

# **LAKE LURE MARINE COMMISSION REGULAR MEETING PACKET**

Tuesday, December 12, 2023  
4:00 p.m.



**Mayor Carol C. Pritchett  
Mayor Pro Tem David DiOrio  
Commissioner Patrick Bryant  
Commissioner Scott Doster  
Commissioner Jim Proctor**

# **TOWN OF LAKE LURE**

## **Marine Commission Regular Meeting**

Tuesday, December 12, 2023 - 4:00 PM  
Lake Lure Municipal Center



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### **Agenda**

#### **I. Call to Order**

#### **II. Agenda Adoption**

#### **III. Lake Advisory Board Annual Report**

#### **IV. Public Hearing**

A. Resolution No. 23-12-12 Amending the Lake Use Regulations – Page 3

i. Staff Report

ii. Public Hearing

iii. Commission Deliberation

iv. Consideration for Adoption of Resolution No. 23-12-12 Amending the Lake Use Regulations

#### **V. Public Comment**

*The public is invited to speak on any non-agenda and/or consent agenda topics. Comments should be limited to less than five minutes.*

#### **VI. Consent Agenda**

A. Approval of the September 12, 2023 Regular Marine Commission Meeting Minutes – Page 35

B. Adoption of the 2024 Marine Commission Meeting Schedule – Page 40

#### **VII. Unfinished Business**

#### **VIII. Appeal Hearings**

A. Request to Appeal Civil Citation No. 000066 – Page 44

B. Request to Appeal Civil Citation No. 000063 – Page 49

**IX. New Business**

A. 2024 Lake Use Fee Schedule – *Page 55*

B. 2024 Commercial Model – *Page 57*

**X. Adjournment**

**III**  
**LAKE ADVISORY**  
**BOARD ANNUAL**  
**REPORT**

# **IV**

# **PUBLIC HEARING**

- A. Resolution No. 23-12-12 Amending the  
Lake Use Regulations**

**LAKE LURE MARINE COMMISSION**  
**AGENDA ITEM REQUEST FORM**  
**Meeting Date:** December 12, 2023

**SUBJECT:** Resolution No. 23-12-12 Amending the Lake Use Regulations

**AGENDA INFORMATION:**

**Agenda Location:** Public Hearing

**Item Number:** A

**Department:** Parks, Recreation, and Lake

**Contact:** Dana Bradley, Parks, Recreation, and Trails Coordinator

**Presenter:** Dana Bradley, Parks, Recreation, and Trails Coordinator

**BRIEF SUMMARY:**

The Lake Advisory Board has provided the Marine Commission with various recommended amendments to the Lake Use Regulations. Following public hearing, the Marine Commission will consider taking action in regard to proposed Resolution No. 23-12-12 Amending the Lake Use Regulations.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:**

To adopt Resolution No. 23-12-12 Amending the Lake Use Regulations.

**ATTACHMENTS:**

Resolution No. 23-12-12 Amending the Lake Use Regulations



## RESOLUTION NO. 23-12-12

### RESOLUTION BY THE TOWN OF LAKE LURE MARINE COMMISSION AMENDING THE LAKE USE REGULATIONS

**WHEREAS**, the Town of Lake Lure Town Council created the Lake Lure Marine Commission as authorized by special act of the General Assembly of the State of North Carolina for the purpose of regulating all activities on Lake Lure; and

**WHEREAS**, the Lake Use Regulations were adopted by resolution on March 9, 2004; and

**WHEREAS**, the Lake Advisory Board comprehensively reviewed the entirety of the Lake Use Regulations and recommended various amendments.

**NOW, THEREFORE, BE IT RESOLVED** by the Marine Commission of the Town of Lake Lure, North Carolina, that the following revisions to the Lake Use Regulations are hereby placed in effect and shall be enforced by the Town of Lake Lure:

[Words ~~stricken through~~ to be deleted, words underlined to be added]

**SECTION ONE.** The Lake Use Regulations are hereby amended, as follows:

#### **SECTION 1: INTENT AND DEFINITIONS**

##### **§ 1.01 INTENT.**

All land covered by the waters of Lake Lure to the 995-foot Mean Sea Level (MSL) elevation is owned by the Town of Lake Lure. Said Lake is held in trust by the Town of Lake Lure for the benefit of the citizens of the Town. The Lake Lure Town Council created the Lake Lure Marine Commission as authorized by special act of the General Assembly of the State of North Carolina for the purposes of regulating all activities on Lake Lure. The Lake Use Regulations were first adopted by Resolution on March 9, 2004 to govern use of the Lake for the purpose of enhancing the health, safety, and general welfare of the citizens. The Town assumes no responsibility for Lake use. Use Lake at your own risk. **Adopted 6-13-17, Amended 9-26-22**

##### **§ 1.02 DEFINITIONS.**

For the purpose of these regulations, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

“BERTH.” A designated location at a dock, slip, lake structure or other place on the Lake used for storing or mooring a water vessel. **Adopted 9-26-22**

“BOAT.” For the purpose of these regulations, the term “boat” shall mean any form of water vessel. **Amended 11-9-04**

“COMMERCIAL CRAFT.” Water vessels used in connection with any type of business, trade or commerce, for profit or non-profit, including but not limited to: boat rentals, marinas, resorts, inns, lodging establishments, camps, ski schools, fishing guides, tour boats, contractors, boat repair companies or house rentals (that are required to pay occupancy tax) with boats, property management companies or property owner’s associations. **Amended 11-9-04, 4-8-08, 6-13-17, 9-26-22**

“COMMERCIAL OPERATIONS.” Any use of the Lake in a manner that will generate direct or indirect revenue or by an entity that operates for profit or not-for-profit (excluding governmentally established entities) **Amended 4-08-08**

This is further quantified into eight classifications:

(1) Liveries – Boating operations that provide watercraft for rent. **Amended 2-13-07, 10-8-19, 7-13-20**

(2) Resorts – Boating operations available to patrons at resorts, inns, or lodging establishments. **Amended 3-13-2018**

(3) Camps – Boating operations at camp facilities. **Amended 3-13-2018**

(4) Ski Schools – All commercial operations providing water sports activities, not associated with a specific camp, resort, inn or lodging facility. **Amended 3-13-2018**

(5) Tour Boats – Boating operations that are used to provide piloted tours of the Lake. Boats in this class require a concession agreement with the Town regardless of the number permitted. **Amended 6-13-17**

(6) Fishing Guides – Boating operations that are not associated with a specific camp, resort, inn or lodging facility and are used to provide a piloted fishing excursion.

(7) Services – Boating operations utilized by building contractors and boat repair companies. **Amended 6-13-17**

(8) Vacation Rentals – Boating operations available to individuals renting a residential vacation rental during their stay. **Adopted 10-8-19. Amended 1-14-20**

“COMMERCIAL OPERATORS.” All boat operators who pilot boats for commercial classifications 2-7, inclusive. **Amended 11-9-04**



“DEVELOPED LOT.” A developed lot shall be a lot whereon a residence or business building is constructed. (Res. Passed 4-11-06)

“LAKE, also LAKE LURE” The body of water known as Lake Lure formed by the creation of the dam at Tumbling Shoals over the Broad River in Rutherford County, NC including that portion of the Broad River within the Town of Lake Lure extending above the Lake.

**Amended 11-9-04, 6-13-17, 9-26-22**

“LAKE COMMERCIAL LICENSE.” A license issued annually by the Marine Commission for commercial operations on the waters of Lake Lure. **Amended 11-9-04, 6-13-17**

“LAUNCHING.” Any method of placing a water vessel onto the Lake from the land above the shoreline. This does not include launching of water vessels from lake structures.

**Amended 11-9-04**

“LAUNCH SITE.” Any location on the land adjacent to the shoreline of Lake Lure that may be used for launching water vessel(s), provided that this term does not include lake structures as defined in the Lake Structures Regulations. **Amended 11-9-04, 6-13-17**

“LAUNCH SITE, PRIVATE.” A launch site available for use by one single-use family dwelling for launching only boats permitted in that family’s name. **Amended 11-9-04**

“LAUNCH SITE, GENERAL.” Any launch site other than a private launch site.

**Amended 11-9-04**

“MARINE COMMISSION.” The Lake Lure Marine Commission as established by Ordinance 03-09-09. **Amended 11-9-04**

“MOORING.” A location adjacent to the shoreline or any lake structure equipped with cleats, posts or any other devices intended to secure a boat. **Adopted 9-26-22**

“MOTORIZED BOAT.” A water vessel with any type of motor in or on the boat.

**Adopted 9-12-23**

“NON-MOTORIZED BOAT.” A water vessel without any type of motor, including electric motors, in or on the vessel and moved only by oars, paddles, pedals, sails and/or the current.

**Adopted 9-12-23**

“NON-PEAK SEASON.” The period of each year starting on the Tuesday after Labor Day through the Thursday before Memorial Day. **Amended 11-9-04**

“NON-RESIDENT.” Any person not owning real property within the corporate limits of the Town. **Amended 9-26-22**

“NO-WAKE.” Idle speed or a slow speed where boaters operate at the minimal speed to maintain steering not to exceed 1000 RPM and characterized by no whitewater emanating from the bow. **Amended 6-13-17, 9-26-22**

“NO WAKE ZONE.” No wake designated areas authorized by the Marine Commission and marked with buoys at the entry points. These areas are intended to protect non-motorized vessels and swimmers and mitigate damage to personal property and critical infrastructure such as the dam. Adopted 9-26-22

“PEAK SEASON.” The period of each year starting on the Friday before Memorial Day through Monday, Labor Day. **Amended 11-9-04**

“PERMIT.” A display permit issued by the Marine Commission to operate a boat on Lake Lure for recreational, fishing and/or commercial purposes.

“PERMIT LIMIT.” The maximum number of permits which will be issued for a specific permit classification. **Amended 11-9-04**

“PERSONALWATERCRAFT” (ALSO KNOWN AS PWC OR SKICRAFT).” A motorized watercraft, regardless of its type of power or means of propulsion, which is primarily designed to be operated by a person sitting, kneeling, standing or laying down as opposed to sitting in, as a boat. Said term shall include, but shall not necessarily be limited to jet skis, wave runners, motorized surfboards, hydro-flying devices or semi-submersible personal watercraft. **Amended 9-26-22**

“PONTOON BOAT.” A flat deck boat supported by two or more hollow metal tubes filled with air to provide buoyancy. **Adopted 9-12-23**

“PROPERTY OWNERS.” This term shall be deemed to include corporations, joint property owners (i.e., a person listed on the deed of record as an owner of the real property), and “time share” owners.

“PUBLIC BATHING BEACH.” A public access to the waters of Lake Lure where swimming is allowed. **Adopted 6-13-17**

“RESIDENT.” Any person owning real property within the corporate limits of the Town or any person who resides within the corporate limits of the Town for more than 50% of the calendar year.

“RESIDENTIAL VACATION RENTAL.” The renting of a single-family dwelling, duplex, or any portion thereof, for occupancy, dwelling, lodging or sleeping purposes. Said term shall include a motorized pontoon or tritoon boat and/or non-motorized watercraft(s) which shall also be rented for the same duration of time as the dwelling, and registered in the property owner’s name. **Adopted 10-8-19**

“TOWING.” The recreational drawing or pulling along of a person or persons participating in watersports; not the pulling of another boat. **Adopted 9-26-22**

“VACATION RENTAL MANAGEMENT COMPANY.” A business that is the responsible

party as designated by the owner to act for and on behalf of the owner in managing the property, that provides motorized and/or non-motorized watercraft(s) that are registered with the business. **Adopted 10-8-19**

“WATERSPORTS.” An activity which involves being towed behind an operating motorized boat and includes water skiing, knee boarding, wake boarding, wake surfing, tubing and similar activities. **Amended 9-26-22**

“WATER VESSEL(S).” Every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on the water. Said term shall include, but shall not necessarily be limited to pontoon boats, fishing boats, ski boats, pleasure boats, row boats, kayaks, stand up paddle boards, sail boats, hydro-bikes, paddle boats or canoes. **Adopted 3-9-04, Amended 6-13-17, 9-26-22**

## SECTION 2: FISHING

### § 2.01 LICENSE REQUIRED.

All required persons shall secure a license from the North Carolina Wildlife Resources Commission in accordance with NC General Statutes before fishing in the waters of Lake Lure. (Authority: G. S. § 113-270.1B)

(Res. Passed 3-9-04) Penalty, see § 6.01 **Amended 6-13-17, 9-26-22**

### § 2.02 LIMITS ON NUMBERS AND SIZE OF FISH CAUGHT.

The maximum number and minimum size of trout, bass and crappie that may be taken from Lake Lure is as follows:

The creel limits and size restrictions for all fish, including trout, bass and crappie, shall be the equivalent to current state restrictions. See the North Carolina State Wildlife Regulations for restriction details.

Lake Lure is classified by the NC Wildlife Resources Commission as “Undesignated Waters.” For mountain trout, there is no size limit or bait restriction. There is no closed season and no trout fishing license is required. The daily creel limit for trout is seven fish.

(Res. Passed 3-9-04) Penalty, see § 6.01 **Amended 4-11-06, 10-14-08, 04-08-14, 6-13-17, 9-26-22**

### § 2.03 STATIONARY FISHING DEVICES.

It shall be unlawful for any person, firm, or corporation to place basket trot lines or other stationary or unmarked devices, other than poles and those items normally used by sport fishermen, for the catching of fish in the waters of Lake Lure.

