



Town of Southern Shores

5375 N. Virginia Dare Trail, Southern Shores, NC 27949

Phone 252-261-2394 / Fax 252-255-0876

info@southernshores-nc.gov

www.southernshores-nc.gov

Meeting Minutes

Pitts Center – 5375 N. Virginia Dare Trail, Southern Shores, NC

Date: Wednesday, November 5, 2025

Time: 1:00 PM

Attendance

Present:

- Mayor Morey
- Mayor Pro Tem Neal
- Council Member Sherlock
- Council Member Neilson

Absent:

- Council Member Batenic

Call to Order

Mayor Morey called the meeting to order at 1:00 PM.

The Council and public stood for the Pledge of Allegiance followed by a Moment of Silence.

Amendments to / Approval of Agenda

Motion to approve the agenda as presented by Council Member Sherlock, seconded by Council Member Neilson. Motion carried unanimously.

Consent Agenda

The consent agenda consisted of:

- Budget Amendment #15
- Budget Amendment #16
- Minutes approval-October 7, 2025
- Contract for Fire Protection Services -Martins Point Tax District (Dare County)

Council Member Sherlock inquired about the location of the message board mentioned in Budget Amendment #15. Town Manager Ogburn explained that it would be portable and movable, used as needed for different events like "booze it or lose it" campaigns. He noted that sometimes they had to borrow message boards from the county or NCDOT, so having a second one would be beneficial.

Motion to approve the consent agenda by Council Member Neilson, seconded by Council Member Sherlock. Motion carried unanimously.

Presentations

Employee Recognition Years of Service-Tracy Mann 15 Years

Police Chief Kole presented Officer Tracy Mann in recognition of her achievement of Master Police Officer 3 status. Chief Kole highlighted that Officer Mann is from Dare County, graduated from Manteo High School, and attended Appalachian State University. She has over 20 years of experience as a police officer, with the last 15 years serving the Town of Southern Shores.

Chief Kole noted that Officer Mann has served as the School Resource Officer at Kitty Hawk Elementary School since 2015. She has earned her Advanced Law Enforcement Certification, School Resource Officer Certification, and is certified as a General Topics Instructor, Tactical Medic Instructor, DARE Instructor, and CPR/AED Instructor. Chief Kole emphasized that Officer Mann is highly respected and deeply appreciated by school staff, parents, students, and the police department.

Staff Reports

Planning Dept.

Planning Director/Deputy Town Manager presented the permit report for the month of October. The total amount of permit fees collected in October was \$17,077.25. The Town Planning Board will not be meeting this month, but they will most likely meet on December 15th at 5:00 p.m. in the Pitts Center. At that meeting, they will most likely consider a ZTA submitted by the Town to amend the Town's current requirements for wastewater systems in Town Code Chapter 32, Utilities and in Chapter 36, Zoning.

Paul Gamiels Hill Life Saving Station Site-The SSCA will be selecting their Paul Gamiels Hill Life Saving Station site designation committee members later this month. We will request formal appointment of the committee at the December Council meeting.

Police Dept.

Police Chief Kole presented reports for September and October 2025:

September 2025:

- 1,457 calls for service (about 300 more than the previous year)
- 13 incidents reported
- 9 criminal arrests

- 102 traffic stops resulting in 34 written citations and 77 warning citations
- 33 ordinance violations
- 2 reportable motor vehicle accidents

October 2025:

- 1,580 calls for service (compared to 1,236 in October 2024)
- 16 incidents reported
- 6 criminal arrests
- 56 traffic stops resulting in 16 written citations and 30 warning citations
- 3 ordinance violations (all parking in right-of-way)
- 5 reportable motor vehicle accidents

In response to a question from Council Member Sherlock about the increase in calls for service, Chief Kole explained that some of the increase was due to property checks and business checks, as well as more work on drug arrests and follow-ups with other agencies.

Fire Dept.

