteret County Tax Parcel Card (Included should be parcel number and tax value)
5. Anticipated impact to city services including estimated gallons of water/sewer per day

TOWN OF BEAUFORT
701 FRONT ST.
PO BOX 390
BEAUFORT, NC 28516-0390

INVOICE #
20-00844

INVOICE DATE: 10/15/20
DUE DATE: 10/16/20

ACCOUNT ID: ALANS005 PIN: 88941

Alan Seibal Sciba1
186 Chadwick Road
Beaufort, NC 28516

QUANTITY/UNIT	SERVICE ID	DESCRIPTION	UNIT PRICE	AMOUNT
		Annexation		
1.0000	APPFEE	Other Application Fees Annexation Request	100.000000	100.00
			TOTAL DUE:	$ 100.00

RECEIVED
OCT 16 REC'D
By

PAYMENT COUPON - PLEASE DETACH AND RETURN THIS PORTION ALONG WITH YOUR PAYMENT

TOWN OF BEAUFORT
701 FRONT ST.
PO BOX 390
BEAUFORT, NC 28516-0390

INVOICE #: 20-00844
DESCRIPTION: Annexation
ACCOUNT ID: ALANS005 PIN: 889413
DUE DATE: 10/16/20
TOTAL DUE: $ 100.00

Alan Seibal
186 Chadwick Road
Beaufort, NC 28516

PID R 7315.05.19.3342000

SCIBAL,ALAN JOHN

PO BOX 1067
BEAUFORT NC 28516

2020 96,136 MKT
68,890 PY Val
USE 69,510 LAND 001
DEF 26,626 BLDG 001
.681 ACRES XFOB 000

CARD 001

LISTER 7/31/2015 VWD
TWP BEAUFORT CITY
LOT BLK
NBHD 11004700 USE 000100 RESIDENTIAL
LEGAL: LOT OFF SR 1311 - BEAUFORT

FIRE BEAUFORT FIRE RESCUE BEAUFORT RESCUE OTHER
PL BK/PG PLAT ADDRESS 0000186 CHADWICK RD BEAUFORT 28516
DEED 1315 443 AICUZ PRINTED 9/09/2020 BY JEANH

BUILDING CHARACTERISTICS for BldgSeq# 001 (Item# 001)

Code	Description	Code	Description	Code	Description	Code	Description	Code	Description
MODL	01 SNG FAMILY	BVAL	00001D SNG FAMILY	ARCH	02 COTTAGE	QUAL	0D D GRADE	STYS	1.0
FNDN	05 SLAB	FRME	N/A	WNDO	N/A	EXW1	13 WOOD PANEL	EXW2	.
HEAT	10 HEATPUMP	A/C	N/A	RSTR	03 GABLE	RCV1	03 COMP SHNGL	RCV2	.
INT1	05 DRYWALL	INT2	N/A	INT2%		FLR1	14 CARPET	FLR2	08 VINYL
KTCH	N/A	DPRT	03	BATH	1.00	BDRM	1	ROOM	
+/-	N/A	FRPL	N/A	UD-3	N/A	UD-4	N/A	HTFL	04 ELECTRIC
COND	0G GOOD	INSP	04 ESTIMATED	UD-9	N/A	UD-9	N/A	UD-9%	

Code	Description
SIZE	N/A
EXW2%	
RCV2%	
FLR2%	50
SPCD	N/A
HTF2	N/A

AYB 1960 EYB 1989

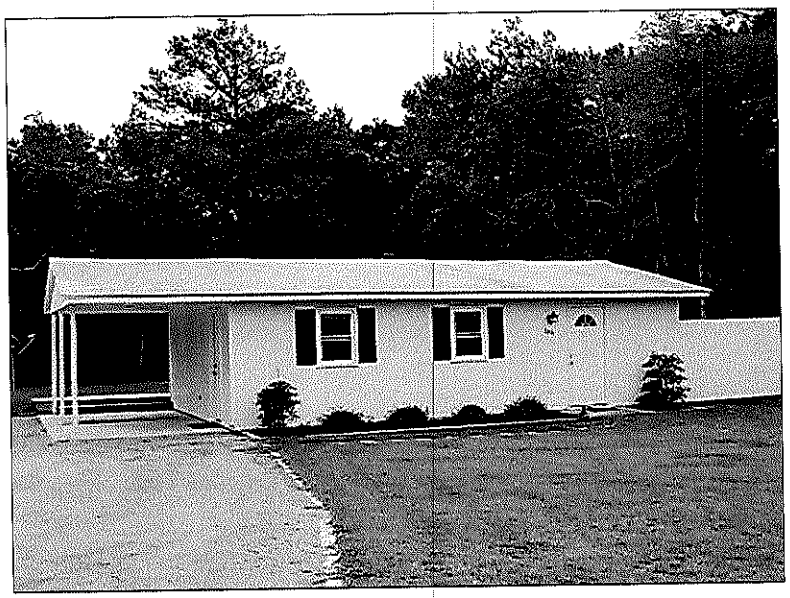
AREA CALCULATION

TRAVERSE

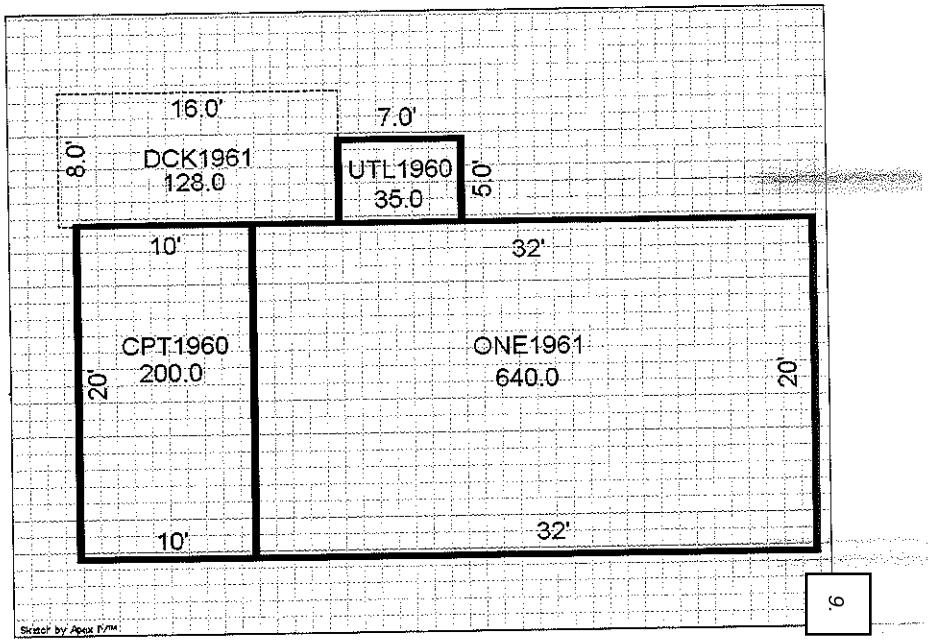
RCNLD CPT1960=200$ ONE1961=640$ DCK1961=128$ UTL1960=35$.

Subarea	Actual	Adj	Heated	Prime	Rate	Value	%Good	RCNLD
CARPORT	200	30			9.87	1974	54.00	1,066
ONE STO	640	640	640	640	65.79	42108	54.00	22,738
DECK	128	32			16.45	2105	54.00	1,137
UTILITY	35	14			26.31	921	54.00	497
LUMP						2200	54.00	1,188
TOTAL	1003		640		77.04		54.00	
TOTAL		716		640		49308		26,626

148



731505193342000001.jpg



9

PID R 7315.05.19.3342000

SCIBAL,ALAN JOHN

PO BOX 1067
BEAUFORT NC 28516

2020 96,136 MKT
68,890 PY Val
USE
DEF
.681 ACRES

CARD 002
69,510 LAND 001
26,626 BLDG 001
XFOB 000

LISTER 7/31/2015 VWD
TWP BEAUFORT CITY
LOT BLK
NBHD 11004700 USE 000100 RESIDENTIAL
LEGAL: LOT OFF SR 1311 - BEAUFORT

FIRE BEAUFORT FIRE
PL BK/PG PLAT
DEED 1315 443 AICUZ

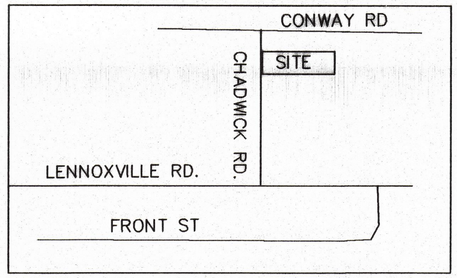
RESCUE BEAUFORT RESCUE OTHER
ADDRESS 0000186 CHADWICK RD BEAUFORT 28516
PRINTED 9/09/2020 BY JEANH

LAND

Seq	Zone	Code	Use	Description											
Front	Depth		Back	FT	#Units	UT	UTPrice	Adj1	Adj2	Adj3	Adj4	Fadj	Dadj	Nbhd Adj	Eff Rate	Value
1		114701			RESIDENTIAL LOT											
140	212		60		140.000	FF	500.000	1.00	1.00	1.00	1.00	.89	1.11	1.000	496.500	69,510

149

9



VICINITY MAP NOT TO SCALE

LEGEND

IRS	IRON ROD SET
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
N/F	NOW OR FORMERLY
DB	DEED BOOK
MB	MAP BOOK
PG	PAGE
R/W	RIGHT OF WAY
MBL	MINIMUM BUILDING LINE
E	OVERHEAD ELECTRIC
PKF	PK NAIL FOUND
NF	NAIL FOUND
CP	COMPUTED POINT
PP	POWER POLE

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

N/F
MOEHRING GROUP HOLDING LP
DB 1251 PG 39

NAIL FOUND IN BASE OF TREE

DITCH

S39°19'20"W 80.82'

S39°47'56"W 18.00'

(104.04' TOTAL)

S38°49'06"W 103.52'

S38°49'05"W 0.52'

DB 1321 PG 478

N/F
LISA CARLSON
DB 1450 PG 478

IPF

IPS

DITCH

CP IN DITCH

IPF ON LINE

SHED

AREA=
22,549 sq.ft.
By Coordinates

(NEW LINE)

(ORIGINAL LINE)

SHED

SHED

DECK

CARPORT

HOUSE

FENCE

FENCE

DITCH

N/F
CATHY WOOD
DB 1436 PG 379

S59°18'42"E 232.98'

GRAVEL DRIVE

N/F
SHARON ECK
DB 1387 PG 273

N64°20'10"W 227.50'

S59°51'45"E 223.79'

GRAVEL DRIVE

N/F
MOEHRING GROUP HOLDING LP
DB 1251 PG 39

N74°07'08"W 227.56'

SEPTIC TANK

HOUSE

COVERED PORCH

WELL

N/F
ALAN SCIBAL
DB 1315 PG 443

AREA=
28,681 sq.ft.
0.66 acres
By Coordinates

PP

E

N34°00'04"E 100.00'

IPF

IPF

PP

N34°37'32"E

ECM ON LINE

CP IN DITCH

PP

E

157.60'
(159.38' TOTAL)

N34°37'32"E 1.78'

101.74'
S17°30'20"W

PKF CENTERLINE INTERSECTION
CHADWICK RD & CONWAY RD

CHADWICK ROAD
60' R/W (PUBLIC)

OWNER:	REFERENCE:
SHARON A. ECK	DB 1387 PG 273
ALAN SCIBAL	DB 1315 PG 443

FILE # 34060

FOR REGISTRATION REGISTER OF DEEDS
Karen S. Hardesty
Carteret County, NC
September 09, 2020 11:26:33 AM
LESLIE MAP 1 P
FEE: $21.00
FILE # 34060

NORTH CAROLINA PROFESSIONAL SEAL L-3776 LAND SURVEYOR THOMAS EDWARD STRICKLAND III

I, THOMAS EDWARD STRICKLAND,III,PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION REFERENCED AS SHOWN ON THE FACE OF THIS PLAT); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS BROKEN LINES DRAWN FROM INFORMATION FOUND IN BOOK ___, PAGE ___; THAT THE RATIO OF PRECISION AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000 ± ; AND ALL AREAS WERE CALCULATED BY COORDINATE COMPUTATION. THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS ___ DAY OF 3/2/14, A.D., 20___.

