

MINUTES
BEECH MOUNTAIN TOWN COUNCIL
Regular Meeting – July 11, 2017

I. CALL TO ORDER – Mayor E. ‘Rick’ Miller called the regular meeting of the Beech Mountain Town Council to order at 4:01 p.m., Tuesday, July 11, 2017 in the Town Hall Council Chambers located at 403 Beech Mountain Parkway Beech Mountain North Carolina 28604. Other Council Members present were Paul Piquet, Rick Owen, Wendel Sauer, and Renee Castiglione. A quorum was present. Town Attorney Stacy C. Eggers, IV was present. Staff members present included Town Manager Tim Holloman, Town Clerk Jennifer Broderick, Finance Officer Steve Smith, Public Utilities Director Robert Heaton, Public Works Director Riley Hatch, and Fire Chief Bob Pudney.

II. Invocation – Dewey ‘Cyclone’ Brett presented the invocation.

III. Pledge of Allegiance – All present joined in the Pledge of Allegiance to the flag.

IV. Adoption of Agenda – Mayor Miller entertained a motion. Councilwoman Castiglione motioned to approve agenda as presented. Councilman Sauer seconded the motion, the vote carried unanimously.

V. Consent Agenda – Mayor Miller opened the floor for Council to take action on the consent agenda. Vice Mayor Piquet motioned to approve the consent agenda. Councilwoman Castiglione seconded the motion, the vote passed unanimously. The consent agenda was approved as follows with consent agenda item ‘e’ attached as Exhibit A and consent agenda item ‘f’ through attached as Exhibit B. Exhibits A thru B are incorporated by reference as if fully set out within these minutes.

- a. May 23, 2017 – Budget Meeting
- b. May 30, 2017 – Budget Meeting
- c. June 13, 2017 – Regular Meeting
- d. June 13, 2017 – Closed Session
- e. 2016-2017 Fiscal Year Budget Line Item Adjustments – Part II
- f. Budget Amendment #8–2017

VI. Public Comment – Brian Barnes, COO of the Beech Mountain Club, addressed Council concerning their consideration of authorizing Senate Bill 155 recently passed by the General Assembly. The bill permitted the sale of alcohol at 10:00 a.m. on Sunday mornings. Mr. Barnes stated that the Town

of Banner Elk approved this authorization at their Council meeting last night.

VII. New Business

- a. Water Plant Replacement Project Update** – Dale Schepers, Construction Administrator for West Consultants, provided a contract summary update for the Water Plant Replacement Project. Mr. Schepers stated that as of July 11, 2017 the Town is 660 days into the 560 contract days, representing 118% of work completion. Mr. Schepers reported to Council that the substantial completion date is lined up for the middle of August with final completion pushed out to the end of September. The various stages of completion were reviewed. Mr. Schepers stated that the metal building is dried-in and that work is continuing on the trim, gutter, snow guards, etc. Continuing with plumbing and mechanical work, chemical feed systems, analytical devices and chemical feed equipment. Councilman Sauer questioned the next meeting date. Mr. Schepers stated that the report should read Thursday, July 13, 2017 for the next meeting date. Mayor Miller asked about the testing that began June 12, 2017. Mr. Schepers stated that there is a lot of testing and that this date represents when testing began. Mr. Schepers informed Council that this was his last meeting and that West Consultants Engineer David Poore would be taking over. Mr. Schepers reported that Mr. Poore was scheduled to be on site at least two days a week with someone else filling in as needed.
- b. Spruce Hollow to Beech Mountain Parkway Project** – Public Utilities Director Robert Heaton stated that the Town's Water Plant is holding together for now and that the substantial completion date for the new Water Plant is drawing near. Mr. Heaton stated that M&M Construction of Banner Elk, Inc. has finished Village Road. The Town is now moving more water across the mountain than the Town was capable of in the past. Mr. Heaton stated that the improvement of water flow would assist the Fire Department. Right now the project is doing what it was expected to accomplish. Mr. Heaton informed Council that the next area that would be worked on was Charter Hills. Councilwoman Castiglione clarified that the project would be finished by November and was still ahead of schedule. Mr. Heaton responded affirmatively. Councilman Sauer stated that the patching and binding of the roads would occur this week and questioned the timeframe for paving. Public Works Director Riley Hatch stated that the paving schedule cannot be set until the roads have been prepared. Mayor Miller stated that he would like the holes to be filled in before the weekend for the additional traffic.