(Res. Passed 3-9-04) Penalty, see § 6.01 **Amended 9-26-22**

### **SECTION 3: BATHING**

#### **§ 3.01 ENTERING THE WATERS OF LAKE LURE WHILE UNDER THE INFLUENCE OF AN IMPAIRING SUBSTANCE.**

No person shall enter the waters of Lake Lure for any purpose while under the influence of an impairing substance.

(Res. Passed 3-9-04) Penalty, see § 6.01 **Amended 6-13-17, 9-26-22**

#### **§ 3.02 SWIMMING OFFSHORE.**

Swimming, diving, rope swinging, water-sliding and floating activities in Lake Lure are regulated as follows:

(A) No person shall swim, dive, swing from a rope, float with a buoyancy device or waterslide into waters greater than 50 feet from the shoreline of Lake Lure. Owners of rental property are responsible for informing tenants of the 50-foot offshore swimming regulation and may be held jointly responsible for failure to comply.

(B) Swimming or floating from a boat is permissible if accompanied by an observer located inside the boat. Waterborne activities from a boat must remain within 25 feet of the boat and are not permitted in marked exclusion zones. Areas of heavy boat traffic and navigation channels should be avoided.

(C) Floating platforms of all types must be located within 30 feet of shore and be securely tethered to an anchor or permanent structure. Floating platforms shall not be secured to buoys, utility infrastructure or trees.

(D) It shall be unlawful to swim in Lake Lure off of the shore of any Town-owned land parcels except permitted beaches.

(Res. Passed 3-9-04) Penalty, see § 6.01 **Amended 6-13-17, 9-26-22**

#### **§ 3.03 JUMPING FROM ROADWAYS OR BRIDGES.**

It is unlawful to dive, jump or swim into the waters of Lake Lure from any road or road right of way, bridge or the area adjacent to any bridge within the Town limits.

(Res. Passed 3-9-04) Penalty, see § 6.01 **Amended 6-13-17, 9-26-22**

### **SECTION 4: BOATING**

#### **§ 4.01 PERMIT FEE; BOATING PERMIT REQUIRED.**

(A) Except as hereinafter provided, all persons, firms, or corporations shall secure a permit from the Marine Commission or its designated agents before placing, operating, or allowing any motorized boat to be placed or operated on Lake Lure. Permits must be affixed to both port (left) and starboard (right) sides on the bow (front) of the vessel.

Commercial operations classifications 1-7 shall also secure a permit for all non-motorized boats placed or operated on Lake Lure. Non-motorized boat permits must be affixed to the starboard (right) side on the bow (front) of the vessel.

Penalty, see § 6.01 **Amended 7-13-21, 9-26-22, 9-12-23**

(1) Boating permits for the upcoming season will be made available for purchase on January 1st of that year. As stipulated in Section 4.01(A), permits must be purchased prior to placing or arranging for the placement of any water vessel onto Lake Lure. **Adopted 9-26-22, Amended 9-12-23**

(2) Beginning January 1st of each year, water vessels that are underway (in operation), adrift, beached or anchored on Lake Lure shall display the current year permit as required in Section 4.01(A). Prior to May 1st, vessels being delivered to the Lake by a third-party provider (not the owner) and being operated directly between the launch site and berth shall be excused from this requirement. **Adopted 9-26-22**

(3) No later than April 30th of each year, all other water vessels on or over Lake Lure shall display the current season permit as required in Section 4.01(A). This includes those water vessels inside boathouses and/or those affixed to a dock, a lake structure, the shore or other stationary object regardless of the vessel's condition, serviceability or frequency of use. **Adopted 9-26-22, Amended 9-12-23**

(B) All commercial operations must apply for a lake commercial license in accordance with section 4.08 and 4.09 of these regulations. **Amended 4-11-06, 6-13-17**

(C) All Town employees and any member on the active roster of the Lake Lure, Bill's Creek, Chimney Rock, or Fairfield Volunteer Fire Departments shall be entitled to receive one complimentary seasonal water vessel permit. A member on the active roster of the Bat Cave, Gerton or Sunny View Volunteer Fire Departments may purchase one seasonal water vessel permit at the resident rate. Only one complimentary boat permit is allowed, per household. All Town employees shall be considered residents for the purpose of renting a boat slip at the Town Marina. **Amended 7-12-11, 6-13-17, 10-8-19, 7-13-21, 9-26-22, 9-12-23**

(D) Retired employees from the Town of Lake Lure that served 10 years and/or is a Town of Lake Lure retired police officer that served at least a total number of years equaling 10 or more by either full-term service alone or additional service as a Reserve Officer, with each four years equaling one full-time year of service shall be entitled to receive one complimentary seasonal water vessel permit. Only one complimentary boat permit is allowed, per household. All retired Town employees who meet the above criteria shall be considered residents for the purpose of renting a boat slip at the Town Marina. **Amended 7-13-21, 9-26-**

**22, 9-12-23**

(E) Federal, State and Local governmental agencies are exempt from this Section provided they are operating in an official capacity, including but not limited to training, research, data collection, emergency response, or other service-related duties. Complimentary permits will be provided for the dates and times needed to perform their official duties, and will only require a valid registration. Vessel length restrictions shall not be imposed. Vessels permitted under this policy shall not be used for recreational activities. **Adopted 12-13-16**

(F) Contractors that are providing a lake-related service to the Town of Lake Lure under a Town sponsored project will receive a complimentary boat permit. Permits granted under this section are only valid for the duration of the project. Valid registration and insurance will be required. Vessel length restrictions shall not be imposed. Vessels permitted under this policy shall not be used for recreational activities. **Amended 7-13-21**

(G) Contractors that are providing a lake-related construction service for a property owner on Lake Lure that has specialized equipment generally prohibited by the Lake Use Regulations may apply for a prorated commercial temporary boat permit for a specific job they are contracted for. Permits granted under this Section are only valid for the duration of the project and are subject to a commercial license application fee. Valid boat registration and commercial boat insurance will be required in accordance with Section 4.07(C) of these Regulations. Vessel length restrictions shall not be imposed. Vessels permitted under this policy shall not be used for recreational activities or any other use than approved for. Approval of a commercial temporary boat permit will be at the discretion of the Parks, Recreation & Lake Director or the Town Manager. **Adopted 3-12-19**

(H) Corporations owning real property in the Town of Lake Lure may purchase a seasonal water vessel permit at resident rate, provided the proper registration papers can be presented showing the boat is registered to the corporation. **Amended 9-12-23**

(I) Residents or their spouses who own a developed lot (a lot with a dwelling or commercial structure) qualify for up to three resident seasonal motorized boat permits, provided that the maximum number of permits for motorized boats have not been issued. **Amended 4-11-06, 2-13-07, 6-13-17, 7-13-21, 9-12-23**

(J) Property owners or their spouses owning an undeveloped lot qualify for one seasonal motorized boat permit at the resident rate, provided that the maximum number of permits for motorized boats have not been issued. **Amended 4-11-06, 2-13-07, 9-09-14, 6-13-17, 7-13-21, 9-26-22, 9-12-23**

(K) Owners of timeshare properties within the Town of Lake Lure may purchase one motorized boat permit at the resident rate for the week(s) for which they have a timeshare contract, provided that the maximum number of permits for motorized boats have not been issued. Verification of the contract is required. **Amended 4-11-06, 9-26-22**

(L) A hard copy of the valid and current state registration, proof of insurance, and unless previously submitted, a specification sheet that lists the weight and length of the water vessel

must be presented to the designated issuing agent when purchasing a boat permit. A resident's or property owner's registration must match the name on the Town's tax records for the permit to be issued as a resident permit. Commercial operators must present tax records if their water vessel is registered with a leasing agency. **Amended 9-26-22, 9-12-23**

(1) North Carolina General Statutes G.S. 75A-5 (b) and G.S. 75A-7 (a) (1) stipulate that when a vessel registered in another state is brought into North Carolina for over 90 consecutive days, the registration must be transferred to North Carolina. Active-duty military, temporarily stationed in North Carolina, who have a valid out of state registration for their vessel are exempt from this requirement. **Adopted 9-26-22**

(2) To comply with this statute, no water vessel registered in a state other than North Carolina will be eligible for issuance of a seasonal boating permit. Instead, these vessels will be issued a one-time 90-day temporary and non-renewable boating permit. Following the expiration of that permit, the water vessel must be removed from Lake Lure for the remainder of the calendar year unless the registration is changed to North Carolina and a seasonal permit has been issued. **Adopted 9-26-22, 9-12-23**

(3) Commercial craft are intended to operate year-round as North Carolina business related property and are not eligible for 90-day permits. All commercial vessels must therefore be registered in the State of North Carolina to be eligible for a Lake Lure commercial boating permit. **Adopted 9-26-22**

(M) The Marine Commission has adopted the following limits on motorized boat permits for water vessels greater than 10HP:

(1) A maximum of 1,000 resident seasonal or 90-day motorized use permits.

(2) A maximum of 100 non-resident seasonal motorized use permits. Owners must have a designated commercial or Town berth to be eligible. Non-resident Town marina slip renters are assured a permit. **Amended 12-11-12, 6-13-17, 6-9-20, 9-26-22, 9-12-23**

(N) Owners of lakefront lots having structures thereon shall have the E911 designated address assigned to the property posted in accordance with §42.6 of the Code of Ordinances of the Town of Lake Lure titled "Boat House Numbering." Said signs shall be ordered through the Town office before any seasonal water vessel permit may be obtained from the Town. A boat permit may be revoked if found to be registered under a lakefront property without the required E911 designated address sign posted in accordance with Section 42.6 of the Lake Lure Code of Ordinances. **Amended 4-11-06, 6-13-17, 7-13-21, 9-12-23**

(O) The Marine Commission will determine the total number of available commercial and/or non-commercial boat permits based on a schedule of permit limits. To ensure the health, safety and welfare of those who use the Lake, the schedule will be reviewed annually utilizing standards established by the Marine Commission which may include, but are not limited to, formulas utilized by the US Army Corps of Engineers, Department of the Interior, Environmental Protection Agency and data from the Coast Guard and the Town of Lake Lure.

To help maintain an accurate account of the number of commercial boats being permitted, all applicants who apply for and are approved for commercial boats to be permitted are required to purchase permits for all boats that were applied for and approved by the Marine Commission prior to April 15th of the permitted year or their space will be reallocated to other applicants.  
**Amended 3-13-18, 6-12-18, 9-26-22**

(P) All applications for motorized boat permits must be accompanied by proof of marine liability insurance coverage written by a company approved by the State of North Carolina and AM Best. All non-commercial motorized applications must have minimum marine liability coverage of \$300,000.00 per incident. All applicants for commercial motorized boat permits must hold a lake commercial license and adhere to the insurance requirements defined under section 4.07 below. Proof of marine liability insurance coverage shall be the actual marine liability insurance policy (or either a copy of the marine liability insurance policy or certificate of marine liability insurance provided directly to the Town from the insurance provider) which specifically references the boat by listing the boat's serial number, state registration number or reference that adequately insures that the boat is covered by the policy that a permit is being requested for, states liability limits for said boat, and identifies effective and renewal dates for policy. (Res. Passed 3-9-04) Penalty, see § 6.01 **Amended 9-26-22**

(Q) Seasonal bBoat permits are not ~~transferrable or~~ replaceable; but may be transferred to another vessel provided the old stickers are presented at the Parks, Recreation and Lake Department Office with a permit application for the alternate vessel. **Adopted 9-12-23**

#### § 4.02 PERMIT CATEGORIES.

##### **Boat Permit Types:**

(RM) – Resident Seasonal Motorized

- Use 24/7 no date/time restriction
- Towing permitted

(NRM) – Non-Resident Seasonal Motorized

- Use 24/7 no date/time restriction
- Towing permitted
- Must have a designated commercial or Town berth on the Lake to be eligible.

(SM10) - Resident/Non-Resident Seasonal Motorized 10hp or less

- Must be 10HP or less (or equivalent)
- Use 24/7 no date/time restriction
- Towing prohibited

(RM90) – Resident 90-Day Motorized

- All resident-owned vessels registered out of state independent of residency



- Use 24/7 during 90-day period
- Towing permitted
- 90-day period designated by marker annotation on sticker
- Vessel must be removed from Lake following expiration of permit
- Non-renewable in any one calendar year
- Commercial craft are not eligible

(SF) – Resident/Non-Resident Seasonal Motorized Fishing Boat

- During peak season, use is limited to nighttime only 9pm – 9am
- May be used anytime during non-peak season
- Towing prohibited

(DM) - Daily Motorized

- Valid for the date specified (not 24 hours from time of purchase)
- Not valid on holidays or weekends during peak season, including July 3<sup>rd</sup>
- Towing permitted

(WT) - Weekly Timeshare

- Valid for one week (including weekends and holidays) for a timeshare owner
- Must be the owner of the timeshare; No exchanges
- Must own the week specified for the permit

Temporary Permit (Special Use)

- Temporary permit valid for 1 hour or less, time specific
- Towing prohibited
- Must provide a valid boat registration and \$300,000 watercraft liability insurance
- Special permission must be granted by the Parks, Recreation, and Lake Department

**Commercial Permits Types: (All boats in this category must be approved annually and included in the Commercial model. \$1 million watercraft liability insurance coverage for motorized vessels required.)**

(L) – Livery

- Pontoon/tritoon boats only
- Towing prohibited
- Short or long-term boat rentals from commercially zoned properties and approved by Marine Commission

(TW) - Towed Water

- Commercial entity approved by the Marine Commission for towed activities
- Towed activities only conducted by operators approved by the Marine Commission

(T) - Tour Boats

- Towing prohibited
- Must have a current concession agreement with the Town

(S) - Service Boats / Fishing Guides

- May operate 24/7
- Towing prohibited

(VR) - Vacation Rentals

- Pontoon/tritoon boats only
- May operate 24/7
- Towing prohibited
- Permit valid for a vessel included with a specific Town approved vacation rental (boat must have been included on the vacation rental application).

