



Town of Wrightsville Beach

321 Causeway Drive – P. O. Box 626
Wrightsville Beach, North Carolina 28480

Telephone: 910-256-7900 * Fax: 910-256-7910 * Website: townofwrightsvillebeach.com

Ocean Related Business Activities on the Beach Front

GENERAL INFORMATION

The Town of Wrightsville Beach recognizes that recreational programs provided by for-profit entities are held on public property governed and maintained by the Town. In order for our citizens to utilize public property and the beaches in a safe and enjoyable manner, the Town has developed a policy for the conduct of private businesses and non-profit organizations on the beachfront whose activities are exclusively ocean related.

The Town of Wrightsville Beach requires completion of this application for the conduct of business activities taking place on the "beach front" as defined in Section 92.01 of the Town of Wrightsville Beach Code of Ordinances and meeting the following criteria:

- The business conducted is held at least once per year and generates a profit for the sponsoring organization, including non-profits, and is not defined as a special event according to Town Ordinance §98.01.

This application is required in order to consider whether the activities proposed are in compliance with applicable laws and regulations, to insure activities are not detrimental to public health, safety and welfare, that the Town is not overburdened, and Town-sponsored activities are not interrupted or disturbed. In addition, the Town will require an annual application fee for the permit to conduct business.

Please review the entire application and complete it as accurately as possible to aid us in expediting the application process. Application and permit fee should be mailed or delivered to the Town of Wrightsville Beach, 1 Bob Sawyer Drive, P.O. Box 626, Wrightsville Beach, NC 28480. Once received, the application will be processed in the following manner:

- Upon receipt, copies of the application will be coordinated with appropriate municipal departments for review and comment.
- Upon completion of review by departments, the application will be submitted to the Town Manager for approval. The Applicant will then be notified by mail of approval or denial.
- Business on the Beach Permit expires December 31 and must be renewed on an annual basis.



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Rules and Regulations For Permit to Conduct Ocean Related Business on the Beach Front

- 1) It is the intent of the Town to permit limited business activities on the beachfront in recognition of the benefit of such business activities to the citizens of Wrightsville Beach, New Hanover County and the State of North Carolina.
- 2) Business conducted on the beachfront will be limited solely to “Ocean Related Business Activities” as defined in Section 92.01 of the Town of Wrightsville Beach Code of Ordinances. Such business will be limited to instructional in nature (surfing, kite surfing, kite boarding, etc) or the rental of chairs and umbrellas by hotels and private clubs located immediately adjacent to the beachfront.
- 3) Business activity is not permitted in any area in which an authorized festival, special event, or Town-sponsored activity is underway unless the applicant has made an arrangement with the organizer or manager of the festival or event and shows this in writing to the Town. It is the responsibility of the applicant to secure information concerning scheduled events and activities through the Town Parks & Recreation Department.
- 4) No sale or rental of merchandise or equipment shall be conducted in connection with the operation of such business on the beachfront. No payment of any fees shall be accepted by such business on the beachfront. Any rental or sales of merchandise or equipment or payment for such items and for personal services must be carried out at the primary business location of such business.
- 5) Approved business activities are only authorized to operate between the hours of 7:00 AM and 8:00 PM. Furthermore, businesses engaged in instructing surfing or surfing related activities will not operate between the hours of 10 AM and 4 PM on Memorial Day, July 4th, and Labor Day.
- 6) Business activity may not block or obstruct the free movement of pedestrians, traffic, or parking.
- 7) The geographical area of operation of each business shall be within the active “designated surfing areas” as established under the provisions of Section 92.12 of the Town Code of Ordinances. However, this restriction does not apply to the rental of chairs and umbrellas by hotels and private clubs located immediately adjacent to the beachfront.
- 8) An approved permit does not include parking accommodations. It is the responsibility of the business and/or his/her patrons to pay parking fees when applicable.
- 9) Applicant shall pay an annual permit application fee payable to the Town of Wrightsville Beach. **THE APPLICATION FEE IS NON-REFUNDABLE.** The current permit application fee and annual

renewal fee is \$200 for non-profit/school groups, \$200 for Wrightsville Beach based for-profit business activities and \$400 for non-Wrightsville Beach based for-profit businesses activities.

