

**ORDINANCE 16-14**  
**ORDINANCE ESTABLISHING AND CREATING A TOWN OF HOLDEN BEACH MUNICIPAL**  
**SERVICE DISTRICT**

WHEREAS, Chapter 160A, Article 23 of the North Carolina General Statutes authorizes towns within North Carolina to define service districts to finance, provide, or maintain for such districts one or more services, facilities, or functions in addition to or to a greater extent than those financed, provided or maintained for the entire city; and

WHEREAS, said statutes further provide that the town may define a service district for the purpose of beach erosion control and flood and hurricane protection works; and

WHEREAS, acting in response to a need for action in order to protect the tax and economic base and protect town infrastructure including facilities for public recreational access, the Board of Commissioners for the Town of Holden Beach has determined that the creation of a municipal service district for erosion control and hurricane protection works will be for the benefit of those properties located within the service district boundaries; and

WHEREAS, the Board of Commissioners for the Town of Holden Beach further finds that the proposed district is in need of projects and programs to the standards of G.S. 160A-537(a) to a demonstrably greater extent than the remainder of the town to meet the needs and goals set forth above; and

WHEREAS, the Board of Commissioners for the Town of Holden Beach intends to secure funding through special obligation bonds for the Municipal Service District for the purposes of erosion control and hurricane protection. Payment of principal and interest toward the special obligation bonds will be through a specific line item from the General Fund of the budget of the Town of Holden Beach, and not through a special assessment of the property owners within the proposed boundaries of the Municipal Services District; and

WHEREAS, pursuant to such determinations and in accordance with applicable provision of the General Statutes, the Board of Commissioners for the Town of Holden Beach has defined such a district, and does determine, as a fact, that the proposed district is in need of one or more of the services, facilities, or functions listed in G.S. 160A-536(a) to a demonstrably greater extent than the remainder of the town; and,

WHEREAS, a map of the proposed district showing proposed boundaries, a copy of which is attached hereto and incorporated by reference, a statement showing that the proposed district meets the standards set out in G.S.160A-537(a), and a plan for providing in the district one or more of the services listed in G.S. 160A-536 has been created; all of which has been incorporated into a report which has been available for public inspection in the office of the Town Clerk for four (4) weeks prior to the public hearing on the matter of the establishment of the service district; and

WHEREAS, the Board of Commissioners for the Town of Holden Beach has caused a notice of such hearing to be duly published in the Star News, a newspaper having general circulation in the Town of Holden Beach and Brunswick County, said hearing having been conducted on August 16, 2016, and the Town Clerk has certified to the Board of Commissioners that the mailing of notice of hearing has been completed, all in conformity to G.S.160A-537(c).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE TOWN OF HOLDEN BEACH, NORTH CAROLINA that:

1. The Town of Holden Beach has fully complied with each and every requirement of Chapter 160A, Article 23 of the North Carolina General Statutes and determines and finds same as a fact.

2. The Holden Beach Erosion Control and Flood and Hurricane Protection Works Municipal Service District for erosion control and flood and hurricane protection works is hereby established and created in accordance with the following description:

Proposed District: Contained within the boundaries of the Atlantic Ocean to the South, State Road 1116 and Ocean Boulevard East to the North; tax parcels 232MM005 and 232MM011 inclusive and containing that portion of Brunswick Street lying between and adjacent to said parcels, to the East; 781 Ocean Boulevard West inclusive to the West; and more particularly being the property as shown within the boundaries set forth on that certain map attached hereto as Exhibit "A" and incorporated herein by reference, to which reference is made for a more complete and accurate description of the boundaries of the Holden Beach Erosion Control and Flood and Hurricane Works Municipal Service District.

3. Special obligation bonds are anticipated to be authorized for beach erosion control and hurricane protection works within the Municipal Service District and therefore this ordinance shall be effective immediately upon its adoption.

FIRST VOTE – unanimous approval by the Holden Beach Board of Commissioners on the 16<sup>th</sup> day of August, 2016.

ADOPTED the \_\_\_\_\_ day of August, 2016.

\_\_\_\_\_  
J. Alan Holden, Mayor

ATTEST:

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Heather Finnell, Town Clerk

(Town Seal)