

PAMLICO SOUND REGIONAL HAZARD MITIGATION PLAN

SECTION 4. COMMUNITY CAPABILITY ASSESSMENT

This section of the HMP is intended to analyze each regional jurisdiction's capacity to address the threats that natural hazards pose to them. In order to provide a thorough review of each entity involved in this planning effort, this section of the plan provides a detailed overview of capability with regards to Beaufort, Carteret, Craven, Hyde, and Pamlico Counties, as well as each municipal jurisdiction.

This section of the HMP will identify those areas in which the participating jurisdictions are already undertaking positive hazard mitigation efforts that should be supported or enhanced and may also identify areas where their current policies may be worsening hazard risks. In order to achieve these goals, this section contains the following subsections:

- I) Agency/Organizational Review
- II) Existing Policies and Program Review
- III) Community Capability Assessment
- IV) Legal Capability Review
- V) Fiscal Capability Review
- VI) Political Acceptability Review

Elements I and II noted above are further broken down by County and subsequently each participating municipal jurisdiction within each County. Under the Agency/Organization Review section, the review of each municipality is provided in a summary format due to the significant number of entities involved in this plan. This plan denotes the programs and policies in place within each jurisdiction; however, further information relating to these documents is available through each respective governments administration.

I. AGENCY/ORGANIZATIONAL REVIEW

The purpose of this subsection of the HMP is to list and describe all local government departments, agencies and organizations that have a direct (or indirect) impact on hazard mitigation and/or hazard control through specific responsibilities in these areas or through seemingly unrelated responsibilities (e.g., site selection for school facilities), and to describe these responsibilities.

A. Beaufort County

1. Unincorporated Beaufort County

The Beaufort County Administrative Offices are located at 121 W. Third Street, Washington. The County operates under a Board of Commissioners-Manager form of government. Table 41 below provides an overview of offices, organizations, and agencies responsible for hazard control and hazard mitigation activities in the County. The table provides a summary of each departments' function, as well as each respective departments' relative impact on mitigation issues.

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Table 41. Agency/Organizational Review for Beaufort County

County Department	Description
Planning and Zoning (includes building inspections)	The Planning Section of this department serves as staff for the Planning Board and the Board of Commissioners on land use regulation enforcement. These regulations include Subdivision Regulations, Flood Damage Prevention Ordinance, and various nuisance ordinances. The Planning Department is the first agency involved in the permitting process. After receiving an application, staff determines if the project is within the county's jurisdiction. If not, then the applicant must receive approval from the appropriate municipality. The Inspections Department issues permits (building, electrical, plumbing, mechanical, fire, and mobile home setup) for Beaufort County, as well as all participating municipalities with the exception of the City of Washington and the Towns of Belhaven and Washington Park.
Engineering (includes capital improvements)	Beaufort County does not maintain in-house engineering capabilities. These services are contracted on an "as-needed" basis.
Sewer	Beaufort County does not maintain or provide central sewer service.
Water	Water to unincorporated portions of the county is provided through Beaufort County. Several of the county's municipalities provide water service independently, including the City of Washington.
Fire	The unincorporated areas of Beaufort County are served by ten volunteer fire departments manned predominantly by citizen volunteers. Three EMS providers answer emergency medical calls. The majority of EMS service is also provided by volunteers. This fact poses growing limitations for adequate daytime fire, rescue, and EMS services since most volunteers work (often elsewhere) during the day.
Law Enforcement	The Beaufort County Sheriff's Department provides law enforcement services throughout the county with a staff of 47 (excluding detention center and communications positions). The department provides communications support, traffic control, evacuation support, shelter security, prisoner transport, and related emergency management services during emergencies and disaster events.
Emergency Services	The Beaufort County Emergency Management Department is the main contact with the eastern branch office of the NC Division of Emergency Management for the procurement and management of state emergency and disaster resource response. The Emergency Management Director and the County Fire Marshall are the county's only EM employees, and are responsible for the supervision of all county emergency operations and hazard mitigation activities, including maintenance of the county's Emergency Operations Plan and this mitigation plan. The Director is responsible for maintenance of the county's Emergency Operations Center and makes decisions regarding food, supplies, and other incidental needs for the Emergency Operations Center during disaster events. The Director also maintains a list of government and private resources in the county. The Director coordinates the Incident Command (IC) System and National Incident Management System (NIMS) during disaster events and serves as principal liaison between local and state command groups during emergency operations. The Emergency Management Department also provides public outreach for hazard mitigation issues on the county's website and through printed media and public access television.
Electricity	Electric service in the county is provided by several different providers including Tideland Electric, Progress Energy, the Town of Belhaven, and the City of Washington.
Roads/Streets	Beaufort County does not own or maintain any roads, streets, or highways. All right-of-ways located outside of municipalities are maintained by NCDOT.
Stormwater Management/ Drainage Maintenance	Beaufort County supports state regulations related to stormwater runoff resulting from development (Stormwater Disposal Policy 15A NCAC 2H.001-.1003) and the NCDENR Coastal Stormwater Rules; however, there is currently no county-wide stormwater management program.