(CN) - Commercial Non-Motorized

- Vessels without any type of motor, including electric motors, in or on the vessel
- Shall operate only within the no-wake areas, unless crossing the lake at a 90-degree angle to access the opposite shoreline no-wake zone.

**Amended 9-26-22, 9-12-23**

§ 4.03 PROHIBITED WATER VESSELS.

(A) Specification Limitations: The Town of Lake Lure Parks, Recreation and Lake Department reserves the right to verify watercraft specifications. State registration annotations supersede self-reported specifications. **Amended 4-12-05, 12-13-16, 6-13-17, 7-13-21, 9-26-22**

(1) No pontoon or tritoon boat shall exceed 28 feet in length, per the manufacturer's specifications. **Adopted 9-26-22**

(2) No rowing shell, dragon boat or other sculling vessel shall exceed 28 feet in length unless approved by the Town Manager or the Parks, Recreation and Lake Director. **Adopted 9-26-22**

(3) Other boat types, including but not limited to runabouts, ski boats, deck boats, row boats, fishing boats, sail boats, paddle boats, kayaks and canoes shall not exceed 21 feet in length, per manufacturer's specifications, not to include removable platforms. **Adopted 9-26-22**

(4) No boat, other than pontoon/tritoon boats, exceeding 4000 pounds dry weight, per manufacturer's specifications, will be permitted on Lake Lure. **Adopted 1-12-16**

(5) All vessels employing an external mechanical means of propulsion (outboard) are limited to a single unit, trolling motors excluded, not to exceed 300 horse power or equivalent. This includes all gasoline and diesel engines, electric motors, and hybrid systems. **Adopted 9-26-22**

(6) Permits for the operation of ballast or similar boats designed to produce wakes sufficient to sustain wake surfing shall be limited to owners of real property in Lake Lure. Such boats owned by non-residents are strictly prohibited on the waters of Lake Lure. **Adopted 7-13-21**

(a) All ballasts must be thoroughly emptied off site prior to placing the vessel into the waters of Lake Lure. **Adopted 9-12-23**

(7) No vehicle, watercraft, seaplane, airboat, fly board, or hover craft shall be allowed on Lake Lure unless said watercraft or vessel qualifies for and has obtained a current permit pursuant to the Lake Use Regulations of the Town of Lake Lure. Certain vehicles, such as seaplanes, do not qualify for permits under any circumstances and, therefore, are prohibited from the waters of Lake Lure. Any vessel, including a watercraft and a seaplane which is not specifically allowed and/or has a current permit shall not be placed on the waters of Lake Lure. **Amended 6-13-17**

(a) Emergency watercraft and emergency aircraft employed in actual firefighting and/or emergency activities are exempt from this prohibition. (Res. Passed 3-9-04) (Penalty, see § 6.01) **Amended 6-13-17**

(8) Water vessels with built-in kitchen and toilet facilities and/or houseboats shall not be permitted on the waters of Lake Lure.

(9) The exhaust of every internal combustion engine used on any water vessel shall be effectively muffled by equipment so constructed and used as to muffle the noise of the exhaust in a reasonable manner. (Authority: N.C.G. S. § 75A-9)

(10) No personal watercraft shall be permitted on the waters of Lake Lure. **Adopted 9-26-22** Penalty, see § 6.01 **Amended 9-26-22**

(B) The Marine Commission shall allow the issuance of permits for these specified circumstances:

(1) Operational personal watercraft previously permitted prior to 1988 and every subsequent year and owned by a resident.

(2) Operational water vessels greater than 300 horsepower permitted prior to 2023 and every subsequent year and owned by a resident. **Amended 6-13-17, 9-26-22**

§ 4.04 REGULATIONS REGARDING OPERATION OF BOATS; RESTRICTED AREAS.

- (A) No water vessels shall be operated shoreward of markers designating restricted areas.
- (B) Wake surfers must comply with NC Wildlife Resource Commission Guidelines on wake surfing including maintaining a safe distance from boaters and personal property. Lake Lure requires wake surfers to maintain at least 150 feet separation from shorelines and other boats. Recreational boaters should provide surfers a wide berth and surfers should suspend activity if unable to maintain safe separation. Penalty, see § 6.01 **Adopted 9-26-22**
- (C) No water vessels shall be tied to any Town owned public dock for longer than two and a half hours, except for boats owned or permitted in the name of the Town, unless special permission is received from the Town Manager. Penalty, see § 6.01 **Amended 9-26-22**
- (D) No water vessels shall operate at a speed greater than “no wake” on areas of Lake Lure when such areas are properly marked with a lawfully placed buoy or marker. Penalty, see § 6.01 **Amended 9-26-22**
- (E) No water vessel shall be tied to any lawfully placed marker buoy, manhole or other utility infrastructure on the Lake or the shoreline of Lake Lure. Penalty, see § 6.01 **Amended 9-26-22**
- (F) All buoys, including mooring buoys, or safety marker placements must be approved by the Marine Commission. All markings will be in accordance with the Uniform Waterway Marking System and the North Carolina Wildlife Resources Commission’s regulations. **Amended 9-11-18, 9-26-22**
- (G) All non-motorized boats, excluding sailboats and sculling vessels, shall stay within 75ft of the shore or within the no-wake zone except when crossing the Lake at a 90-degree angle to access the opposite shoreline no-wake zone. **Adopted 1-12-16, Amended 9-26-22**

§ 4.05 MANNER OF OPERATION OF BOATS.

- (A) No person shall operate a motorized water vessel on Lake Lure until they have completed Lake Lure designated training and obtained a Lake Lure Boat Operator License [digital or hard copy of which must be carried with them while operating a motorized boat.](#) Penalty, see § 6.01 **Amended 2-13-07, 6-13-17, 9-26-22, 9-12-23**
- (B) It shall be unlawful for any person to operate a water vessel on Lake Lure in a reckless or negligent manner so as to endanger the life, limb, or property of any person upon or near said Lake. It shall also be unlawful for the owner of any water vessel to allow said water vessel to be operated in a reckless or negligent manner so as to endanger life, limb, or property of any person upon or near said Lake. (Authority: N.C.G.S. § 75A-10) Penalty, see § 6.01 **Amended 9-26-22**

(1) Speed Restrictions:

(a) No person shall operate a water vessel on Lake Lure at a speed greater than is reasonable and prudent under the conditions then existing. Speed which is excessive under the circumstances shall be considered reckless or negligent as provided above. **Adopted 9-26-22**

(b) Except as provided elsewhere in these regulations, it shall be unlawful to operate a water vessel in excess of the following speeds:

(1) Forty-five miles per hour regardless of conditions **Adopted 9-26-22**

(2) "No Wake" speed within 75 feet of another vessel, 75 feet of the shoreline or in areas marked with a lawfully placed buoy or marker. **Amended 9-26-22**

(3) All water vessels must be operated at "No Wake" speed (max 1000 RPM) from 7pm to 7am during the months of October through April and 9pm to 7am during the months of May through September. **Amended 9-26-22**

(4) "No Wake" speed within 100 feet of an emergency vessel that is displaying its emergency lights **Adopted 9-26-22**

(C) No person shall operate a water vessel on the waters of Lake Lure while under the influence of an impairing substance or after having consumed sufficient alcohol that said person has, at any relevant time after the operation of said water vessel, an alcohol concentration of 0.08 or more. The consumption of fortified wine and spirituous liquor on the Lake is prohibited by N.C.G.S. §18B-301. The fact that a person charged with violating this subsection is or has been legally entitled to use alcohol or a drug is not a defense to a charge under this section. **Amended 6-13-17**

(D) No person may operate a water vessel with a child under 13 years old aboard unless each child is either:

(1) Wearing an appropriate personal flotation device (PFD) approved by the U.S. Coast Guard; or

(2) Below decks or in an enclosed cabin (Res. Passed 3-9-04) Penalty, see § 6.01 **Amended 7-13-21, 9-26-22**

(E) No person shall engage in motorized water vessel racing on Lake Lure. Penalty, see § 6.01 **Amended 9-26-22**

(F) No person shall place, throw, deposit, or discharge or cause to be placed, thrown, deposited, or discharged on the waters of Lake Lure, any litter, raw sewage, bottles, cans, papers, or other liquid or solid materials (to include trash, brush, leaves and scrap building materials) which render the waters unsightly, noxious, or otherwise unwholesome so as to be

detrimental to the public health or welfare or to the enjoyment and safety of the water for recreational purposes. (Authority: N.C.G. S. § 75A-10) (Res. Passed 3-9-04) Penalty, see § 6.01 **Amended 6-13-17, 9-26-22**

§ 4.06 WATER SPORTS.

(A) All persons involved in water sports in Lake Lure shall wear proper U.S. Coast Guard approved life vest gear. No more than two persons engaged in water sports may be towed behind one boat (with the exception of water-skiing shows permitted by the Town).

Penalty, see § 6.01 **Amended 9-26-22**

(B) No person shall engage in watersports unless at least one of the following conditions is met: (Authority N.C.G.S. § 75A-13) Penalty, see § 6.01

(1) There is in the vessel a person, in addition to the operator, in a position to observe the progress of the person or persons being towed. **Adopted 9-26-22**

(2) The vessel is equipped with a rear-view mirror. **Adopted 9-26-22**

(C) No person shall engage in water sports in any cove or “No Wake” zone. (Res. Passed 3-9-04) Penalty, see §6.01 **Amended 9-26-22**

§4.07 FEES.

(A) Water vessel permit fees. Various fees shall be assessed for water vessel permits for residents, non-residents, dealers, and commercial establishments (both resident and non-resident) and shall be as established by the Marine Commission pursuant to a schedule adopted annually. A copy of the schedule of current fees shall be kept at all times in the Town office. **Amended 6-13-17**

(B) Slip fees. Various rental fees shall be assessed for slips at the Town Marina and shall be as established by the Marine Commission pursuant to a schedule adopted annually. A copy of the schedule of current fees shall be kept at all times in the Town office. (Res. Passed 3-9-04) **Amended 6-13-17**

§4.08 COMMERCIAL OPERATIONS.

Commercial operations shall be allowed on the waters of Lake Lure subject to the following conditions:

(A) A lake commercial license shall be required annually prior to purchasing commercial boat permits. **Amended 6-13-17**

(B) No person or commercial operation shall conduct business on Town owned land

without a required concession agreement. Penalty, see § 6.01 **Adopted 9-26-22**

(C) All applications for lake commercial licenses shall be accompanied by proof of marine liability insurance written by a company approved by the State of North Carolina and AM Best for all associated motorized boats. Commercial classifications 1, 2, 3, 4, 5, 6, & 8 must have minimum liability coverage of \$1,000,000.00. Commercial classification 7 shall carry the appropriate type of insurance policy (commercial/non-commercial) suitable for business operation, and have minimum marine liability coverage of \$300,000.00. All commercial operators shall name the Town as co-insured on the required policies. **Amended 4-28-05, 6-12-18**

(D) No single business owner or commercial operation may have more than seven permits for motorized boats unless they have a concession agreement with the Town specifically stating a different number. **Amended 9-26-22**

(E) No single business owner or commercial operation may have more than ten (10) permits for non-motorized boats, unless they have a concession agreement with the Town specifically stating a different number. **Amended 4-28-05**

(F) The only way that a business owner or commercial operation may obtain more permits than what is allowed in any one classification or in total is to enter into a concession agreement with the Town of Lake Lure. A concession agreement is also required if a business owner or commercial operator wishes to do business from any land owned by the Town. **Amended 4-10-12, 6-13-17**

(G) Livery operations shall be located within a Zoning District that permits commercial use. **Adopted 10-8-19**

(H) Commercial operators shall report to law enforcement any violation of State or local regulations as well as any observed accidents.

(I) Commercial operators must render assistance to any disabled vessel(s).  
(Res. Passed 4-12-05) Penalty, see § 6.01 **Amended 9-26-22**

(J) Water sports are expressly prohibited behind boats with a resort, livery, service, tour boat and fishing commercial classification (including boats associated with rental homes).  
(Res. Passed 4-11-06) **Amended 6-13-17, 6-12-18**

(K) Commercial craft shall not be operated when lightning is visible or thunder is audible. Commercial craft operating on the Lake when these conditions occur must return to moorings immediately. (Res. Passed 4-11-06) **Amended 6-13-17**

(L) Because there are limits in the numbers of commercial boat permits issued, once a boat permit has been issued for a particular commercial classification, that boat shall retain that classification until the permit expires. A boat cannot change classification in the same calendar year that it was permitted. Commercial vessels may only be operated for the purpose approved

in the commercial license. Dual permitting of boats is prohibited. (Res. Passed 10-12-10)  
**Amended 6-12-18**

(M) Boats licensed in commercial classification 5 (tour boats) shall be subject to the following further conditions:

(1) Voice amplification systems shall not be allowed. **Amended 6-13-17**

(2) Operations will be carried out at low wake in all parts of the Lake except the center.