- c. ***Well Site I Update*** – Public Utilities Director Robert Heaton stated Mountain Electric is going to start putting the meters in. Manager Holloman stated that staff has spoken with Teresa Buckwalter with Destination by Design last week about the proposed building design for the well house. Manager Holloman informed Council that the lot has been cleaned up minus the rebar. Manager Holloman stated that once the rebar is pulled out the chain link fence will be removed to open the space up and make it more attractive.
- d. ***Ordinance to Amend the Town of Beech Mountain Billing Procedures in Chapter 51 ‘Water and Sewer Use’ in the Town’s Code of Ordinances to Authorize the Town Manger to Handle Utility Reductions*** – Manager Holloman stated that the proposed amendment before Council would further streamline customer service in the Water and Sewer Department by enabling staff to provide additional relief to utility account holders who had experienced excessive usage in their utility billing. The amendment provides parameters for staff to work within to determine whether the situation meets the Town’s standard for an “excusable defect”. The proposed ordinance authorizes the Town Manager, or their designee, to determine suitable payment arrangements with the owner and does not permit the use of this type of reduction more than once in the past 24 months. Vice Mayor Piquet motioned to approve Ordinance No. 2017-06: *‘Ordinance to Amend the Town of Beech Mountain Billing Procedures in Chapter 51 ‘Water and Sewer Use’ in the Town’s Code of Ordinances to Authorize the Town Manger to Handle Utility Reductions’*. Councilman Sauer seconded the motion, the vote carried unanimously. Ordinance No. 2017-06: *‘Ordinance to Amend the Town of Beech Mountain Billing Procedures in Chapter 51 ‘Water and Sewer Use’ in the Town’s Code of Ordinances to Authorize the Town Manger to Handle Utility Reductions’* is attached as Exhibit C and incorporated by reference as if fully set out within these minutes.

VIII. *Town Manager and Staff Reports*

Senate Bill 155: ‘An Act to Make Various Changes to the Alcoholic Beverage Control Commission Laws’ – Manager Holloman stated that the North Carolina General Assembly enacted Senate Bill 155 June 29, 2017. The bill permits businesses that are licensed to sell alcohol on Sunday’s beginning at 10:00 a.m. Manager Holloman distributed Ordinance No. 2017-07: *‘An Ordinance to Allow the Sale of Alcoholic Beverages before Noon on Sundays at Licensed Premises’* for Council’s consideration. Attorney Eggers stated that the 10:00 a.m. time matched the sell time for other days of the week. Attorney Eggers stated that the adopted legislation allows localities to

make a choice between onsite and offsite sales. Councilwoman Castiglione motioned to approve Ordinance No. 2017-07: *'An Ordinance to Allow the Sale of Alcoholic Beverages before Noon on Sundays at Licensed Premises'*. Vice Mayor Piquet seconded the motion, the vote carried unanimously. Ordinance No. 2017-07: *'An Ordinance to Allow the Sale of Alcoholic Beverages before Noon on Sundays at Licensed Premises'* is attached as Exhibit D and incorporated by reference as if fully set out within these minutes.

Original Beech Mountain Sign – Manager Holloman reported to Council that the original Beech Mountain sign has been refinished and is in the final design phase.

Town Hall Sign – Manager Holloman reported that the design for the new Town Hall signage is finalized and the work has been put out to bid. Bids are due back to the Town by July 31, 2017. It is anticipated that this project will be completed in early September.

Town Hall Parking Lot Paving / Striping – Manager Holloman informed Council that the paving and striping project on the Town Hall parking lot has been finished. Manager Holloman reported that directional one way signage would be added.

National Night Out on August 1, 2017 – Manager Holloman informed Council that the Police Department will be holding the Town's first National Night Out on August 1, 2017. The Parks and Recreation Department will be assisting with the event.