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2. Beaufort County Municipalities

The following provides an overview of capability for each participating municipal jurisdiction:

Municipality	Type of Government	Police	Fire	EMS	Water	Sewer
Aurora	Mayor-Council	X	X	X		
Bath	Mayor-Council		X	X	X	X
Belhaven	Council-Manager	X	X	X	X	X
Chocowinity	Mayor-Council	X	X	X	X	X
Pantego	Council-Manager		X			
Washington	Council-Manager	X	X	X	X	X
Washington Park	Mayor-Council					

B. Carteret County

1. Unincorporated Carteret County

The Carteret County Administration Building is located at Courthouse Square in Beaufort, NC. The County operates under a Board of Commissioners-Manager form of government. Table 42 below provides an overview of offices, organizations, and agencies responsible for hazard control and hazard mitigation activities in the County. The table provides a summary of each departments’ function, as well as each respective departments’ relative impact on mitigation issues.

Table 42. Agency/Organizational Review for Carteret County

County Department	Description
Planning and Zoning (includes building inspections)	Planning and Development Department responsibilities include: administering and enforcing the county’s development and zoning ordinances for the unincorporated areas of Carteret County; administering and enforcing the NC Building Code for the unincorporated areas of Carteret County; local administration of the county’s CAMA, Community Rating System, and FEMA regulations; reviewing development applications for compliance with the county’s zoning ordinance, flood damage prevention and protection ordinance, subdivision regulations, group housing ordinance, mobile home park ordinance, RV park ordinance, and the county’s CAMA land use plan; issuing appropriate permits within their authority. Planning staff provides support to the Planning Commission and the Board of Adjustment, and offer recommendations regarding development applications to these citizen boards, as well as the Board of Commissioners. Inspection staff within the department are responsible for completing building, electrical, mechanical, and plumbing inspections to the unincorporated areas of the county in accordance with the NC Building Code; inspecting mobile home parks and RV parks annually; issuing permits; performing inspections of all Carteret County Public Schools twice a year; providing inspection services to the towns of Cedar Point, Peletier, Bogue, and Indian Beach.
Engineering (includes capital improvements)	Carteret County does not maintain in-house engineering services. These services are contracted with private providers as the need arises. Budgeting for these projects are addressed through the county’s annual budgeting process.
Sewer	Sewer service is provided by Beaufort, Morehead City, and Newport.