Thomas Edward Strickland, III 3/2/14
THOMAS EDWARD STRICKLAND,III P.L.S.

L-3776
REGISTRATION NUMBER

STATE OF NORTH CAROLINA, COUNTY OF CARTERET

I, Regan Ratcliff, REVIEW OFFICER OF CARTERET COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.

Regan Ratcliff 9/9/2020
REVIEW OFFICER DATE

NORTH CAROLINA
CARTERET COUNTY

FILED FOR REGISTRATION AT 11:26 am O'CLOCK
ON THE 9 DAY OF September, 2020.
RECORDED IN MAP BOOK 34, PAGE 60.

Karen S. Hardesty by Leslie Talbot deputy
REGISTER OF DEEDS CARTERET COUNTY

I, THOMAS EDWARD STRICKLAND,III PROFESSIONAL LAND SURVEYOR L-3776, CERTIFY TO ONE OR MORE OF THE FOLLOWING AS INDICATED:

D. ☒ That the survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exception to the definition of subdivision;

3/2/14 DATE

Thomas Edward Strickland, III 3/2/14
THOMAS EDWARD STRICKLAND,III P.L.S. 3776

THIS IS AN EXEMPT SUBDIVISION PER ARTICLE V 1a. THE COMBINATION/RECOMBINATION OF PREVIOUSLY RECORDED LOTS.

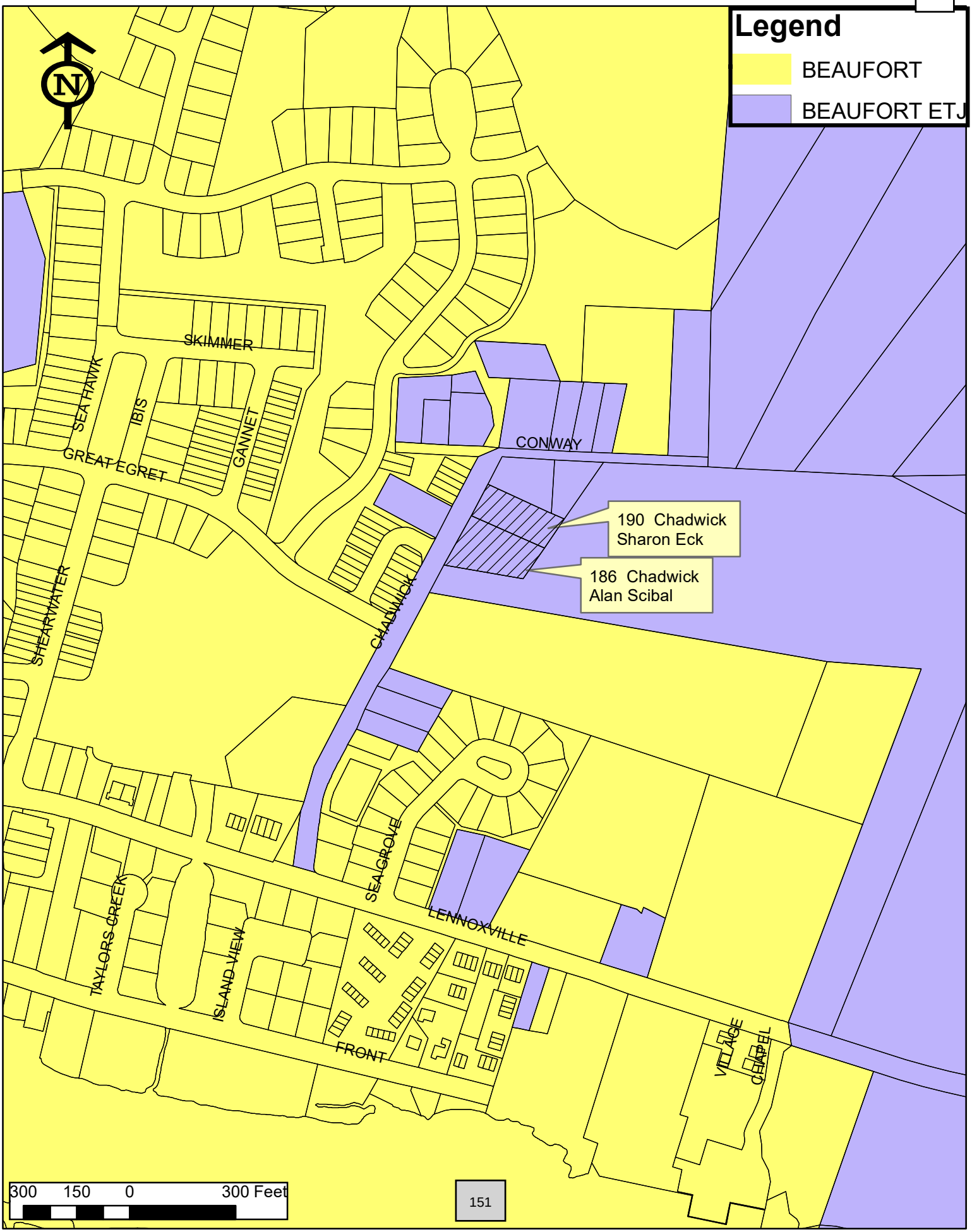
Kyle Garner, Town Planner 3/12/14
DIRECTOR OF PLANNING Town of BEAUFORT Date

RECOMBINATION SURVEY FOR
ANDY BIRMINGHAM
PROPERTIES
ON CHADWICK ROAD, BEAUFORT
BEAUFORT TWSP., CARTERET COUNTY, N.C.

STRICKLAND SURVEYING, P.A.	SURVEYED: 3/2/14
4915 ARENDELL ST, STE J PMB 132 MOREHEAD CITY, N.C. 28557 (252) 727-1970 C-1496 THOMAS EDWARD STRICKLAND III P.L.S.	INV#/ FB#: 4545 DATE: 3/2/14 SCALE: 1" = 30'

34060

Voluntary Annexation Request - 186 & 190 Chadwick Roadl



RESOLUTION DIRECTING THE CLERK TO INVESTIGATE A PETITION RECEVIED UNDER G.S. 160A-31

WHEREAS, a petition requesting annexation of an area described in said petition was received on Oct. 14, 2020 by the Town of Beaufort; and

WHEREAS, G.S. 160A-31 provides that the sufficiency of the petition shall be investigated by the Town Clerk before further annexation proceedings may take place; and

WHEREAS, the Board of Commissioners of the Town of Beaufort deems it advisable to proceed in response to this request for annexation;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Beaufort that:

The Town Clerk/Deputy Clerk is hereby directed to investigate the sufficiency of the above described petition and to certify as soon as possible to the Board of Commissioners the result of the investigation.

Adopted this 26th day of October 2020.

_____
Mayor Everette S. (Rett) Newton

_____
Rachel Johnson, Deputy Clerk

Town of Beaufort, NC
701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Town of Beaufort Board of Commissioners Work Session
4:00 PM, Monday, October 26, 2020 – Held Through Zoom Due to COVID19 Pandemic

AGENDA CATEGORY: Items for Discussion and Consideration

SUBJECT: Beaufort Pirate Invasion Event on November 20-21

BRIEF SUMMARY:

At the October 12 Regular Meeting, the Board approved a request from the Beaufort Pirate Invasion, Inc. to hold public events in Grayden Paul, Eury, and John Newton Parks on November 20 and 21. Subsequently, the prevalence of COVID-19 cases in the county and state have been increasing at alarming rates, raising the question as to whether the approval should be rescinded.

REQUESTED ACTION:

Consider whether to rescind approval of the November 20 and 21 Beaufort Pirate Invasion event.

EXPECTED LENGTH OF PRESENTATION:

10 minutes

SUBMITTED BY:

John Day, Town Manager

BUDGET AMENDMENT REQUIRED:

No

Town of Beaufort, NC
701 Front St. - P.O. Box 390 - Beaufort, N.C. 28516
252-728-2141 - 252-728-3982 fax - www.beaufortnc.org

Town of Beaufort Board of Commissioners Worksession Meeting
4:00 PM Monday, October 26 – Zoom meeting due to Covid-19

AGENDA CATEGORY: Items for Discussion and Consideration

SUBJECT: September Financial Report/Notes

BRIEF SUMMARY:

- Tax collections for August and September are listed below

August		
Tax Year	Balance Remaining	Collection Rate to Date
2014	$2,420	99.87%
2015	$9,616	99.62%
2016	$21,818	99.17%
2017	$27,741	99.86%
2018	$35,599	98.91%
2019	$86,998	97.74%
2020	$4,308,523	9.52%

September		
Tax Year	Balance Remaining	Collection Rate to Date
2014	$3,220	99.87%
2015	$9,284	99.62%
2016	$21,777	99.17%
2017	$27,228	99.86%
2018	$34,836	98.91%
2019	$83,116	97.74%
2020	$4,040,373	9.52%

- Sales and Use tax distribution for October is $198,338 (July sales)

REQUESTED ACTION:

No action requested/ review

EXPECTED LENGTH OF PRESENTATION:

5 minutes

SUBMITTED BY:

Christi Wood – Finance Director

BUDGET AMENDMENT REQUIRED:

No

Comparison of FY 19,20, and 21 Sales and Use Tax Distributions					
Sales Month	Collection Month	Distribution Month	Distribution Amount FY 2019	Distribution Amount FY 2020	Distribution Amount FY 2021
July	August	October	$102,279	$154,624	$198,338
August	September	November	$118,261	$147,895	
September	October	December	$104,910	$132,455	
October	November	January	$113,279	$130,905	
November	December	February	$118,047	$116,991	
December	January	March	$112,470	$133,544	
January	February	April	$91,523	$110,330	
February	March	May	$96,640	$96,305	
March	April	June	$127,685	$127,868	
April	May	July	$123,099	$110,588	
May	June	August	$145,214	$158,801	
June	July	September	$150,652	$202,009	
Total			$1,404,059	$1,622,314	$198,338

Revenue Account Range: 10-000-0000 to 40-999-9999 Include Non-Anticipated: Yes Year To Date As Of: 09/30/20
Expend Account Range: First to Last Include Non-Budget: No Current Period: 09/01/20 to 09/30/20
Print Zero YTD Activity: No Prior Year As Of: 09/30/20