North Carolina League of Municipalities Annual Conference – Manager Holloman informed Council that the North Carolina League of Municipalities Annual Conference, "CityVision 2017!" is scheduled for September 20-23 2017 in Greenville, NC at the Greenville Convention Center. Staff is requesting that Council provide attendance and lodging information to Town Clerk Jennifer Broderick by Tuesday, July 18, 2017. Mayor Miller and Councilwoman Castiglione stated that they would attend.

S-14 Supplement – Manager Holloman informed Council that staff anticipated the codification process would be completed by American Legal within the next two week. The S-14 Supplement will bring Town Code current online through February 14, 2017. There was some lag in the process this go around. The Town will be proceeding with next biannual codification process post Council's regular meeting in August.

***Beech Mountain*EAR Newsletter** – Manager Holloman informed Council that an insert for a new social media page would be distributed in the near future.

Town Fuel – Manager Holloman stated that Public Works Director Riley Hatch has been working hard on the water and fuel issue. Staff is working towards eliminating all potential problems. The next step staff is proceeding with to remedy the issue is the use of above ground tanks.

Cool 5 – Manager Holloman stated that the Cool 5 run and walk had taken place. Councilwoman Castiglione reported that the Town's website stated there were 45 participants.

IX. Town Council Comments

Alan Brister – Councilwoman Castiglione recognized Alan Brister in the audience who recently had a 90th birthday.

Police Department – Councilwoman Castiglione commended the work of the Police Department, specifically thanking Police Officer Daniel Dellinger, in assisting with approximately \$1,000 of equipment that was taken from under a crawl space.

Buckeye Recreation Center – Councilwoman Castiglione stated that she continues to receive great feedback from visitors in the community about Buckeye Recreation Center staff and programs.

Committee Terms – Councilman Sauer stated that he attends a lot of the Town's committee meetings and that through the course of going to these meetings he has seen a lot of things. Councilman Sauer suggested that Council consider a way to encourage new people to join these committees. Councilman Sauer stated that one way to encourage committee turnover was to set term limits. Councilman Sauer suggested that term limits could be arranged so that only the most veteran member of the committee would meet the term limit. Councilman Sauer also suggested Council think about rotating the committee Chair's.

Historical Society – Manager Holloman stated that the Historical Society sent a thank you note to the Town for the Town's financial support. Manager Holloman informed Council that the 2018 Beech Mountain Calendar had been completed by the Historical Society and was now available.

Mayor Miller stated that Council would take a short break at 4:33 p.m.

X. Closed Session – Pursuant to NC GS §143-318.11(a)(3) Attorney Client Matters – At 4:42 p.m., Vice Mayor Piquet moved to enter closed session pursuant to N.C. Gen. Stat. §143-318.11 (a)(3) for the purpose of discussing attorney-client matters, including *Town of Beech Mountain v. Genesis Wildlife Sanctuary, Inc.*, and *Town of Beech Mountain v. Milligan, Beech Mountain v. Beech Mountain Vacations*, and *Beech Mountain v. Cooper*. The motion was seconded by Councilman Sauer and passed unanimously. Upon motion by Councilman Sauer, seconded by Councilwoman Castiglione, the Council voted unanimously to exit closed session at 5:24 p.m.

XI. Other Business – There was discussion about the potential sale of the blue building on Beech Mountain Parkway.

XII. Adjourn – At 5:25 p.m., Vice Mayor Piquet moved to adjourn, which was seconded by Councilman Sauer. The motion passed unanimously.

Minutes approved by Town Council on August 8, 2017.