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County Department	Description
Water	Water to unincorporated portions of the county is provided through Carteret County Water System. Several of the county’s municipalities provide water service independently including Morehead City, Beaufort, Atlantic Beach, and Newport.
Fire	The Carteret County Office of the Fire Marshal’s purpose is to protect life and property from fire, explosion, and natural hazards by enforcement of the State Fire Prevention Code, public fire prevention and safety education, and investigation of fire and explosive incidents. Fire marshals are certified by the North Carolina Code Qualification Board to enforce the North Carolina State Fire Code. All fire marshals are certified firefighters, fire officers, hazardous material incident commanders, and technicians. In conducting fire investigations, fire marshals are NC Department of Insurance Certified Fire Investigators with experience in fire scene examinations and courtroom testimony. Fire Marshals are also certified in fire service disciplines by the International Fire Service Accreditation Congress. Fire Marshal Services include Fire Investigations, Fire Code Safety Inspections, Fire Prevention Education, Burning permits, and assist fire departments and communities in lowering their Fire Insurance Ratings.
Law Enforcement	The Carteret County Sheriff’s Office employs 52 full-time law enforcement officers and 30 civilian employees for a total of 82 full-time employees. The mission of the Sheriff’s Office is to serve and protect the citizens of the county, state, and country. The office will secure an effective administration of the criminal laws of the county and state by investigating crimes, identifying suspects, apprehending criminals and preparing evidence for the court system.
Emergency Services	911 Emergency Communications provide the vital link between the public and emergency responders by processing all 911 and non-emergency calls to acquire and disseminate information while efficiently dispatching appropriate emergency services. Emergency Management maintains a high level of preparedness, identifies vulnerabilities, effectively mitigates disasters, provides public education, responds to all-hazard emergency situations, and facilitates effective recovery efforts following any all-hazard incident. Emergency Medical Services ensures standardized, quality pre-hospital patient care by administering and coordinating a county system of emergency medical care and disaster medical response.
Electricity	Electric service within the county is provided by several different providers including Duke Energy Progress and Carteret-Craven Electric Membership Corporation.
Roads/Streets	Carteret County does not own or maintain any public right-of-ways. The participating municipal jurisdictions are responsible for maintaining the town right-of-ways serving their respective jurisdiction.
Stormwater Management/ Drainage Maintenance	Carteret County supports state regulations related to stormwater runoff resulting from development (Stormwater Disposal Policy 15A NCAC 2H.001-.1003) and the NCDENR Coastal Stormwater Rules; however, there is currently no county-wide stormwater management program.

2. Carteret County Municipalities

The following provides an overview of capability for each participating municipal jurisdiction:

Municipality	Type of Government	Police	Fire	EMS	Water	Sewer
Atlantic Beach	Council-Manager	X	X	X	X	
Beaufort	Commissioner-Manager	X	X		X	X
Bogue	Mayor-Council					
Cape Carteret	Mayor-Council	X				

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Municipality	Type of Government	Police	Fire	EMS	Water	Sewer
Cedar Point	Mayor-Council					
Emerald Isle	Council-Manager	X	X			
Indian Beach	Mayor-Council	X	X	X		
Morehead City	Council-Manager	X	X	X	X	X
Newport	Council-Manager	X	X		X	X
Peletier	Mayor-Council					
Pine Knoll Shores	Council-Manager	X	X	X	X	

C. Craven County

1. Unincorporated Craven County

The Craven County Administration Building is located at 406 Craven Street, New Bern. The County operates under a Board of Commissioners-Manager form of government. Table 43 below provides an overview of offices, organizations, and agencies responsible for hazard control and hazard mitigation activities in the County. The table provides a summary of each departments’ function, as well as each respective departments’ relative impact on mitigation issues.

