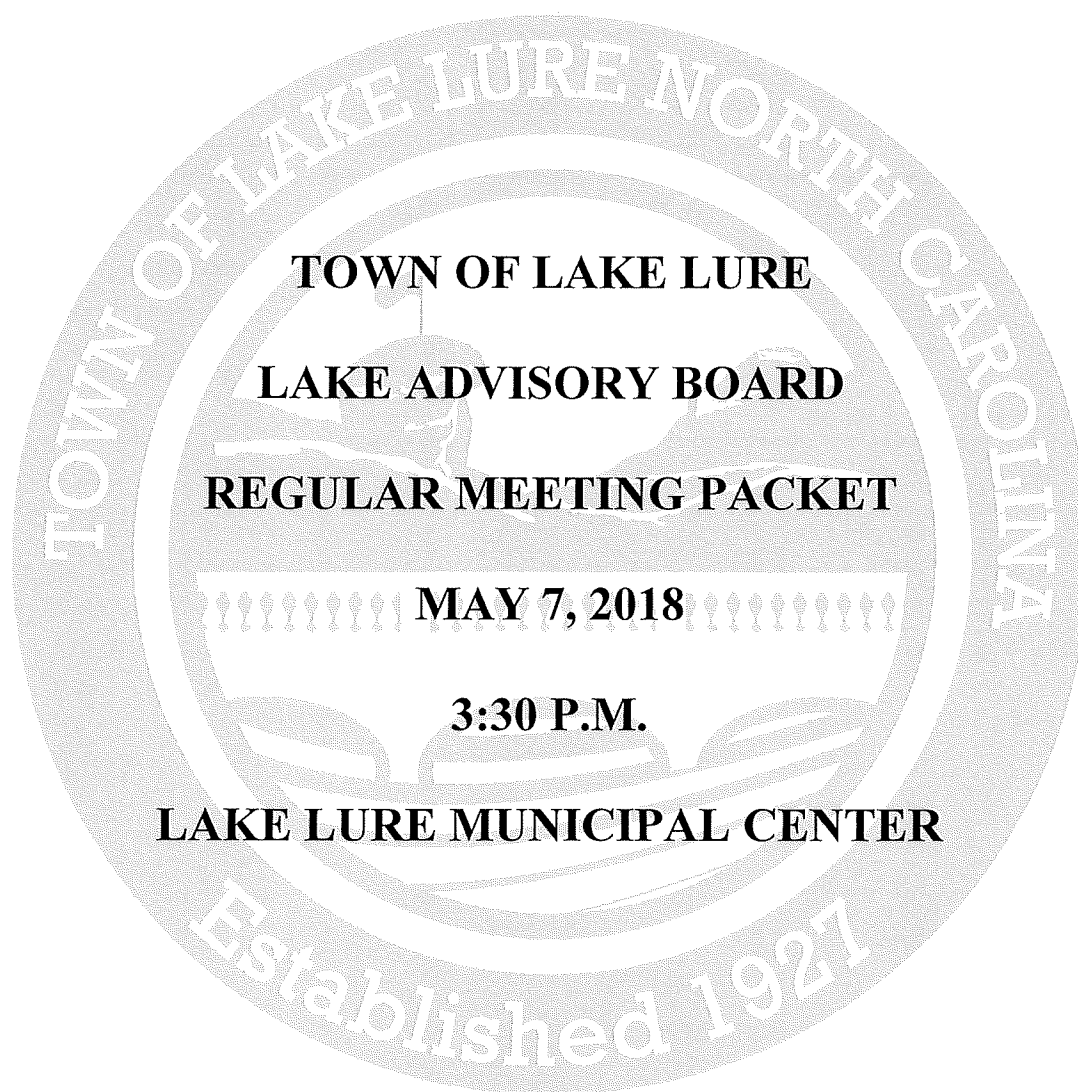






Regular Meeting of the Lake Advisory Board
3:30 PM – Monday, May 7, 2018
Lure Lake Municipal Center

