Meeting Minutes

Board of County Commissioners
Hyde County

December 5, 2011

Chairwoman Sharon Spencer called the regular meeting of the Hyde County Board of Commissioners to order at 6:00 PM on Monday, December 5, 2011 in the Hyde County Government Center, Multi-Use Room, and the Ocracoke School Information Highway Room using electronic conferencing equipment. The following members were present on the mainland: Commissioners Anson Byrd, Sharon Spencer and Barry Swindell; Attorney Fred Holscher; County Manager Mazie Smith; Deputy Clerk to the Board Lois Stotesberry; and members of the public. The following members were present on Ocracoke: Commissioner Darlene Styron; Deputy Clerk to the Board Jamie Carter; and, members of the public. Commissioner Dick Tunnell was absent.

Following the pledge of allegiance and opening prayer by Commissioner Swindell, the meeting was called to order.

Agenda:

Chairwoman Spencer asked for any changes to the December 5, 2011 meeting Agenda as presented by the Clerk.

Commissioner Byrd moved to approve the agenda as presented by the Clerk with the addition of Item 2 (a) – Election of Board Chair and Vice-Chair; Item 10 (a) – Airport Board Appointments; 10 (b) – ABC Board appointments; 14 (a) – Health Department Budget Transfers; 14 (b) – Sheriff's Department Budget Transfers; and, Other Information – Airport Board Draft Minutes and Ocracoke Fire Department Donation. Mr. Swindell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Swindell
Nays – None
Absent - Tunnell

Consideration of Minutes:

Chairwoman Spencer asked for approval of meeting minutes.

Commissioner Byrd moved to approve the November 21, 2011 Commissioners regular meeting minutes as presented by the Clerk. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Swindell
Nays – None
Absent – Tunnell

Organizational Meeting:

Commissioner Styron moved to re-elect Commissioner Spencer as Chair of the Hyde County Board of Commissioners. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Swindell
Nays – None
Absent - Tunnell

Commissioner Byrd moved to elect Commissioner Styron as Vice-Chair of the Hyde County Board of Commissioners. Ms. Styron declined.

Commissioner Styron moved to elect Commissioner Byrd as Vice-Chair of the Hyde County Board of Commissioners. Mr. Byrd declined.

Chairwoman Spencer nominated Commissioner Tunnell as Vice-Chair of the Hyde County Board of Commissioners. Mr. Swindell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Swindell
Nays – None
Absent – Tunnell

Public Comments:

Chairwoman Spencer called for comments from the public.

There being no comments from the public, Chairwoman Spencer continued the meeting.

Public Hearing:

Ocracoke Travel Trailer Ordinance Amendment

Manager Smith reported that the Ocracoke Development Ordinance Advisory Board has reviewed Chapter 36, Subdivisions, of Chapter 153A, Counties, of the North Carolina General Statutes, and recommends the Ocracoke Development Ordinance be amended.

Commissioner Byrd moved to open public hearing on suggested changes to amend the Ocracoke Travel Trailer Ordinance. Ms. Styron seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Swindell
Nays – None
Absent – Tunnell

Mary Haggerty, Ocracoke – stated that the suggested changes to the Ocracoke Travel Trailer Ordinance were unfair and she disputed the yearly travel trailer permit fee.

Manager Smith reported that State and FEMA requirements for flood plain regulations had to be followed in order for Hyde County to qualify for disaster assistance in the future. Ms. Smith said that travel trailers can be tied down but must be road ready in case mandatory evacuation is ordered.

Tom Pahl, Ocracoke Planning Board – reported that the amended ordinance applies to new travel trailers. Trailers already on the island will be grandfathered in and can stay where they are. Changes to the ordinance will not be retroactive.

Commissioner Styron reported that the inspection fee would ensure that travel trailers were inspected yearly. Ms. Styron also reported that an inspection fee had not been set at the time of this meeting.