Table 43. Agency/Organizational Review for Craven County

County Department	Description
Planning and Zoning (includes building inspections)	Craven County has adopted a certified CAMA Land Use Plan, subdivision ordinance, mobile home park ordinance, Marine Corps Air Station zoning ordinance, regional airport height control zoning ordinance, and a flood damage prevention ordinance which it administers through its seven-person Planning Department. The County also has an appointed, eight-member Planning Board. Inspections and permitting (building, plumbing, HVAC) are administered to State standards through the four-person Craven County Inspections Department.
Engineering (includes capital improvements)	The County does not have a licensed professional engineer on County staff, and contracts for engineering services on an "as-needed" basis. The County annually adopts a Capital Improvements Program, which is administered by the Planning and Inspections Department.
Sewer	The county does not operate sewage collection or treatment facilities.
Water	The Craven County water system serves Townships 1, 3, 5, 6, 7, 9, and a portion of Township 8. Township 2 is served by a private system, First Craven Sanitary District, and by the Town of Bridgeton. The cities of New Bern and Havelock; the towns of Vanceboro, Cove City and Dover; and the Marine Corps Air Station Cherry Point all operate their own municipal water systems. The Town of River Bend operates its own municipal water system.
Fire	Craven County has a total of fifteen (15) fire districts/departments, all but two (2) of which operate on a volunteer basis (New Bern and Havelock have professional fire services). Cherry Point has a federally-supported fire department. Each district has its own separate taxing district and rate. Currently, fire protection is adequate to meet demand and there are no plans in the immediate future to add new districts. Equipment acquisition is handled on an as-needed basis.

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County Department	Description
Law Enforcement	Law enforcement is provided to the County by the Craven County Sheriff's Department. The department is located at the Craven County Judicial Center, 1100 Clarks Road in New Bern. The department has three (3) divisions: Administration, Jail, and School Resource Officers. The Administration Division consists of the Sheriff, Chief Deputy, Criminal Division Commander, Investigative Division Commander, Civil Division Commander, Administrative Division Commander, six (6) administrative staff positions, and one (1) Chaplain/ Administrative Assistant. The Jail Division has forty-seven (47) people on staff. The Jail is located at the Craven County Judicial Center on Clarks Road and is certified for 292 beds. The Department also has a 40-bed work release facility on Alligator Road. The School Resource Officer Division has four (4) resource officers assigned to schools outside of municipal limits.
Emergency Services	The Emergency Services Department is the leading agency that provides direction and coordination of public safety. Consolidated under one departmental management is the Craven County Communications Center, Emergency Management, Emergency Medical Services and Fire Marshal. The Emergency Services coordinates with 12 rescue agencies, 14 Fire departments and several Community Emergency Response Teams (CERT). These agencies work together to provide the citizens with complete and unified emergency services during any emergency or disaster that may be a threat to life and property.
Electricity	Six entities provide electricity generation and distribution services to the County – Progress Energy (private), the City of New Bern (municipal) and three cooperatives (Jones-Onslow EMC, Tideland EMC, and Carteret-Craven EMC).
Roads/Streets	The County does not own or maintain streets – this function is served by NCDOT and select municipalities.
Stormwater Management/ Drainage Maintenance	Craven County supports state regulations relating to stormwater runoff resulting from development (Stormwater Disposal Policy 15A NCAC 2H.001-.1003) and the Neuse River buffer rules, but currently there is no county-wide stormwater management program.

2. Craven County Municipalities

The following provides an overview of capability for each participating municipal jurisdiction:

Municipality	Type of Government	Police	Fire	EMS	Water	Sewer
Bridgeton	Mayor-Council	X	X	X		X
Cove City	Council-Manager		X	X		
Dover	Mayor-Council		X			
Havelock	Council-Manager	X	X	X	X	X
New Bern	Council-Manager	X	X	X	X	X
River Bend	Council-Manager	X			X	X
Trent Woods	Mayor-Council	X	X			
Vanceboro	Mayor-Council	X	X	X	X	X

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D. Hyde County

The Hyde County Government Center is located at 30 Oyster Creek Road, Swan Quarter. The County operates under a Board of Commissioners-Manager form of government. Table 44 below provides an overview of offices, organizations, and agencies responsible for hazard control and hazard mitigation activities in the County. The table provides a summary of each departments' function, as well as each respective departments' relative impact on mitigation issues. There are no incorporated municipalities in Hyde County.