Agenda

- 1) Review Agenda
- 2) Review and Consider Approval of the April 9, 2018 Minutes
- 3) Report from Lake Operations Department
- 4) Report from Council Liaison
- 5) Special Topics
 - Priority Policy for Boat Slip Rentals
 - Rumbling Bald Resort Letter of Request
 - Consider Approval of a Commercial Boat License for Jim and Katie Robinson
 - Consider approval of a Commercial Boat License for Alexander Hunter, (Out of Town Business)
 - Request from Lake Lure Tours regarding “No Fishing signs” on the rental slip docks.
 - Proposed Amendments to the Lake Use Regulations
 - Commercial Boater Safety Class
- 6) Board Member Areas of Responsibility Reports:
 - Fishery & Ecosystem – Gary Hasenfus
 - Lake Structures – Gary Johnson
 - Emergency Preparedness & Response – Dan Breneman
 - Dredging & Watershed Stabilization –
 - Water Quality – Bill Ashman
 - Regulations & Law Enforcement – Sonya Ledford
- 7) Public Forum
- 8) Adjournment

Town of Lake Lure - Lake Advisory Board

- Minutes of the Special Meeting -



The Lake Advisory Board held a special meeting at the Lake Lure Municipal Center on Monday, the 9th day of April, 2018 at 3:30 p.m.

Attendees:

Mark Helms (Chairman)
Dan Breneman
Gary Hasenfus
Gary Johnson (via phone)
Michael Yelton
John Kilby (Council Liaison)
Dean Givens, Director of Lake Operations
Clint Calhoun, Environmental Management Officer

Non-Attending Members: Bill Ashman

Call to Order and Agenda Review:

Chairman Mark Helms called the meeting to order at 3:40 p.m. The Board unanimously agreed to approve the Agenda.

Approval of the Minutes:

Mr. Gary Hasenfus made a motion to approve the March 9, 2018 regular meeting Minutes as presented. Mr. Dan Breneman seconded and the motion carried unanimously.

Individual Meeting Reports and Actions:

Lake Operations Department – The Lake Operations Department's report was sent out by Lake Operations Director Dean Givens prior to the meeting and was presented to the Board. Mr. Givens presented a buoy request for Mr. Charles O'Cain at 213 Lakeview Road. He provided a Google image of the lake and the property at 213 Lakeview Road to the Board. Mr. Givens explained that the proposed location did not meet the guidelines of buoy placement. The Lake Advisory Board under the authority of "Lake Structure Ordinance 94.09 Markers" agreed to deny the request.

Mr. Gary Johnson made the motion to accept and uphold the recommendation of Lake Operation Director Dean Givens to deny the buoy request for 213 Lakeview Road. Mr. Dan Breneman seconded the motion and the vote carried unanimously.

Town of Lake Lure - Lake Advisory Board

- Minutes of the Special Meeting -

Special Topics:

Commercial Boating Model;

Lake Operations Director Dean Givens presented two Power Point presentations along with the boat permit sales history from 1996 – 2017, intended to review the Board on the current “Commercial Boat Permitting Model” and how it came to be. Mr. Russ Pitts provided a general overview of the work and studies that were conducted and how the Model was incorporated into the Comprehensive Plan. After review and discussion, concerns were raised that the Model does not accurately count the hours that boats operate.

Marina Slip Priority;

When the Marina slips were built, the idea was that the profits from slip rentals would cover the building costs. As the slips have become full, a waiting list was created which consists of residents and non- residents. Currently, the slips are rented on a first-come, first-serve basis. During discussion, the Board agreed that residents/property owners should get first choice on a slip rental and asked to review this again at the May 7th meeting.

Continue Discussion of Lake Lowering Matrix;

The Board discussed the pros and cons of lowering the lake for seawall repair and asked to discuss further at the next meeting.

Board Member Areas of Responsibility Reports:

Board Member Areas of Responsibility Reports:

Fishery & Ecosystem – Mr. Hasenfus reported that the lake will be stocked with 20,000 threadfin shad this month. He also reported that he has negotiated with the current threadfin provider to conduct an ecological study on the lake while staying within the budget. The first study was conducted in 2007 and the last was in 2011. The studies will help to determine how quickly the fish in the lake are growing.