Fire Chief Limbacher reported that for October, the Fire Department responded to 68 calls:

- 1 vehicle fire
- 1 vehicle accident without injuries
- 2 beach wheelchair program responses
- 1 smoke detector program response
- 1 public assistance call
- 2 arcing or shorted electrical lines
- 1 assist to police/government agency
- 1 public service call
- 2 standbys
- 2 canceled en route calls
- 5 fire alarms
- 45 EMS calls

Chief Limbacher reminded everyone of the upcoming open house scheduled for Friday at the same time as the Kitty Hawk Elementary School fall carnival. He also reported that training continues with the captains, particularly on engineer training, pumping, and driving trucks. He mentioned that in January, they plan to have the captains and Southern Shores Volunteer Fire Department board members attend a council meeting.

Town Manager

Town Manager Ogburn provided information about the North Carolina Resilient Coastal Communities Program (RCCP), for which Southern Shores has been selected in this year's funding round. The program has been in existence since 2018 and has awarded 108 grants distributing nearly \$16 million in funding.

Mr. Ogburn explained that the program supports a locally driven process for setting coastal resilience goals, assessing community capacity, and identifying and prioritizing projects that strengthen resilience to coastal hazards. In simpler terms, the program will help identify vulnerabilities that need addressing to strengthen the town's ability to withstand impacts from severe weather.

The program consists of four phases, with Southern Shores approved for phases 1 and 2:

- Community engagement and vulnerability assessment
- Planning, project identification, and prioritization

Town Manager Ogburn explained Southern Shores has been paired with Coastal Protection Engineering (the town's beach nourishment engineer) as their consulting partner for the project. The deliverables will include a vulnerability assessment report, a project portfolio of potential projects, and GIS data integration.

Town Manager Ogburn requested direction from Council on forming a Community Action Team (CAT) consisting of five representative members. After discussion, Council agreed to a team composition that would include a Town Council representative, a Planning Board representative, a Southern Shores Civic Association representative, and two citizens at large with relevant expertise such as engineering or marine science backgrounds. Council **directed** the town manager to recruit these members and present them at the December meeting.

Mr. Ogburn also provided updates on other projects:

- East Dogwood Street project: Currently in data gathering phase, scheduled to go out for bids in December, with construction to be completed by May 15, 2026
- Sidewalk replacements from Fifth Avenue to Hillcrest are continuing and should be completed by the end of the year
- Beach grass planting: 10 cases of beach grass have been ordered, with planting to begin soon
- Potential sand fence installation in areas of need, particularly in the Pelican Watch area

Council discussed sand fence installation, with some concern about making dunes too high rather than extending their width. Town Manager Ogburn confirmed the focus would be on widening dunes rather than increasing their height.

Town Attorney

Town Attorney Philip Hornthal had no report.

General Public Comment

Donna Creef, Government Affairs Director for the Outer Banks Association of Realtors, informed Council about a rate increase request filed by the North Carolina Rate Bureau for dwelling policy coverage. For properties in Territory 110 (Outer Banks/Dare County), the requested increase is 40% for both 2026 and 2027. Ms. Creef noted that public comments are being accepted until November 19th and requested the town share this information on their website.

Leo Holland of 23 Spindrift Trail reminded everyone about the upcoming Veterans Day ceremony on November 11th at 11:00 AM, to be held at the Pitts Center. He noted that the main speaker is a colonel who completed four tours in Afghanistan. Mr. Holland also mentioned that a "missing man" or "missing person" table would be set up as part of the ceremony, with each item on the table having specific meaning.

Len Schmitz of 184 Wax Myrtle Trail spoke about the upcoming beach grass planting season. He mentioned that he has been in contact with suppliers who have plenty of grass available, and several groups including Boy Scouts, church groups, and Dominion Power have expressed interest in helping with planting. Mr. Schmitz clarified that regarding sand fence installation, the goal is to build dunes wider (approximately 100 feet) rather than taller, noting that some areas in Seacrest Village already have sufficient width while southern areas need more.

Old Business

No old business was discussed.