Commissioner Swindell moved to close public hearing on suggested changes to amend the Ocracoke Travel Trailer Ordinance. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Swindell
Nays – None
Absent – Tunnell

Ordinances, Resolutions, Proclamations, Contracts:

Amendment to Ocracoke Travel Trailer Ordinance

Bill Rich, Ocracoke – clarified the definition of travel trailers stating that they are designed for seasonal housing. Mr. Rich reported that several travel trailers on the island are hooked up on one septic system and many others are violating building codes. Mr. Rich stated that the Planning Board is recommending changes to the Ordinance to bring travel trailers on Ocracoke Island into compliance.

Commissioner Styron moved to amend Chapter 36, Subdivisions, of the Hyde County Code by replacing in its entirety Section 36-181, "Campers and Travel Trailers as accessory uses to provide affordable seasonal and year round housing." Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Swindell
Nays – None
Absent – Tunnell

CLERK'S NOTE: A copy of "An Ordinance To Amend Chapter 36, Subdivisions, Of The Hyde County Code By Replacing In Its Entirety Section 36-181, Campers And Travel Trailers As Accessory Uses To Provide Affordable Seasonal And Year Round Housing" is attached herewith as Exhibit A and incorporated herein by reference.

The commissioners asked the manager to suggest an amount for the annual inspection fee and report back to them to incorporate in the ordinance.

Resolution to Approve Meeting Schedule for 2012

Manager Smith reported that a resolution must be passed by the Board to adopt the official calendar of Board meetings, as directed by General Statute §143-318.12.

Commissioner Swindell moved to approve "Resolution Establishing Regular Meeting Dates." Ms. Styron seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Swindell
Nays – None
Absent – Tunnell

CLERK'S NOTE: A copy of "Resolution of The Hyde County Board of Commissioners Establishing Regular Meeting Dates" is attached herewith as Exhibit B and incorporated herein by reference.

Memorandum of Understanding for Use of O.A. Paey School Gym and Kitchen

Manager Smith reported that volunteers assisting with Hurricane Irene recovery are being housed in the gym of O.A. Peay School. The County has reached a verbal agreement with Superintendent Latimore to allow this use as long as necessary and whenever necessary in the future. In return, the County will provide supplies, paint, exit signs, light fixtures and doors to bring the gym and adjacent kitchen area up to code and make it fully operational. The school system has agreed to provide the labor necessary to make the repairs. A memorandum of understanding is needed to formalize the arrangement as per FEMA and state guidelines. Costs for said supplies will be covered by the Maintenance budget.

Commissioner Swindell moved to accept the Hyde County Emergency Operations Plan Interlocal Agreement for the Emergency Use of a Non-County Owned Facility between the

County of Hyde and the Hyde County Board of Education with revision to include County ownership of the kitchen equipment. Ms. Styron seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Swindell
Nays – None
Absent – Tunnell

Other Matters:

Appointment to The Albemarle Commission Board

Commissioner Swindell moved to re-appoint Commissioner Sharon Spencer to serve on the Albemarle Commission Board from January 1, 2012 to January 1, 2013. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Swindell
Nays – None
Absent – Tunnell

Appointment to The Beaufort-Hyde-Martin Regional Library Board

Commissioner Styron moved to appoint Peter Vankevich as the Ocracoke representative to the Beaufort-Hyde-Martin Regional Library Board. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Swindell
Nays – None
Absent – Tunnell

Appointment to The Airport Board

Commissioner Swindell moved to re-appoint Wilson Daughtry, Greg Gibbs and Scott Coble to serve on the Airport Advisory Committee. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Swindell
Nays – None
Absent – Tunnell

Appointment to The Hyde County ABC Board

Manager Smith reported that Sharon Gibbs has resigned her position on the Hyde County ABC Board. On Tuesday, January 3, 2012 at its next regularly scheduled meeting the Board of Commissioners will appoint a new ABC Board member.