(3) Each boat shall show the name of the commercial operator and have large numerals to facilitate identification for comments. **Amended 4-10-12**

(4) Tour boats shall not navigate under a bridge or enter a cove other than the Town marina cove except for picking up and dropping off passengers. **Adopted 6-13-17**

(5) Tour boats shall not navigate in “no wake zones” except when picking up and dropping off passengers. **Adopted 6-13-17 Amended 1-14-20**

(6) Boarding and departing passengers will be allowed access only from commercial landings with the exception of special events approved by the Town Manager or Parks, Recreation, and Lake Director. **Adopted 6-13-17 Amended 1-14-20**

(7) Tour Boats shall not travel in clusters and must be separated at a minimum distance of 100 yards. **Adopted 6-13-17**

(8) Tour boats require a concession agreement with the Town regardless of the number permitted. **Adopted 6-13-17**

(N) Commercial licenses and boat permits issued for Class 8 are for use with vacation rental properties only, and only to the tenants of said property. Class 8 boat rentals to the general public at large are prohibited. **Adopted 1-14-20**

(O) No vacation rental watercraft shall be permitted to tow any person(s) at any time. **Adopted 10-8-19**

(P) Vacation rental management companies shall only provide motorized and non-motorized watercraft(s) that are registered and commercially permitted with their business. **Adopted 10-8-19**

#### §4.09 LAUNCHING WATER VESSELS & LAUNCH SITES.

(A) Launching of motorized water vessels into the Lake shall be allowed only from general and private launch sites. **Amended 6-13-17**



- (B) No new private launch sites for motorized boats may be created on the Lake.
- (C) The Marine Commission may close or restrict use of any or all general launch sites when it is deemed that conditions exist which threaten the safe, recreational usage of the Lake. (Res. Passed 4-12-05) Penalty, see § 6.01 **Amended 6-13-17, 9-26-22**

§4.10 LAKE COMMERCIAL LICENSING.

- (A) A lake commercial license is required prior to purchasing commercial boat permits.
- (B) All new lake commercial license applications and all lake commercial license renewal applications must be received by the first day of November. **Amended 6-13-17**
- (C) The Marine Commission will complete its review of all license applications and may issue lake commercial licenses by the first day of January of the following year.

(D) **Lake Commercial License Schedule of Criterion** – In determining both the number of lake commercial licenses that may be available for issuance to each of the eight commercial classifications defined in Section 1.02 and whether to issue a license in response to an application either for a new lake commercial license or to renew an existing lake commercial license, the Marine Commission may consider the following criteria (and such other criteria as the Marine Commission may consider reasonable and appropriate.) **Amended 6-13-17**

Criterion	Commercial Classifications							
	Livery (Class 1)	Resorts (Class 2)	Camps (Class 3)	Ski Schools (Class 4)	Tour Boats (Class 5)	Fishing Guides (Class 6)	Services (Class 7)	Vacation Rentals (Class 8)
<b>Lake Impact Limit (Summer)</b>	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	<u>TBD per Calc*</u>
<b>Lake Impact Limit (Spring/Fall)</b>	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	<u>TBD per Calc*</u>
<b>Lake Impact Limit (Winter)</b>	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	TBD per Calc*	<u>TBD per Calc*</u>
<b>Max Permits / Operation</b>	4 per owner or business entity**	3 per owner or business entity**	3 per owner or business entity**	2 per owner or business entity**	2 per owner or business entity**	2 per owner or business entity**	2 per owner or business entity**	1 VRM per owner or business entity**

	<b>Commercial Classifications</b>								
<b>Criterion</b>	<b>Livery</b> <i>(Class 1)</i>	<b>Resorts</b> <i>(Class 2)</i>	<b>Camps</b> <i>(Class 3)</i>	<b>Ski Schools</b> <i>(Class 4)</i>	<b>Tour Boats</b> <i>(Class 5)</i>	<b>Fishing Guides</b> <i>(Class 6)</i>	<b>Services</b> <i>(Class 7)</i>	<b>Vacation Rentals</b> <i>(Class 8)</i>	
<b>Mooring Restrictions</b>	<p>Commercial business operations must be conducted from lake structures adjacent to lots zoned CG, GU, R3 or R4 (except house rentals, service boats). Commercial boats may be moored in any zoning district under these conditions:</p> <p>a) The boat is moored at property being used as a residence for the business owner or an employee.</p> <p>b) Primary business operations are not being conducted at the residence.</p>								
<b>Residence Requirements</b>	<p>It is the intent of the Marine Commission to limit lake commercial licenses to those business entities, which are principally located in the corporate limits of the Town of Lake Lure. The Marine Commission reserves the right to cancel lake commercial licenses if it is later discovered that the business entity is not principally located in the corporate limits of the Town of Lake Lure. Non-resident fishing guides, contractors and boat repair companies hired by residents of Lake Lure may apply to the Lake Lure Marine Commission for special permits. If approved, non-resident commercial licensees will be allocated boat permits at a fee adjusted to represent the Non-Resident annual fee plus the commercial surcharge as applied to Resident annual permit fee.</p>								
<b>Marine Liability Insurance Requirements</b>	Minimum coverage of \$1,000,000 per incident. Town of Lake Lure must be listed as co-insured.	Minimum coverage of \$1,000,000 per incident. Town of Lake Lure must be listed as co-insured.	Minimum coverage of \$1,000,000 per incident. Town of Lake Lure must be listed as co-insured.	Minimum coverage of \$1,000,000 per incident. Town of Lake Lure must be listed as co-insured.	Minimum coverage of \$1,000,000 per incident. Town of Lake Lure must be listed as co-insured.	Minimum coverage of \$1,000,000 per incident. Town of Lake Lure must be listed as co-insured.	Minimum coverage of \$300,000 per incident. Town of Lake Lure must be listed as co-insured.	Minimum coverage of \$1,000,000 per incident. Town of Lake Lure must be listed as co-insured.	

**Amended 9-26-22, 9-12-23**

<b>Commercial Classifications</b>								
<b>Criterion</b>	<b>Livery</b> <i>(Class 1)</i>	<b>Resorts</b> <i>(Class 2)</i>	<b>Camps</b> <i>(Class 3)</i>	<b>Ski Schools</b> <i>(Class 4)</i>	<b>Tour Boats</b> <i>(Class 5)</i>	<b>Fishing Guides</b> <i>(Class 6)</i>	<b>Services</b> <i>(Class 7)</i>	<b>Vacation Rentals</b> <i>(Class 8)</i>
<b>Lodging Restrictions</b>	No lodging amenities allowed for this commercial category	All clientele must be lodged at facilities within the corporate limits of the Town of Lake Lure	All campers must be lodged at facilities within the corporate limits of the Town of Lake Lure	No lodging amenities allowed for this commercial category	No lodging amenities allowed for this commercial category	No lodging amenities allowed for this commercial category	No lodging amenities allowed for this commercial category	House rentals must occur in corporate limits of the Town of Lake Lure
<b>Operator Requirements</b>	All operators must be informed of Lake Use Regulations, provided a Lake Use Regulation pamphlet.	Applications for lake commercial license(s) require a list of operator(s). Any changes to operator(s) list must be delivered to the Town within 14 days of the change. Boating safety course certificates are required for all operator(s) listed on application. Certificates must be submitted to the Town prior to operator(s) performing lake associated business service(s). <b>Amended 6-13-2017</b>						All operators must be informed of Lake Use Regulations, provided a vacation boat rental contract addendum.

**Amended 9-26-22, 9-12-23**

<b>Commercial Classifications</b>								
<b>Criterion</b>	<b>Livery</b> <i>(Class 1)</i>	<b>Resorts</b> <i>(Class 2)</i>	<b>Camps</b> <i>(Class 3)</i>	<b>Ski Schools</b> <i>(Class 4)</i>	<b>Tour Boats</b> <i>(Class 5)</i>	<b>Fishing Guides</b> <i>(Class 6)</i>	<b>Services</b> <i>(Class 7)</i>	<b>Vacation Rentals</b> <i>(Class 8)</i>
<b>Order of Priority</b>	<p>Among applicants that meet all of the criteria (above) for their classification, lake commercial licenses will be granted in priority order until the available commercial capacity is fully consumed for a given classification. The order of priority will be as follows:</p> <p>First: Commercial boats that were approved in the prior year, provided the business remains in good standing with respect to lake operations and adherence to regulations, in order of business establishment date. Resident businesses have priority over non-resident businesses.</p> <p>Second: Additional boats for businesses approved in the prior year, provided:</p> <ul style="list-style-type: none"> <li>(a) the business has not reached the individual maximums for # of boats (by class)</li> <li>(b) the business remains in good standing with respect to lake operations and adherence to regulations</li> <li>(c) there is capacity remaining for the desired class of commercial boating activity (additional boats ordered by date of business establishment)</li> </ul> <p>Third: New applicant businesses, provided there is capacity remaining for the desired class of commercial boating activity. Boats for these new businesses will be approved in the following priority order:</p> <ul style="list-style-type: none"> <li>(a) businesses based in the Lake Lure town limits, ordered by date established</li> <li>(b) out-of-area businesses, ordered by date established</li> </ul> <p>Notes:</p> <ul style="list-style-type: none"> <li>(1) A business that does not renew a boat for a year loses their priority position if they decide to return to commercial operations in succeeding years. They will be considered a new business.</li> <li>(2) A business that transfers owners and does not miss a year of commercial licensing will retain their priority position.</li> </ul>							

**Amended 04-08-2014, 06-13-2017, 10-8-19, 1-14-20**

*\*In determining lake impact limits, formulas and data utilized by the U.S. Army Corps of Engineers, the Department of the Interior, the Environmental Protection Agency and the Coast Guard were employed to determine the following impact per business classification.*

*\*\* As provided in Section 4.07, no business owner or commercial operation may have more than seven motorized over 10 hp boat permits across all commercial classifications, unless they have obtained a concession agreement with the Town.*

(E) The Marine Commission may suspend or revoke lake commercial licenses at any time for violation of applicable Lake Use Regulations. (Res. Passed 4-12-05) Penalty, see § 6.01  
**Amended 9-26-22**

## **SECTION 5: LAKE STRUCTURES**

### **§ 5.01 ACCESS TO BOATS, BOAT HOUSES, PIERS, BOARDWALKS OR DOCKS.**

(A) It shall be unlawful for any person, firm or corporation to access any boat or lake structure within the lake boundary or so near thereto as to interfere with the owner's access of the same without permission of the owners thereof.

(B) By exception, Town personnel or designated representatives may conduct permit inspections, structural safety inspections or install and maintain utility infrastructure under or near lake structures. The Town of Lake Lure will exercise a reasonable due diligence to coordinate these operations with the affected property owners.

(Res. Passed 3-9-04) Penalty, see § 6.01 **Amended 6-13-17, Amended 9-26-22**

### **§ 5.02 INSTALLATION AND MAINTENANCE OF UTILITY INFRASTRUCTURE**

(A) The Town of Lake Lure may direct the relocation or removal of impediments to utility infrastructure such as watercraft or other floating structures. Vacate or relocation orders for personal property including boats berthed or suspended within lake structures may be required to ensure safe access for utility installation and maintenance. The Town shall have authority to remove watercraft or other floating structures when property owners fail to do so and owners who fail to comply with directed orders may be subject to towing and storage fees for relocated property, in addition to any other penalties assessed pursuant to § 5.02(C) below.

**Adopted 9-26-22**

(B) Required structural modifications to lake structures may be required to ensure safe access for utility installation and maintenance. The Town of Lake Lure may take reasonable measures to redesign and relocate pilings and other structures used to support boathouses and other lake structures in order to facilitate the installation and maintenance of utilities, pursuant to Session Law 2022-6, §20.2(a). **Adopted 9-26-22**

(C) It shall be unlawful for any person or entity to fail or refuse to remove watercraft or other floating structures subject to a vacate or relocation order or to hinder, resist, obstruct, delay or otherwise interfere with the Town's efforts to remove watercraft or other floating structures or the Town's efforts to redesign and relocate support pilings or structures when the same is determined as necessary for the orderly and convenient installation of utilities or maintenance thereof. Violations of this section shall subject the offender to any one, all, or any combination of the penalties set forth in N.C.G.S. §160A-175 and §1-10 of the Lake Lure Code of Ordinances. Violations of this section also constitute a misdemeanor pursuant to N.C.G.S. §14-4, punishable upon conviction by a maximum fine not to exceed \$500.00 for each separate violation or by imprisonment not to exceed 30 days pursuant to the authority of N.C.G.S. §14-3(a) (3).  
**Amended 9-26-22**

## **SECTION 6: ENFORCEMENT; PENALTIES**

### **§ 6.01 ENFORCEMENT; PENALTIES.**

(A) All law enforcement officers with territorial jurisdiction as to any part of the waters of Lake Lure or its shoreline area within the limitations of their subject matter jurisdiction, have the authority of peace officers in enforcing the laws and Town of Lake Lure Regulations over all of the waters of Lake Lure and its shoreline area. A certificate of training issued by the North Carolina Criminal Justice Education and Training Standards Commission or the North Carolina Sheriffs' Education and Training Standards Commission will suffice for certification for the purposes of the Lake Use Regulations. **Amended 6-13-17**

(B) Any person, firm, or corporation violating any provision of the Lake Use Regulations for which no specific penalty is otherwise provided, shall upon conviction be guilty of a misdemeanor as provided in N.C.G.S. § 14-4; however, violations of § 4.04 and § 4.05 shall be as provided in N.C.G.S. § 75A-18. **Amended 6-13-17, 9-26-22**