New Business

Award of Cemetery Irrigation Proposal & Budget Amendment #17

Town Manager Ogburn presented a proposal to install irrigation at the town cemetery. The town received two bids:

- Mo Grow and H2O, LLC: \$22,686.08
- Daniel's Irrigation: \$16,950.00

Mr. Ogburn explained that the irrigation system would use county water but would have the ability to switch to a well in the future if water costs become prohibitive. The system will be battery-operated since there is no power source at the cemetery. The request included an additional \$2,000 to cover costs of other improvements including plantings, mulching, and a new fence along the north end property line.

The installation would be trenched where possible and dug in other areas, with a goal of head-to-head coverage. The work is scheduled for January through March to be ready for the growing season.

Council Member Sherlock emphasized the importance of ensuring the irrigation system is unobtrusive and aesthetically pleasing, noting that the cemetery is looking good after recent improvements.

Motion to authorize the Town Manager to enter into a contract with the low bidder, Daniel's Irrigation, and to approve Budget Amendment #17 in the Cemetery Fund for \$19,000 made by Mayor Pro Tem Neal, seconded by Council Member Neilson. Motion carried unanimously.

Public Hearing- Consider TCA-25-01, a Town Code Amendment request submitted by the Town of Southern Shores to amend Town Code Section 1-14 to remove the requirements for reconsideration of disapproved development and amendment requests and Town Code Section 6-5 to clarify when building permits are required for retaining walls and to remove the requirement to obtain a building permit for fences.

Town Attorney Phillip Hornthal opened the public hearing.

Planning Director Haskett explained that the amendment has two parts:

- Removal of Section 1-14 regarding reconsideration of disapproved development and amendment requests. This section had been added in September 2025 (as ZTA-25-05), but staff had indicated they would request its removal if House Bill 926 became law, which occurred on October 6, 2025. The bill prohibits waiting periods for refile denied or withdrawn applications.
- Amendments to Section 6-5 regarding building permits:
- Clarifying that building permits are required for retaining walls only when they are 5-6 feet in height (the maximum allowed height is 6 feet)
- Removing the requirement to obtain building permits for fences, as state statutes do not allow requiring permits for fences since they are not load-bearing structures

Mr. Haskett noted that these changes would codify existing practices, as the building department has not been requiring permits for retaining walls 1-4 feet in height or for fences. The Planning Board unanimously (5-0) recommended approval of the amendments at their October 20, 2025 meeting.

When asked by Council Member Sherlock what this means for the average property owner, Mr. Haskett explained that there would be no practical change as the amendments simply align the code with current practice and state law.

No one from the public spoke on the matter, and Town Attorney Hornthal closed the public hearing.

Motion to approve TCA-25-01 made by Council Member Neilson, seconded by Council Member Sherlock. Motion carried unanimously.

Council Business

Mayor Pro Tem Neal reported that the Entry Corridor Committee will meet on November 12th at 9:00 AM to finalize their draft report to possibly present to Council next month. He also noted that he will attend the first Dare Housing Foundation meeting as a board member on November 13th.

Council Member Neilson reported that both of his scheduled meetings (Current TV and 250th anniversary of the Declaration of Independence committee) were canceled. He mentioned a discussion with the head of Current TV about possibly documenting the process of obtaining historic designation for the old lifesaving station at Hillcrest Beach.

Mayor Morey announced that the next meeting is scheduled for December 2, 2025, at 1:00 PM at the Pitts Center. She also complimented the public works staff for the new fence, mulch, and other improvements at the cemetery, noting she looks forward to future plantings and the installation of irrigation.

Adjourn

Motion to adjourn made by Mayor Morey, seconded by Council Member Sherlock.
Motion carried unanimously.

The meeting adjourned at 1:55 PM.

ATTEST:


Elizabeth Morey, Mayor



Respectfully submitted,


Sheila Kane, Town Clerk

**Town of Southern Shores
Budget Amendment Number # 15**

Increases

Decreases

[illegible]

Explanation: to recognize grant money from NCLM for new message board

Recommended By:

Approved By: Town Council

Cliff Ogburn, Town Manager

Elizabeth Morey, Mayor

Date _____

**Town of Southern Shores
Budget Amendment Number # 16**

[illegible]

Explanation: to recognize the sale of the Admin. Vehicle and the savings on purchase of new vehicle.