Revenue Account	Description	Prior Yr Rev	Anticipated	Current Rev	YTD Revenue	Excess/Deficit	% Real
10-301-0000	AD VALOREM TAX - CURRENT YEAR	3,728,340.01	4,682,759.00	453,208.70	456,318.78	4,226,440.22-	10
10-301-0001	AD VALOREM TAX PRIOR YEAR	100,159.65	70,000.00	8,446.92	19,561.27	50,438.73-	28
10-301-0002	PENALTIES AND INTEREST	15,851.08	10,000.00	1,746.42	2,972.01	7,027.99-	30
10-301-0004	MOTOR VEHICLE TAX	190,805.01	168,158.00	41,110.12	41,110.12	127,047.88-	24
10-301-0006	PAYMENT IN LIEU OF TAXES	25,054.47	32,000.00	0.00	0.00	32,000.00-	0
10-303-0001	LOCAL OPTION SALES TAX	1,573,957.27	1,239,000.00	82,009.23	82,009.23	1,156,990.77-	7
10-303-0002	UTILITIES FRANCHISE TAX	379,277.71	385,000.00	0.00	0.00	385,000.00-	0
10-303-0003	BEER AND WINE TAX	18,154.77	18,872.00	0.00	0.00	18,872.00-	0
10-303-0004	POWELL BILL	118,908.16	120,000.00	0.00	0.00	120,000.00-	0
10-303-0012	Grant from NC Natural $ Cultural Res.	44,016.00	0.00	0.00	0.00	0.00	0
10-303-0014	FEMA MITIGATION GRANT	0.00	84,650.00	0.00	0.00	84,650.00-	0
10-303-0015	FEMA HURRICANE REIMBURSEMENT	681,271.12	0.00	18,032.00	29,540.09	29,540.09	0
10-303-0016	GRANTS - SRO, CAD, School Safety	37,833.00	91,000.00	0.00	0.00	91,000.00-	0
10-303-0017	NOAA Grant - Taylor's Creek	6,289.00	0.00	0.00	0.00	0.00	0
10-303-0018	NCORR LOAN	24,909.00	0.00	0.00	0.00	0.00	0
10-303-0019	CARES RELIEF FUNDS	0.00	94,768.00	0.00	0.00	94,768.00-	0
10-304-0001	COUNTY ABC PROFIT DISTRIBUTION	165,277.00	170,000.00	0.00	0.00	170,000.00-	0
10-304-0002	FIRE DISTRICT AD VALOREM TAX	322,940.04	334,081.00	27,840.09	83,520.27	250,560.73-	25
10-304-0003	FIRE DISTRICT SALES TAX	110,000.04	105,000.00	8,750.00	26,250.00	78,750.00-	25
10-304-0004	HARLOWE DIST AD VALOREM TAX	63,234.60	68,096.00	5,674.45	17,023.35	51,072.65-	25
10-304-0005	HARLOWE FIRE DISTRCIT SALES TAX	21,234.48	20,033.00	1,669.37	5,008.11	15,024.89-	25
10-304-0020	MISC REVENUE-FIRE DEPARTMENT	5,181.64	0.00	0.00	0.00	0.00	0
10-305-0001	SOLID WASTE USER FEE (RES)	542,007.11	555,000.00	46,787.20	140,872.00	414,128.00-	25
10-305-0002	SOLID WASTE USER FEES (COMM)	13,523.66	13,500.00	1,108.02	3,382.18	10,117.82-	25
10-305-0003	STORMWATER RESIDENTIAL	137,464.94	136,000.00	13,716.09	14,697.22	121,302.78-	11
10-305-0004	SOLID WASTE USER FEE -WBD	33,726.13	35,000.00	2,871.42	8,506.94	26,493.06-	24
10-305-0005	BUILDING PERMITS	143,653.74	175,000.00	23,949.20	68,169.84	106,830.16-	39
10-305-0006	PARKING METER	101,755.39	180,000.00	0.00	0.00	180,000.00-	0
10-305-0007	PARKING VIOLATIONS/PENALTIES	19,699.00	20,000.00	130.00	1,048.00	18,952.00-	5
10-305-0008	COURT COSTS, FEES, CHARGES	722.70	750.00	203.50	356.50	393.50-	48
10-305-0009	ROAD RACE REGISTRATION	0.00	1,500.00	0.00	0.00	1,500.00-	0
10-305-0010	LATE FEES - SOLID WASTE	32.25	0.00	0.00	0.00	0.00	0
10-305-0011	SPECIAL EVENT FEES	4,920.00	0.00	0.00	0.00	0.00	0
10-305-0013	TRAIN DEPOT RENTAL	1,380.00	0.00	0.00	0.00	0.00	0
10-306-0001	PROPERTY LEASES	218,050.74	224,301.00	1,823.60	50,054.82	174,246.18-	22
10-306-0002	ANTENNA CONTRACT REVENUE	68,583.51	54,000.00	0.00	44,105.37	9,894.63-	82

Revenue Account	Description	Prior Yr Rev	Anticipated	Current Rev	YTD Revenue	Excess/Deficit	% Real
10-306-0003	CEMETERY LOT SALES	2,276.78	3,500.00	75.00	1,326.78	2,173.22-	38
10-306-0006	SALE OF SURPLUS PROPERTY	58,270.00	0.00	0.00	0.00	0.00	0
10-306-0010	SURETY BOND	12,320.00	0.00	0.00	0.00	0.00	0
10-307-0001	INVESTMENT EARNINGS	83,935.52	35,000.00	205.61	1,226.38	33,773.62-	4
10-307-0002	MISCELLANEOUS REVENUE	7,471.36	2,700.00	675.00	2,855.00	155.00	106
10-307-0003	MISCELLANEOUS REVENUE - PD	9,317.05	0.00	0.00	2,207.00	2,207.00	0
10-307-0004	DONATIONS	15,000.00	0.00	0.00	0.00	0.00	0
10-307-0007	PROCEEDS FROM LOAN	1,001,687.05	0.00	0.00	0.00	0.00	0
10-307-0008	REIMBURSEMENT FROM INSURANCE	20,981.58	2,817.00	0.00	2,817.34	0.34	100
10-307-0009	APPROPRIATED FUND BALANCE	0.00	121,786.00	0.00	0.00	121,786.00-	0
10-307-0010	UTILITY FUND ADMIN EXPENSE ALLOCATION	511,000.00	600,000.00	0.00	0.00	600,000.00-	0
	General Fund Revenue Total	10,640,472.56	9,854,271.00	740,031.94	1,104,938.60	8,749,332.40-	11

Expend Account	Description	Prior Yr Expd	Budgeted	Current Expd	YTD Expended	Encumbered	Balance	% Used
10-410-0000	GOVERNING BODY:	0.00	0.00	0.00	0.00	0.00	0.00	0
10-410-0200	SALARIES AND WAGES	46,300.08	47,226.08	3,935.50	11,806.50	0.00	35,419.58	25
10-410-0500	FICA	3,541.80	3,778.09	301.04	903.12	0.00	2,874.97	24
10-410-0800	WORKERS COMPENSATION	149.55	142.00	0.00	142.00	0.00	0.00	100
10-410-1140	PUBLIC NOTICES/ADVERTISING	3,141.53	4,500.00	180.43	903.91	0.00	3,596.09	20
10-410-1141	NEWSLETTER	4,246.47	4,000.00	0.00	706.05	0.00	3,293.95	18
10-410-1210	OFFICE SUPPLIES	0.00	1,000.00	0.00	0.00	0.00	1,000.00	0
10-410-1220	OFFICE EQUIPMENT (NON-CAPITAL)	1,158.00	0.00	0.00	0.00	0.00	0.00	0
10-410-1250	DUES & SUBSCRIPTIONS	11,656.74	11,300.00	269.66	8,088.66	10.67	3,200.67	72
10-410-1430	TRAINING- REGISTRATION & CLASS MAT	600.00	5,000.00	131.25	206.25	0.00	4,793.75	4
10-410-1431	TRAVEL MILEAGE	0.00	750.00	0.00	0.00	26.00	724.00	3
10-410-1432	MEALS	838.70	1,500.00	0.00	0.00	0.00	1,500.00	0
10-410-1433	LODGING	470.08	2,000.00	0.00	0.00	0.00	2,000.00	0
10-410-4520	CODIFICATION	1,715.57	2,500.00	1,295.00	2,773.92	0.00	273.92-	111
10-410-5400	INSURANCE	3,931.79	5,040.00	0.00	3,500.00	0.00	1,540.00	69
10-410-5720	ELECTIONS	7,099.16	0.00	0.00	0.00	0.00	0.00	0
	DEPARTMENT Total	84,849.47	88,736.17	6,112.88	29,030.41	36.67	59,669.09	33
10-420-0000	ADMINISTRATION:	0.00	0.00	0.00	0.00	0.00	0.00	0
10-420-0200	SALARIES AND WAGES	432,505.51	263,899.82	20,699.26	78,890.46	0.00	185,009.36	30
10-420-0201	OVERTIME	2,086.78	0.00	0.00	0.00	0.00	0.00	0
10-420-0500	FICA EXPENSE	31,011.53	21,112.79	1,503.67	5,750.04	0.00	15,362.75	27
10-420-0600	GROUP INSURANCE EXPENSE	32,172.54	22,354.92	1,757.16	5,857.20	0.00	16,497.72	26

Expend Account	Description	Prior Yr Expd	Budgeted	Current Expd	YTD Expended	Encumbered	Balance	% Used
10-420-0700	RETIREMENT EXPENSE	60,214.37	40,140.68	3,148.37	11,999.31	0.00	28,141.37	30
10-420-0800	WORKERS COMPENSATION	2,193.70	2,148.00	342.70-	1,804.30	0.00	343.70	84
10-420-0900	UNEMPLOYMENT INSURANCE EXPENSE	2,717.15	3,000.00	0.00	0.00	0.00	3,000.00	0
10-420-1110	TELEPHONE	1,442.20	6,780.00	0.00	248.77	0.00	6,531.23	4
10-420-1120	INTERNET/CABLE	6,122.77	6,900.00	0.00	1,138.62	0.00	5,761.38	16
10-420-1130	POSTAGE	3,101.01	3,000.00	24.20	524.20	1.20	2,474.60	18
10-420-1210	OFFICE SUPPLIES	15,198.60	14,700.00	2,796.29	3,555.81	851.94	10,292.25	30
10-420-1220	OFFICE EQUIPMENT (NON-CAPITAL)	14,457.79	0.00	0.00	0.00	0.00	0.00	0
10-420-1221	OFFICE EQUIPMENT LEASES	6,610.48	7,800.00	401.84	1,607.36	0.00	6,192.64	21
10-420-1230	OFFICE CONTRACT SERVICES	61,964.53	6,000.00	0.00	10.66	0.00	5,989.34	0
10-420-1250	DUES AND SUBSCRIPTIONS	2,700.28	2,500.00	23.88	683.12	345.00	1,471.88	41
10-420-1310	ELECTRIC	11,841.64	16,800.00	1,334.78	3,883.52	0.00	12,916.48	23
10-420-1330	WATER/SEWER/SOLID WASTE	2,569.56	3,356.36	0.00	336.23	0.00	3,020.13	10
10-420-1430	TRAINING-REGISTRATION & CLASS MAT'	1,585.00	3,000.00	165.00	460.00	0.00	2,540.00	15
10-420-1431	TRAVEL MILEAGE	936.12	1,000.00	0.00	0.00	0.00	1,000.00	0
10-420-1432	MEALS	929.68	750.00	0.00	0.00	0.00	750.00	0
10-420-1433	LODGING	2,024.05	2,500.00	0.00	0.00	0.00	2,500.00	0
10-420-1630	EQUIPMENT MAINT. & REPAIRS	0.00	100.00	0.00	0.00	0.00	100.00	0
10-420-5400	INSURANCE	26,773.11	42,300.00	0.00	51,302.60	0.00	9,002.60-	121
10-420-7430	CAPITAL OUTLAY - VEHICLES	17,305.73	0.00	0.00	0.00	0.00	0.00	0
	DEPARTMENT Total	738,464.13	470,142.57	31,511.75	168,052.20	1,198.14	300,892.23	36
10-430-0000	FINANCE:	0.00	0.00	0.00	0.00	0.00	0.00	0
10-430-0200	SALARIES AND WAGES	264,453.43	267,914.94	21,361.11	72,559.46	0.00	195,355.48	27
10-430-0201	OVERTIME	148.21	0.00	0.00	7.83	0.00	7.83-	0
10-430-0500	FICA EXPENSE	18,783.55	21,436.08	1,515.91	5,183.18	0.00	16,252.90	24
10-430-0600	GROUP INSURANCE EXPENSE	35,143.20	37,258.20	2,928.60	8,785.80	0.00	28,472.40	24
10-430-0700	RETIREMENT EXPENSE	36,733.47	40,755.34	3,249.05	11,037.56	0.00	29,717.78	27
10-430-0800	WORKERS COMPENSATION	1,283.45	1,210.00	0.00	1,210.00	0.00	0.00	100
10-430-1210	OFFICE SUPPLIES	10.66	0.00	0.00	0.00	53.56	53.56-	0
10-430-1230	OFFICE CONTRACT SERVICES	28,566.63	29,000.00	1,035.62	10,930.52	0.00	18,069.48	38
10-430-1250	DUES & SUBSCRIPTIONS	310.00	400.00	0.00	0.00	0.00	400.00	0
10-430-1430	TRAINING-REGISTRATION & CLASS MATE	475.00	5,500.00	0.00	65.00	3,685.00	1,750.00	68
10-430-1431	TRAVEL MILEAGE	176.87	1,000.00	0.00	0.00	0.00	1,000.00	0
10-430-1432	MEALS	73.18	600.00	0.00	0.00	0.00	600.00	0
10-430-1433	LODGING	721.87	1,900.00	0.00	0.00	0.00	1,900.00	0
10-430-1630	EQUIPMENT MAINT & REPAIRS	0.00	500.00	0.00	0.00	0.00	500.00	0
10-430-4510	PROFESSIONAL SERVICES	9,518.04	20,000.00	6,360.00	9,082.00	0.00	10,918.00	45
10-430-4520	TAX COLLECTION ADMIN EXPENSE PROP.	79,874.76	87,144.00	9,536.16	9,857.22	0.00	77,286.78	11