- 10) **Applicant must provide a certificate of general liability insurance, which names the Town of Wrightsville Beach as an additional insured with limits no less than \$1,000,000, and proof of worker's compensation insurance as required by the State of North Carolina.**
- 11) Any representative of a business operating on the beachfront shall have a copy of the required permit available for inspection at all times.
- 12) Activities must comply with all Town of Wrightsville Beach ordinances.
- 13) Use of Town power and water are not included in permit, other than public drinking fountains and restroom facilities.
- 14) Business activities may not alter facilities or vegetation in any way.
- 15) The selling of goods is prohibited unless otherwise permitted as part of a Town-sponsored event.
- 16) Publicity signs may not be posted and solicitation may not occur on public property.
- 17) Approval of the application is the sole discretion of the Town Manager, and a permit can be revoked at any time if permit rules and regulations or Town ordinances are violated.
- 18) All materials promoting the business must include a disclaimer stating that the activity is not endorsed or supported in any way by the Town of Wrightsville Beach and evidence of same must be submitted to the Town upon request.



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Application for Permit to Conduct Business on the Beach Front

Applicant Name and Relationship to Business: _____

Business Name: _____

Mailing Address: _____

Physical Address: _____

Phone: _____ Alt. Phone: _____ Email: _____

Description of Business Activity: _____

I agree to abide by the Town of Wrightsville Beach Rules and Regulations of Permit to Conduct Business on the Beach Front and the Town of Wrightsville Beach Ordinances. I agree to save and keep the Town free and harmless from any and all loss or damages or claims for damages, including attorney's fees and litigation costs, arising from or out of my business activity.

Signature of Applicant: _____ Date: _____

Permit issued by: _____ Date: _____

Town of Wrightsville Beach, Town Manager

Annual Business on the Beach Permit Fee: \$200 for non-profit/school groups, \$200 for Wrightsville Beach for-profit businesses, \$400 for other business activities (APPLICATION FEE IS NON-REFUNDABLE)

Permit will expire: _____.

Applicable Department Coordination

_____ Planning/Zoning Date: _____

_____ Parks/Rec. Date: _____

_____ Fire Dept. Date: _____

_____ Police Dept. Date: _____

_____ Public Works Date: _____

_____ Gen. Admin. Date: _____

Comments:

Application: _____ New _____ Renewal

Certificate of Insurance Received: _____

Date application received: _____ Permit Fee \$ _____ Receipt Number: _____



**AFFIDAVIT OF WORKER'S COMPENSATION COVERAGE
N.C. GENERAL STATUTE 87-14**

The undersigned applicant for a Permit to Conduct Ocean-Related Business on the Beach Front, being the

_____, Contractor

_____, Owner

_____, Officer/Agent of the Contractor or Owner

do hereby aver under penalties of perjury that the person(s), firm(s), or corporation(s) performing the work set forth in the permit:

_____ has/have three (3) or more employees and have obtained worker's compensation insurance to cover them,

_____ has/have one or more subcontractor(s) and have obtained worker's compensation insurance to cover them,

_____ has/have one or more subcontractor(s) who has/have their own policy of worker's compensation covering themselves,

_____ has/have not more than two (2) employees and no subcontractors,

while working under the guidelines for which this permit is sought, and as required by Chapter 97 of the N.C. General Statutes. It is understood that the Town of Wrightsville Beach may require certificates of coverage of worker's compensation insurance prior to issuance of a permit at any time during the permitted business from any person(s), firm(s), or corporation(s) carrying out the work. All worker's compensation coverage must continue in effect for the permit duration.

Name: _____ Signature: _____
(Please Print)

Title: _____ Date: _____

New Hanover County, North Carolina

I, _____, a Notary Public for said County and State, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the _____ day of _____, 20 _____.
(Official Seal)

Notary Public

My commission expires _____, 20 _____.
January 11, 2018