



STAFF REPORT

Meeting Date: January 21, 2014

Agenda Item #: 7

TO: Mayor and Town Council
FROM: Lisa Anglin, Town Clerk
THRU: Susan Parker, Town Administrator
TITLE: BEACH TOPICS DISCUSSION AND REVIEW

Summary:

Discussions held by Council in recent Work Sessions resulted in the following directives:

Review Current beach related Ordinances specifically the following:

- a. Shading Devices & Athletic equipment
- b. Aquatic Dangers
- c. Animals on the Beach
- d. Holes on the Beach

Citation Fines

Evaluate the citation fine amounts and determine if the fines should be increased.

Communication & Education

The Council discussed methods of communicating ordinance changes to residents and visitors. Research methods to disseminate information to property owners, visitors, rental companies and residents concerning ordinance amendments, new ordinances and laws affecting the beach strand or island. Examples of a welcome packet to be distributed at Town Hall and by rental agencies. Research cost of meeting with area property rental and sales companies. Develop procedure for offering refrigerator magnets and other information to property owners, rental companies and residents.

Crosswalks

Contact NCDOT concerning painting crosswalks at the beach accesses.

Background:

Ordinances

Attachment 1 contains the current Town ordinances that pertain to the beach strand. Research was conducted and related information was obtained from Ocean Isle Beach, Holden Beach, Oak Island, Caswell Beach, Kure Beach, Wrightsville Beach, Emerald Isle and Southern Shores. The result of the research and information gathered is the attached proposed Chapter 95 titled Beach

Stand, Waterway, Channel and Canal Regulations which combines all beach and water related topics into one chapter. The Definition Section is being developed and the Fines and Enforcement Section is being developed and reviewed with Attorney Isenberg. Both will be made available as soon as possible.

Citation Fines

The current citation schedule and the associated fine per violation is attached. My research has not demonstrated any clear pattern as to how fines are set or what dollar amount should be assigned to specific fines. It appears each municipality establishes fines by personal preference and self-weighted importance such as our fine of \$100 for a pet on the strand at the wrong time of day, but only \$25 if someone blocks the emergency access. Staff is reviewing the current fine amounts and will make a recommendation to Council as soon as possible.

Communication & Education

Research shows that most municipalities hold an annual meeting to communicate with and distribute information to the realtors, property owners and residents concerning ordinance amendments, refrigerator magnets, rip tide brochures, etc. Most municipalities also provide flyers outlining the rules and regulations to the realtors, merchants, residents and taxpayers. Staff will prepare a flyer for consideration during the Annual Retreat. We are building a database containing mailing information of those who pay accommodation tax so pertinent information can also be mailed. A Welcome Packet for new residents and visitors has been developed for distribution through Town Hall containing relative information. Meeting facilities are available with an estimated rental cost of approximately \$300.

Crosswalks

A letter has been mailed to NCDOT requesting permission to paint the crosswalks.

Council Action:

1. Council is requested to review the attached information for adoption consideration during the February 3, 2014 Meeting. If Council decides to enact Chapter 95, the following Ordinance will need to be repealed:
 - 71.08 Driving or Riding on Sand Dunes Prohibited
 - 71.09 Beach Strand Closed to Vehicular Traffic and Ridden Animals
 - 92.40 (B) Open Burning on the Beach Strand
 - 96.31 Sea Turtle Sanctuary
 - 96.32 Pets on Beach Strand
 - 130.06 Certain Activities Prohibited in Ocean, Canals and Waterway
 - 130.08 Obstruction of Canals, Establishment of Navigational Channel for Feeder Canal; Construction of Piers
 - 130.09 Holes on Beach Strand
 - 130.10 Glass Containers Prohibited on Beach Strand
 - 130.11 Regulating and Controlling Debris and other Materials resulting from Boating Accidents
 - 130.15 Shading Devices and Sporting Equipment on Beach Strand
2. Council is requested to discuss the Citation amounts and establish or approve the stated amount.