Public Forum

Mrs. Kathy Morgan, property owner on Snug Harbor Circle, questioned when buoys would be reset and requested that hers to be re-centered.

Adjournment:

Mr. Gary Hasenfus made a motion to adjourn the meeting at 5:22 p.m. Mr. Michael Yelton seconded and the motion carried unanimously.

Mark Helms, Chairman

Lake Operations Activities Report**April, 2018****Lake Enforcement & Patrol***

	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YEAR
Patrols	52	50	25	12	8	3	0	0	0	12			162
Patrol Hours	136	145	70	35	33	1	0	0	0	15			435
Warnings	22	26	15	0	0	0	0	0	0	6			69
Citations	2	5	0	0	0	0	0	0	0	0			7
Assistance to Boaters	28	27	14	2	4	0	0	0	0	2			77
Camera Violations	8	12	0	0	0	0	0	0	0	0			20
Camera Citations	0	1	0	0	0	0	0	0	0	0			1

*Lake Operations + Police Department

Lake Structures

	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YEAR
LS Permits Issued	2	0	2	0	1	2	2	2	5	2			18
LS certificate Issued	2	1	0	0	1	0	0	0	2	1			7
Shorline Stabilization permits	0	0	0	0	7	0	0	1	0	0			8
LS Complaints logged	0	0	0	0	2	0	0	0	0	0			2
LS Complaints investigated	0	0	0	0	2	0	1	0	0	0			3
Site Visits	5	1	0	0	0	1	7	6	2	5			27

Environmental Management

	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YEAR
Land disturbance Permits Issued	1	6	4	7	2	2	8	3	2	5			40
Soil Erosion Complaints Logged	0	0	0	0	0	0	0	0	0	1			1
Soil Erosion Complaints Investigated	1	1	1	1	1	0	0	0	0	1			6
Notices of Violation issued	1	0	0	0	0	0	0	0	0	0			1
Stop Work Orders Issued	0	0	0	0	0	0	0	0	0	1			1
Site Visits	14	13	15	19	13	5	6	5	8	17			115

Flood Plain

	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Year
Floodplain Development Permits Issued	1	1	2	0	8	2	2	5	5	2			28
Notices of Violations Issued	0	0	0	0	0	0	0	0	0	0			0
Stop Work Orders Issued	0	0	0	0	0	0	0	0	0	0			0
Site Visits	0	3	2	1	2	0	0	0	0	0			8

Tree Protection

	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Year
Tree Service Provider Licenses Issued	0	0	0	0	0	0	0	0	0	0			0
Tree-related Complaints Logged	0	0	0	0	1	0	0	0	0	0			1
Tree-related Complaints Investigated	0	0	0	0	1	0	0	0	0	0			1
Notices of Violations Issued	0	0	0	0	0	0	0	0	0	0			0
Stop Work Orders Issued	0	0	0	0	0	0	0	0	0	0			0
Site Visits	2	0	2	0	1	0	0	0	0	2			7

Water Quality 2017/18

Fecal Count (CFU per 100ml)

Date Collected

1. Pool Creek
2. Beach Swim
3. Beach Slide
4. Broad River
5. Tryon Bay
6. Dam
7. Sunset Cove
8. Hummingbird Cove
9. Havnors Cove
10. Rumbling Bald Beach
11. Broad River - WWTP
12. Broad River + WWTP
13. Edward's Cove
14. Pier Point
15. RBR Chimney Rock Park
16. Reedy Patch Creek
17. Hicory Creek
18. Fire Fly Cove
19. LLVR
20. Picnic Point
21. Deerwood/Thomas Dr.
22. Rockcrest Cove
23. Dam Marina
24. Grey Logs COVE