Money will be used for a Pay and Class Study and a workforce study.

Recommended By:

Approved By: Town Council

Cliff Ogburn, Town Manager

Elizabeth Morey, Mayor

Date _____

CONTRACT FOR FIRE PROTECTION SERVICES

STATE OF NORTH CAROLINA COUNTY OF DARE

This contract, made and entered into this the ____th day of ____ 2025, by and between the County of Dare hereinafter called the County, and the Town of Southern Shores hereinafter called the Town.

WITNESSETH

That for and in consideration of the mutual covenants hereinafter contained, and pursuant to authority granted by G.S. 153A-233, do hereby covenant and agree as follows:

1. The Town agrees to furnish and provide fire protection service to all property within the unincorporated Martins Point Tax District by dispatching upon all calls seeking a fire response within the Martins Point Tax District, appropriate fire response apparatus, adequate personnel to operate the same, and personnel to lead response operations in the same manner the Town responds to similar calls for service in its jurisdictional limits.
2. Fire taxes collected for the Martins Point Tax District will be disbursed to the Town on a monthly basis.
3. This contract may be terminated by either party at the end of any fiscal year by giving 180 days written notice of its intent to terminate to the other party by registered or certified mail.

EXECUTION

In witness where of the County of Dare has caused these presents to be pre-audited as required by the Local Government Budget and Fiscal Control Act and be signed in its name by its Chairman and attested by its Clerk, this the 4th day of AUGUST 2025

PREAUDIT:

ATTEST:

Sally Detasse 7/30/2025
Finance Officer

Shylar Foley
Clerk

[Signature]
Chairman, Dare County Board of Commissioners

In witness where of the Town of Southern Shores has caused these presents to be pre-audited as required by the Local Government Budget and Fiscal Control Act and to be signed in its name by its Mayor and attested by its Clerk, this the ____th day of ____ 2025

PREAUDIT:

ATTEST:

Finance Officer

Clerk

Mayor, Town of Southern Shores



AGENDA ITEM SUMMARY

Item #_6_

MEETING DATE: November 5, 2025

ITEM TITLE: Award of Cemetery Irrigation Proposal & Budget Amendment

ITEM SUMMARY:

In a continued efforts to make improvements to the town's cemetery, a Request for Proposals was advertised for irrigation. Two bids were received.

Mo Grow and H2O, LLC – \$22,686.08

Daniel's Irrigation - \$16,950.00

Staff is requesting approval of a budget amendment in the amount of \$19,000 to cover the expense of the irrigation project and additional fencing, mulch, grass seed and fertilizer

Staff Recommendation and Action:

A motion to authorize the town manager to enter into a contract with the low bidder, Daniels Irrigation and approval of a budget amendment in the Cemetery Fund for \$19,000

Town of Southern Shores
Budget Amendment Number # 17

[illegible]

Explanation: Cost to install irrigation, new fence, grass and mulch in cemetery

Recommended By:

Approved By: Town Council

Cliff Ogburn, Town Manager

Elizabeth Morey, Mayor

Date _____



AGENDA ITEM SUMMARY FORM

MEETING DATE: November 5, 2025

ITEM TITLE: Public Hearing-TCA-25-01

ITEM SUMMARY:

At the May 6, 2025 Town Council meeting, Council directed Town Staff to draft Town Code amendments to modernize the Town Code. At the September 2, 2025 Town Council meeting, Council adopted ZTA-25-05, which established requirements for reconsideration of disapproved development and amendment requests. During the discussion of ZTA-25-05, Town Staff stated that if/when the proposed prohibition on waiting periods in H.B. 926 is passed by the legislature, Town Staff will draft amendments to remove the language in Section 1-14 if it is adopted by the Town Council. On October 6, 2025, H.B. 926 became law, which included an amendment to N.C.G.S 160D-601 which states: A development regulation or unified development ordinance may not include waiting periods prohibiting a landowner, developer, or applicant from refiling a denied or withdrawn application for a zoning map amendment, text amendment, development application, or request for development approval.