Expend Account	Description	Prior Yr Expd	Budgeted	Current Expd	YTD Expended	Encumbered	Balance	% Used
10-430-4525	TAX COLLECTION ADMIN EXPENSE MVT	10,715.46	10,000.00	2,069.88	2,075.57	0.00	7,924.43	21
	DEPARTMENT Total	486,987.78	524,618.56	48,056.33	130,794.14	3,738.56	390,085.86	26
10-450-0000	PARKING DEPARTMENT:	0.00	0.00	0.00	0.00	0.00	0.00	0
10-450-0200	SALARIES AND WAGES	44,247.01	37,467.46	0.00	7,296.00	0.00	30,171.46	19
10-450-0201	OVERTIME	241.47	2,040.00	0.00	0.00	0.00	2,040.00	0
10-450-0205	OTHER SALARIES - PART TIME	0.00	14,085.00	0.00	0.00	0.00	14,085.00	0
10-450-0500	FICA EXPENSE	3,470.43	4,309.93	0.00	551.72	0.00	3,758.21	13
10-450-0600	GROUP INSURANCE	7,028.64	7,451.64	0.00	1,171.44	0.00	6,280.20	16
10-450-0700	RETIREMENT EXPENSE	5,250.38	6,021.94	0.00	1,109.73	0.00	4,912.21	18
10-450-0800	WORKERS COMPENSATION	1,278.52	1,343.00	0.00	1,343.00	0.00	0.00	100
10-450-1210	OFFICE SUPPLIES	1,107.53	2,000.00	22.23	22.23	0.00	1,977.77	1
10-450-1230	OFFICE CONTRACT SERVICES - SOFTWARE	11,039.00	12,144.00	912.00	2,736.00	0.00	9,408.00	23
10-450-1430	TRAINING -REGISTRATION AND CLASS MAT'L	140.00	1,050.00	0.00	0.00	0.00	1,050.00	0
10-450-1431	TRAVEL MILEAGE	0.00	400.00	0.00	0.00	0.00	400.00	0
10-450-1432	MEALS	0.00	300.00	0.00	0.00	0.00	300.00	0
10-450-1433	LODGING	0.00	800.00	0.00	0.00	0.00	800.00	0
10-450-1592	WBD PROJECTS	42,900.97	0.00	523.94-	0.00	570.15	570.15-	0
10-450-1620	EQUIPMENT RENTAL - HANDHELDS	2,983.07	1,700.00	0.00	0.00	0.00	1,700.00	0
10-450-1630	EQUIPMENT MAINTENANCE AND REPAIRS	2,930.17	3,000.00	0.00	0.00	0.00	3,000.00	0
10-450-3901	PARKING METER CREDIT CARD PROCESSING FEE	10,804.85	22,000.00	49.99	320.97	0.00	21,679.03	1
10-450-3902	COLLECTION FEES	2,564.51	2,000.00	0.00	0.00	0.00	2,000.00	0
10-450-4550	CONTRACT SERVICES	0.00	3,000.00	0.00	0.00	0.00	3,000.00	0
10-450-5730	CONTINGENCY	0.00	13,000.00	0.00	0.00	0.00	13,000.00	0
10-450-8010	DEBT SERVICE - PRINCIPAL	7,630.35	7,903.00	0.00	0.00	0.00	7,903.00	0
10-450-8011	DEBT SERVICE - INTEREST	1,173.01	900.00	0.00	0.00	0.00	900.00	0
	DEPARTMENT Total	144,789.91	142,915.97	460.28	14,551.09	570.15	127,794.73	11
10-510-0000	POLICE DEPARTMENT:	0.00	0.00	0.00	0.00	0.00	0.00	0
10-510-0200	SALARIES AND WAGES	984,282.07	1,025,644.54	77,768.69	265,096.48	0.00	760,548.06	26
10-510-0201	OVERTIME	27,015.68	28,000.02	1,718.74	5,670.54	0.00	22,329.48	20
10-510-0203	SEPARATION PAY	42,121.08	41,400.00	3,510.09	10,530.27	0.00	30,869.73	25
10-510-0205	OTHER SALARIES-PARTTIME	2,467.77	10,000.00	921.06	1,101.66	0.00	8,898.34	11
10-510-0500	FICA EXPENSE	77,197.04	89,021.32	6,181.23	20,880.75	0.00	68,140.57	23
10-510-0600	GROUP INSURANCE EXPENSE	125,677.44	141,581.16	10,542.96	32,214.60	0.00	109,366.56	23
10-510-0700	RETIREMENT EXPENSE	146,138.02	166,660.56	12,576.39	42,831.30	0.00	123,829.26	26
10-510-0800	WORKERS COMPENSATION	43,890.54	39,940.00	440.00-	39,627.50	299.61	12.89	100
10-510-1110	TELEPHONE	1,480.48	8,184.00	0.00	249.93	0.00	7,934.07	3

Expend Account	Description	Prior Yr Expd	Budgeted	Current Expd	YTD Expended	Encumbered	Balance	% Used
10-510-1111	TELEPHONE-CELLULAR	9,304.70	10,800.00	1,556.14	1,556.14	0.00	9,243.86	14
10-510-1120	INTERNET/CABLE	3,516.53	3,700.00	254.28	903.14	0.00	2,796.86	24
10-510-1130	POSTAGE	412.49	750.00	0.00	7.50	28.55	713.95	5
10-510-1210	OFFICE SUPPLIES	2,566.44	2,500.00	236.56	579.21	181.09	1,739.70	30
10-510-1220	OFFICE EQUIPMENT (NON-CAPITAL)	1,904.00	2,000.00	0.00	0.00	0.00	2,000.00	0
10-510-1221	OFFICE EQUIPMENT LEASES	4,164.78	4,100.00	328.25	1,313.00	0.00	2,787.00	32
10-510-1230	OFFICE CONTRACT SERVICES	28,726.36	22,600.00	704.56	4,736.72	153.00	17,710.28	22
10-510-1250	DUES AND SUBSCRIPTIONS	925.74	2,500.00	0.00	0.00	0.00	2,500.00	0
10-510-1260	MISC. ADMIN. EXPENSE	168.00	500.00	20.50	20.50	0.00	479.50	4
10-510-1310	ELECTRIC	5,958.93	6,300.00	712.96	2,206.34	0.00	4,093.66	35
10-510-1330	WATER/SEWER/SOLID WASTE	3,259.22	3,776.11	0.00	556.02	0.00	3,220.09	15
10-510-1420	OSHA/SAFETY COMPLIANE	0.00	1,310.00	0.00	0.00	82.10	1,227.90	6
10-510-1422	SAFETY SUPPLIES & MATERIALS	1,522.05	0.00	0.00	0.00	0.00	0.00	0
10-510-1430	TRAINING- REGISTRATION &CLASS MAT'	10,260.77	12,000.00	0.00	327.06	34.14	11,638.80	3
10-510-1431	TRAVEL MILEAGE	19.00	500.00	0.00	0.00	0.00	500.00	0
10-510-1432	MEALS	2,663.55	3,500.00	86.29	380.33	52.92	3,066.75	12
10-510-1433	LODGING	3,624.37	4,000.00	0.00	0.00	0.00	4,000.00	0
10-510-1440	UNIFORMS	19,403.70	15,000.00	956.12	974.39	396.50	13,629.11	9
10-510-1451	EMPLOYEE WELLNESS	6,259.00	18,060.00	443.00	1,772.00	0.00	16,288.00	10
10-510-1610	NON-CAPITAL EQUIPMENT PURCHASE	25,874.55	34,300.00	0.00	0.00	0.00	34,300.00	0
10-510-1630	EQUIPMENT MAINT. & REPAIRS	2,969.41	4,000.00	117.29	515.54	326.64	3,157.82	21
10-510-1710	AUTO FUEL	28,062.52	37,740.00	1,889.36	6,061.92	0.00	31,678.08	16
10-510-1730	VEHICLE MAINT. & REPAIRS	20,232.34	15,000.00	1,239.13	2,440.07	0.00	12,559.93	16
10-510-3310	DEPARTMENT SUPPLIES & MATERIALS	9,390.01	9,000.00	247.47	676.87	25.37	8,297.76	8
10-510-4510	PROFESSIONAL SERVICES	0.00	2,000.00	0.00	0.00	0.00	2,000.00	0
10-510-4560	ABANDONED AND DERELICT VESSEL REMOVAL	16,375.00	12,000.00	0.00	0.00	0.00	12,000.00	0
10-510-4570	MARINE OPERATIONS	0.00	4,000.00	47.89	139.97	0.00	3,860.03	4
10-510-5400	INSURANCE AND BONDS	24,073.10	25,920.00	0.00	24,700.00	0.00	1,220.00	95
10-510-5791	CRIMINAL INVESTIGATION	9,392.82	10,000.00	0.00	0.00	0.00	10,000.00	0
10-510-5793	CRIME PREVENTION	4,567.60	5,000.00	0.00	0.00	0.00	5,000.00	0
10-510-7420	CAPITAL OUTLAY - EQUIPMENT	11,801.79	0.00	0.00	0.00	0.00	0.00	0
10-510-7430	CAPITAL OUTLAY - VEHICLES	45,164.18	0.00	0.00	0.10-	0.00	0.10	0
10-510-8010	DEBT SERVICE - PRINCIPAL	18,573.71	16,594.00	16,594.00	16,594.00	0.00	0.00	100
10-510-8011	DEBT SERVICE - INTEREST	931.03	626.00	662.25	662.25	0.00	36.25-	106
10-510-9003	HURRICANE SUPPLIES & MATERIALS	3,470.49	0.00	0.00	0.00	0.00	0.00	0
10-510-9020	GRANT EXPENDITURES	0.00	35,000.00	0.00	20,030.00	8,533.73	6,436.27	82
	DEPARTMENT Total	1,775,808.30	1,875,507.71	138,875.21	505,355.90	10,113.65	1,360,038.16	27
10-531-0000	FIRE DEPARTMENT:	0.00	0.00	0.00	0.00	0.00	0.00	0