Table 44. Agency/Organizational Review for Hyde County

County Department	Description
Planning and Zoning (includes building inspections)	<p>The Planning & Economic Development Department administers the Subdivision and Manufactured Home Parks Ordinances for the county and provides staff support for the County Board of Commissioners. These ordinances support and guide the proper subdivision and development of land within the jurisdiction of the county in order to promote the public health, safety, and general welfare of the citizens.</p> <p>Building permits must be obtained from the Inspections Office. An inspections of the building site must be done prior to the permit being issued. A fire inspection is also required and can be arranged through the Inspections Office as well. Elevation maps are available to the public for viewing; however, to obtain an Elevate Certificate, the property must be surveyed by a licensed surveyor. The purpose of the Code Enforcement Officer is to enforce state and county building codes. These codes are designed to protect the homeowner and the local environment.</p>
Engineering (includes capital improvements)	Hyde County does not provide in-house engineering services. These services are contracted on an as-needed basis.
Electric, Water, and Sewer	<p>Hyde County water system production is processed by two state-of-the-art water treatment plants known as Reverse Osmosis. One is located in the Ponzer area just off NC Highway 45, and the other is located just off State Road 1305 in the Fairfield area. There are two production wells located near each treatment plant, and these wells operate on alternating days. Current service areas on the mainland are near Ponzer, Fairfield, Swan Quarter, and Engelhard. The County's water system has approximately 2,000 service connections and a capacity of 1,152,000 gallons per day. The system operates and maintains approximately 380 miles of water lines. In June 2002, a sanitary sewer system began operation in the Swan Quarter area. The system serves approximately 250 customers and is permitted to discharge 39,000 gallons per day of treated effluent. The system is operated by the Swan Quarter Sanitary District. On Ocracoke Island, wastewater disposal is provided by privately-owned, on-site septic systems or small package systems. Electrical power service is provided to all of Hyde County by the Tideland Electric Membership Corporation (EMC). Tideland EMC is a distribution electric cooperative that purchases its power from Duke Energy Progress and serves over 21,000 accounts in six northeastern North Carolina counties.</p>

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County Department	Description
Fire	On the mainland of Hyde County, fire suppression services are provided by five volunteer fire departments, as follows: Engelhard, Swan Quarter, Fairfield, Scranton, and Pungo River. Pungo River is based in eastern Beaufort County (near the Pungo community) and serves the northwestern portion of Hyde County. The remaining departments are based in Hyde County and serve the aforementioned communities and surrounding areas (up to approximately six miles from each fire house). The County Emergency Management Director serves as the Fire Marshal and supports the aforementioned volunteer fire departments. Ocracoke Island is served by the Ocracoke Volunteer Fire Department located on State Route 1324 (Firehouse Road). Through a mutual aid agreement with the National Park Service, the Ocracoke VFD maintains a 250-gallon per minute trailer-mounted pump to assist it with maintaining/establishing water pressure. Emergency Medical Services (EMS) are provided on the mainland through the County and are dispatched by the Sheriff’s Department (via 9-1-1). The county contracts EMS to the Ocracoke Health Center (Ocracoke EMS) for Ocracoke Island and to Belhaven Fire and EMS for mainland areas of the county west of the Walter B. Jones Intracoastal Waterway Bridge. Hyde County EMS serves the remainder of the county.
Law Enforcement	Because there are no incorporated towns in Hyde County, there are no municipal police departments. The Hyde County Sheriff’s Office has the responsibility to cover the entire county, with the assistance of the North Carolina State Highway Patrol, the North Carolina Marine Patrol, the North Carolina Wildlife Commission, and the National Park Service on Ocracoke Island. There are currently three full-time State Trooper positions in Hyde County. The Sheriff’s Department employs twelve sworn officers - the Sheriff, one chief deputy, three sergeants, six deputies, and a DARE drug education officer. The department also employs three auxiliary officers who can be used seasonally, in emergency situations, or to fill in for full-time officers in case of sickness or vacation. The department employs five dispatchers who also serve as jailers and three auxiliary jailers/dispatchers.
Roads/Streets	Hyde County does not own or maintain any roads, streets, or highways. All right-of-ways are maintained by NCDOT.
Stormwater Management/ Drainage Maintenance	Hyde County supports state regulations relating to stormwater runoff resulting from development (Stormwater Disposal Policy 15A NCAC 2H.001-.1003) and the Neuse River buffer rules, but currently there is no county-wide stormwater management program.