As a result, Town Staff is proposing to amend the Town Code by deleting Section 1-14 in order to be consistent with the amendment to N.C.G.S 160D-601 included in H.B. 926. Town Staff is also proposing to amend Town Code Section 6-5 to clarify when building permits are required for retaining walls and to remove the requirement to obtain a building permit for fences in order to be consistent with N.C.G.S. 160D-1110. The Town's current Comprehensive Land Use Plan contains the following Policy that is applicable to the proposed ZTA:

- LUC 3.1: Support development design and approvals that reinforce the low-density nature of the community and are at an appropriate scale for the commercial district.

STAFF RECOMMENDATION:

Town Staff has determined that the proposed amendments are consistent with the Town's currently adopted Comprehensive Land Use Plan and Town Staff recommends approval of the application. The Town Planning Board unanimously (5-0) recommended approval of the application at the October 20, 2025 Planning Board meeting.

REQUESTED ACTION:

Motion to approve ZTA-25-05.

STAFF REPORT

To: Southern Shores Town Council
Date: November 5, 2025
Case: TCA-25-01
Prepared By: Wes Haskett, Deputy Town Manager/Planning Director

GENERAL INFORMATION

Applicant: Town of Southern Shores
Requested Action: Amendment of Town Code by deleting Section 1-14 and amending Section 6-5.

ANALYSIS

At the May 6, 2025 Town Council meeting, Council directed Town Staff to draft Town Code amendments to modernize the Town Code. At the September 2, 2025 Town Council meeting, Council adopted ZTA-25-05, which established requirements for reconsideration of disapproved development and amendment requests. During the discussion of ZTA-25-05, Town Staff stated that if/when the proposed prohibition on waiting periods in H.B. 926 is passed by the legislature, Town Staff will draft amendments to remove the language in Section 1-14 if it is adopted by the Town Council. On October 6, 2025, H.B. 926 became law, which included an amendment to N.C.G.S 160D-601 which states: A development regulation or unified development ordinance may not include waiting periods prohibiting a landowner, developer, or applicant from refiling a denied or withdrawn application for a zoning map amendment, text amendment, development application, or request for development approval.

As a result, Town Staff is proposing to amend the Town Code by deleting Section 1-14 in order to be consistent with the amendment to N.C.G.S 160D-601 included in H.B. 926. Town Staff is also proposing to amend Town Code Section 6-5 to clarify when building permits are required for retaining walls and to remove the requirement to obtain a building permit for fences in order to be consistent with N.C.G.S. 160D-1110. The Town's current Comprehensive Land Use Plan contains the following Policy that is applicable to the proposed ZTA:

- LUC 3.1: Support development design and approvals that reinforce the low-density nature of the community and are at an appropriate scale for the commercial district.

RECOMMENDATION

Town Staff has determined that the proposed amendments are consistent with the Town's currently adopted Comprehensive Land Use Plan and Town Staff recommends approval of the application. The Town Planning Board unanimously (5-0) recommended approval of the application at the October 20, 2025 Planning Board meeting.



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PLANNING BOARD GENERAL APPLICATION FORM TOWN OF SOUTHERN SHORES, NC 27949

Date: 10 / 7 / 2025 Filing Fee: N/A Receipt No.: N/A Application No.: TCA-25-01

NOTE: The Planning Board will follow the specific provisions of the Zoning Ordinance Chapter 36, Article X Administration and Enforcement, Section 36-299.