Expend Account	Description	Prior Yr Expd	Budgeted	Current Expd	YTD Expended	Encumbered	Balance	% Used
10-531-0200	SALARIES & WAGES	958,763.08	942,538.93	70,203.16	240,796.24	0.00	701,742.69	26
10-531-0201	OVERTIME	21,635.90	30,999.02	1,082.91	5,051.76	0.00	25,947.26	16
10-531-0205	SALARIES-PARTIME/PRN	49,375.02	43,080.58	6,315.15	18,030.19	0.00	25,050.39	42
10-531-0500	FICA EXPENSE	76,571.14	81,405.93	5,764.89	19,667.69	0.00	61,738.24	24
10-531-0600	GROUP INSURANCE	114,548.76	134,129.52	9,999.30	29,997.90	0.00	104,131.62	22
10-531-0700	RETIREMENT EXPENSE	135,881.19	148,284.71	10,842.60	37,393.50	0.00	110,891.21	25
10-531-0701	FIREMAN'S PENSION FUND	1,590.00	2,160.00	0.00	0.00	0.00	2,160.00	0
10-531-0800	WORKERS COMPENSATION	56,997.04	51,027.00	81.00-	50,946.00	0.00	81.00	100
10-531-1110	TELEPHONE	2,726.50	5,768.00	0.00	287.21	0.00	5,480.79	5
10-531-1111	TELEPHONE- CELLULAR	1,602.89	2,500.00	340.09	340.09	0.00	2,159.91	14
10-531-1120	INTERNET/CABLE	4,022.79	4,420.00	0.00	648.86	0.00	3,771.14	15
10-531-1130	POSTAGE	33.55	200.00	24.20	32.45	0.00	167.55	16
10-531-1210	OFFICE SUPPLIES	1,163.93	1,200.00	0.00	0.00	0.00	1,200.00	0
10-531-1220	OFFICE EQUIPMENT (NON-CAPITAL)	5,413.25	1,500.00	0.00	0.00	0.00	1,500.00	0
10-531-1221	OFFICE EQUIPMENT LEASES	2,879.28	3,030.00	239.94	959.76	0.00	2,070.24	32
10-531-1230	OFFICE CONTRACT SERVICES	1,616.80	1,670.00	0.00	1,420.00	0.00	250.00	85
10-531-1250	DUES & SUBSCRIPTIONS	2,189.99	2,050.00	82.00	82.00	11.00	1,957.00	5
10-531-1310	ELECTRIC	20,093.70	23,460.00	1,672.80	4,483.92	0.00	18,976.08	19
10-531-1320	LP GAS	272.71	500.00	0.00	35.55	0.00	464.45	7
10-531-1330	WATER/SEWER/SOLID WASTE	3,736.04	5,080.03	38.00	424.03	0.00	4,656.00	8
10-531-1420	OSHA/ SAFETY COMPLIANCE	4,272.47	6,610.00	1,163.52	1,163.52	0.00	5,446.48	18
10-531-1421	SAFETY EQUIPMENT	29,643.26	31,310.00	101.58	5,648.22	0.00	25,661.78	18
10-531-1422	SAFETY SUPPLIES & MATERIALS	1,789.19	3,000.00	451.89	510.26	191.00	2,298.74	23
10-531-1430	TRAINING- REGIST & CLASS MATERIAL	3,502.85	5,500.00	648.28	1,327.04	0.00	4,172.96	24
10-531-1431	MILEAGE	237.01	800.00	191.20	191.20	0.00	608.80	24
10-531-1432	MEALS	1,710.49	2,700.00	156.91	507.92	0.00	2,192.08	19
10-531-1433	LODGING	1,444.96	3,000.00	738.86-	8.13	0.00	2,991.87	0
10-531-1440	UNIFORMS	8,123.87	12,600.00	1,300.00	1,368.72	2,076.00	9,155.28	27
10-531-1510	BUILDING MAINTENANCE	9,991.94	6,357.00	734.60	1,034.27	251.91	5,070.82	20
10-531-1511	GROUND MAINT	4,302.30	3,500.00	0.00	0.00	0.00	3,500.00	0
10-531-1512	JANITORIAL SUPPLIES	1,544.95	1,800.00	134.60	467.37	54.91	1,277.72	29
10-531-1513	CONTRACTED SERVICES	6,176.00	8,500.00	106.00	106.00	0.00	8,394.00	1
10-531-1610	NON-CAPITAL EQUIPMENT PURCHASE	15,089.36	7,000.00	0.00	870.02	0.00	6,129.98	12
10-531-1630	EQUIPMENT MAINT & REPAIRS	9,530.18	15,600.00	14.55	317.58	0.00	15,282.42	2
10-531-1710	AUTO FUEL	13,880.28	23,000.00	849.45	2,672.42	31.47	20,296.11	12
10-531-1730	VEHICLE MAINT & REPAIRS	51,219.69	26,817.00	9,621.38	19,322.80	549.53	6,944.67	74
10-531-3310	DEPARTMENT SUPPLIES & MATERIALS	4,226.02	9,000.00	583.87	1,519.58	22.08	7,458.34	17
10-531-5400	INSURANCE & BONDS	33,509.00	34,710.00	0.00	36,681.00	0.00	1,971.00-	106
10-531-7430	CAPITAL OUTLAY- VEHICLES	1,056,225.09	0.00	0.00	0.00	0.00	0.00	0
10-531-8010	DEBT SERVICE - PRINCIPAL	211,952.45	255,437.00	0.00	100,000.00	0.00	155,437.00	39

Expend Account	Description	Prior Yr Expd	Budgeted	Current Expd	YTD Expended	Encumbered	Balance	% Used
10-531-8011	DEBT SERVICE - INTEREST	79,073.99	95,790.00	0.00	36,849.99	0.00	58,940.01	38
10-531-9001	HURRICANE FUEL	884.31	0.00	0.00	0.00	0.00	0.00	0
10-531-9003	HURRICANE SUPPLIES & MATERIALS	5,005.84	0.00	0.00	0.00	0.00	0.00	0
10-531-9010	COVID-19 RESPONSE	2,399.62	1,410.00	2,806.64	4,955.27	0.00	3,545.27-	351
	DEPARTMENT Total	3,016,848.68	2,039,444.72	124,649.65	626,118.46	3,187.90	1,410,138.36	31
10-540-0000	PLANNING & INSPECTIONS:	0.00	0.00	0.00	0.00	0.00	0.00	0
10-540-0200	SALARIES AND WAGES	310,533.73	311,420.48	24,819.36	84,797.02	0.00	226,623.46	27
10-540-0201	OVERTIME	975.07	1,530.00	0.00	59.93	0.00	1,470.07	4
10-540-0500	FICA EXPENSE	23,323.67	25,036.84	1,874.22	6,414.26	0.00	18,622.58	26
10-540-0600	GROUP INSURANCE EXPENSE	35,686.86	37,258.20	2,928.60	8,785.80	0.00	28,472.40	24
10-540-0700	RETIREMENT EXPENSE	43,402.70	47,611.85	3,775.04	12,906.80	0.00	34,705.05	27
10-540-0800	WORKERS COMPENSATION	6,137.78	5,773.00	468.65-	5,264.35	0.00	508.65	91
10-540-1250	DUES & SUBSCRIPTIONS	2,235.59	2,500.00	693.00	1,037.00	0.00	1,463.00	41
10-540-1420	OSHA/SAFETY COMPLIANCE	0.00	300.00	0.00	0.00	0.00	300.00	0
10-540-1430	TRAINING-REGISTRATION & CLASS MAT'	2,297.55	2,400.00	1,355.00	1,595.00	0.00	805.00	66
10-540-1431	TRAVEL MILEAGE	1,979.45	1,500.00	0.00	0.00	0.00	1,500.00	0
10-540-1432	MEALS	384.95	800.00	0.00	0.00	0.00	800.00	0
10-540-1433	LODGING	3,188.14	2,400.00	0.00	0.00	0.00	2,400.00	0
10-540-1610	NON-CAPITAL EQUIPMENT PURCHASE	234.00	2,000.00	0.00	0.00	83.23	1,916.77	4
10-540-1710	AUTO FUEL	501.02	1,000.00	26.69	111.49	0.00	888.51	11
10-540-1730	VEHICLE MAINT & REPAIRS	305.45	500.00	0.00	0.00	0.00	500.00	0
10-540-1810	PERMITS & FEES RECURRING	710.00	1,800.00	0.00	0.00	0.00	1,800.00	0
10-540-3510	HISTORIC COMM.EXPENSE	0.00	1,000.00	0.00	0.00	0.00	1,000.00	0
10-540-3512	HISTORIC COMM-TRAVEL	0.00	1,800.00	0.00	0.00	0.00	1,800.00	0
10-540-4510	PROFESSIONAL SERVICES	7,500.00	22,500.00	0.00	7,500.00	15,000.00	0.00	100
10-540-5400	INSURANCE & BONDS	83.34	0.00	0.00	0.00	0.00	0.00	0
10-540-7420	CAPITAL OUTLAY-EQUIP	0.00	180,000.00	0.00	0.00	0.00	180,000.00	0
10-540-7430	CAPITAL OUTLAY- VEHICLES	21,604.44	0.00	0.00	0.00	0.00	0.00	0
10-540-8010	DEBT SERVICE - PRINCIPAL	4,751.09	4,840.00	4,840.00	4,840.00	0.00	0.00	100
10-540-8011	DEBT SERVICE - INTEREST	271.55	183.00	183.00	183.00	0.00	0.00	100
	DEPARTMENT Total	466,106.38	654,153.37	40,026.26	133,494.65	15,083.23	505,575.49	23
10-550-0000	PUBLIC SERVICE ADMINISTRATION:	0.00	0.00	0.00	0.00	0.00	0.00	0
10-550-0200	SALARIES AND WAGES	0.00	200,228.96	15,761.68	46,980.58	0.00	153,248.38	23
10-550-0500	FICA EXPENSE	0.00	16,018.31	1,133.62	3,410.67	0.00	12,607.64	21
10-550-0600	GROUP INSURANCE EXPENSE	0.00	14,903.28	1,171.44	2,928.60	0.00	11,974.68	20
10-550-0700	RETIREMENT	0.00	30,454.82	2,397.34	7,145.72	0.00	23,309.10	23