E. Pamlico County

1. Unincorporated Pamlico County

The Pamlico County Offices are located at 302 Main Street, Bayboro. The County operates under a Board of Commissioners-Manager form of government. Table 45 below provides an overview of offices, organizations, and agencies responsible for hazard control and hazard mitigation activities in the County. The table provides a summary of each departments’ function, as well as each respective departments’ relative impact on mitigation issues.

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Table 45. Agency/Organizational Review for Pamlico County

County Department	Description
Planning and Zoning (includes building inspections)	The Planning Department seeks to provide effective and efficient services in the form of planning and sound economic development for the future of Pamlico County. In an effort to achieve these goals, the Planning Department implements the land use ordinances of the county. These plans and regulations include the 1992 Land Use Plan, the Pamlico County Subdivision Regulations, the Pamlico County Water Supply System Extension Policy, the Pamlico County Environmental Impact Statement Ordinance, and the Pamlico County Mobile Home Park Ordinance. The Building Inspections Department enforces all state building, electrical, plumbing, insulation, structural and mechanical codes to ensure compliance with minimum construction standards. In addition to these codes, the Department is also involved in the National Flood Insurance Program and administers this program to citizens. In compliance with CAMA, the Pamlico County Building Inspector issues permits for all developments which meet CAMA regulatory definition of a minor permit. The Building Inspector is also responsible for conducting fire inspections of county schools twice a year to ensure their compliance with all fire regulations.
Engineering (includes capital improvements)	Pamlico County does not maintain in-house engineering capabilities. These services are contracted on an "as-needed" basis.
Sewer	The Bay River Metropolitan Sewerage District is an independent local government agency which provides and administers the sewage collection and treatment systems which are located inside the district's boundaries. The service area includes Grantsboro, Alliance, Bayboro, Stonewall, Oriental, Maribel, Vandemere, Cash Corner, and Mesic. The Bay River Metropolitan Sewerage District's purpose is to promote the general health and welfare of the local government and to protect the Bay River from pollution caused by failing septic fields and illegal discharges.
Water	The Pamlico County Water System (PCWS) was founded in 1980 with the mission of supplying clean, safe drinking water to the citizens of Pamlico County. The system had an initial customer base of 2,650 and had approximately 200 miles of distribution lines. Water was supplied via two newly built treatment facilities and the "Old Town of Bayboro" plant. The source of the water supply is currently from ground water that is pumped from the Castle Hayne aquifer. The water is then treated from five water treatment facilities and distributed county-wide to customers through approximately 300 plus miles of water distribution lines. PCWS currently provides service to more than 5,000 homes and businesses. PCWS is a self-supporting agency which depends on customer rates and fees to support its operation. No tax dollars are used to pay for PCWS's operations.
Fire	Fire protection is provided by ten (10) all-volunteer departments. They are on-call 24 hrs per day to fight fires, help with extrication, traffic control and other emergencies. Pamlico Rescue, based in Bayboro, responds to medical emergencies for all of Pamlico and, for serious cases, provide, Advance Life Saving (ALS) and ambulance service for the County. In the Southeast Pamlico VFD and Arapahoe VFD areas, a team of First Responders provides medical treatment until Pamlico Rescue ambulance arrives on the scene. For major trauma cases, Eastcare will airlift patients by helicopter to appropriate trauma centers.
Law Enforcement	The Sheriff's Department's foremost goal is to protect and to serve the public. To this end, it is diligent in protecting lives, property, and information. IN addition, it also serves the public in day-to-day concerns or needs. In order to receive a permit to purchase a handgun or carry a concealed handgun, citizens must go through the Sheriff's Department. Finger printing for child protective services and day care providers is also done at the Sheriff's Department. Escorts to and from funerals and tours of the jail for schools can be provided. DARE officers visit schools to educate youth on various safety issues or law enforcement issues. A K-9 unit has been added to the Department. An animal control officer is also on duty to assist citizens with any animal problems.