(C) Any person, firm, or corporation violating any provisions of the Lake Use Regulations, upon conviction thereof, may be suspended from further use of Lake Lure, at the discretion of the Marine Commission. **Amended 6-13-17**

(D) Any person, firm, or corporation attempting to manipulate or defraud the permitting system, upon conviction thereof, may be suspended from further use of Lake Lure, at the discretion of the Marine Commission. **Adopted 10-8-19**

(E) The Marine Commission may also provide for enforcement of the Lake Use Regulations by other remedies, as authorized in N.C.G.S. § 160A-175, including the imposition of those civil fines defined in the schedule of fines, the ordering of specific equitable relief, including injunctions, or a combination of remedies. In addition, the Marine Commission may seek an appropriate equitable remedy issuing from a court of competent jurisdiction. (Res. Passed 3-9-04) **Amended 4-11-06, 6-13-17**

(F) A schedule of fees for violations of Class A, Class B, Class C (Non-motorized), Class C (Motorized), and Class D shall be adopted by the Marine Commission annually. Said schedule may be amended by resolution of the Commission as required. (Res. Passed 4-11-06) **Amended 6-13-17**

(G) All Class D violations, and the conviction thereof, will be in perpetuity and may result in permit revocation at the discretion of the Marine Commission. **Adopted 1-14-20**

**Schedule of Civil  
Fines for Lake  
Regulation**

**Fine  
Number**

**Regulation  
Section**

**Violation  
Category**

**1 - General Lake Use**

Disposal of any litter, raw sewage, bottles, cans, papers or other liquid or solid materials including trash, brush, leaves or scrap building materials on the waters of Lake Lure 1.1 4.05(F) D

Trespassing on boats, boat houses or docks 1.2 5.01 (A) B

**2 - Swimming**

Swimming under the influence of an impairing substance 2.1 3.01 B

Swimming greater than 50 feet offshore unaccompanied by a boat 2.2 3.02 (A) B

Swimming greater than 25 feet from a boat 2.3 3.02 (B) B

Diving, jumping or swimming from any bridge or road 2.4 3.03 C

**3 - Boating  
(Permits)**

Operation of boat without a valid permit 3.1 4.01 (A) C

Failure to display 911 address on boat house 3.2 4.01 (N) A

Manipulation of permitting process 3.3 4.01 D



**Schedule of Civil  
Fines for Lake  
Regulation**

**Fine  
Number**

**Regulation  
Section**

**Violation  
Category**

**4 - Boating  
(Operation)**

Operation of a prohibited water vessel	4.1	4.03	C
Wake Surfing within 150 feet of the shoreline or other vessel	4.2	4.04 (B)	C
Operation of boat at a speed greater than "no wake" speed within a no wake zone	4.3	4.04 (D)	C
Boat tied to a Town public dock for longer than 2.5 hours	4.4	4.04 (C)	A
Boat tied to a Town buoy or marker	4.5	4.04 (E)	A
Operation of a non-motorized vessel outside the No Wake Zone	4.6	4.04 (G)	A
Reckless or negligent operation of a boat (or allowing same)	4.7	4.05 (B)	C
(a) resulting in damage to property	4.7a		C
(b) resulting in personal injury	4.7b		D
(c) resulting in death	4.7c		D
Excessive Speed	4.8	4.05 (B) (1)	C
Motorized water vessel racing	4.9	4.05 (E)	C
Operation of a motorized water vessel without <u>proof of having</u> a Lake Lure Boat Operator License	4.10	4.05 (A)	C
Operation of a motorized water vessel with a child under 13 aboard and not wearing a personal flotation device.	4.11	4.05 (D)	C

**Schedule of Civil  
Fines for Lake  
Regulation**

**Fine  
Number**

**Regulation  
Section**

**Violation  
Category**

**5 - Water Sports**

Engaging in watersports without an approved life vest	5.1	4.06 (A)	C
Towing more than two persons engaged in watersports	5.2	4.06 (A)	C
Engaging in watersports without a designated observer or a rear-view mirror	5.3	4.06 (B)	C
Engaging in water sports in a prohibited cove or "No Wake" Zone	5.4	4.06 (C)	C
Engaging in water sports without appropriate boat permit	5.5	4.02, 4.08 (O)	C

**6- Commercial  
Operations Only**

Use of boat for commercial purposes without a valid lake commercial license and boat permit	6.1	4.08 (A)	D
Failure to report violation of state or local regulations or observed accidents	6.3	4.01 (I)	A
Failure to render assistance to disabled vessel	6.4	4.08 (J)	A
Uncertified operator	6.5	4.08 (B)	C
Engaging in water sports (towing) without Class 4 Ski School License (or permission of such)	6.6	4.08 (K)	C
Operation of boat during lightning threat	6.7	4.08 (L)	C
Permanent mooring of any commercial boats at a lake structure out of compliance with zoning requirements of upland lots	6.8	4.08 (D)	D

**Schedule of Civil  
Fines for Lake  
Regulation**

	<b>Fine Number</b>	<b>Regulation Section</b>	<b>Violation Category</b>
Conducting business on Town owned land without a required concession agreement	6.9	4.08 (C)	D
Operation of a livery from residential vacation rental	6.10	4.08 (O)	C
Operation of a livery in a Zoning District that does not permit commercial use	6.11	4.08 (H)	C
Vacation Rental Management Company providing watercraft(s) for rent that are not registered with their business	6.12	4.08 (Q)	D

**Violation Category**

- A = nuisance, little impact on others
- B = minor impact on lake operations and safety
- C = significant impact on lake operations and safety
- D = major impact on lake operations and safety

**Adopted 6-13-17; Amended 3-13-18, 10-8-19, 1-14-20, 9-26-22, 9-12-23**

(H) Any person, firm, or corporation that fails to pay a lake regulations civil fine within thirty (30) days of such fine being imposed may be suspended from further use of Lake Lure, including the forfeiture of boat permits, at the discretion of the Marine Commission. (Res. Passed 4-11-06) **Amended 6-13-17**

(I) Revenues from lake use regulation civil fines shall belong to the Town of Lake Lure and used solely for funding lake operations. (Res. Passed 4-11-06) **Amended 6-13-17**

(J) Appeals from the provisions of the Lake Use Regulations shall be made to the Lake Lure Marine Commission. (Res. Passed 4-11-06) **Amended 6-13-17**

(K) It shall be the responsibility of the owner of any permitted vessel to see that any and all civil fines are paid in the event an operator using said vessel receives a citation. Failure to pay a lake regulations civil fine within 30 days may result in suspension from further use of the Lake, including the forfeiture of boat permits, at the discretion of the Marine Commission. (Res. Passed 10-12-10)

# V

## PUBLIC COMMENT

*The public is invited to speak. Please keep comments limited to three minutes or less. Comments may also be submitted in writing to the Town Clerk, [ostewman@townoflakelure.com](mailto:ostewman@townoflakelure.com), at least one hour prior to the meeting.*

# VI

## CONSENT AGENDA

- A. Approval of the September 12, 2023 Regular Marine Commission Meeting Minutes
- B. Adoption of the 2024 Marine Commission Meeting Schedule

**MINUTES OF THE REGULAR MEETING OF THE LAKE LURE MARINE COMMISSION HELD TUESDAY, SEPTEMBER 12, 2023, 4:00 P.M. AT THE LAKE LURE TOWN HALL**

**PRESENT:** Mayor Carol C. Pritchett  
Mayor Pro Tem David DiOrio  
Commissioner Patrick Bryant  
Commissioner Jim Proctor  
Commissioner Scott Doster

William Morgan, Jr., Town Attorney  
William Hank Perkins, Jr., Town Manager  
Dean Givens, Parks, Recreation, and Lake Director  
Dana Bradley, Parks, Recreation, and Trails Coordinator

**ABSENT:** N/A

**I. CALL TO ORDER**

Mayor Carol C. Pritchett called the meeting to order at 4:00 p.m.

**II. AGENDA ADOPTION**

Commissioner Jim Proctor made a motion to approve the agenda with the addition of Item D (“Request to Appeal Civil Citation No. 000060”) to Section V (“Appeal Hearings”). Commissioner DiOrio seconded and the motion carried 4-0.

**III. PUBLIC HEARING**

**A. RESOLUTION NO. 23-09-12 AMENDING THE LAKE USE REGULATIONS**

Commissioner Proctor made a motion to open the public hearing. Commissioner DiOrio seconded and all voted in favor.

**I. STAFF REPORT**

Parks, Recreation, and Trails Coordinator Dana Bradley explained that the Lake Advisory Board had recommended various updates to the Lake Use Regulations, but the major recommended updates are to change “annual” to “seasonal” due to the nature of lake drawdowns, to update definitions and verbiage, to add a seasonal motorized fishing permit that will be valid

from 9:00 p.m. to 9:00 a.m. during peak season and all hours outside of peak season, and to remove non-motorized permits aside from commercial non-motorized permits.

## II. PUBLIC HEARING

A member of the audience asked what the hours will be for fishing permits and Coordinator Bradley answered that they will be 9:00 p.m. to 9:00 a.m. during peak season and any hours outside of peak season.

A member of the audience asked who would need non-motorized permits and Coordinator Bradley answered that only commercial entities in the commercial model would need them. Coordinator Bradley added that vacation rentals would not require a permit for non-motorized boats.

## III. COMMISSION DELIBERATION

Commissioner DiOrio explained that there is an option to choose between a fishing permit and seasonal permit. Commissioner DiOrio expanded that the fishing permit is lower in cost, but limits the hours of eligible use during peak season. An audience member asked if non-residents can obtain fishing permits and Commissioner DiOrio answered yes because fishing permits will not impact congestion on the lake. The audience member asked what the cost could be for a fishing permit and Commissioner DiOrio answered that the price is still being determined, but he is anticipating that it will be about half the price of a seasonal permit.

Commissioner Bryant noted that removing non-motorized permits would be beneficial to Parks and Recreation Department staff.

Commissioner Proctor made a motion to close public hearing. Commissioner Doster seconded and all voted in favor.

## IV. CONSIDERATION FOR ADOPTION OF RESOLUTION NO. 23-09-12 AMENDING THE LAKE USE REGULATIONS

Commissioner Bryant made a motion to adopt Resolution No. 23-09-12 Amending the Lake Use Regulations. Commissioner DiOrio seconded and all voted in favor.

Commissioner Bryant thanked the Lake Advisory Board and the Parks and Recreation Department for their time and efforts spent on improving the Lake Use Regulations.

<b>IV. PUBLIC COMMENT</b>
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Mayor Pritchett invited public comments.

There were no public comments.

<b>V. CONSENT AGENDA</b>
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Mayor Pritchett presented the Consent Agenda and asked if there were any proposed changes before calling for action.

Commissioner Proctor made a motion to approve the Consent Agenda, as presented. Commissioner Doster seconded and the motion carried 4-0. Therefore, the Consent Agenda incorporating the following item was unanimously approved:

- A. Approval of the June 13, 2023 Regular Marine Commission Meeting Minutes

**VI. UNFINISHED BUSINESS**

There was no unfinished business to discuss.

**VII. APPEAL HEARINGS**

**A. REQUEST TO APPEAL CIVIL CITATION NO. 000053**

Coordinator Bradley explained that this citation was issued when an operator was behind the old ABC Store kayaking without a permit.

Commissioner Proctor asked if the citation details the amount of the fine. Coordinator Bradley answered no because first, second, and third offenses are different prices and law enforcement cannot determine the number of offenses on scene. Coordinator Bradley noted that staff asks for a few days of turn time between the citation and fine payment and Police Department Administrative Support Specialist Kat Canant sends the offender a letter detailing the fine amount.

Commissioner Proctor noted that the resolution that was adopted previously in the meeting ridded of non-motorized permits and questioned if this impacts the decision in regard to this citation appeal. Commissioner DiOrio noted that the Commission needs to be consistent if non-motorized citations start being excused. Commissioner Doster agreed and noted that the Commission need to stay consistent the rest of the year. Commissioner DiOrio noted that the new changes to the Lake Use Regulations are to be implemented the 1<sup>st</sup> of January.

Commissioner Doster made a motion to deny the request to appeal Civil Citation No. 000053. Commissioner DiOrio seconded and all voted in favor.

**VII. APPEAL HEARING**

**B. REQUEST TO APPEAL CIVIL CITATION NO. 000058**

Coordinator Bradley explained that this citation is similar to the one that was discussed previously and that the citation is for operating a non-motorized boat without a permit. It was



detailed that paddle boards were being used and that the operators stated that they had never been to Lake Lure and did not see the signs stating that permits are required.

Commissioner Doster explained that this is another case that did not include a fine amount on the citation and suggested that this information needs to be available. Commissioner Doster asked if there was a way to add penalty fees to the Lake Use Regulations. Parks, Recreation, and Lake Director Dean Givens noted that it could be done, but a public hearing would be required each time a fine amount changed. Coordinator Bradley noted that the fine amounts are included in the Lake Use Fee Schedule. Commissioner DiOrio suggested that it might be useful to give offenders verbal indications of the base price for a first offense citation.

Commissioner DiOrio made a motion to deny the request to appeal Civil Citation No. 000058. Commissioner Bryant seconded and all voted in favor.

**VII. APPEAL HEARING**

**C. REQUEST TO APPEAL CIVIL CITATION NO. 000153**

Coordinator Bradley explained that an officer was called to the scene by a report from the Assistant Fire Chief who witnessed the offender jump off of a bridge. Commissioner Doster noted that the request letter submitted by the offender is proven to be inaccurate with the witness present. Coordinator Bradley noted that the others were present, but were not seen jumping which is why they were not issued a citation. Commissioner Doster expressed that he is happy that no one was hurt.