	July	AUG	SEP	APR	MAY	JUN						
	24th	28th	5th	28th								
1. Pool Creek	792	430	48									
2. Beach Swim	150	650	104									
3. Beach Slide	309	620	40									
4. Broad River	42	177										
5. Tryon Bay		250										
6. Dam		18										
7. Sunset Cove		8										
8. Hummingbird Cove		60										
9. Havnors Cove												
10. Rumbling Bald Beach	7	42										
11. Broad River - WWTP			23									
12. Broad River + WWTP			33									
13. Edward's Cove	5											
14. Pier Point	7											
15. RBR Chimney Rock Park												
16. Reedy Patch Creek												
17. Hicory Creek												
18. Fire Fly Cove												
19. LLVR	6											
20. Picnic Point												
21. Deerwood/Thomas Dr.	9											
22. Rockcrest Cove												
23. Dam Marina												
24. Grey Logs COVE	22											
	0-99 Good		99-199 Marginal			199+ Concern						

Lake Operations Monthly Activities:

- Working on Police in-service for 2018
- Working on boardwalk/marina project
- We had 3 bids submitted... We are evaluating the bids.
- Working with engineering for repairing the pond next to Lake Lure Landing.
- Working on a concession with Lodge on Lake Lure.
- Working on Lake Debris, Buoys and Christmas tree habitat.
- Working on Marina Boardwalk project.
- We gave a presentation on dredging at the Southeast NALMS Conference in Asheville. The three day multi-state conference was very informative and we made some excellent contacts with regards to dredging and mapping technologies. There are a lot of lake communities out there who are really watching Lake Lure to see how we do things because dredging has been an issue for us for so long.
- Clint gave a workshop for the Lake Lure Flowering Bridge.
- Aerators at the beach are back on. First batch of fecal samples for the year were taken. Results unavailable at the time of this report.
- Completed providing updates for ordinance amending the Soil Erosion and Sediment Control Regulations.
- Working on an enforcement case on a lot in the Blue Heron Point Subdivision.
- Completed a report detailing involvement with Spruce Hill Road.

- Set up an environmental education table at Chimney Rock State Park for their Earth Day celebration. Using our EnviroScape model, we demonstrated how watersheds work and how non-point source pollution on land can impact water quality in streams and lakes.

Dock A			Dock B			Total # of Marina slips	
Slip #	Slip #		Slip #		Slip #	LL Tours has per concession	84
A-1	LL Tour Rentals	A-2	B-1	Taft Bradley	No Slip	Total Res. Renting Slips	10
A-3	LL Tours	A-4	B-3	Rich Sayles	B-2	Total Non-Res. Renting Slips	51
A-5	LL Tours	A-6	B-5	Renee Allen	B-4	Non-Res. Renting Slips	23
A-7	LL Tour Rentals	A-8	B-7	Tom Hill	B-6	Res. Waiting list	29
A-9	LL Tour Rentals	A-10	B-9	Troy Hotchkiss	B-8	Non-Res. Waiting list	29
A-11	Steve Milito	A-12	B-11	Daryl Taylor	B-10	Res. Slip fee	\$1,100.00
A-13	Thomas Durban	A-14	B-13	Fenn Fountain	B-12	Non Res. Slip fee	\$1,500.00
A-15	Richard Knight	A-16	B-15	Patrick Keane	B-14	Res. Boat permit fee	\$200.00
A-17	Mike Zell	A-18	B-17	Allen Wheeler	B-16	Non-Res. Boat permit fee	\$550.00
A-19	David Skerry	A-20	B-19	Ben Holland	B-18	Res. Slip & Permit	\$1,700.00
A-21	Charles Dotson	A-22	B-21	Dale Curtis	B-20	Non-Res. Slip & Permit	\$2,050.00
A-23	Janell Robertson	A-24	B-23	Marie Waller	B-22	Black- Property Owners Red- Non-Property Owners	
A-25	James Conley	A-26	B-25	Jodie Kubisiak	B-24		
A-27	Brad Peters	A-28	B-27	William Engel	B-26	Black- Property Owners Red- Non-Property Owners	
A-29	Angela Orsky	A-30	B-29	Britton Garrett	B-28		
A-31	Guy Pepe	A-32	B-31	TW Kirkpatrick	B-30	Black- Property Owners Red- Non-Property Owners	
A-33	David Efird	A-34	B-33	Allen Tucker	B-32		
A-35	Lillie Nicely	A-36	B-35	Ed Lee	B-34	Black- Property Owners Red- Non-Property Owners	
A-37	Eric Kunath	A-38	B-37	Scott Crossley	B-36		
A-39	Barry Capps	A-40	B-39	Douglas Whitely	B-38	Black- Property Owners Red- Non-Property Owners	
A-41	Tony Armocida	A-42	B-41	Steve Gale	B-40		
					B-42		