E. 'Rick' Miller, Mayor

ATTEST:

Jennifer L. Broderick, MMC
Town Clerk

**ATTACHMENT TO MINUTES
BEECH MOUNTAIN TOWN COUNCIL
Regular Meeting – July 11, 2017**

EXHIBIT A – 2016-2017 Fiscal Year Budget Line Item Adjustments – Part II

EXHIBIT B – Budget Amendment #8–2017

EXHIBIT C – Ordinance No. 2017-06: *‘Ordinance to Amend the Town of Beech Mountain Billing Procedures in Chapter 51 ‘Water and Sewer Use’ in the Town’s Code of Ordinances to Authorize the Town Manger to Handle Utility Reductions’*

EXHIBIT C – Ordinance No. 2017-07: *‘Ordinance to Amend the Town of Beech Mountain Billing Procedures in Chapter 51 ‘Water and Sewer Use’ in the Town’s Code of Ordinances to Authorize the Town Manger to Handle Utility Reductions’*

Town of Beech Mountain
Budget line item adjustment
July 11th, 2017
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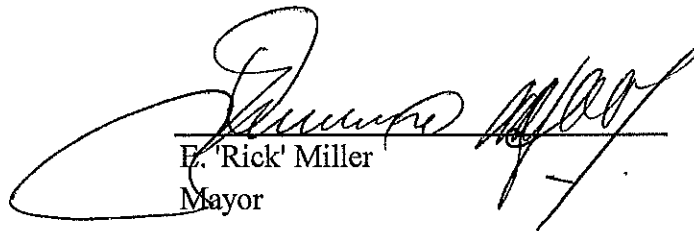
Account Description	Account Number	Increase	Decrease	Original Budget	Previous Adjust	New Budget
General Fund						
10-410-1602	Landscaping	200		9,500	10,237	19,937
10-410-4201	Contract Services	1,500		88,250	5,630	95,380
10-410-5701	Bank Service Chg		1,700	12,099		10,399
10-515-0902	Employee Ins	150		13,745	7,000	20,895
10-515-1600	Repairs & Maint.	1,500		20,000	(5,952)	15,548
10-515-5300	Dues & Subscriptions		1,650	4,200		2,550
10-540-5300	Dues & Subscriptions	100			145	245
10-540-6200	Vehicle Maintenance	300		200		500
10-540-4200	Contract Service		400	2,500		2,100
10-541-0200	Salaries	500		57,591		58,091
10-541-0902	Employee Insurance		300			
10-541-4203	Summer Intern	500			300	500
10-541-4202	Summer Intern		300			-
10-541-6200	Vehicle Maintenance		400	800		400
10-560-1600	Repairs & Maint.	2,100		18,000		20,100
10-560-3600	Uniforms	500		4,800		5,300
10-560-4200	Contract Services	500		500		1,000
10-560-3300	Supplies & Materials		3,100	80,000		76,900
		7,850	7,850			
Utility Fund						
30-720-1100	Telephone	500		1,000		1,500
30-720-4210	Professional Services		500	75,000		74,500
30-812-0200	Salaries	15,000		172,639		187,639
30-812-0900	FICA	150		13,207		13,357
30-812-1000	State Retirement	500		12,516		13,016
30-812-1001	401k	500		8,632		9,132
30-812-1100	Telephone	750		7,200		7,950
30-812-1600	Pump & Value Maint	4,000		29,000		33,000
30-812-3300	Supplies & Materials		7,500	80,000		72,500
30-812-1300	Electricity		5,000	178,500		173,500
30-812-0902	Employee Insurance		8,400	58,503		50,103
30-822-4500	Enviromental Testing	1,000		16,000	2,500	19,500
30-822-6101	Gas & Fuel		1,000	3,900		2,900
30-822-7400	Capital Outlay	9,200		-	219,000	228,200
30-822-1300	Electricity		9,200	59,000		49,800
30-852-1001	401k	150		3,875		4,025
30-852-3300	Supplies & Materials		150	35,000		34,850
		31,750	31,750			
Sanitation Fund						
35-580-0902	Employee Insurance	3,000		50,950		53,950
35-580-0200	Salaries		3,000	165,328		162,328
35-580-5705	Comm Landfill Fees	100		16,000		16,100
35-580-4200			100	20,500		20,400
		3,100	3,100			

Town of Beech Mountain
Budget Amendment #8-2017
Tuesday, July 11, 2017
ss


Account	Description	Debit	Credit
30-399-0000	Appropriated Reserves		170,500.00
30-720-8401	Debt Service - Interest	81,000.00	
30-812-7400	Capital Outlay - Water	89,500.00	

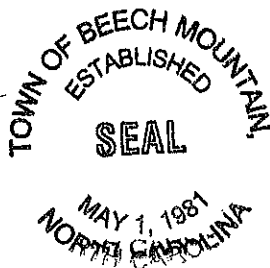
Increase needed to account for Spruce Holow Project and State mandates at sewer plant and partial payment on Revenue Bonds

Adopted this, the 11th day of July 2017.