Expend Account	Description	Prior Yr Expd	Budgeted	Current Expd	YTD Expended	Encumbered	Balance	% Used
10-550-1230	OFFICE CONTRACT SERVICES	0.00	8,500.00	0.00	10.66	0.00	8,489.34	0
10-550-1250	DUES AND SUBSCRIPTIONS	0.00	1,800.00	0.00	0.00	0.00	1,800.00	0
10-550-1420	OSHA/SAFETY COMPLIANCE	0.00	500.00	0.00	0.00	0.00	500.00	0
10-550-1430	TRAINING - REGISTRATION & CLASS MATERIAL	0.00	1,800.00	0.00	0.00	0.00	1,800.00	0
10-550-1431	TRAVEL MILEAGE	0.00	230.00	0.00	0.00	0.00	230.00	0
10-550-1432	MEALS	0.00	330.00	0.00	0.00	0.00	330.00	0
10-550-1433	LODGING	0.00	900.00	0.00	0.00	0.00	900.00	0
10-550-1440	UNIFORMS	0.00	300.00	0.00	0.00	0.00	300.00	0
10-550-1610	NON-CAPITAL EQUIPMENT PURCHASE	0.00	750.00	0.00	0.00	0.00	750.00	0
10-550-1710	AUTO FUEL	0.00	1,000.00	0.00	19.60	0.00	980.40	2
10-550-1730	VEHICLE MAINT. & REPAIRS	0.00	500.00	0.00	0.00	0.00	500.00	0
10-550-4510	PROFESSIONAL SERVICES	0.00	10,000.00	0.00	0.00	0.00	10,000.00	0
	DEPARTMENT Total	0.00	288,215.37	20,464.08	60,495.83	0.00	227,719.54	21
10-560-0000	PUBLIC WORKS:	0.00	0.00	0.00	0.00	0.00	0.00	0
10-560-0200	SALARIES AND WAGES	517,070.31	544,713.11	43,510.54	144,710.99	0.00	400,002.12	27
10-560-0201	OVERTIME	4,423.77	5,100.00	604.86	3,066.01	0.00	2,033.99	60
10-560-0500	FICA EXPENSE	38,084.39	44,019.50	3,195.05	10,755.93	0.00	33,263.57	24
10-560-0600	GROUP INSURANCE EXPENSE	85,159.17	96,871.32	7,614.36	21,671.64	0.00	75,199.68	22
10-560-0700	RETIREMENT EXPENSE	72,081.73	81,769.45	6,388.25	21,425.09	0.00	60,344.36	26
10-560-0800	WORKERS COMPENSATION	26,566.15	24,164.00	3,771.80-	20,392.20	0.00	3,771.80	84
10-560-1110	TELEPHONE	1,499.80	2,500.00	0.00	256.28	0.00	2,243.72	10
10-560-1111	TELEPHONE- CELLULAR	409.14	350.00	166.01	166.01	0.00	183.99	47
10-560-1120	INTERNET\CABLE	5,303.11	4,900.00	0.00	898.74	0.00	4,001.26	18
10-560-1130	POSTAGE	4,860.50	4,500.00	417.59	829.98	0.00	3,670.02	18
10-560-1210	OFFICE SUPPLIES	1,497.11	2,000.00	91.73	675.43	939.88	384.69	81
10-560-1220	OFFICE EQUIPMENT (NON-CAPITAL)	759.48	2,000.00	0.00	16.48	872.00	1,111.52	44
10-560-1221	OFFICE EQUIPMENT LEASE	2,929.30	3,200.00	266.30	1,065.20	0.00	2,134.80	33
10-560-1230	OFFICE CONTRACT SERVICES	2,081.33	2,321.69	130.75	259.95	174.69	1,887.05	19
10-560-1250	DUES AND SUBSCRIPTIONS	358.30	750.00	37.34	292.68	37.34	419.98	44
10-560-1310	ELECTRIC	5,964.29	7,000.00	555.59	1,703.83	0.00	5,296.17	24
10-560-1320	LP GAS	2,142.29	3,150.00	0.00	0.00	123.44	3,026.56	4
10-560-1330	WATER/SEWER/SOLID WASTE	2,885.52	2,727.61	0.00	798.00	0.00	1,929.61	29
10-560-1420	OSHA/SAFETY COMPLIANCE	525.57	5,650.00	420.94	1,748.68	30.60	3,870.72	31
10-560-1421	SAFETY EQUIPMENT	277.62	0.00	0.00	0.00	0.00	0.00	0
10-560-1422	SAFETY SUPPLIES & MATERIALS	399.29	0.00	0.00	0.00	0.00	0.00	0
10-560-1430	TRAINING -REGISTRATION & CLASS	502.75	3,150.00	0.00	220.00	361.10	2,568.90	18
10-560-1431	TRAVEL MILEAGE	0.00	500.00	0.00	0.00	0.00	500.00	0
10-560-1432	MEALS	305.29	750.00	189.20	189.20	0.00	560.80	25

Expend Account	Description	Prior Yr Expd	Budgeted	Current Expd	YTD Expended	Encumbered	Balance	% Used
10-560-1433	LODGING	0.00	750.00	0.00	0.00	0.00	750.00	0
10-560-1440	UNIFORMS	6,293.14	7,000.00	269.24	919.58	0.00	6,080.42	13
10-560-1610	NON-CAPITAL EQUIPMENT PURCHASE	7,587.31	18,500.00	7,923.77	10,375.73	372.04	7,752.23	58
10-560-1630	EQUIPMENT MAINT. & REPAIRS	13,604.11	10,500.00	511.78	1,228.49	0.00	9,271.51	12
10-560-1710	AUTO FUEL	11,914.52	15,000.00	1,197.81	3,474.26	0.00	11,525.74	23
10-560-1730	VEHICLE MAINT. & REPAIRS	11,784.41	11,000.00	833.44	3,878.67	0.00	7,121.33	35
10-560-1820	PERMITS & FEES - ONE TIME	100.00	500.00	0.00	0.00	0.00	500.00	0
10-560-3310	DEPARTMENT SUPPLIES & MATERIAL	3,820.08	8,000.00	476.84	1,332.81	190.82	6,476.37	19
10-560-3320	STREETSCAPING MATERIALS	0.00	74.58	0.00	0.00	74.58	0.00	100
10-560-3811	STREET CONT. SERVICES	131,861.15	0.00	2,495.00-	0.00	0.00	0.00	0
10-560-3812	STREET SUPPLIES & MAT'L	7,809.91	10,000.00	0.00	73.75	0.00	9,926.25	1
10-560-3814	SIDEWALKS & MULTI-MODAL	40,946.91	5,500.00	3,757.68	6,370.01	5,500.00	6,370.01-	216
10-560-4550	CONTRACT SERVICES	41,829.94	12,675.00	0.00	0.00	7,675.00	5,000.00	61
10-560-4552	MOSQUITO CONTROL	59.99	0.00	0.00	0.00	0.00	0.00	0
10-560-4590	DREDGING EXPENSE	103,200.00	85,000.00	0.00	0.00	0.00	85,000.00	0
10-560-5400	INSURANCE	13,312.39	18,564.00	0.00	12,200.00	1,172.78	5,191.22	72
10-560-5900	STREET LIGHTS	122,134.30	144,000.00	11,816.37	35,464.37	0.00	108,535.63	25
10-560-7430	CAPITAL OUTLAY - VEHICLES	48,644.73	0.00	0.00	0.00	0.00	0.00	0
10-560-8010	DEBT SERVICES-PRINCIPAL	8,144.72	230,000.00	0.00	0.00	0.00	230,000.00	0
10-560-8011	DEBT SERVICES-INTEREST	465.52	85,934.17	41,098.75	41,098.75	0.00	44,835.42	48
10-560-9001	HURRICANE FUEL	285.04	0.00	0.00	0.00	0.00	0.00	0
10-560-9002	HURRICANE RENTAL EQUIPMENT	807.50	0.00	0.00	0.00	0.00	0.00	0
10-560-9003	HURRICANE SUPPLIES & MATERIALS	6,537.35	0.00	0.00	0.00	0.00	0.00	0
10-560-9004	HURRICANE DEBRIS REMOVAL	181,032.80	0.00	0.00	0.00	0.00	0.00	0
10-560-9010	COVID-19 RESPONSE	48,714.08	0.00	0.00	0.00	0.00	0.00	0
	DEPARTMENT Total	1,586,976.11	1,505,084.43	125,207.39	347,558.74	17,524.27	1,140,001.42	24
10-570-0000	SANITATION:	0.00	0.00	0.00	0.00	0.00	0.00	0
10-570-1310	ELECTRIC FOR COMPACTOR	474.93	1,000.00	41.95	131.37	0.00	868.63	13
10-570-1630	EQUIPMENT MAINT.	326.91	1,000.00	0.00	1,312.10	0.00	312.10-	131
10-570-1710	AUTO FUEL	6,553.39	15,000.00	532.20	2,196.24	0.00	12,803.76	15
10-570-1730	VEHICLE MAINTENANCE	58.97	1,000.00	0.00	544.76	0.00	455.24	54
10-570-4520	COLLECTION CONTRACTED SV WBD ROLLOUT ONL	23,779.77	17,650.00	1,942.01	3,884.02	0.00	13,765.98	22
10-570-4521	COLLECTION CONTRACTSVC RESROLLOUT SW&RCY	389,992.98	385,044.00	39,721.00	75,865.79	0.00	309,178.21	20
10-570-4560	RECYCLING DISPOSAL WBD CARDBOARD ONLY	7,356.15	7,354.20	626.67	1,240.44	0.00	6,113.76	17
10-570-4561	SOLID WASTE DISPOSAL RES BULK SERVICE	36,157.74	26,265.00	3,436.41	7,049.89	0.00	19,215.11	27
10-570-4562	YARD DEBRIS DISPOSAL FEE DEE GARNER	37,590.00	33,000.00	4,530.00	10,770.00	0.00	22,230.00	33
10-570-4563	SOLID WASTE DISPOSAL WBD COMPACTOR FEE	24,940.40	26,265.00	3,319.08	6,637.92	470.77	19,156.31	27
10-570-8010	DEBT SERVICES- PRINCIPAL (GRAPPLE TRUCK)	29,185.25	38,028.04	38,028.00	38,028.00	0.00	0.04	100

Expend Account	Description	Prior Yr Expd	Budgeted	Current Expd	YTD Expended	Encumbered	Balance	% Used
10-570-8011	DEBT SERVICES - INTEREST (GRAPPLE TRUCK)	1,668.10	1,436.55	1,436.00	1,436.00	0.00	0.55	100
	DEPARTMENT Total	558,084.59	553,042.79	93,613.32	149,096.53	470.77	403,475.49	27
10-580-0000	STORMWATER	0.00	0.00	0.00	0.00	0.00	0.00	0
10-580-1610	NON-CAPITAL EQUIPMENT PURCHASES	2,769.22	25,200.00	182.27	264.88	0.00	24,935.12	1
10-580-1630	EQUIPMENT MAINT & REPAIRS	0.00	0.00	0.00	0.00	81.82	81.82-	0
10-580-1710	DEPARTMENT SUPPLIES AND MATERIALS	11,118.72	25,000.00	1,213.45	12,261.09	54.74	12,684.17	49
10-580-4550	CONTRACT SERVICES	15,920.46	79,570.00	505.00	6,518.85	0.00	73,051.15	8
	DEPARTMENT Total	29,808.40	129,770.00	1,900.72	19,044.82	136.56	110,588.62	15
10-620-0000	FACILITIES & GROUND MAIN:	0.00	0.00	0.00	0.00	0.00	0.00	0
10-620-1510	TOWN HALL BLDG MAINT	40,556.56	60,300.00	12,010.42	12,128.41	40,477.06	7,694.53	87
10-620-1511	TOWN HALL GROUND MAINT	0.00	500.00	0.00	0.00	0.00	500.00	0
10-620-1512	TOWN HALL JANITORIAL SUPPLIES	703.80	1,500.00	0.00	16.42	0.00	1,483.58	1
10-620-1513	TOWN HALL CONTRACTED SERVICES	1,944.87	2,000.00	0.00	0.00	0.00	2,000.00	0
10-620-1520	TRAIN DEPOT BLDG MAINT	11,635.76	15,000.00	98.58	632.57	0.00	14,367.43	4
10-620-1522	TRAIN DEPOT JANITORIAL SUPPLIES	0.00	1,000.00	0.00	0.00	0.00	1,000.00	0
10-620-1523	TRAIN DEPOT CONTRACTED SERVICES	2,668.00	0.00	0.00	0.00	0.00	0.00	0
10-620-1530	POLICE DEPT BLDG MAINT	117,371.59	14,200.00	933.79	13,450.97	0.00	749.03	95
10-620-1532	POLICE DEPT JANITORIAL SUPPLIES	41.70	1,500.00	48.57	48.57	0.00	1,451.43	3
10-620-1533	POLICE DEPT CONTRACTED SERVICES	945.72	2,000.00	0.00	0.00	0.00	2,000.00	0
10-620-1540	PUBLIC WORKS BLDG MAINT	9,012.64	10,700.00	99.98	287.52	2,668.75	7,743.73	28
10-620-1541	PUBLIC WORKS GROUND MAINT	2,039.21	750.00	0.00	0.00	0.00	750.00	0
10-620-1542	PUBLIC WORKS JANITORIAL SUPPLIES	602.58	500.00	0.00	232.64	0.00	267.36	47
10-620-1550	CEMETERY MAINTENANCE	11,458.99	19,646.18	902.36	3,049.02	0.00	16,597.16	16
10-620-1560	PUBLIC RESTROOM BLDG MAINT	5,215.84	6,419.77	27.73	976.21	0.00	5,443.56	15
10-620-1562	PUBLIC RESTROOM JANITORIAL SUPPLY	7,362.74	7,500.00	479.34	2,627.72	0.00	4,872.28	35
10-620-1570	PARKS MAINTENANCE	7,040.89	10,238.66	761.45	3,441.64	1,174.20	5,622.82	45
10-620-1571	RJP PARK MAINTENANCE	0.00	12,000.00	0.00	0.00	0.00	12,000.00	0
10-620-1572	TOPSAIL PARK IMPROVEMENTS	0.00	37,696.00	0.00	0.00	51,693.80	13,997.80-	137
10-620-1573	PARKS CONTRACTED SERVICE	1,678.34	1,500.00	0.00	0.00	0.00	1,500.00	0
10-620-1580	DOCKS AND BOARDWALK MAINT	1,362.57	5,250.00	82.64	372.76	0.00	4,877.24	7
10-620-1590	PUBLIC R.O.W. MAINT	12,425.10	15,000.00	4,509.06	6,026.77	213.50	8,759.73	42
10-620-1591	TREES	5,228.94	7,000.00	0.00	100.00	0.00	6,900.00	1
10-620-1610	NON CAPITAL EQUIPMENT PURCHASE	0.00	2,500.00	0.00	45.99	0.00	2,454.01	2
10-620-1630	EQUIPMENT MAINT & REPAIRS	2,719.18	2,500.00	169.36	1,554.06	440.54	505.40	80
10-620-3310	DEPARTMENTAL SUPPLIES & MATERIALS	2,524.92	4,200.00	0.00	390.03	0.00	3,809.97	9
10-620-4550	CONTRACT SERVICES	42,820.32	1,000.00	0.00	0.00	0.00	1,000.00	0