February 26, 2018

Lake Advisory Board
Town of Lake Lure
P.O. Box 255
Lake Lure, North Carolina 28746

Re: Boat Club Concept

Dear Lake Advisory Board Members,

Rumbling Bald Resort is investigating the possibility of establishing a boat club within the Resort Community. We are seeking the Lake Advisory Board's thoughts and input regarding the possibility of the Resort instituting a Boat Club. The Resort is currently in the processes of gathering information to determine if this is an option for the lake and the community.

Initial discussions have provided the following thought process for a boat club. The club would be limited to Resort members only as a residential use. Some of the current 125 slips would be utilized for the boats, which would be owned and maintained by the Resort. The Resort would charge members within the Boat Club an annual fee established to offset the Resort expenses related to the Club (i.e. boat maintenance, insurance, registration, etc.). It is not the intent of the Resort that the Boat Club be a profit center for the organization but serve as a way to allow more Lake Lure residents use of the Lake.

It is our understanding, under the current regulations this arrangement would be considered a commercial use. In our assessment, the arrangement appears to more residential use than commercial. Is the Lake Advisory Board willing to consider and support other alternatives than the current regulations for an arrangement like the Boat Club? With the Town meeting the maximum number of commercial permits allowed, would the Lake Advisory Board consider recommending an increase for an arrangement like this, support a new classification, or making this a residential use?

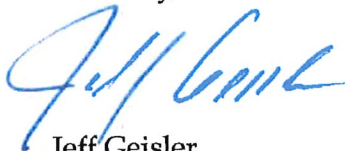
Rumbling Bald Resort envisions this opportunity containing multiple positive features for both the Resort and the Town of Lake Lure. One advantage is that the residents of Lake Lure, specifically those in Rumbling Bald, will have the priority in lake usage. From time to time owners are unable to use the lake by renting a Resort boat, because a guest has already reserved the boat. This opportunity will provide priority to Lake Lure residents.

In addition, it can reduce the number of boats on the lake, reducing lake traffic. From conversation with those within our community, many residents have expressed a desire to sell their boats and join the boat club, if it were to come to fruition. The boat club concept will help eliminate the number of boats on the lake by increasing the number of residents using one boat. This would also help with inexperienced boaters as well. Part of the Resort discussion has been that anyone involved with the boat club will be required to receive annual training, both from a boat operation and safety perspective.

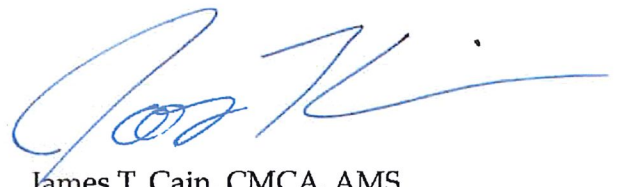
The most important of these is the increase of property values and real estate sales. The largest complaint we hear from potential buyers at the Resort is the difficulty getting onto the lake. Though they may only use the lake a handful of times each year, potential owners want the ability to do so at their leisure. When potential buyers hear of our waiting list of over 100 people to get a boat slip, an amenity like the lake becomes an illusion. Increased real estate sales contains numerous benefits for the area, such as increased construction, jobs, business activity, taxes, and the ability to fund projects like the dam, sewer, road improvements, etc.

On behalf of Rumbling Bald Resort, I thank you for your time, consideration, and input regarding this matter. Should you have any questions please do not hesitate to call me at (828) 694-3011 or email me at jcain@rumblingbald.com.