Hyde County Recreation Advisory Committee

Manager Smith reported that several citizens from various townships in Hyde County have expressed interest in forming a Recreation Commission, with advisory committees appointed to represent individual townships. She stated that Ocracoke is particularly interested in this due to their efforts to acquire property and build a ball field on the Island. Steve Moler with the North Carolina Parks and Recreation Commission has agreed to provide consulting services for this effort if the Commissioners wish to pursue it. He has shared information about how to proceed, as well as information from previous efforts to form such a Commission in Hyde County. Mr. Moler is expected to appear before the Commissioners early in 2012 to make a presentation.

County Attorney Fred Holscher will review previous ordinances (if any) and re-activate/revise to meet the Board's requirements of the Recreation Advisory Committee. Appointments to the Committee will be made at the Tuesday, January 3, 2012 Regular meeting.

Sales and Use Tax

Manager Smith reported that several citizens from Ocracoke have expressed interest in asking the Board to put a referendum on the ballot in May 2012 to levy an additional .25 cent Sales and Use Tax.

Public Hearing will be held in January 2012 during a regularly scheduled board meeting to discuss the request to add .25 cent Sales and Use Tax to the May 2012 ballot.

Hatteras Inlet Dredging

Manager Smith reported that Jed Dixon, District One Superintendent with the NC Ferry has shared information about the need for dredging by the Corp of Engineers in Hatteras Inlet. Ms. Smith reported that two public workshops to discuss long-term options for NC 12 were held and that monitoring this issue might be beneficial. NCDOT will use the feedback it receives to help determine the best long-term solution for Highway 12. Workshops were held on Monday, December 5, 2011, 4-7p.m., at the Dare County Administration Building, 954 Marshall C. Collins Drive, Manteo; and, on Tuesday, December 6, 2011, 4-7 p.m., at the Rodanthe-Waves-Salvo Community Center, 23186 Myrna Peters Road, Rodanthe.

Commissioners and citizens were encouraged to attend the workshop and to contact legislators in hopes of garnering funds for this important work.

Budgetary Matters:

Budget Transfers and Revisions - Health Department

BR No. 15-2012 - $928.00; Hyde County Health Department has received non-recurring Aid-to-County additional funds to help improve local immunization efforts. The funds will be used to purchase items which will improve capability to administer, store and handle vaccines and support efforts to increase immunization coverage rates. These funds must be spent by December 31, 2011. This revision will increase the budget for Immunization Action Plan (IAP).

BR No. 16-2012 - $7,650.00; Hyde County Health Department has received additional state funding for 30 state screening targets at approximately $255 per woman screened. All eligible women will receive breast cancer screening services (Clinical Breast Exam and age-appropriate Mammogram) based on guidelines under eligible population. These funds must be spent by May 31, 2012. This revision will increase the budget for the Breast Cancer & Cervical Cancer Program (BCCCP).

BR No. 17-2012 - $4,750.00; Hyde County Health Department is participating in Wave 4 of the Public Health Quality Improvement 101 (QI 101), developed by the NC Center for Public Health Quality (NC CPHQ) to create a statewide culture of continuous quality improvement in all state and local public health agencies. To ensure that all local agencies have the opportunity and resources to participate in AAQI training, each agency that participates in the program will receive grant money from NC CXPHQ to support their QI activities. Each agency will receive $7,750 per county. Hyde County Health Department is receiving a net amount of $4,750 since $3,000 was paid directly to NC State University for a two-day Lean Kaizen event they will conduct at the Health Department.

BR No. 18-2012 - $4,090.54; This budget revision reflects $3,590.54 received from the county's insurance company for a claim submitted for repairs to the 2004 Chevrolet truck assigned to Environmental Health. The claim was submitted for damages sustained to the truck in the

amount of $4,090.54 on October 24, 2011 due to a collision with a deer. Insurance proceeds did not cover the deductible, so a transfer of $500 was made from Dues and Fees line into Repairs and Maintenance line to cover the deductible. These proceeds will increase the budget for General Health.