Please check the applicable Chapter/Article:

- ☐ Chapter 30. Subdivisions-Town Code
- ☐ Chapter 36. Article VII. Schedule of District Regulations. Section 36-207 C-General Commercial District
- ☐ Chapter 36. Article IX. Planned Unit Development (PUD)
- ☐ Chapter 36. Article X. Administration and Enforcement, Section 36-299 (b) Application for Building Permits and Site Plan Review other than one and two family dwelling units *
- ☐ Chapter 36. Article X. Section 36-300-Application for Permit for Conditional Use
- ☐ Chapter 36. Article X. Section 36-303 Fees
- ☐ Chapter 36. Article X. Section 36-304-Vested Rights
- ☒ Chapter 36. Article XIV. Changes and Amendments
- ☒ Other Chapter-Town Code

Certification and Standing: As applicant of standing for project to be reviewed I certify that the information on this application is complete and accurate.

Applicant

Name Town of Southern Shores

Address: 5375 N. Virginia Dare Trl.
Southern Shores, NC 27949

Phone (252) 261-2394 Email whaskett@southernshores-nc.gov

Applicant's Representative (if any)

Name _____

Agent, Contractor, Other (Circle one)

Address _____

Phone _____ Email _____

Property Involved: ☐ Southern Shores ☐ Martin's Point (Commercial only)

Address: _____ Zoning district _____

Section _____ Block _____ Lot _____ Lot size (sq.ft.) _____

Request: ☐ Site Plan Review ☐ Final Site Plan Review ☐ Conditional Use ☐ Permitted Use
☐ PUD (Planned Unit Development) ☐ Subdivision Ordinance ☐ Vested Right ☐ Variance

Change To: ☐ Zoning Map ☐ Zoning Ordinance ☐ Other Ordinance

Whaskett
Signature

10-7-2025
Date

* Attach supporting documentation.



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TCA-25-01
 10-20-2025
 Ordinance 2025-XX-XX

AN ORDINANCE AMENDING THE CODE OF ORDINANCES
 OF THE TOWN OF SOUTHERN SHORES, NORTH CAROLINA

ARTICLE I. Purpose(s) and Authority.

WHEREAS, pursuant to N.C.G.S. Chap. 160A, the Town has duly codified the Town's Code of Ordinances (the "Town Code"); and

WHEREAS, the Town's currently adopted Comprehensive Land Use Plan contains the following Policy that is applicable to the proposed amendments,

LUC 3.1: Support development design and approvals that reinforce the low-density nature of the community and are at an appropriate scale for the commercial district.

WHEREAS, the Town further finds that in accordance with the findings above it is in the interest of and not contrary to the public's health, safety, and general welfare for the Town to amend the Town Code as stated below.

ARTICLE II. Construction.

For purposes of this ordinance amendment, underlined words (underline) shall be considered as additions to existing Town Code language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. Any portions of the adopted Town Code which are not repeated herein but are instead replaced by an ellipses ("...") shall remain as they currently exist within the Town Code.

ARTICLE III. Amendment of Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Southern Shores, North Carolina, that the Town Code shall be amended as follows:

PART I. That **Sec. 1-14. Reconsideration of action on development and amendment requests.** Be deleted as follows:

~~Sec. 1-14. Reconsideration of action on development and amendment requests.~~

~~(a) If an application for an administrative development approval, zoning map amendment, regulation amendment, or any other legislative development request is denied by the decision-making authority, on any basis other than the failure of the applicant to submit a complete application, no same application proposing the same or similar development on all or part of the same land or the same or similar text amendment shall be submitted within one (1) year after the date of denial unless the decision-making authority waives this time limit as follows:~~

~~(1) The owner of land subject to this subsection, or the owner's authorized agent, may submit a written request for waiver of the time limit, along with a fee to defray the cost of processing the request, to the zoning administrator, who shall transmit the request to the decision-making authority.~~

~~(2) The decision-making authority may grant a waiver of the time limit only on a finding by two-thirds of its membership that the owner or agent has demonstrated that:~~

~~a. There is a substantial change in circumstances relevant to the issues or facts considered during review of the prior application that might reasonably affect the decision-making authority's application of the relevant review standards to the development proposed in the new application; or~~