E. 'Rick' Miller
Mayor

Attest:


Jennifer L. Broderick, MMC
Town Clerk



Ordinance No. 2017-06

TOWN OF BEECH MOUNTAIN

**ORDINANCE TO AMEND THE TOWN OF BEECH MOUNTAIN BILLING
PROCEDURES IN CHAPTER 51 'WATER AND SEWER USE' IN THE
TOWN'S CODE OF ORDINANCES TO AUTHORIZE THE TOWN MANGER
TO HANDLE UTILITY REDUCTIONS**

WHEREAS, The Town of Beech Mountain highly values quality Town services; and

WHEREAS, the Town Council desires to further streamline customer service in the Water and Sewer Department to enable staff to provide prompt, consistent, and courteous outcomes; and

WHEREAS, from time to time utility account holders experience excessive water and/or sewer usage in their regular billing cycle; and

WHEREAS, the Town Council desires to provide an opportunity for further utility bill reductions in situations that are considered by the Town to be "excusable defects"; and

WHEREAS, the Town Council has the authority to authorize the Town Manager or their designee to make suitable payment arrangements within the parameters permitted by the Town's Code of Ordinances.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF BEECH MOUNTAIN, NORTH CAROLINA, THAT:**

SECTION I. Section: §51.030 'Billing Procedures; Account Information' of the Code of Ordinances, Town of Beech Mountain, North Carolina, is hereby amended by the Town Council and codified as follows:

§ 51.030 BILLING PROCEDURES; ACCOUNT INFORMATION.

- (A) No water or sewer connections shall be made until such time that application has been made and all connection fees paid. In projects requiring other permits, no connections shall be made until such time that all required building, zoning, driveway and other permits required by the Town of Beech Mountain, county, state or federal agencies have been obtained.
- (B) The Town of Beech Mountain may reject any application for service not available under a standard rate, or which includes excessive service costs,

or which may affect the supply of service to other customers or may be detrimental to the waste treatment process due to the volume, character or content of the discharge.

- (C) The Town of Beech Mountain shall reject any applications for connection or applications for service when the applicant is delinquent in payment of bills incurred for service supplied at any location.
- (D) Customers requesting water and sewer services or transfer of these services shall pay utility service deposits in the amount required at that time. Upon discontinuance of the water and sewer services, and after the customer has paid his or her final bill for those services, the deposit will be returned to the depositor upon request. No interest will be paid on water and sewer deposits.

Current security deposit charges are: ¹

	Residential (Per Unit)	All Other
<i>Water Deposit</i>	\$50	\$75
<i>Sewer Deposit</i>	\$50	\$75

- (E) All service accounts shall be billed at least a minimum monthly charge as specified in the rate schedule adopted by the Town Council regardless of the account status, consumption, or occupancy of the structure. Charges shall commence effective with the installation of the meter.
- (F) Accounts for sprinkler systems only shall not be billed a minimum charge nor shall water utilized in the extinguishment of fire be billed to the customer if said sprinkler system is separated from all other plumbing fixtures and appurtenances and is metered separately from all other consumption or usage. Any water passing through sprinkler systems due to negligence, carelessness, frozen pipes or improper maintenance shall be billed in accordance with the rate schedule in effect at the time.
- (G) Bills are past due and delinquent the twentieth of each month. If the twentieth of the month falls on a weekend or holiday, the day of delinquency will move to the end of the next business day. Delinquent accounts will be charged a monthly administrative fee computed on the date of delinquency at a rate of 1.5% on the full balance of the account. Service may be discontinued by the town pursuant to §§ 51.130et seq. herein.
- (H) Disconnection of water service may take place on or after the date of the third billing cycle on all accounts that are two months in arrears, or upon

shorter notice to the account holder if deemed appropriate by the Town Manager. Service will not be reconnected until the customer pays a deposit equal to twice the basic deposit, delinquency fees, reconnection fees, and the balance due on the account. The master Schedule of Fees is established by Town Council and maintained in the Clerk's office.