Commissioner Swindell moved to approve Budget Revisions No. 15-2012, No. 16-2012, No. 17-2012 and No. 18-2012. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Swindell
Nays – None
Absent – Tunnell

Budget Transfers and Revisions – Sheriff's Department

Deputy Sheriff Guire Cahoon reported that the Hyde County Sheriff's office has received grant funds in the amount of $9,704.17 to be used to purchase new hand guns. New 357 automatic hand guns will cost $16,243.22. Deputy Cahoon reported that the department hopes to receive $3,000 credit from "Lawmens" for the used guns and wants to use matching grant funds to pay approximately $3,000 of the expense.

Commissioner Swindell moved to allow the Hyde County Sheriff to trade in old duty weapons and for matching funds to be available if needed. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Swindell
Nays – None
Absent – Tunnell

County Commissioners Reports:

Commissioner Spencer – reported that various boards and committees are not following required guidelines and that a training workshop is needed to teach them what the requirements are and to make them more efficient. Ms. Spencer also stated that all elected boards must have ethics training.

Commissioner Byrd moved to proceed with scheduling a boards and committees workshop. Ms. Styron seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Swindell
Nays – None
Absent – Tunnell

Commissioner Styron – reported that she attended the Ocracoke Variance Board meeting; that she is working with Kathy Ballance to bring a Hyde County Hotline weaving loom to Ocracoke; and, that she will attend the NC12 dredging issues meeting in Rodanthe.

Commissioner Byrd – requested a quarterly finance report be presented at the next Board meeting; stated that a county policy needs to be developed and followed for bid openings; and, stated that the Board has not received an ABC Board statement in a long time.

Commissioner Swindell – thanked County employees for work done in the Sladesville/Scranton area since Hurricane Irene and stated that things are gradually returning to normal.

Commissioner Spencer – reported that she attended the Hotline Gala and commended Hyde County Hotline for work done in the County. Ms. Spencer also commended Kris Noble, Alice Keeney, and Megan Shaw for work done after Hurricane Irene. She stated that the new County

website is providing information to the public and thanked department heads for presenting transparent information to citizens.

County Manager's Report:

County Manager Smith reported that she met with BCCC Director of Off-Campus Programs/Dislocated Worker Liaison Clay Carter and discussed the need for classes in the County; announced the first basketball game in the new Ocracoke School Gym; reminded staff that the employee Christmas brunch is scheduled for Wednesday, December 7, 2011; reported that the Ocracoke Planning Board meeting is next Thursday, the Transportation Advisory Board would meet on Thursday, December 8, 2011 and the Engelhard Christmas Parade is scheduled for Saturday, December 10, 2011. Ms. Smith also reported that IT issues in County offices need to be addressed; that Ocracoke Fire Department received a $5,000 donation; and, that the Board retreat is scheduled for February 11, 2011 at the Outer Banks Chamber office in Nags Head.

Closed Session:

Commissioner Spencer moved to enter closed session pursuant to N.C.G.S. §143-318.11 (a) (6). Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Swindell
Nays – None
Absent – Tunnell

Commissioner Byrd moved to come out of closed session. Mr. Swindell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Swindell
Nays – None
Absent – Tunnell

Commissioner Swindell moved to allow the County Manager to proceed with plans for EMS reorganization. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Swindell
Nays – None
Absent – Tunnell

Commissioner Byrd moved to hire Megan Shaw to fill the Public Information Officer position. Mr. Swindell seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Swindell
Nays – None
Absent – Tunnell

Supplemental Information:

Department Reports

Tax Department
Emergency Services

Other Information

Bonner Bridge Update
Draft Minutes of 264 Association Meeting
DSS Audit Approval Letter
Emerging Issues Forum Information
Hyde Chambergram