Expend Account	Description	Prior Yr Expd	Budgeted	Current Expd	YTD Expended	Encumbered	Balance	% Used
10-620-7420	CAPITAL OUTLAY/EQUIPMENT	0.00	112,950.00	0.00	0.00	0.00	112,950.00	0
	DEPARTMENT Total	287,360.26	355,350.61	20,123.28	45,381.30	96,667.85	213,301.46	40
10-700-0000	NON-DEPARTMENTAL:	0.00	0.00	0.00	0.00	0.00	0.00	0
10-700-0206	MERIT AWARDS	0.00	55,000.00	0.00	0.00	0.00	55,000.00	0
10-700-1120	INTERNET- FIBER HUB CONNECTION	7,680.50	10,200.00	0.00	1,362.22	0.00	8,837.78	13
10-700-1130	INFORMATION TECHNOLOGY SERVICES	0.00	61,000.00	4,387.32	12,951.96	0.00	48,048.04	21
10-700-1250	EURY'S LANDING CONDOMINIUM ANNUAL DUES	800.00	800.00	0.00	0.00	0.00	800.00	0
10-700-1410	HUMAN RESOURCES - EMPLOYMENT	10,661.58	13,000.00	647.82	1,547.57	593.70	10,858.73	16
10-700-1420	HUMAN RESOURCES - TRAINING	6,218.52	16,500.00	1,000.00	1,000.00	0.00	15,500.00	6
10-700-1450	EMPLOYEE ENGAGEMENT	9,848.13	12,000.00	0.00	0.00	34.79	11,965.21	0
10-700-1592	WBD PROJECTS	0.00	64,583.00	523.94	8,023.94	0.00	56,559.06	12
10-700-4510	PROFESSIONAL SERVICES	63,590.90	96,534.00	0.00	6,562.50	2,533.10	87,438.40	9
10-700-4530	LEGAL SERVICES	133,407.67	125,000.00	9,500.00	37,400.00	85,500.00	2,100.00	98
10-700-5600	CONTRIBUTIONS TO OTHER AGENCIES	4,600.00	4,600.00	0.00	0.00	0.00	4,600.00	0
10-700-5730	CONTINGENCY	0.00	34,716.72	0.00	0.00	0.00	34,716.72	0
10-700-7430	CAPITAL OUTLAY - VEHICLES	0.00	336,572.00	0.00	0.00	0.00	336,572.00	0
10-700-8010	DEBT SERVICE - PRINCIPAL	1,100,000.00	100,000.00	0.00	100,000.00	0.00	0.00	100
10-700-8011	DEBT SERVICE - INTEREST	22,420.00	19,486.00	0.00	10,438.71	0.00	9,047.29	54
10-700-9003	HURRICANE SUPPLIES & MATERIALS	1,095.00	0.00	0.00	0.00	0.00	0.00	0
10-700-9010	COVID-19 RESPONSE	6,714.89	0.00	1,375.00	3,425.00	0.00	3,425.00-	0
10-700-9020	CARES RELIEF FUNDS	0.00	94,768.00	0.00	47,210.00	21,841.00	25,717.00	73
	DEPARTMENT Total	1,367,037.19	1,044,759.72	17,434.08	229,921.90	110,502.59	704,335.23	33
10-800-0000	GENERAL FUND TRANSFERS:	0.00	0.00	0.00	0.00	0.00	0.00	0
10-800-0064	TRANSFER TO CAPITAL PROJECTS	45,000.00	0.00	0.00	0.00	0.00	0.00	0
10-800-8000	TRANSFER TO CAPITAL RESERVE	528,999.00	185,000.00	0.00	0.00	0.00	185,000.00	0
	DEPARTMENT Total	573,999.00	185,000.00	0.00	0.00	0.00	185,000.00	0
	General Fund Expend Total	11,117,120.20	9,856,741.99	668,435.23	2,458,895.97	259,230.34	7,138,615.68	28

Fund	Description	Prior Revenue	Curr Revenue	YTD Revenue	Prior Expended	Curr Expended	YTD Expd/Encm	Total Available Revenues
10	General Fund	10,640,472.56	740,031.94	1,104,938.60	11,117,120.20	668,435.23	2,718,126.31	1,613,187.71-

Revenue Account	Description	Prior Yr Rev	Anticipated	Current Rev	YTD Revenue	Excess/Deficit	% Real	
	Fire Fund Revenue Total	0.00	0.00	0.00	0.00	0.00	0	
	Fire Fund Expend Total	0.00	0.00	0.00	0.00	0.00	0.00	0

Revenue Account	Description	Prior Yr Rev	Anticipated	Current Rev	YTD Revenue	Excess/Deficit	% Real	
	CEDAR STREET UTILITY AND R Revenue Total	0.00	0.00	0.00	0.00	0.00	0	
	CEDAR STREET UTILITY AND REP Expend Tota	0.00	0.00	0.00	0.00	0.00	0.00	0

Revenue Account	Description	Prior Yr Rev	Anticipated	Current Rev	YTD Revenue	Excess/Deficit	% Real	
	Fund 33 Revenue Total	0.00	0.00	0.00	0.00	0.00	0	
	Fund 33 Expend Total	0.00	0.00	0.00	0.00	0.00	0.00	0

Revenue Account	Description	Prior Yr Rev	Anticipated	Current Rev	YTD Revenue	Excess/Deficit	% Real
40-303-0009	GRANTS NC	67,152.94	150,000.00	0.00	0.00	150,000.00-	0
40-303-0015	FEMA REIMBURSEMENT	57,313.46	0.00	0.00	0.00	0.00	0
40-305-0001	REVENUE ACCOUNT REGULAR - WATER USAGE	1,190,504.81	1,194,324.00	128,144.06	446,491.32	747,832.68-	37
40-305-0002	REVENUE ACCOUNT REGULAR - SEWER USAGE	2,969,535.41	3,072,274.00	362,657.57	1,078,400.28	1,993,873.72-	35
40-305-0003	WATER TAP IN FEES	43,975.00	35,000.00	8,450.00	33,900.00	1,100.00-	97
40-305-0004	SEWER TAP IN FEE	27,000.00	15,000.00	8,250.00	20,250.00	5,250.00	135
40-305-0005	ACCOUNT SERVICE CHARGES	14,125.00	10,000.00	570.00	1,770.00	8,230.00-	18
40-305-0006	WATER SERVICE CHARGES	211.64	0.00	0.00	77.64	77.64	0
40-305-0007	SEWER SERVICE CHARGES	211.65	0.00	0.00	77.64	77.64	0
40-305-0008	LATE FEES - WATER	39,063.32	40,000.00	0.00	18.04-	40,018.04-	0-
40-305-0009	LATE FEES - SEWER/GREASE	50.65	0.00	0.00	0.00	0.00	0
40-305-0010	RETURNED CHECK FEES - WATER	875.00	0.00	0.00	100.00	100.00	0
40-305-0012	TEMPORARY UTILITY USE CHARGE	1,937.62	1,000.00	250.00	600.00	400.00-	60
40-305-0013	SPRINKLER FEES	3,825.00	3,000.00	0.00	0.00	3,000.00-	0
40-306-0004	SALE OF FIXED ASSETS- WATER	130,632.25-	0.00	0.00	0.00	0.00	0
40-306-0005	SALES OF FIXED ASSETS-SEWER	6,050.00	0.00	0.00	0.00	0.00	0
40-307-0001	INVESTMENT EARNINGS-WATER	22,456.18	0.00	0.00	0.00	0.00	0
40-307-0003	MISCELLANEOUS REVENUE - WATER	1,001.63	0.00	0.00	0.00	0.00	0
40-307-0006	PROCEEDS FROM LOAN - SEWER	0.00	90,000.00	0.00	0.00	90,000.00-	0
40-307-0007	REIMBURSEMENT FROM NCDOT	109,048.00	0.00	0.00	0.00	0.00	0
40-307-0008	REIMBURSEMENT FOR INSURANCE	2,700.00	0.00	0.00	0.00	0.00	0
40-307-0011	APP.UNRESTRICTED FUND BALANCE	0.00	27,500.00	0.00	0.00	27,500.00-	0
40-329-0065	TRANSFER FROM CRF	0.00	194,000.00	0.00	0.00	194,000.00-	0
	Utility Fund Revenue Total	4,426,405.06	4,832,098.00	508,321.63	1,581,648.84	3,250,449.16-	33

Expend Account	Description	Prior Yr Expd	Budgeted	Current Expd	YTD Expended	Encumbered	Balance	% Used
40-800-0206	MERIT AWARDS	0.00	16,000.00	0.00	0.00	0.00	16,000.00	0
40-800-1240	CONTRIBUTION TO GF FOR ADMIN SERVICES	511,000.00	600,000.00	0.00	0.00	0.00	600,000.00	0
40-800-8000	TRANSFER TO CAPITAL RESERVE	428,426.00	350,000.00	0.00	0.00	0.00	350,000.00	0
	DEPARTMENT Total	939,426.00	966,000.00	0.00	0.00	0.00	966,000.00	0
40-810-0000	SEWER DEPARTMENT	0.00	0.00	0.00	0.00	0.00	0.00	0
40-810-0200	SALARIES AND WAGES	445,260.43	430,557.53	34,048.47	118,060.18	0.00	312,497.35	27
40-810-0201	OVERTIME	37,877.10	48,195.00	3,063.44	11,988.65	0.00	36,206.35	25
40-810-0500	FICA EXPENSE	35,144.91	38,318.57	2,719.95	9,574.18	0.00	28,744.39	25
40-810-0600	GROUP INSURANCE EXPENSE	56,229.12	59,613.12	4,685.76	14,057.28	0.00	45,555.84	24
40-810-0700	RETIREMENT EXPENSE	66,833.01	73,203.59	5,644.68	19,780.41	0.00	53,423.18	27