Sincerely,



Jeff Geisler
Managing Director



James T. Cain, CMCA, AMS
Managing Director

Lake Lure - Lake Impact Calculator

2018 Season

IMPORTANT Use Note: Only enter data into blue colored cells

The purpose of this Excel spreadsheet is to calculate the lake impact associated to each commercial application using information from EPA, Corps of Engineer, and 2001 Lake Use Study

Activity	Winter Season Acre/Hrs Limit	Winter Season Acre/Hrs Used	Winter Season Acre/Hrs Remain	Spr./Fall Season Acre/Hrs Limit	Spr./Fall Season Acre/Hrs Used	Spr./Fall Season Acre/Hrs Remain	Summer Season Acre/Hrs Limit	Summer Season Acre/Hrs Used	Summer Season Acre/Hrs Remain	Summer Acre- Hour Impact of Typical Boat (full-time)	Capacity Remaining (# of Boats) in Summer
Towed Water Activities	59,376	0	59,376	45,239	4,118	41,121	44,532	36,729	7,803	10,511	0.7
Tours	32,657	0	32,657	24,881	20,736	4,145	25,977	23,772	2,205	4,410	0.5
Livery 10 HP or Less	42,971	0	42,971	32,740	691	32,049	26,857	1,260	25,597	1,985	12.9
Livery Greater than 10 HP	160,316	0	160,316	119,883	88,284	31,599	147,204	146,892	311	4,631	0.1
Fishing Guide	8,594	1,008	7,586	9,822	3,840	5,982	10,743	7,560	3,183	2,940	1.1
Service	12,891	907	11,984	9,822	1,498	8,324	5,371	4,631	740	588	1.3
	0	0	0	0	0	0	0	0	0	706	0.0
Non Motorized	112,905	168	112,737	85,011	53,120	31,891	97,408	88,830	8,578	210	41
Totals	429,710	2,083	427,627	327,398	172,287	155,111	358,092	309,674	48,418		

Michelle Jolley

From: James Robinson <jim@brainexpert.com>
Sent: Sunday, April 29, 2018 2:52 PM
To: Dean Givens
Cc: Bob Cameron; Michelle Jolley
Subject: Commercial Boat License

Mr Givens,

My name is Jim Robinson. I am a neurosurgeon in Atlanta, and the owner of a lakefront home on the Lake at 339 Charlotte Drive. I had a commercial permit for my Bennington Pontoon last year for the first time. I am sorry for my lack of understanding, as I thought that once it was approved that I would just have to show proof of insurance and pay the fee in the following years. I did not receive any notice of renewal and did not think about it until I contacted Michelle Jolley to get my annual permits.

Would you be so kind as to help me through the process of applying and requesting consideration of my permit for this year?

Thank you very much,

Jim Robinson

Jim Robinson, MD, MBA
jim@brainexpert.com
(c) 404-550-1335



<http://brainexpert.com/>

<https://www.facebook.com/brainexpert/>

<https://www.linkedin.com/in/drjimrobinson>

Michelle Jolley

From: Linda Ward
Sent: Tuesday, May 1, 2018 3:28 PM
To: Mark Helms
Cc: Dean Givens
Subject: FW: Commercial permit/license
Attachments: image001.png; Lake Lure commercial license app.pdf

Mark,

This person, Hunter Alexander, is wanting to be on the agenda for the May meeting to see about getting his boat permitted commercially. I told him that the model was full and that it would need to go before the LAB before going to the LLMC.

His phone number and email address are included on the application if you have any questions.

He is a non-property owner. Please let me know when a decision is made as he would like to know as soon as possible.

Thanks,

Linda Ward

Customer Service Supervisor

2948 Memorial Hwy

Lake Lure, NC 28746

Office: 828-625-9983, Ext. 129

Web: townoflakelure.com

"Where Customer Service Rocks and Runs Deep!"



From: Hunter Alexander [mailto:hunteralexander@gmail.com]

Sent: Tuesday, May 1, 2018 3:08 PM

To: Linda Ward <cs@townoflakelure.com>

Subject: Re: Commercial permit/license

Good afternoon.

Message received.

