

**COLUMBUS COUNTY BOARD OF COMMISSIONERS
ORDINANCE WORKSHOP**

June 13, 2006

6:00 P.M.

The Honorable Columbus County Commissioners met on the above stated date and at the above stated time in the Dempsey B. Herring Courthouse Annex Building, located at 112 West Smith Street, Whiteville, North Carolina, for the purpose of holding an Ordinance Workshop for the review and/or replacement of an existing Ordinance and the adoption of two (2) new Ordinances.

COMMISSIONERS PRESENT:

Kipling Godwin, **Chairman**
James E. Prevatte
Sammie Jacobs (Departed: 6:45 PM)
Bill Memory
Lynwood Norris (Departed: 6:45 PM)

APPOINTEES PRESENT:

Jimmy Varner, **Interim County Manager**
Steven W. Fowler, **County Attorney**
June B. Hall, **Clerk to Board**

COMMISSIONER ABSENT:

David L. Dutton, Jr., **Vice Chairman**
Amon E. McKenzie (Social Services Board Meeting)

APPOINTEE ABSENT:

Roxanne Coleman, **Finance Officer**

MEETING CALLED to ORDER:

At 6:00 P.M., Chairman Godwin called the Ordinance Workshop to order, and stated the purpose of this workshop is to review and/or replace an existing Ordinance, and review for consideration of approval and adoption, of two (2) additional Ordinances. Chairman Godwin stated that all of these Ordinances would require a public hearing.

PRESENTATION by STEVE FOWLER, COLUMBUS COUNTY ATTORNEY:

Because Columbus County has a previously-enacted Noise Ordinance, adopted in June, 2001, Columbus County Sheriff deputies have frequently been called, often late at night, due to alleged overly-loud, annoying and disruptive noise created by someone other than the complainant. However, because of the apparent ambiguity of said Ordinance, enforcement of a penalty has been difficult. Because of this Ordinance imprecision, this creates potential wastes of time, fuel and manpower of County resources.

The Office of the County Attorney respectfully submits for the consideration of the County Commissioners, a revised Noise Ordinance. In my opinion, this revised Ordinance has more definable standards and clearness in terms of measurement and enforcement. Due to advances in sound-measurement technology, enforcement of such Ordinance is now even more measurable and not unclear. The revised Ordinance provides: terminology and standards of measurement; the maximum permissible sound levels allowed in certain situations and definition of a violation penalty among other listed categories.

Approval of some sort of refined Ordinance would, I believe, be helpful to the law enforcement officers sworn to enforce the law and to the public in general. In my opinion, investment in the appropriate sound-measurement equipment would be beneficial due to the fact law enforcement is making Noise Ordinance calls regardless of any revision of the Ordinance. A revised Ordinance would, I believe, provide sound enforceability capacity.

This revised Ordinance is an effort to provide meaning and principles so that County taxpayers will not be disrupted unnecessarily. A person's home is a reasonable shelter from excessive disturbance. I feel a revision would be helpful in providing a sensible peace and quiet.

PRESENTATION by THREE (3) PRIVATE CITIZENS:

Danny Williamson, Billy Williamson and Jim Nance made a brief presentation regarding some excessive noise issues that had occurred at the Lumber River Campground.

REVIEW of REVISED NOISE ORDINANCE:

After a brief review was made of some of the areas within the revised Noise Ordinance, some suggestions were made for changes.

HAZARDOUS MATERIAL and SUBSTANCE ABATEMENT, COLUMBUS COUNTY ORDINANCE:

Steve Fowler, Columbus County Attorney, presented the Hazardous Material and Substance Abatement, Columbus County Ordinance, and stated the following:

1. Commissioner Memory asked me to find an Ordinance that would address hazardous materials that our emergency personnel have to deal with and how Columbus County could recoup the enormous costs associated with these materials;
2. This Ordinance is needed mainly for the recoupment of monies expended in the clearing of, and cleaning up of hazardous materials when incidents occur involving the same;
3. The monies expended in this process can be very costly, and at the present time, Columbus County has no means of being reimbursed for this expense; **and**
4. Our fire, rescue and Emergency Management personnel are responsible for the clean up of these materials, and need some means of being reimbursed for the money expended.

After a quick review was conducted, some minor changes were recommended.

REVIEW of ABANDONED, JUNKED and HEALTH or SAFETY HAZARD VEHICLES, COLUMBUS COUNTY ORDINANCE and TOWING and STORAGE BUSINESSES:

Commissioner Prevatte stated he requested Steve Fowler, Columbus County Attorney, to find a workable Ordinance for Columbus County to deal with the abandoned vehicles that are creating safety hazards and health hazards to our citizens, especially the young children.

Steve Fowler, Columbus County Attorney, stated the following:

1. Upon my research, I have located a workable Ordinance that will address the matter of abandoned and/or junked vehicles;
2. The minimum value of the vehicle may have to be established;
3. This Ordinance will be accompanied by a Towing and Storage Businesses Ordinance; **and**
4. The information in these two (2) documents may supply the needed information for citizens to dispose of vehicles of this nature.

CONCLUSION:

In conclusion, Chairman Godwin stated the Columbus County Commissioners would review these Ordinances more closely, and recommend the needed changes, if any.

ADJOURNMENT:

At 7:09 P.M., Chairman Godwin stated that this Ordinance Workshop was closed.

APPROVED:

JUNE B. HALL, Clerk to Board

KIPLING GODWIN, Chairman