Expend Account	Description	Prior Yr Expd	Budgeted	Current Expd	YTD Expended	Encumbered	Balance	% Used
40-810-0800	WORKERS COMPENSATION	18,915.16	17,722.00	1,286.15	5,995.77	0.00	11,726.23	34
40-810-1110	TELEPHONE	7,486.65	8,400.00	130.73	1,506.47	0.00	6,893.53	18
40-810-1111	TELEPHONE-CELLULAR	714.71	741.00	116.00	116.00	0.00	625.00	16
40-810-1120	INTERNET/CABLE	4,886.46	5,200.00	0.00	748.84	0.00	4,451.16	14
40-810-1130	POSTAGE	5,733.25	4,600.00	602.74	1,115.07	0.00	3,484.93	24
40-810-1210	OFFICE SUPPLIES	1,030.48	1,951.88	16.00	16.00	164.36	1,771.52	9
40-810-1230	OFFICE CONTRACT SERVICES	2,271.83	2,000.00	130.74	293.79	0.00	1,706.21	15
40-810-1250	DUES & SUBSCRIPTIONS	871.16	1,300.00	346.35	380.20	50.00-	969.80	25
40-810-1310	ELECTRIC	173,622.55	185,000.00	14,030.09	43,944.43	0.00	141,055.57	24
40-810-1330	WATER/SEWER/SOLID WASTE	658.55	1,042.17	0.00	105.95	0.00	936.22	10
40-810-1420	OSHA/SAFETY COMPLIANCE	1,010.97	3,100.00	250.69	250.69	150.05	2,699.26	13
40-810-1422	SAFETY SUPPLIES & MATERIALS	882.04	0.00	110.34-	0.00	0.00	0.00	0
40-810-1430	TRAINING - REGISTRATION & CLASS MA	425.00	2,000.00	0.00	0.00	0.00	2,000.00	0
40-810-1431	TRAVEL MILEAGE	0.00	200.00	0.00	0.00	0.00	200.00	0
40-810-1432	MEALS	135.45	500.00	0.00	0.00	0.00	500.00	0
40-810-1433	LODGING	0.00	1,000.00	0.00	0.00	0.00	1,000.00	0
40-810-1434	EMPLOYEE DEVELOPMENT	0.00	2,500.00	0.00	0.00	0.00	2,500.00	0
40-810-1440	UNIFORMS	4,838.13	5,000.00	268.20	1,076.50	0.00	3,923.50	22
40-810-1510	BUILDING MAINT	7,120.52	8,000.00	0.00	65.93	0.00	7,934.07	1
40-810-1512	JANITORIAL SUPPLIES	541.10	1,000.00	34.10	63.25	15.35	921.40	8
40-810-1610	NON-CAPITAL EQUIPMENT PURCHASE	15,655.68	23,000.00	0.00	0.00	0.00	23,000.00	0
40-810-1620	EQUIPMENT LEASE	0.00	0.00	0.00	38.14-	0.00	38.14	0
40-810-1630	EQUIPMENT MAINT & REPAIRS	56,159.11	62,000.00	13,348.78	25,615.80	5,926.31	30,457.89	51
40-810-1710	AUTO FUEL	13,334.03	16,000.00	799.43	3,582.25	0.00	12,417.75	22
40-810-1730	VEHICLE MAINT & REPAIRS	4,409.29	6,000.00	373.61	1,256.87	0.00	4,743.13	21
40-810-1810	PERMITS & FEES - RECCURING	7,410.00	8,620.00	0.00	2,560.00	0.00	6,060.00	30
40-810-1830	COMPLIANCE TESTING	8,359.97	15,000.00	311.00	1,598.00	0.00	13,402.00	11
40-810-3310	DEPARTMENT SUPPLIES & MATERIALS - SEWER	15,372.26	19,000.00	573.46	2,150.11	88.42	16,761.47	12
40-810-3311	DEPARTMENT SUPPLIES & MATERIALS -WWTP	39,842.04	40,000.00	5,670.75	11,370.68	16.88	28,612.44	28
40-810-4510	PROFESSIONAL SERVICES	8,829.60	116,512.00	1,715.84	30,457.70	12,077.70	73,976.60	37
40-810-4550	CONTRACT SERVICES	114,830.08	252,000.00	436.32	846.99	130,800.00	120,353.01	52
40-810-4560	STREET PATCHING FOR UTILITY REPAIRS	7,387.80	17,000.00	0.00	0.00	0.00	17,000.00	0
40-810-5400	INSURANCE	53,418.33	62,880.00	0.00	43,802.00	131.70	18,946.30	70
40-810-7420	CAPITAL OUTLAY - EQUIPMENT	54,371.96	184,000.00	0.00	0.00	0.00	184,000.00	0
40-810-7430	CAPITAL OUTLAY - VEHICLES	126,704.36	90,000.00	0.00	0.00	0.00	90,000.00	0
40-810-8010	DEBT SERVICE-PRINCIPAL	1,122,672.99	1,051,316.60	4,840.00	4,840.00	0.00	1,046,476.60	0
40-810-8011	DEBT SERVICE-INTEREST	203,268.94	193,357.71	183.00	183.00	0.00	193,174.71	0
40-810-9001	HURRICANE FUEL	1,472.34	0.00	0.00	0.00	0.00	0.00	0
	DEPARTMENT Total	2,725,987.36	3,057,831.17	95,515.94	357,364.85	149,320.77	2,551,145.55	17

Expend Account	Description	Prior Yr Expd	Budgeted	Current Expd	YTD Expended	Encumbered	Balance	% Used
40-811-0000	WWTP DEPARTMENT	0.00	0.00	0.00	0.00	0.00	0.00	0
40-811-9010	DEPRECIATION	986,920.71	0.00	0.00	0.00	0.00	0.00	0
	DEPARTMENT Total	986,920.71	0.00	0.00	0.00	0.00	0.00	0
40-812-0000	WATER DEPARTMENT	0.00	0.00	0.00	0.00	0.00	0.00	0
40-812-0200	SALARIES AND WAGES	205,795.30	200,228.85	15,811.04	54,470.64	0.00	145,758.21	27
40-812-0201	OVERTIME	13,002.28	16,320.00	1,338.33	4,673.30	0.00	11,646.70	29
40-812-0500	FICA EXPENSE	16,279.56	17,336.12	1,305.45	4,505.08	0.00	12,831.04	26
40-812-0600	GROUP INSURANCE EXPENSE	28,114.56	29,806.56	2,342.88	7,028.64	0.00	22,777.92	24
40-812-0700	RETIREMENT EXPENSE	29,918.56	33,109.89	2,608.44	8,995.83	0.00	24,114.06	27
40-812-0800	WORKERS COMPENSATION	8,632.64	8,056.00	164.00-	7,892.00	0.00	164.00	98
40-812-1110	TELEPHONE	1,157.83	2,000.00	0.00	108.47	0.00	1,891.53	5
40-812-1111	TELEPHONE-CELLULAR	781.58	600.00	130.49	130.49	0.00	469.51	22
40-812-1120	INTERNET/CABLE	4,173.00	3,600.00	0.00	648.86	0.00	2,951.14	18
40-812-1130	POSTAGE	4,922.41	4,500.00	417.59	829.98	0.00	3,670.02	18
40-812-1210	OFFICE SUPPLIES	74.93	1,000.00	0.00	16.00	0.00	984.00	2
40-812-1230	OFFICE CONTRACT SERVICES	4,170.14	3,000.00	259.49	776.93	0.00	2,223.07	26
40-812-1250	DUES AND SUBSCRIPTIONS	1,794.19	2,500.00	346.34	380.18	0.00	2,119.82	15
40-812-1310	ELECTRIC	37,409.20	42,000.00	3,861.48	12,302.96	0.00	29,697.04	29
40-812-1320	LP GAS	73.80	1,500.00	0.00	0.00	23.94	1,476.06	2
40-812-1330	WATER/SEWER/SOLID WASTE	809.57	809.17	0.00	122.83	0.00	686.34	15
40-812-1420	OSHA/SAFETY COMPLIANCE	622.58	1,519.99	84.55	139.53	19.99	1,360.47	10
40-812-1430	TRAINING -REGISTRATION&CLASS MAT'L	1,070.00	1,500.00	0.00	0.00	0.00	1,500.00	0
40-812-1431	TRAVEL MILEAGE	0.00	100.00	0.00	0.00	0.00	100.00	0
40-812-1432	MEALS	85.93	400.00	0.00	0.00	0.00	400.00	0
40-812-1433	LODGING	0.00	1,000.00	0.00	0.00	0.00	1,000.00	0
40-812-1434	EMPLOYEE DEVELOPMENT	0.00	3,000.00	0.00	0.00	0.00	3,000.00	0
40-812-1440	UNIFORMS	1,791.05	2,600.00	96.72	386.80	0.00	2,213.20	15
40-812-1510	BUILDING MAINT	4,145.12	2,000.00	155.33	155.33	16.44	1,828.23	9
40-812-1512	JANITORIAL SUPPLIES	44.11	500.00	0.00	0.00	0.00	500.00	0
40-812-1610	NON-CAPITAL EQUIPMENT PURCHASES	2,105.86	9,000.00	0.00	0.00	0.00	9,000.00	0
40-812-1630	EQUIPMENT MAINT. & REPAIRS	6,954.74	20,000.00	3,480.00	3,575.12	0.00	16,424.88	18
40-812-1710	AUTO FUEL	2,834.46	5,000.00	173.84	811.66	0.00	4,188.34	16
40-812-1730	VEHICLE MAINT. & REPAIRS	2,776.24	4,000.00	404.54	1,556.77	0.00	2,443.23	39
40-812-1810	PERMITS & FEES - REOCCURING	2,855.00	4,000.00	2,705.00	2,855.00	860.00	285.00	93
40-812-1830	COMPLIANCE TESTING	10,730.55	13,000.00	515.00	1,300.00	0.00	11,700.00	10
40-812-3310	DEPARTMENT SUPPLIES & MATERIALS - METERS	120,228.48	85,020.97	6,191.87	22,025.37	15,068.97	47,926.63	44
40-812-3311	DEPARTMENT SUPPLIES & MATERIALS -PLANTS	311.00	35,000.00	9,126.09	19,788.17	0.00	15,211.83	57

Expend Account	Description	Prior Yr Expd	Budgeted	Current Expd	YTD Expended	Encumbered	Balance	% Used
40-812-4550	CONTRACT SERVICES	116,215.87	50,600.00	24,793.97	25,000.29	0.00	25,599.71	49
40-812-4560	STREET PATCHING FOR UTILITY REPAIRS	7,169.00	17,000.00	0.00	0.00	5,150.00	11,850.00	30
40-812-4570	COUNTY WATER PURCHASE	37,073.37	37,000.00	2,963.35	9,602.13	0.00	27,397.87	26
40-812-5400	INSURANCE	17,017.35	19,800.00	0.00	17,200.00	0.00	2,600.00	87
40-812-5730	CONTINGENCIES	0.00	10,959.60	0.00	0.00	0.00	10,959.60	0
40-812-7420	CAPITAL OUTLAY - EQUIPMENT	0.00	10,000.00	0.00	0.00	0.00	10,000.00	0
40-812-7430	CAPITAL OUTLAY-VEHICLES	32,806.47	0.00	0.00	0.00	0.00	0.00	0
40-812-8010	DEBT SERVICE - PRINCIPAL	102,061.49	102,150.33	4,840.00	4,840.00	0.00	97,310.33	5
40-812-8011	DEBT SERVICE - INTEREST	22,577.57	31,403.65	183.00	183.00	0.00	31,220.65	1
40-812-9001	HURRICANE FUEL	156.49	0.00	0.00	0.00	0.00	0.00	0
	DEPARTMENT Total	848,742.28	832,921.13	83,970.79	212,301.36	21,139.34	599,480.43	28
	Utility Fund Expend Total	5,501,076.35	4,856,752.30	179,486.73	569,666.21	170,460.11	4,116,625.98	15

Fund	Description	Prior Revenue	Curr Revenue	YTD Revenue	Prior Expended	Curr Expended	YTD Expd/Encm	Total Available Revenues
40	Utility Fund	4,426,405.06	508,321.63	1,581,648.84	5,501,076.35	179,486.73	740,126.32	841,522.52