(GI) In cases where the customer provides conclusive proof that a leak has occurred in his or her plumbing system that has caused demand to increase and has been fixed, the utility bill for the period of time when the leak occurred may be adjusted by reducing the sewer portion of the bill to reflect average sewage charges for the account, or the minimum sewage charge, whichever is greatest. In no such circumstances shall the sewage portion of the bill be reduced below the minimum monthly charge for the period.

(HJ) Any water account which is charged a large amount in any one billing period due to a leak is eligible for a 15% reduction in water charges, if the following conditions apply:

(a) the leak must be verified by the Town Manager or their designee Public Works Director;

(b) the total water charges for the billing period must exceed \$500; and

(c) the number of gallons recorded on the water meter for the billing period in question must be at least twice the average gallons consumed over the previous 12 months.

The town will not accrue interest charges on the balance due from the leak, if the customer has been approved to pay the charges over a period of months. Interest charges will begin to accrue on the entire balance past due if the customer is late in making payment on the approved schedule. This provision applies only to large balances resulting from private plumbing leaks in a single billing period, and does not apply to subsequent charges for water service after the leak has been repaired. Situations requiring that special arrangements be made for the payment of past due accounts may only be approved by the Town Manager. The Town Manager, or designee, is authorized to make further reductions in situations where the property owner has an "excusable defect". An "excusable defect" shall mean a rupture or leakage of the customer's underground water line(s) from the meter to the foundation and/or under the foundation as may be caused by freezing weather, settlement, corrosion, wear or accident. The term does not apply to defective or out-of-repair faucets (inside or outside), internal wall plumbing, sprinkler systems, sprinkler heads, sprinkler lines, sprinkler solenoids, swimming pools, auto-fill pool equipment, toilets, toilet flappers or any outdoor fixture/accessory such as an outdoor kitchen. A defect must have been repaired to be eligible for any reduction. Proof of repair may take the form of a letter from a licensed Plumbing contractor or

signed letter or affidavit from the home owner or the home owner's agent. The list of excusable defects are not exhaustive and the manager or his designee may use reasonable judgment on granting a release. A reduction can be made to water and sewer down to the average amount for the same month in the previous year or comparable period. A utility customer is only eligible for one such reduction in a 24 month period.

- ~~(I) Situations requiring that special arrangements be made for the payment of past due accounts may only be approved by the Town Manager.~~
- ~~(J) Bills are past due and delinquent the twentieth of each month. If the twentieth of the month falls on a weekend or holiday, the day of delinquency will move to the end of the next business day. Delinquent accounts will be charged a monthly administrative fee computed on the date of delinquency at a rate of 1.5% on the full balance of the account. Service may be discontinued by the town pursuant to §§ 51.130 et seq. herein.~~
- ~~(K) Disconnection of water service may take place on or after the date of the third billing cycle on all accounts that are two months in arrears, or upon shorter notice to the account holder if deemed appropriate by the Town Manager. Service will not be reconnected until the customer pays a deposit equal to twice the basic deposit, delinquency fees, reconnection fees, and the balance due on the account. The master Schedule of Fees is established by Town Council and maintained in the Clerk's office.~~
- ~~(L)~~ (K) Not less than three-days' notice must be given in person or in writing at the Town Utilities Office, to discontinue service for a change in occupancy. The outgoing party shall be responsible for all water consumed up to the time of departure or the time specified for departure, whichever period is longer.

(1989 Code, Title III, Ch. 30, § 2-6) (Ord. passed 7-10-1990; Ord. passed 9-8-1992; Ord. passed 8-10-1999; Ord. passed 8-14-2006; Ord. passed 2-10-2009; Ord. 2014-02, passed 1-14-2014)

Editor's note:

¹ Division (D), deposits required changed by amendment September 8, 1992.