Letter of Appreciation for Court Facilities Upgrade
Memo on Sea Level Rise from NC20
Northeast Workforce Development Board Invitation
Saltwater Connections Workshop Resource Materials
The Senior Connection Newsletter

Calendar Notes

December

12-06-2011	Public Hearing on NC 12 – 4:00p.m. – Rodanthe/Waves/Salvo Community Building
12-07-2011	Employee Holiday Brunch (floating) – 10:00a.m. – noon – Swan Quarter Volunteer Fire Department
12-23-2011	Christmas Holiday
12-28-2011	County Offices Reopen

January 2012

01-02-2012	New Year's Day Holiday
01-03-2012	Board of Commissioners Meeting – 6:00p.m.
01-16-2012	Martin Luther King Holiday
01-17-2012	Board of Commissioners Meeting – 6:00p.m.
01-23-2012	Hyde County Airport Committee Meeting – 1:30p.m. – Engelhard Airport

Commissioner Swindell moved to adjourn the meeting. Mr. Byrd seconded the motion. The motion passed on the following vote:

Ayes – Byrd, Spencer, Styron and Swindell
Nays – None
Absent - Tunnell

The meeting adjourned at 7:55 P.M.

Respectfully submitted:

Minutes approved on the 3rd day of January, 2012.

Lois Stotesberry, Deputy Clerk
Hyde County Board of Commissioners

Sharon Spencer, Chair
Hyde County Board of Commissioners

Attachments:

Exhibit A – *"An Ordinance To Amend Chapter 36, Subdivisions, Of The Hyde County Code By Replacing In Its Entirety Section 36-181, Campers And Travel Trailers As Accessory Uses To Provide Affordable Seasonal And Year Round Housing"*

Exhibit B – *"Resolution of The Hyde County Board of Commissioners Establishing Regular Meeting Dates"*

Resolution No. 2011-12-01

RESOLUTION OF THE
HYDE COUNTY BOARD OF COUNTY COMMISSIONERS
ESTABLISHING REGULAR MEETING DATES

WHEREAS, pursuant to NCGS 153A-40, the Hyde County Board of Commissioners have elected to adopt a meeting schedule by resolution so that its members and the public may know when Regular meetings of the Board are to be held;

WHEREAS, the Hyde County Board of Commissioners adopted Rules of Procedure on October 6, 2008, calling for Regular meetings on the first and third Monday of each month, except in August and December or as otherwise provided;

WHEREAS, this schedule of Regular meetings may be altered periodically by the Board of Commissioners by Resolution or other appropriate action of the Board;

WHEREAS, nothing in this Resolution shall preclude the Hyde County Board of Commissioners from holding Special or Emergency meetings as such may be allowed by law;

WHEREAS, the Board of Commissioners desires to begin all calendar year 2012 regular board meetings at 6:00 p.m.; and,

WHEREAS, the Hyde County Board of Commissioners utilizes an electronic meeting system for the simultaneous audio and/or video conduct of Regular meetings on both the Mainland and Ocracoke, the sites of such electronic meetings being as follows unless an alternative location is posted on the door of the meeting site:

- "Government Center" means the Multi-Use Room in the Government Center, 30 Oyster Creek Road, Swan Quarter, NC.
- "Ocracoke" means the Commons Area, Ocracoke School, 1 Schoolhouse Road, Ocracoke, NC.
- * means the meeting date is on Tuesday.

NOW, THEREFORE, BE IT RESOLVED that the Hyde County Board of Commissioners adopts the following schedule for regular Board meetings:

January 3, 2012 *	January 17, 2012 *
February 6, 2012	February 20, 2012
March 5, 2012	March 19, 2012
April 2, 2012	April 16, 2012
May 7, 2012	May 21, 2012
June 4, 2012	June 18, 2012
July 2, 2012	July 16, 201`2
August 6, 2012	
September 4, 2012 *	September 17, 2012
October 1, 2012	October 15, 2012
November 5, 2012	November 19, 2012
December 3, 2012	

BE IT FURTHER RESOLVED that Clerk is hereby directed to post a copy of this Resolution on the courthouse bulletin board and to publish a summary in the *Coastland Times* newspaper on or before December 30, 2011.