Commissioner Doster made a motion to deny the request to appeal Civil Citation No. 000153. Commissioner Bryant seconded and all voted in favor.

**VII. APPEAL HEARING**

**D. REQUEST TO APPEAL CIVIL CITATION NO. 000060**

Mayor Pritchett noted that the appellant was present and asked if they had any comments. The appellant answered no.

Commissioner DiOrio noted that he needed to recuse himself from this appeal request.

Coordinator Bradley explained that an officer saw a boat with a fictitious permit and a citation was issued for manipulation of the system, operating a boat without a permit, and operating a boat without a license.

Commissioner Proctor noted that this reminds him of an incident that happened to him a while back when he had a temporary hand written license plate and explained that it is his understanding was that the person had purchased a permit and license, but had not yet placed it on their boat. Coordinator Bradley confirmed that a permit was purchased by the individual in June, but warned that it is unlawful to use a fake permit. Commissioner Doster asked why the individual

did not have ample time to place their permit on the boat if the permit was purchased in June and the appellant explained that the permit was located at his home and that he was at his work office and that he was going to get it, but used the fake permit in the interim. Sergeant Carl Umphlett explained that driving with a car with no tag is an infraction, but driving with a fictitious tag is an arrestable offense because of the intent to deceive and expressed that this is a similar situation. Commissioner Proctor asked if the fake permit had the same permit numbers as the actual permit that was purchased and Coordinator Bradley answered no. Commissioner Doster asked how the offender had time to make a fake permit rather than using that time to go get the actual permit and the appellant reiterated that he was at his office when he realized that he forgot to place his permit on the boat, so he made a fake one to improvise. The appellant expressed that the intent was not to deceive. Commissioner Doster expressed that it was deceiving and permit manipulation by definition.

The appellant added that the Regulations do not specify that the operator must have proof of the boater's license and that it only specifies that the operator must have taken the boater licensing test. Director Givens confirmed that this is accurate. Commissioner Doster recommended that this specification be added to the Regulations. Commissioner Bryant recommended that the offense for driving without a license should be removed from the citation.

Commissioner Doster noted that a fictitious permit had been discussed in the past and that this offense could result in removal of permit privileges, but recommended that only the fine should be imposed for this case.

Commissioner Doster made a motion deny the request to appeal Civil Citation No. 000060, with the caveat of removing the fine for operating a boat without a license which would reduce the overall fine amount to \$1,750. The motion carried 2-1 with Commissioner Proctor voting not in favor.

**VIII. NEW BUSINESS**

There was no new business to discuss.

**IX. ADJOURNMENT**

With no further business, Commissioner DiOrio made a motion to adjourn the meeting 4:33 p.m. Commissioner Proctor seconded and the motion carried 4-0.

ATTEST:

\_\_\_\_\_  
Olivia Stewman,  
Town Clerk

\_\_\_\_\_  
Mayor Carol C. Pritchett

**LAKE LURE MARINE COMMISSION**  
**AGENDA ITEM REQUEST FORM**  
**Meeting Date:** December 12, 2023

**SUBJECT:** Adoption of the 2024 Marine Commission Meeting Schedule

**AGENDA INFORMATION:**

**Agenda Location:** Consent Agenda  
**Item Number:** B  
**Department:** Administration  
**Contact:** Olivia Stewman, Town Clerk  
**Presenter:** Olivia Stewman, Town Clerk

**BRIEF SUMMARY:**

The proposed 2024 Marine Commission meeting schedule was reviewed at the November Town Council work session and action meeting. Regulate meetings will be held during the months of March, June, September, and December on the second Tuesday at 4:00 p.m.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:**

To adopt the 2024 Marine Commission Meeting Schedule.

**ATTACHMENTS:**

2024 Marine Commission Meeting Schedule

**STAFF'S COMMENTS AND RECOMMENDATIONS:**

Staff recommends approval.

**LAKE LURE MARINE COMMISSION MEETING SCHEDULE FOR YEAR 2024**

<u>DATE</u>	<u>LOCATION</u>	<u>TIME</u>	<u>TYPE</u>
March 12, 2024	Lake Lure Municipal Center	4:00 p.m.	Regular
June 11, 2024	Lake Lure Municipal Center	4:00 p.m.	Regular
September 10, 2024	Lake Lure Municipal Center	4:00 p.m.	Regular
December 10, 2024	Lake Lure Municipal Center	4:00 p.m.	Regular

\* Regular Lake Lure Marine Commission meetings are held four times per year during the months of March, June, September, and December on the second Tuesday at 4:00 p.m.

**VII**  
**UNFINISHED**  
**BUSINESS**

# VIII

## APPEAL HEARINGS

- A. Request to Appeal Civil Citation No. 000066
- B. Request to Appeal Civil Citation No. 000063

**LAKE LURE MARINE COMMISSION**  
**AGENDA ITEM REQUEST FORM**  
**Meeting Date:** December 12, 2023

**SUBJECT:** Request to Appeal Civil Citation No. 000066

**AGENDA INFORMATION:**

**Agenda Location:** Appeal Hearing

**Item Number:** A

**Department:** Parks, Recreation, and Lake

**Contact:** Dana Bradley, Parks, Recreation, and Trails Coordinator

**Presenter:** Dana Bradley, Parks, Recreation, and Trails Coordinator

**BRIEF SUMMARY:**

Ms. Diane Rosemeyer has requested to appeal Civil Citation No. 000066 issued by Sgt. Carl Umphlett on September 15<sup>th</sup> for operation of a boat without a valid permit. (See attached information).

**RECOMMENDED MOTION AND REQUESTED ACTIONS:**

To approve or deny the request to appeal Civil Citation No. 000066.

**ATTACHMENTS:**

Appeal Request from Diane Rosemeyer; Copy of Civil Citation No. 000066; Letter from Sgt. Carl Umphlett; Appeal Hearing Confirmation Letter

**TO:** Lake Lure Marine Commission 248 Memorial Highway, Lake Lure, NC 28746 (P.O. Box 255)  
**FROM:** Diane M. Rosemeyer 163 Trillium Lane, Lake Lure, NC 28746  
**RE:** Appeal of Police Department Civil Citation Postmarked September 25, 2023  
**DATE:** October 2, 2023

Dear Sir/Madame,

My husband and I have had a boat legally moored at a leased pier at the Washburn Marina from November 2020 up to today. On or about September 12, 2023 we brought our 2020 boat to Foothill Marine in Morgantown, NC for an inspection for trade-in and left the boat there after we contracted to purchase a new boat to be delivered to the Washburn Marina on September 15, 2023. Later on the afternoon of September 12, 2023 I called the Town of Lake Lure and spoke with Corbie Bradley and explained that we were trading in our boat and that I needed to transfer our current boat permit on file with the Town of Lake Lure to our new boat that would be delivered directly to the Washburn Marina on September 15, 2023. Corbie let me know that I needed to bring the old numbers in and they would transfer them to the new boat. I informed her that the numbers were still on the old boat as the purchase of the new boat would not occur until Friday afternoon, September 15. Corbie told me that it was no problem and that I could bring the numbers in first thing on Monday morning and make the transfer then. I let her know again that the boat was being delivered directly to the Washburn Marina from the dealership in Morganton; we did not have a place to store the boat and did not want to be out of compliance. The fee for one way delivery from Morganton was \$175. She said to keep the old numbers with me and we would be ok as long as we came in on Monday September 18, 2023.

While Foothill Marina delivered and was launching the new boat into Lake Lure for us, a Lake Lure Police Officer approached us and asked where our permit was. He did explain that without a permit on the boat we could not launch and would be in violation of operating a boat without a valid permit. I explained the story as recited above and after that the officer told us he would not issue a citation under those circumstances but we would have to promise to take the boat to our leased pier and not operate it until we had a new valid permit. We agreed, launched the boat and took it directly to our leased pier and did not operate it until we received our transferred permit on Monday, September 18, 2023.

I was quite surprised when I received the Citation in the mail on September 28, 2023, with a postmark of September 25, 2023 (copy attached). The Citation states that Corbie Bradley disputed my recall of events and because of that the officer issued this Citation. The conversation of September 12, 2023 with Corbie Bradley happened just as I relayed it in this letter and to the Lake Lure Police Officer. I had no reason to make up such a story and include a name. I attempted in good faith to abide by Lake Lure rules and regulations both on September 12, 2023, by calling the Town of Lake Lure for instructions that I followed, and on September 15, 2023 when I followed the officer's direction not to operate the boat until the permit was officially transferred. Somehow there was a miscommunication or mistake made regarding a rule that I had no knowledge of, but made a good faith effort to be in full compliance with.

I am now respectfully appealing this Citation under the premise that I requested and followed all guidance from the Town of Lake Lure and the Lake Lure Police Officer in my good faith effort to be in compliance with all Lake Lure boating rules under my certain circumstances.

I note that I am given 15 days from the date of service of this Citation, and hope that my efforts to comply with the appeal rules will run from the September 28, 2023 date of receipt of this Citation as opposed to the September 15, 2023 date of the alleged infraction.

Respectfully,

Diane M. Rosemeyer



Lake Lure Police Department Civil Citation

Permit # AM0512 23 St. Reg. ~~NOVEMBER~~ <sup>CU</sup> ~~PERMITS~~   
 DISPLAYED

Issued to: DEANNE ROSEMEYER

Address: 163 TRELLEUM LN

LAKE LURE, NC 28746

Telephone # 910-297-0145

Location: MARINA RAMP

Date / Time: 09-15-2023 / APPROX 0957

Issued By: SGT. C. UMPIREST

Warning  Citation

Operation of boat without valid permit (4.01)C

Wake Violation (within 75 ft of shoreline or unauthorized areas, during no wake hours, within 100 ft of emergency vessel displaying lights) (4.04)C

Child under 13 w/out PFD (4.06)C

Towing more than two persons at a time (4.06)A

Reckless endangerment (4.05)C

to wit: \_\_\_\_\_

Trespassing (5.01)B

Boat tied to public dock more than 2.5 hours (4.04)A

Operation of a motorized water vessel without a Lake Lure Boat Operator License (4.05)C

Engaging in water sports within a designated observer or a rear-view mirror (4.06)B

Parking within lines where provided (TO 30.61)

Prohibited overnight parking (TO 30-57(a))

Leash ordinance (22-11-08B SEC. 4-2)

Other

STOPPED SUBJECT FROM LAUNCHING BOAT

ROSEMEYER STATED CORBERT TOLD HER

SHE COULD PUT THE BOAT IN HER SLED UNTIL SHE COULD EXCHANGE PERMITS ON MONDAY. I NO. 000066 ALLOWED HER TO DO SO. UPON VERIFICATION I FOUND THAT NO SUCH PERMISSION WAS GRANTED.



**Lake Lure Police Department**  
*Chief Sean Humphries*  
**Post Office Box 195 Lake Lure, North Carolina 28746**  
**P. 828-625-4685 F. 828-625-8839**  
[www.TownOfLakeLure.com](http://www.TownOfLakeLure.com)

TO: Lake Lure Marine Commission  
FROM: Sgt. Umphlett  
REGARDING: Citation 000066  
DATE: 09-20-2023

On Friday, September 15, 2023 I stopped a boat from being launched at the Marina ramp because there was no permit displayed. I spoke with Mr. and Mrs. Rosemeyer and learned that it was their new boat. I explained that the boat could not be launched without permits displayed, and Ms. Rosemeyer showed me the permits from their old boat. Ms. Rosemeyer stated that she had spoken with Corbie Bradley of the Parks and Recreation Department, and Ms. Bradley had told her it would be okay to put the boat in their slip until they could obtain their new permit on Monday. After further discussion I allowed them to launch with the understanding that the boat could not leave the slip without permits displayed.

I sent an email to Dana Bradley, Parks Rec and Trails Coordinator, and asked her to verify whether the conversation Ms. Rosemeyer had related to me had taken place. It was determined that Corbie Bradley did not give Ms. Rosemeyer permission to launch and dock their boat, and in fact no conversation about launching and docking the boat took place at all. This eliminated the possibility that there could have been any misunderstanding about permission to launch and dock the boat. I then mailed a citation to Ms. Rosemeyer for operation of a boat without a valid permit.

Respectfully,

A handwritten signature in black ink, appearing to read "Sgt. Carl Umphlett". The signature is stylized and includes a large, sweeping flourish at the end.

Sgt. Carl Umphlett



October 3, 2023

Diane Rosemeyer  
163 Trillium Ln.  
Lake Lure, NC 28746

Re: Request to Appeal Civil Citation No. 000066

Dear Mrs. Rosemeyer:

The Town of Lake Lure Marine Commission has scheduled a hearing at their next regular meeting on December 12, 2023, at 4:00 p.m., or shortly thereafter, in the council meeting room of the Lake Lure Municipal Center, located at 2948 Memorial Highway, to hear your appeal regarding Civil Citation No. 000066.

You may contact me at 828-625-9983 ext. 104 should you need further information regarding the hearing.