~~b. New or additional information is available that was not available at the time of review of the prior application and that might reasonably affect the decision-making authority's application of the relevant review standards to the development proposed in the new application. A request to be heard on this basis must be filed with the zoning administrator within 30 days from receipt of the written notice of the decision. However, such a request does not extend the 30-day period within which an appeal must be taken; or~~

~~c. The new application proposed to be submitted is materially different from the prior application; or~~

~~d. The final decision on the prior application was based on a material mistake of fact.~~

~~(b) If an application for a quasi-judicial development decision is denied, on any basis other than the failure of the applicant to submit a complete application, no application proposing the same or similar development on all, or part of the same land shall be~~

reconsidered unless the applicant submits a new application that clearly demonstrates the following:

(1) There is a substantial change in circumstances relevant to the issues or facts considered during review of the prior application that might reasonably affect the decision-making authority's application of the relevant review standards to the development proposed in the new application; or

(2) New or additional information is available that was not available at the time of review of the prior application and that might reasonably affect the decision-making authority's application of the relevant review standards to the development proposed in the new application; or

(3) The new application proposed to be submitted is materially different from the prior application; and

(4) The decision-making authority determines the new application is authorized in accordance with this subsection.

(c) The zoning administrator or decision-making authority may, however, at any time consider a new application affecting the same property as an application previously denied. A new application is one that differs in some substantial way from the one previously considered.

PART II. That Sec. 6-5. Building permit. Be amended as follows:

Sec. 6-5. Building permit.

Except where exempted by law, any person proposing to erect, construct, or build any building or structure, including retaining walls from five feet to a maximum of six feet in height and fences, or proposing to make structural additions, repairs or alterations to existing structures, or proposing to make changes in the case of existing structures, shall make application for a building permit to the building inspection department. The application shall be on a form provided by the department and contain such information, as required thereon, as will enable the department to properly pass upon the application including, but not limited to, the square footage of the proposed structure, including all porches, decks, garages, stairways and the like, and the estimated cost of construction. The application shall be accompanied by the following information and documentation:

(1) Proof of a water tap and a valid septic tank or other sewage treatment permit issued by the county department of health, where applicable.

- (2) Two or more sets of plans and specifications for the proposed work as may be required by the department, where applicable.
- (3) A surety bond in the amount of \$5,000.00 payable to the town, conditioned upon the completion of construction in accordance with the building code and all applicable statutes and ordinances, and the repair of any public facilities, including streets, water lines and utilities, which are damaged during the course of construction, where applicable.
- (4) A plat or survey of the lot by a state registered surveyor or design professional showing the proposed location of the structure and the elevation of the building site for flood purposes.

ARTICLE IV. Statement of Consistency with Comprehensive Plan and Reasonableness.

The Town's adoption of this ordinance amendment is consistent with the Town's adopted comprehensive zoning ordinance, comprehensive land use plan and any other officially adopted plan that is applicable; for all the above-stated reasons, including but not limited to it encourages the use of low impact development techniques and sound environmental preservation practice, encourages lot preparation methods that preserve natural vegetation and minimize clear cutting and furthers the founder's original vision for Southern Shores of a low-density residential community served by a small commercial district. The Town considers the adoption of this ordinance amendment to be reasonable and in the public interest.

ARTICLE V. Severability.

All Town ordinances or parts of ordinances in conflict with this ordinance amendment are hereby repealed. Should a court of competent jurisdiction declare this ordinance amendment or any part thereof to be invalid, such decision shall not affect the remaining provisions of this ordinance amendment nor the Zoning Ordinance or Town Code of the Town of Southern Shores, North Carolina which shall remain in full force and effect.

ARTICLE VI. Effective Date.

This ordinance amendment shall be in full force and effect from and after the ____ day of _____, 2025.

Elizabeth Morey, Mayor

ATTEST:

Town Clerk

1 APPROVED AS TO FORM:

2
3 _____
4 Town Attorney

5
6 Date adopted:

7
8 _____
9 Motion to adopt by Councilmember:

10 _____
11 Motion seconded by Councilmember:

12
13 Vote: ___AYES___NAYS