Duly adopted this the 5th day of December, 2011.

Sharon P. Spencer
Chair, Hyde County Board of Commissioners

ATTEST:

Lois Stokesbury
Deputy Clerk to the Board

BOARD OF COMMISSIONERS
OF THE
COUNTY OF HYDE, NORTH CAROLINA

AN ORDINANCE TO AMEND CHAPTER 36, SUBDIVISIONS, OF THE HYDE COUNTY CODE BY REPLACING IN ITS ENTIRETY SECTION 36-181, "CAMPERS AND TRAVEL TRAILERS AS ACCESSORY USES TO PROVIDE AFFORDABLE SEASONAL AND YEAR ROUND HOUSING"

WHEREAS, Article 18, Planning and Regulation of Development, of Chapter 153A, Counties, of the North Carolina General Statutes, grants counties wide authority to regulate land as well as uses of land, including but not limited to the authority to regulate the subdivision of land in Part 2, Subdivision Regulations, the authority to divided the territorial jurisdiction of counties into districts, within which districts such zoning and development regulation may have specific application, in North Carolina General Statute §153A-342 *et seq.*

WHEREAS, the Hyde County Board of Commissioners has enacted a Subdivision Ordinance for Hyde County, North Carolina, the same being codified as Chapter 36, Subdivisions, of the Hyde County Code.

WHEREAS, the Hyde County Board of Commissioners has enacted an Ocracoke Development Ordinance (ODO), the same being codified as Article VII, Ocracoke Development, of said Chapter 36.

WHEREAS, the ODO Map depicts the boundaries of the ODO zoning area, said boundaries being that part of Ocracoke Island outside the boundaries of the Cape Hatteras National Seashore, including streams, creeks, ponds, harbors, and the Pamlico Sound within one-half mile of shore.

WHEREAS, the provisions contained in Chapter 36, Article VII, apply to said ODO zoning area.

WHEREAS, the ordinance amendment set forth below is intended to protect the health and safety of the residents and visitors in the ODO zoning area; assure that property owners in the ODO zoning area will continue to enjoy the reasonable use and value of their properties; consider the need for temporary, affordable housing in the ODO zoning area; and consider the real threats imposed by hurricanes and other severe weather.

NOW, THEREFORE BE IT RESOLVED by the Hyde County Board of Commissioners as follows.

Section 1. That Chapter 36, Section 36-181 – Campers and travel trailers as accessory uses to provide affordable seasonal and year-round housing, be deleted and replaced in its entirety with the following.

Sec. 36-181. Use of travel trailers by permit only.

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Travel trailer means a wheeled vehicle originally intended to be used, or originally constructed so as to permit it to be used, for or as a conveyance upon the public streets or highways, duly licensable as such; or a "towable trailer/camper" constructed in such a manner as will permit occupancy thereof as a temporary residence or sleeping quarters for one or more persons; and designed for short-term occupancy, travel, and recreational and/or vacation use. For the purposes of this section, a travel trailer shall be a hard-sided, collapsible or non-collapsible, hard-roofed vehicle, including but not limited to self-propelled Recreational Vehicles (RV). This definition shall not include a car, truck or other vehicle designed primarily for transportation, even if it may be modified to resemble an RV.