Here's my application. (Attached PDF)

Please let me know if you have any questions or comments.

Sincerely,

Hunter Alexander

On Tue, May 1, 2018, 7:43 AM Linda Ward <cs@townoflakelure.com> wrote:

I actually called and left a message for you at 415-516-4078

Lake Lure Marine Commission - Lake Lure, North Carolina
Application for Lake Commercial License

By the Authority of the Lake Lure Marine Commission this Application was Reviewed and:
Approved: ☐ Denied: ☐

For LLMC
Use:

LLMC Signature:

Date:

Company Name:	HUNTER ALEXANDER - dba - BLUE RIDGE BOAT RENTAL		
Mailing Address:	561 N. MAIN ST. RUTHERFORDTON, NC. 28139		
Physical Address:	1865 GREEN ST. #4 SF, CA. 94123		
Contact Name/Title:	HUNTER ALEXANDER	Business Type (circle one):	
Phone:	(415) 516-4078 cell	☒ Sole Owner ☐ Partnership ☐ Corporation	
Email Address:	hunteralexander@gmail.com	Other (specify):	
Website:	N/A	Nature of Primary Business:	
Business Established (date & city/state):	9/29/2017 RUTHERFORDTON NORTH CAROLINA	BOAT RENTAL	

Company Insurance (not boat-specific)

Workmans Comp Carrier:

Umbrella Policy Carrier & #:

Umbrella Policy Limit:

N/A
N/A
N/A

Operator Information (not required for Boat Livery Rentals)

Name	Address	Date of Birth	Copy of Training Certificate Provided?
N/A			

Overnight Lodging Information (If Resort, Camp or House Rental)

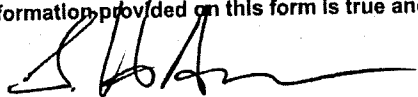
Property Address & Phone Number	Property Manager & Phone Number
N/A	

To retain the accuracy of all information provided, I will submit updated information in a timely manner (no later than two weeks (14 days) from the time of a change) and:

Maintain activity logs with hours on all motorized boats ☒ check	Keep livery rental forms on file for one year ☒ check	Agree to make logs and rental forms available to the LLMC ☒ check
--	---	---

I certify the information provided on this form is true and accurate to the best of my knowledge.

Signature:


HUNTER ALEXANDER

Date:

4/27/2018

Lake Lure Marine Commission - Lake Lure, North Carolina
Application for Lake Commercial License

Copy this page and complete for all motorized and non-motorized boats

Company Name: HUNTER ALEXANDER - dba-BLUE RIDGE BOAT RENTAL

Boat Information	
Boat Type (circle one):	<u>Pontoon</u> Pleasure Canoe Kayak Pedal Sailboat Rowboat Other (specify):
Boat Year:	<u>2001</u>
Boat Make:	<u>FOREST RIVER</u>
Boat Model:	<u>ODYSSEY 250S</u>
Length:	<u>25'</u>
Motor Year:	<u>2001</u>
Motor HP:	<u>90 HP</u>
Motor Make:	<u>MERCURY</u>
Mooring Location:	<u>DAM MARINA - 191 BUFFALO SHOALS RD. LAKE LURE, NC 2</u>
Boat Owner:	<u>HUNTER ALEXANDER</u>
State Registration #:	<u>TITLE # 354793</u> <u>NC-B211 CV</u>
	Reg. Expiration Date: <u>04/30/2019</u>
Liability Insurance Carrier:	<u>FIRST FLIGHT INSURANCE GROUP, INC.</u>
Liability Insurance Policy #	<u>CSRY P/167630</u>
Liability Insurance Limit (per incident)	<u>\$ 1,000,000.00 - \$1 Million -</u>

Complete this section for motorized boats only:

Boat Usage:			
	Summer	Spring/Fall	Winter
# of Days per Week (average)	<u>3</u>	<u>2</u>	<u>0</u>

Commercial Classification
(check one)