² Second paragraph added by amendment August 10, 1999.

³ Division (K) amended by resolution August 14, 2006.

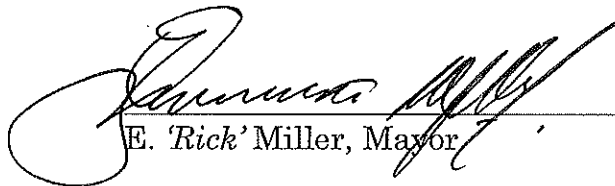
SECTION II. CODIFICATION. The provisions of Section I of this Ordinance shall be published as appropriate in the Town of Beech Mountain Code of Ordinances as soon as practicable.

SECTION III. SEVERABILITY CLAUSE. If any section, part or provision of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then it is expressly provided and it is the intention of the Town Council in passing this Ordinance that its parts shall be severable and all other parts of the Ordinance shall not be affected thereby and they shall remain in full force and effect.


SECTION IV. PUBLICATION AND EFFECTIVE DATE. This Ordinance shall take effect immediately upon its passage and publication according to law.

READ, CONSIDERED, PASSED AND APPROVED at a regular meeting of the Town Council of Beech Mountain, North Carolina, at which a quorum was present and which was held on the 11th day of July 11, 2017.

This Ordinance adopted the 11th day of July 11, 2017.


E. Rick Miller, Mayor

Attest:


Jennifer L. Broderick, MMC
Town Clerk



Ordinance No. 2017-07

TOWN OF BEECH MOUNTAIN

**AN ORDINANCE TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES
BEFORE NOON ON SUNDAYS AT LICENSED PREMISES**

WHEREAS, on June 29, 2017, the North Carolina General Assembly enacted Senate Bill 155, entitled "An Act to Make Various Changes to the Alcoholic Beverage Control Commission Laws"; and

WHEREAS, Section 4 of Ratified Senate Bill 155 authorizes city and county governments to adopt an ordinance to allow alcohol sales beginning at 10:00 a.m. on Sundays; and

WHEREAS, Ratified Senate Bill 155 was signed into law by Governor Roy Cooper on the 30th day of June, 2017 and became effective on that date (Session Law 2017, Chapter 87); and

WHEREAS, Sunday morning alcohol service will allow the hospitality community and retail merchants within the Town of Beech Mountain to meet the requests of their customers; and

WHEREAS, Sunday morning alcohol service will benefit the Town's business community, bring people into the business district earlier in the day, and generate increased tax revenues.

**NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF BEECH MOUNTAIN, NORTH CAROLINA, THAT:**

SECTION I. Title XI: Business Regulations is hereby amended by the Town Council and codified as follows:

CHAPTER 110: ALCOHOLIC BEVERAGE SALES

Section

§ 110.01 Sale of Alcohol on Sundays

§ 10.01 Sale of Alcohol on Sundays

Pursuant to the authority contained in G.S. §160A-205.3, the sale of malt beverages, unfortified wine, fortified wine, and mixed beverages is allowed in the

Town of Beech Mountain beginning at 10:00 A.M. on Sunday pursuant to the licensed premises' permit issued under G.S. 18B – 1001.

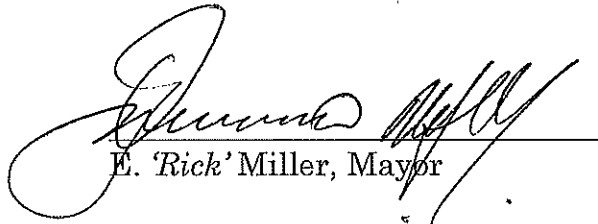
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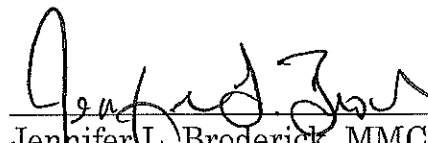
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This Ordinance adopted the 11th day of July, 2017.


E. 'Rick' Miller, Mayor

Attest:


Jennifer L. Broderick, MMC
Town Clerk

