

**South Bethany Charter and Code Committee Meeting
Friday, March 15, 2019 2:00 PM – South Bethany Town Hall**

Minutes

Agenda Item 1. Call Meeting to Order – Before John called the meeting to order, those present sang “Happy Birthday” to George. John Fields called the meeting to order at 2:00 PM. Committee members were present; John Fields, George Junkin, Tim Shaw, and Joe Hinks. Jimmy Oliver was excused due to sickness. Also present was Carol Stevenson, Council Member

Agenda Item 2. Public Comment – There was no public comment.

Agenda Item 3. Draft an ordinance to allow Town sponsored bonfires on the beach.

Yesterday an e-mail from Joe Hinks posed some issues that were discussed before details of the ordinance was discussed.

- Concern that only town sponsored events would be included – All agree
- That a professional bonfire person be involved. This is not required, but could be used if desired.
- Liability issues - We need to have procedures according to the insurance company. They do not need to be in the Code since the Town can have that as a standard bonfire Protocol.
- Is alcohol permitted? Right now the Town allows alcohol on the beach.

The committee reviewed the draft ordinance that had been supplied by John. It is copied below with corrections suggested by consensus of the C&C Committee. The committee moved all of paragraph E from the ordinance. It will be in a Town Protocol for Town Sponsored Bonfires. Carol Stevenson will be responsible for getting the Protocol through Council. John Fields will get the ordinance without paragraph E ready for the first reading.

DRAFT ORDINANCE

Chapter 34
BEACHES

§ 34-9 Beach parties.

The Mayor or his designee is authorized to issue a beach party permit to a resident of the town over the age of 18 years.

A.

Such permits shall be limited to an area, not closer than 75 feet to any dwelling or any sand dune. The person to whom a permit is issued shall be charged with the responsibility that the party does not create or lead to disorderly behavior. The party area shall be cleaned by the person obtaining the permit, in accordance with cleanup procedures issued by the town.

B.

Every person who is issued a permit shall give the town a deposit ~~of \$50~~. ~~The deposit shall be listed in the Town of South Bethany schedule of fees.~~ The deposit ~~of \$50~~ shall be refunded if the cleanup procedures issued by the town are complied with. If the cleanup procedures are not complied with, the deposit shall be forfeited.^[1]

[1]

Editor's Note: Former Section 10, regarding beach fires, was deleted 9-8-1995 by Ord. No. 50-95.

C.

Activities prohibited. It shall be unlawful for any person to build and/or light any fires on the beach within the jurisdiction of the Town of South Bethany.

[Added 3-10-2000 by Ord. No. 90-99]

D.

Notwithstanding § 34-9 C. above, the Town Manager, in his or her reasonable discretion, is hereby authorized to ~~issue a permit a bonfire on the beach, with appropriate conditions standard bonfire protocol, for the Town sponsored bonfire on the beach.~~

E. DO NOT INCLUDE IN ORDINANCE

STANDARD POTOCOL FOR TOWN SPONSERED BONFIRE

1. No fires except ~~properly controlled fires except~~ town sponsored bonfires are permitted on the beach.

~~2. A written permit is required for a bonfire on the beach.~~

3. No bonfires are permitted when a state burning ban is in effect or when a strong wind is from an Easterly direction no bonfire shall be started or allowed to continue burning when the wind direction or wind speed will cause, smoke, embers or other burning materials to create a nuisance for neighboring property owners. ~~The fire shall be completely extinguished immediately upon the complaint of any smoke or odor nuisance.~~
4. A fire extinguisher, ~~and~~ a five gallon bucket of water and a shovel ~~or water hose~~ shall be readily accessible.
5. Bonfires are allowed on the beach anytime lifeguards are not on the beach (after 5:00 p.m. during the summer season) but not after 11 PM.
6. Bonfires must be located at least 75 feet away from the bottom Eastern edge of the sand dune.
7. A pit must be dug with a depth of at least ~~18~~ 12 inches and no wider than 4 (four) feet in diameter.
8. Firewood only is permitted, no treated lumber, pilings, pallets, etc., shall be used. (Treated lumber and pilings create poisonous gases when burned.)
9. Bonfires should be doused with water. All debris must be removed from the beach. Partially burned logs must be removed as early as practical. ~~Ashes and all flammable material shall be removed and not covered with sand or other material. The pit must be filled to its original level.~~
- ~~10. The person to whom the bonfire permit is issued must be present during the bonfire and must carry his or her copy of the permit and be able to produce it upon request by South Bethany Police Department.~~

Agenda Item 4. Public Comment – Carol says for the future, this body might want to look at permeable pavers in the right of way. Joe says that he has had at least four requests to put permeable pavers all the way across their property line.

Agenda Item 5. Adjournment. At 2:55 PM George Junkin made a motion to adjourn. Tim Shaw seconded the motion. The motion was passed unanimously.

Minutes submitted by George Junkin.