- ☒ 1 - Rental Livery
- ☐ 2 - Resort
- ☐ 3 - Camp
- ☐ 4 - Ski School
- ☐ 5 - Tours
- ☐ 6 - Fishing Guide
- ☐ 7 - Service
- ☐ 8 - Real Estate

Primary Activity
(check one)

- ☐ 1 - Rental Over 10ft
- ☒ 2 - Rental Under 10ft
- ☐ 3 - Tours
- ☐ 4 - Towed Water A
- ☐ 5 - Fishing
- ☐ 6 - Real Estate
- ☐ 7 - Service

Lake Lure Marine Commission



Lake Use Regulations

Amended March ~~13~~, 2018

LAKE USE REGULATIONS

- (J) 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 annual water vessel permit may be obtained from the Town. **Amended 4-11-06, 6-13-17**
- (K) 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 insure 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 the boats will be removed from the model and be subject for other businesses** **Amended 3-13-18**
- (L) 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 town from 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 § 5.01 **Amended 11-9-04, 4-28-05, 6-13-17**

§ 4.02 PROHIBITED WATER VESSELS.

- (A) No pontoon boat, canoe, kayak, rowing shell, row boat or any motorized craft with less than 10 horsepower longer than 28 feet in length, nor any other boat type (including but not limited to runabouts, ski boats, deck boats, sail boats and canoes) longer than 21 feet registered length, will be permitted on Lake Lure. Rowing shells and dragon boats greater than 28 feet in length must be approved by the Town Manager. The Town of Lake Lure Lake Operations Department reserves the right to measure boats if staff finds it necessary. Boats will not be measured if the length listed on the boat's state registration exceeds the allowed length. **Amended 4-12-05, 12-13-16, 6-13-17**
- (B) No boat, other than pontoon boats, exceeding 4000 pounds dry weight, per manufacturer's specs, will be permitted on Lake Lure. **Adopted 1-12-16**

LAKE USE REGULATIONS

deposited, or discharged on the waters of Lake Lure, any litter, raw sewage, bottles, cans, papers, or other liquid or solid 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 § 5.01 **Amended 6-13-17**

§ 4.05 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).
- (B) No person shall engage in water sports in any cove of less than 300 feet in width or in any cove marked by “no wake” buoys. (Res. Passed 3-9-04) Penalty, see §5.01

§ 4.06 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**

§ 4.07 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) All commercial operators shall successfully complete a Marine Commission approved boating safety class annually.
- (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 must have minimum liability coverage of \$1,000,000.00. Commercial classifications 7 & 8 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**

LAKE USE REGULATIONS

- (D) No single business owner or commercial operation may have more than seven permits for motorized boats over 10 HP, unless they have a concession agreement with the Town specifically stating a different number.
- (E) No single business owner or commercial operation may have more than seven permits for motorized boats 10 HP or less, unless they have a concession agreement with the Town specifically stating a different number.
- (F) 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**
- (G) 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**
- (H) Commercial craft with more than 100 horsepower shall have boat-to-shore communications capability.
- (I) Commercial operators shall report to law enforcement any violation of State or local regulations as well as any observed accidents.
- (J) Commercial operators must render assistance to any disabled vessel(s). (Res. Passed 4-12-05) Penalty, see § 5.01
- (K) 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**
- (L) 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**
- (M) 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)
- (N) 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”. **Adopted 6-13-17**



LAKE OPERATIONS OFFICE

Director Dean Givens

Title:

Lake Lure Commercial Boaters Safety Class

Lesson Purpose:

To provide the commercial operator with the knowledge, skills and materials to complete the Lake Lure Marine Commission mandated commercial boaters safety class.

Training Objective:

Attending this class, the participant will be able to achieve the following objectives in accordance with the information presented during the instructional period:

1. State/local Laws

- State Regulations
- Lake Lure Regulations

2. Lake Use Regulations

- Commercial Operations

3. Professionalism

- Representing your company
- Courtesy
- Manner of operation

4. Safety

- Operation
- Equipment
- Reporting
- Inclement Weather

5. Privacy

- Respecting residents privacy

6. Communications

- With your office
- Lake Lure Police/Fire
- Lake Operations