Sincerely,



Olivia Stewman,  
Town Clerk

Copy: Lake Lure Marine Commission  
Hank Perkins, Town Manager  
Dean Givens, Parks, Recreation, and Lake Director  
Dana Bradley, Parks, Recreation, and Trails Coordinator

**LAKE LURE MARINE COMMISSION**  
**AGENDA ITEM REQUEST FORM**  
**Meeting Date:** December 12, 2023

**SUBJECT:** Request to Appeal Civil Citation No. 000063

**AGENDA INFORMATION:**

**Agenda Location:** Appeal Hearing

**Item Number:** B

**Department:** Parks, Recreation, and Lake

**Contact:** Dana Bradley, Parks, Recreation, and Trails Coordinator

**Presenter:** Dana Bradley, Parks, Recreation, and Trails Coordinator

**BRIEF SUMMARY:**

Ilmedin Husnic has requested to appeal Civil Citation No. 000063 issued by Sgt. Carl Umphlett on September 3<sup>rd</sup> for operation of a boat without a valid permit. (See attached information).

**RECOMMENDED MOTION AND REQUESTED ACTIONS:**

To approve or deny the request to appeal Civil Citation No. 000063.

**ATTACHMENTS:**

Appeal Request from Ilmedin Husnic; Copy of Civil Citation No. 000063; Letter from LLPD to Ilmedin Husnic; Appeal Hearing Confirmation Letter

# Ilmedin Husnic

3690 Creswick Cir A  
Orange Park FL 3206  
904 888 3058  
ilmedinh@yahoo.com

September 17, 2023

Lake Lure Police DEPT

PO BOX 195

Lake Lure NC 28746

To whom it may concern,

I am writing this letter for you in consideration in waiving or reducing the charges made on me on September 3rd, 2023 for operation of boat without valid permit of \$225.00. (Inflatable paddle board, 11 feet.)

If you are able to consider my plea for a waiver since I am a Florida resident and wasn't aware of the North Carolina boat operation law, as in my family and I were in North Carolina for a vacation. In Florida, "a non-powered motor- powered vessel less than 16 feet in length or a non-motor powered canoe, kayak, racing shell, or rowing scull, regardless of length" are exempted from registration at the FLHSMV.

I am currently having financial issues with three full time students. I appreciate your time for reading my letter. Please contact through email or my phone number.

Sincerely yours,

Ilmedin Husnic.

*9/18 - Notified Town Clerk of 'plea'. She will notify Mr. Husnic, I sent email of this step today.*

**Lake Lure Police Department Civil Citation**

Permit # NONE St. Reg. NONE

Issued to: ILMEDEN HUSNIZ

Address: 3690 CRESWICK CIR UNIT A  
ORANGE PARK, FL 32066

Telephone # 904-888-3057

Location: POOL CREEK PARK / MARSHY BAY

Date / Time: 9-03-23 / 1250

Issued By: SGT. C. UMPHREY

- Warning  Citation
- Operation of boat without valid permit (4.01)C
- Wake Violation (within 75 ft of shoreline or unauthorized areas, during no wake hours, within 100 ft of emergency vessel displaying lights) (4.04)C
- Child under 13 w/out PFD (4.06)C
- Towing more than two persons at a time (4.06)A
- Reckless endangerment (4.05)C

to wit: \_\_\_\_\_

- Trespassing (5.01)B
- Boat tied to public dock more than 2.5 hours (4.04)A
- Operation of a motorized water vessel without a Lake Lure Boat Operator License (4.05)C
- Engaging in water sports within a designated observer or a rear-view mirror (4.06)B
- Parking within lines where provided (TO 30.61)
- Prohibited overnight parking (TO 30-57(a))
- Leash ordinance (22-11-08B SEC. 4-2)
- Other

SUP WITHOUT PERMITS OR PFD'S

VERBAL WARNING ON PFD'S

**NO. 000063**



# Lake Lure Police Department

*Chief Sean Humphries*

Post Office Box 195 Lake Lure, North Carolina 28746

828-625-4685 F. 828-625-8839

**September 5, 2023**

**Ilmedin Husnic**

3690 Creswick Cir Unit A  
Orange Park, FL 32066

**Citation Fee Total: \$225**

You were recently cited by Lake Lure Police Department for an infraction(s) while boating or on town property.

You were cited for the following:

**-Operation of boat without valid Permit \$225.00**

Please send payment to:

Town of Lake Lure  
Attn: Civil Citation Remediation  
P.O. Box 255  
Lake Lure, NC 28746

**COPY**

A copy of your Citation is attached to this letter. Please call me if you've any questions regarding your Citation or fine(s) at 828-625-4911.

*Kat Canant*

Administrative Assistant  
Lake Lure Police Department

kc/file



December 5, 2023

Ilmedin Husnic  
3690 Creswick Cir Unit A  
Orange Park, FL 32066

Re: Request to Appeal Civil Citation No. 000063

Dear Ilmedin Husnic:

The Town of Lake Lure Marine Commission has scheduled a hearing at their next regular meeting on December 12, 2023, at 4:00 p.m., or shortly thereafter, in the council meeting room of the Lake Lure Municipal Center, located at 2948 Memorial Highway, to hear your appeal regarding Civil Citation No. 000063.

You may contact me at 828-625-9983 ext. 104 should you need further information regarding the hearing.

Sincerely,



Olivia Stewman,  
Town Clerk

Copy: Lake Lure Marine Commission  
Hank Perkins, Town Manager  
Dean Givens, Parks, Recreation, and Lake Director  
Dana Bradley, Parks, Recreation, and Trails Coordinator



# **IX**

## **NEW BUSINESS**

- A. 2024 Lake Use Fee Schedule**
- B. 2024 Commercial Model**

**LAKE LURE MARINE COMMISSION**  
**AGENDA ITEM REQUEST FORM**  
**Meeting Date:** December 12, 2023

**SUBJECT:** 2024 Lake Use Fee Schedule

**AGENDA INFORMATION:**

**Agenda Location:** New Business

**Item Number:** A

**Department:** Parks, Recreation, and Lake

**Contact:** Dana Bradley, Parks, Recreation, and Trails Coordinator

**Presenter:** Dana Bradley, Parks, Recreation, and Trails Coordinator

**BRIEF SUMMARY:**

Parks, Recreation, and Lake Staff has drafted the proposed 2024 Lake Use Fee Schedule. The proposed Fee Schedule was reviewed by the Lake Advisory Board and it was recommended that the 2024 Lake Use Fee Schedule be adopted, as presented.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:**

To adopt the 2024 Lake Use Fee Schedule.

**ATTACHMENTS:**

Proposed 2024 Lake Use Fee Schedule

**STAFF'S COMMENTS AND RECOMMENDATIONS:**

Staff recommends approval.

**TOWN OF LAKE  
LURE  
2024 FEE SCHEDULE**

<b>LAKE USE</b>	<i>Note: Lake Fees are adopted each calendar year</i>			<b>Effective: 2024</b>
	Seasonal Fee	Weekly Fee	Daily Fee	
<b>RESIDENT Boat Permits</b>				
Resident Seasonal Motorized Boat Permit	\$300			
Resident Seasonal Motorized 10hp or less Boat Permit	\$100			
Resident Seasonal Fishing Permit (9pm - 9am Peak Season - No limit Non Peak)	\$150			
90-Day Motorized (\$50 administration fee included)	\$350			
<b>NON-RESIDENT Boat Permits</b>				
Non-resident Seasonal Motorized (Boat slip lease required)	\$650			
Non-resident Seasonal Motorized 10hp or Less Boat Permit	\$350			
Non-Resident Seasonal Fishing Permit (9pm - 9am Peak Season - No limit Non Peak)	\$325			
<b>MISCELLANEOUS Boat Permits</b>				
Daily Motorized Boat Permit (Peak Season Weekday Only)				\$60
Daily Motorized Boat Permit (Non-peak Season)				\$30
Weekly Timeshare Boat Permit		\$300		
Boat Permit Transfer Fee	\$25			
Lake Lure Boater's License Replacement	\$10			
Temporary Permit (Special Use)				\$15
Complimentary Seasonal Boat Permit – active volunteer firefighters, EMS, Town Employees and Town Retirees meeting the requirements.	One Complementary			
<b>COMMERCIAL Boat Permits</b>				
Commercial License Fee	\$50			
Surcharge for Processing a Commercial License Application Received After the Deadline	\$200			
Livery	\$2,000			
Towed Water	\$2,000			
Tour Boats	\$3,000			
Service/Fishing Guides	\$1,000			
Service/Fishing Guides Out of area business	\$1,200			
Vacation Rentals	\$3,000			
Commercial Non-motorized	\$150			
Commercial Non-Motorized Out of Area Business	\$250			
<b>Town Marina Slip Rentals</b>				
Annual Boat Slip Fee (Property Owners/Residents)	\$1,100			
Annual Boat Slip Fee (Non-residents)	\$1,500			
Boat Slip Move Fee	\$100			
Late Payment Fee	\$100			
Daily Boat Slip Fee (4 Day Minimum)	\$25			
<b>Mailing Fee(s)</b>				
Boat Permit Mailing Fee (per permit)	\$10			
<b>Civil Penalties (Lake Citations)</b>	1st Offense	2nd Offense	3rd Offense	
Class A	\$125			
Class B	\$150	\$250		\$500
Class C (Non-motorized)	\$225	\$500		\$1,000
Class C (Motorized)	\$250	\$500		\$1,000
Class D	\$1,500	Revoked Indefinitely		
<b>Lake Structure Applications</b>				
Lake Structure Permit	\$400			
Shoreline Stabilization	\$0			
Seawall Exemption	\$240			
Deck-top Accessory Structure	\$240			
Lake Structure Variance	\$240			
Lake Structure Adm. Appeal	\$300			
<b>Commercial Lake Structure Fees (due March 31 each year)</b>				
RVR over the water (fee for each taxed bedroom)	\$800			
<b>Cluster Moorings</b>				
Cluster Moorings (fee for each boat slip)	\$160			

**LAKE LURE MARINE COMMISSION**  
**AGENDA ITEM REQUEST FORM**  
**Meeting Date:** December 12, 2023

**SUBJECT:** 2024 Commercial Model

**AGENDA INFORMATION:**

**Agenda Location:** New Business

**Item Number:** B

**Department:** Parks, Recreation, and Lake

**Contact:** Dana Bradley, Parks, Recreation, and Trails Coordinator

**Presenter:** Dana Bradley, Parks, Recreation, and Trails Coordinator

**BRIEF SUMMARY:**

Parks, Recreation, and Lake Staff has provided the proposed 2024 Commercial Model based the commercial applicants that fit the Model without exceeding the Model's capacity.

**RECOMMENDED MOTION AND REQUESTED ACTIONS:**

To adopt the 2024 Commercial Model.

**ATTACHMENTS:**

2024 Commercial Model Spreadsheet

**STAFF'S COMMENTS AND RECOMMENDATIONS:**

Staff recommends approval.

# 2024 Lake Lure - Lake Commercial License Applications

## Order of Priority for Boat Approvals (loading the model to fill up capacity)

Assuming that all applicants meet all criteria established for their commercial class, the capacity model will be loaded with boats in the following order:

**FIRST:** Boats of resident businesses that were approved in the prior year, provided the business remains in good standing with respect to lake operations and adherence to regulations.

**SECOND:** Additional boats for resident businesses approved in the prior year, provided:  
 (a) the business has not reached the individual maximums for # of boats (by class)

(b) the business remains in good standing with respect to lake operations and adherence to regulations.  
 (c) there is capacity remaining for the desired class of commercial boating activity (additional boats ordered by date of business establishment)

**THIRD:** New applicant resident businesses, provided there is capacity remaining for the desired class of commercial boating activity.  
 (a) ordered by date established

**FOURTH:** Out-of-Area businesses  
 (a) prior year license holders  
 (b) additional boats for prior year license holders, provided all conditions from SECOND above are met  
 (c) new out-of-area businesses, ordered by date established

**Notes:** (1) a business that does not renew a boat for a year loses their priority position if they decide to return to commercial operations in succeeding years. They will be considered a new business.  
 (2) a business that transfers owners and does not miss a year of commercial licensing will retain their priority position

(3) \*\*\* Applicants that failed to submit application on or before November 1st Resulting in loss of seniority

Vacation Rentals	0	1	0	0	0	0	1	5
Individual Business Maximums:	4	0	2	2	1	2	7	10
Out-of-area businesses:	0	0	0	0	1	1	1	0

It is the intent of the Marine Commission to limit lake commercial licenses to those business entities which are principally located in the corporate town limits of the Town of Lake Lure. If approved, non-resident commercial business licensees will be allocated one motorized boat permit.