Residential use means the location of a travel trailer on the same lot of record for a period of more than thirty (30) days for the purpose of possible or intended use as a residence or sleeping quarters regardless of whether the travel trailer is actually utilized as a residence or sleeping quarters every day during said thirty (30) day period and regardless of whether the travel trailer is utilized by different individuals as a residence or sleeping quarters during said thirty (30) day period; the rental of a travel trailer to, or other permitted occupancy of a travel trailer by, someone other than the owner of the travel trailer for use as a residence or sleeping quarters for any period; or the use of a travel trailer as a residence or sleeping quarters for any period when connected to a septic system. Residential use of a travel trailer as specifically described hereinabove shall include its use as a sleeping quarters only, even if all other regular living activities, including but not limited to cooking and bathing, take place in another building.

(b) *Permits.* A permit is required for use of a travel trailer.

(1) A travel trailer must meet the following criteria in order to be eligible for a permit to allow residential use thereof.

a. The travel trailer shall be and remain registered and insured in accordance with all applicable State of North Carolina Division of Motor Vehicles (DMV) regulations.

b. The travel trailer shall be and remain capable of passing all applicable DMV safety inspections. The development ordinance enforcement officer, in his discretion, may

require the travel trailer to be inspected and pass an inspection before issuing a permit hereunder and at any time after a permit is issued.

c. The travel trailer shall be and remain situated in such a way as to allow it to be connected to a motor vehicle and readily pulled onto a public roadway without the need to disconnect it from or move or dismantle structures such as, decks, stairs, outbuildings, other travel trailers, etc.

d. The travel trailer shall be and remain permitted by the Hyde County Health Officer with regard to applicable County and State water and sewer regulations.

   1. Any water and sewer connections of the travel trailer shall be "quick connect" type connections that allow for the prompt removal of the travel trailer.
   2. For a self-contained travel trailer or a travel trailer which is used as sleeping quarters only, written approval from the Hyde County Health Officer shall be required, which approval must verify that the existing sewage disposal system on the property where the travel trailer is located is adequate to support the travel trailer when counted as an additional bedroom(s) under the pertinent provisions of this chapter.

e. The travel trailer shall be and remain permitted by the Building Official with regard to the electrical power supply and connections from the power supply to the travel trailer; the construction of decks, stairs, outbuildings, etc.; and any other aspect of the North Carolina Building Code which may be applicable.

f. The travel trailer shall be and remain permitted by any applicable federal, state and/or local agency, including but not limited to CAMA, having regulatory jurisdiction over the travel trailer and its use.

g. The travel trailer shall be considered in conjunction with any other structure on the property on which the travel trailer is located and shall be and remain in compliance with the following provisions of the Ocracoke Development Ordinance as applied to single family residential use:

   1. Property and building minimum setbacks
   2. Minimum parking requirements
   3. Maximum percent of lot coverage
   4. Height restrictions
   5. Table of Development Standards.

(2) The owner of the lot of record on which the travel trailer is located shall be responsible for applying for permits issued hereunder.

(3) A separate permit shall be required for each travel trailer being utilized as a residential use on a lot.

(4) A permit is not transferrable to another travel trailer.

(5) A permit shall be valid for a period of one (1) year and must be renewed annually by the owner of the lot of record on which the travel trailer is located by application to the development ordinance enforcement officer.

(6) Applications for the renewal of a permit shall be subject to any then current, applicable regulations as revised or amended.

(7) The development ordinance enforcement officer, in his discretion, may schedule an on-site inspection of a travel trailer to assure compliance with all current regulations.

(8) The owner of the lot of record on which a travel trailer is located for residential use shall certify in writing that the proposed use does not conflict with or violate any existing deed restrictions, property covenants, rights of way, or easements.

(c) No part of this amendment shall apply or be applied to travel trailers which are legally existing under regulations in effect at the time of the adoption of this amendment.

Section 2. All ordinances in conflict with this ordinance are hereby repealed.

Section 3. This ordinance shall become effective December 5, 2011.

Adopted this the 5th day of December, 2011.

Sharon P. Spencer

Sharon P. Spencer, Chair
Hyde County Board of Commissioners

Attested by:

Mazie S. Smith

Mazie S. Smith, Clerk to the Board
Hyde County Board of Commissioners