New Applicants	Priority Order	Company Name	Primary Business	Mooring Address	Phone Number	Contact Name	First License Year (resets on break)	Date Established	Commercial Classification's	# of Boats on Application						Does Applicant Meet Marine Commission Criterion For Commercial License?							Total Acre-Hour Impact For Year	Application fee \$50.00 Plus permit 2024 Red \$200 late fee.	Permits Purchased								
										Livery	Vacation Rental	Tours	Towed Activities	Fishing	Service	Total Motorized	Non-Motorized	Resident Local Business?	Max Permits Per Owner Not Exceeded?	Zoning OK for Mooring?	Lodging Requirements Met?	Sufficient Marine Liability Insurance?				Operator Certification Requirements Met?	Sufficient Registration						
Lake Lure Businesses Licensed in Prior Year (oldest operating businesses first unless late or missed renewal) Motorized/Non-Motorized.										Requirements are based on Commercial Classification (s) of Business																							
1		Lake Lure Tours, Inc.	Tours	Town Marina	828-625-1373	Sonya Ledford	2005	1994 (first in list due to town concession)	Concession Tours- Livery	8		3					11	24	Yes	Per concession agreement with Town	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	34,779	\$28,650.00	
2		Camp Lurecrest Ministries, Inc.	Camp	207 Charlotte Drive	419-551-3221	Beck Muse	2005	1948	Camp TWA				2		1	3	0	Yes	Yes	Yes	207 Charlotte Drive	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	21,080	\$5,050.00		
3		Rumbling Bald Resort, Inc.	Resort	112 Mountains Blvd	828-694-3019	Travis Ashley	2005	1977	Concession, Resort Tours-Livery	3		2			1	6	30	Yes	Per concession agreement with Town	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	23,848	\$17,550.00		
4		Lake Mtn. Properties	VR Company Livery	1334 Buffalo Creek Rd.	828-243-3811	Carole McKay	2005	1991	Vacation Rental Company Livery	4					1	5	8	Yes	Yes	Must get approval for mooring at new property	Yes	(none allowed)	Yes	Yes	N/A	Yes	Yes	Yes	Yes	10,278	\$10,250.00		
5		Lake Lure Adventure Company	Ski School	470 Memorial Hwy	828-625-8066	Mark Helms	2005	1999	Towed Water Activities-Livery	5			2		1	8	10	Yes	Per concession agreement with Town (\$4,500)	Good to pick up permits - Note: Maximum of 3 boats at 470 Memorial Hwy. Others must moor at Dam	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	33,210	\$21,050.00		
6		Tom and Jenny Cox "Ledford's Landing"	VR	174 Elk wood Drive	980-123-6684	Tom Cox	2005	2002	Vacation Rental Home		1					1	0	Yes	Yes	not applicable	Yes	Yes	Yes	N/A	Yes	Yes	Yes	Yes	776	\$3,050.00			
7		Two Scotch By The Lake, LLC "Pawley's Place"	VR	191 Garner Drive		Andrew Johnson (Sue/ Steve Gage)	2005	2005	Vacation Rental Home		1					1	0	Yes	Yes	not applicable	Yes	Yes	Yes	N/A	Yes	Yes	Yes	Yes	776	\$3,050.00			
8		Freeman Stone Masonry	Service	Dam Marina	828-243-5152	Jay Freeman	2005	1998	Service						2	2	0	No	Yes	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes	Yes	1,148	\$2,050.00			
9		The Grand Daddy Fly Fishing Experience	Fishing Guide	Pier Point Docks	828-980-3554	Michael Yelton	2006	2005	Fishing Guides					1		1	0	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes	Yes	574	\$1,050.00			
10		Marathon Builders	Service	Town Marina	828-625-2000	Jonathan Hinkle	2011	2000	Service						2	2	0	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/A	Missing applicaton on 1 vessel	Yes	Yes	Yes	1,148	\$2,050.00		
11		David Soule Kelly (Soul Haven)	VR	413 Holmes Road	206-595-2736	David Kelly	2008	2008	Vacation Rental Home		1					1	0	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes	Yes	776	\$3,050.00			
12		K Enterprises	Service	Town Marina	828-606-4668	Eric Kunath	2009	1988	Service						1	1	0	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes	Yes	574	\$1,050.00			
13		Banjo Reality	VR	178 Mark Twain	703-403-9842	Bruce Ikelheimer	2017	2017	Vacation Rental Home		1					1	0	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes	Yes	776	\$3,050.00			
14		Byron Marsh Lake Dog Properties	VR	201 Havnaers Pt.	828-275-8285	Byron Marsh	2018	2018	Vacation Rental Home		1					1	0	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes	Yes	776	\$3,050.00			
15		Carolina Properties	VR Company Livery	2483 Memorial Hwy	828-625-9800	Kevin Everhart	2019	2019	Vacation Rental Company	2						2	0	Yes	Yes	Yes and trailered	Yes	Yes	Yes	Yes	N/A	Yes	Yes	Yes	5,430	\$6,050.00			
16		T-3 Properties (Formerly "Appling" property purchased in 2021)	VR	155 Dogwood Dr.	502-767-9340	Ronnie Harris	2010	2000	Vacation Rental Home		1					1	0	Yes	Yes	not applicable	Yes	Yes	Yes	Yes	N/A	Yes	Yes	Yes	776	\$3,050.00			

2024 Lake Lure - Lake Commercial License Applications

New Applicants	Priority Order	Company Name	Primary Business	Mooring Address	Phone Number	Contact Name	First License Year (resets on break)	Date Established	Commercial Classification's	# of Boats on Application							Does Applicant Meet Marine Commission Criterion For Commercial License?							Total Acre-Hour Impact For Year	Application fee \$50.00 Plus permit 2024 Red \$200 late fee.	Permits Purchased	
										Livery	Vacation Rental	Tours	Towed Activities	Fishing	Service	Total Motorized	Non-Motorized	Resident Local Business?	Max Permits Per Owner Not Exceeded?	Zoning OK for Mooring?	Lodging Requirements Met?	Sufficient Marine Liability Insurance?	Operator Certification Requirements Met?				Sufficient Registration
17	Tara Thomas Sheehan	VR	1104 Memorial Highway	828-499-0959	Tara/Thomas Sheehan	2015	2015	Vacation Rental Home		1					1	0	Yes	Yes	Yes	Yes	Yes	N/A	Yes	776	\$3,050.00		
18	Lake Lure Boat Rental	VR Company Livery	506 Memorial Highway	828-817-4686	Brian & Jenny Lail	2019	2019	Vacation Rental/Livery	3	1					4	0	Yes	Yes	Yes and trailered	Yes	Yes	N/A	Yes	9,050	\$10,050.00		
19	Lake Dog Properties	VR	172 Havnaer's Point Cr.	828-275-8285	Byron Marsh	2021	2021	Vacation Rental		1					1	0	Yes	Yes	Yes	Yes	Yes	N/A	Yes	776	\$3,050.00		
20	Jon Bellows	VR	111 Edwards pt.	828-273-3957	Jon Bellows	2021	2021	Vacation Rental		1					1	0	Yes	Yes	Yes	Yes	Yes	N/A	Yes	776	\$3,050.00		
21	James Sciandra (Lake Life LLC)	VR	140 Gentlewoods Ln,	813-245-1079	James Sciandra	2020	2020	Vacation Rental Home	3		1				4	0	Yes	Yes	Yes	Yes	Yes	N/A	Yes	12,063	\$11,050.00		
22	Neil Drendel/Boat In Boat Out	VR	124 Lake Blvd.	828-713-0269	Neil Drendel	2021	2021	Vacation Rental Home		1					1	0	Yes	Yes	Yes	Yes	Yes	N/A	Yes	776	\$3,050.00		
23	Fosnaugh	VR	148 Deerwood Dr.	614-832-8845	Katie Fosnaugh	2021	2021	Vacation Rental Home		1					1	0	Yes	Yes	Yes	Yes	Yes	N/A	Yes	776	\$3,050.00		
24	Keith Howell (Idle Speed)	VR	379 Lurewood Manor	850-661-5427	Keith Howell	2022	2022	Vacation Rental Home		1					1	0	Yes	Yes	Yes	Yes	Yes	N/A	Yes	776	\$3,050.00		
25	Kathleen Hutchinson	VR	114 Hummingbird Cove	828-450-3443	Kathleen Hutchinson	2022	2022	Vacation Rental Home		1					1	0	Yes	Yes	Yes	Yes	Yes	N/A	Yes	776	\$3,050.00		
26	Tim Fisk - Rental	VR	132 Tanner Drive	248-804-3392	Tim Fisk/ Prop Mang. Debbie York 828-447-7529	2005	2004	Vacation Rental Home		1					1	0	Yes	Yes	Yes	Yes	Yes	N/A	Yes	776	\$3,050.00		
27	Galen Walter	VR	174 Ridge Road	828-329-9213	Galen Walter	2023	2022	Vacation Rental Home		1					1	0	Yes	Yes	Yes	Yes	Yes	N/A	Yes	776	\$3,050.00		
28	K. Brian Todd	VR	161 Falcon Drive	864-630-8263	K. Brian Todd	2023	2023	Vacation Rental Home		1					1	0	Yes	Yes	Yes	Yes	Yes	N/A	Yes	776	\$3,050.00		
29	The Cullen Team LLC	VR	1942 Memorial Hwy.	828-450-6086	Glenn Cullen	2022	2022	Vacation Rental Home		1					1	0	Yes	Yes	Yes	Yes	N/A	N/A	Needs updated registration	776	\$3,050.00		
30	Lewis No Clark Expeditions	Fishing Guide	Trailered	828-223-0269	Michael Lewis	2005	2000	Fishing Guide					1		1	0	No	Yes	Trailered	N/A	Yes	N/A	Yes	574	\$1,050.00		
31	Doug Clarke	VR	178 Moffitt Road	843-694-2142	Doug Clarke	2023	2023	Vacation Rental Home		1					1	0	Yes	Yes	Yes	Yes	Yes	N/A	Yes	776	\$3,050.00		
32	The Lodge on Lake Lure/Sedona Hotel	Resort	361 Charlotte Dr.	828-625-2789	Spence Romine	2023	2023	Resort			1				1	4	Yes	Yes	Yes	Yes	Town needs listed as coinsured	Yes	Yes	5,226	\$3,650.00		
33	Lo's Fishing Guide Service	Fishing Guide	294 Chimney Cliff Dr	828-545-3617	Logan Dewitt	2023	2023	Fishing Guide					1		1	0	Yes	Yes	Yes	Yes	Yes	N/A	Yes	574	\$1,050.00		
34	Carmen and James Scott	VR	269 Charlotte Dr	843-670-5426	Carmen and James Scott	2022	2022	Vacation Rental		1					1	0	Yes	Yes	Yes	Yes	Yes	N/A	Yes	776	\$3,250.00		
35	Michael & Gwen Meguiar	VR	304 Holmstead Dr.	630-957-7162	Michael & Gwen Meguiar	2024	2020	Vacation Rental		1					1	0	Yes	Yes	Yes	Yes	Yes	N/A	Yes	776	\$3,050.00		
<b>Lake Lure Businesses Licensed in Prior Year (oldest operating businesses first unless missed or late renewal) Non-Motorized Only</b>																											
36	Pine Gables	Livery	147 Pine Gables Rd.	828-779-3100	Jim Proctor	2007	1946	Livery								1	No	Yes	Yes	N/A	Yes	N/A	Yes	308	\$200.00		
37	Sunken Buffalo	Livery	232 Firefly Cove	828-429-5055	Genevieve Helms/ Sunnee Clark	2023	2023	Livery								10	No	Yes	Yes	N/A	Yes	N/A	Yes	3,080	\$1,550.00		
<b>Out of area Businesses</b>																											
38	Rob's Guide Service	Fishing Guide	Trailered	828-674-5041	Robert McComas	2005	2002	Fishing Guide					1		1	0	No	Yes	Trailered	N/A	Yes	N/A	Yes	574	\$1,250.00		
39	Barry Capps Marine Service	Service	Lake Lure Marina	828-696-9272	Barry Capps	2013	2013	Service						1	1	0	No	Yes	Yes	N/A	Yes	N/A	Yes	574	\$1,250.00		
40	Brad Peters (Lake Lure Marine)	Service	Lake Lure Marina	828-200-5908	Brad Peters	2015	2014	Service						1	1	0	No	Yes	Yes	N/A	Yes	N/A	Yes	574	\$1,250.00		
41	MBM	Service	Trailered	828-625-8283	Jerome Mohl	2020	2020	Service						1	1	0	NO	Yes	Trailered	N/A	Yes	N/A	Yes	574	\$1,250.00		
42	Fish On	Fishing Guide	Trailered	828-231-9326	John Mark Meadows	2023	2023	Fishing Guide					1		1	0	No	No	Trailered	N/A	Yes	N/A	Yes	574	\$1,250.00		
43	Tim Edwards	Fishing Guide	Trailered	828-817-1814	Tim Edwards	2023	2023	Fishing Guide					1		1	0	No	No	Trailered	N/A	Needs Million Insurance	N/A	Yes	574	\$1,250.00		
<b>Totals</b>								<b>Totals 2024</b>	<b>28</b>	<b>21</b>	<b>7</b>	<b>4</b>	<b>6</b>	<b>12</b>	<b>78</b>	<b>87</b>								<b>Totals</b>	<b>181,908</b>	<b>\$189,600.00</b>	
								<b>Totals 2023</b>	<b>28</b>	<b>22</b>	<b>7</b>	<b>4</b>	<b>5</b>	<b>12</b>	<b>77</b>	<b>304</b>											

2024 Lake Lure - Lake Commercial License Applications

New Applicants										# of Boats on Application						Does Applicant Meet Marine Commission Criterion For Commercial License?										
Priority Order	Company Name	Primary Business	Mooring Address	Phone Number	Contact Name	First License Year (resets on break)	Date Established	Commercial Classification's	Livery	Vacation Rental	Tours	Towed Activities	Fishing	Service	Total Motorized	Non-Motorized	Resident Local Business?	Max Permits Per Owner Not Exceeded?	Zoning OK for Mooring?	Lodging Requirements Met?	Sufficient Marine Liability Insurance?	Operator Certification Requirements Met?	Sufficient Registration	Total Acre-Hour Impact For Year	Application fee \$50.00 Plus permit 2024 Red \$200 late fee.	Permits Purchased
									Livery	Vacation Rental	Tours	Towed Activities	Fishing	Service	Total Motorized	Non-Motorized										

Lake Impact Calculator 2024		
Current #		Available
4	Towed Water Activity	0
7	Tours	0
28	Livery	0
21	Vacation Rentals	9
6	Fishing's	0
12	Service	4
87	Non-Motorized	212

**X**

**ADJOURNMENT**