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County Department	Description
Emergency Services	The Emergency Management Department is dedicated to sound emergency management of all aspects. Responsibilities of this office include general emergency management and the Fire Marshal. Under FEMA regulations, the Emergency Management office is responsible for the following functions: the development and maintenance of programs and systems for effective coordination of community resources in all phases of emergency management, the planning and preparation of population protection, including evacuation and sheltering, the appropriate response to national security emergencies, disaster response, and recovery and the promotion of public awareness. As Fire Marshal, the Emergency Management Coordinator works to keep the County Manager and the Board of Commissioners informed of the status of rural fire departments, areas of concern and fire prevention planning. The Fire Marshal also assists with the coordination of fire alarms in the county, the development of Arson Task Forces, the organization of fire prevention programs and the procurement of funds for rural fire departments. In addition, the Fire Marshal maintains all fire incident reports and assists with the inspection of fire scenes.
Electricity	Electric service within the county is provided by several different providers including Duke Energy Progress and Tideland Electric Membership Corporation.
Roads/Streets	Pamlico County does not own or maintain any roads, streets, or highways. All right-of-ways located outside of municipalities are maintained by NCDOT.
Stormwater Management/ Drainage Maintenance	Pamlico County supports state regulations related to stormwater runoff resulting from development (Stormwater Disposal Policy 15A NCAC 2H.001-.1003) and the NCDENR Coastal Stormwater Rules; however, there is currently no county-wide stormwater management program.

2. Pamlico County Municipalities

The following provides an overview of capability for each participating municipal jurisdiction:

Municipality	Type of Government	Police	Fire	EMS	Water	Sewer
Alliance	Mayor-Council					
Arapahoe	Mayor-Council		X			
Bayboro	Mayor-Council					
Grantsboro	Mayor-Council		X	X		
Mesic	Mayor-Council					
Minnesott Beach	Council-Manager					
Oriental	Council-Manager	X	X		X	
Stonewall	Mayor-Council					
Vandemere	Mayor-Council		X			

II. EXISTING POLICIES AND PROGRAM REVIEW

The purpose of this subsection of the HMP update is to describe the policies, programs, ordinances, and practices that each participating community has in place affecting hazard control and/or hazard mitigation. Whereas many participating communities have similar policies and ordinances, several of the most common of these policies and ordinances will be described generally or generically in the following overview section. Deviations from the “generic” descriptions provided below will be noted, if applicable.

A. Flood Damage and Prevention Ordinance

Each community that participates in the National Flood Insurance Program (NFIP) must adopt a flood damage prevention ordinance. In general, this ordinance requires the following provisions in all areas of special flood hazard (100-year floodplain) identified by the Federal Emergency Management Agency in its Flood Insurance Rate Map (FIRM):

1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure;
2. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damages;
3. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damages;
4. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
5. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
7. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding; and,

8. Any alteration, repair, reconstruction, or improvements to a structure which is in compliance with the provisions of this ordinance, shall meet the requirements of "new construction" as contained in this ordinance.

In areas designated as floodways, no encroachments, including fill, new construction, substantial improvements, and other developments shall be permitted unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood. Implementation responsibility is typically through the Town/County Planning and/or Building Inspections Department as a condition of a zoning permit.

New FIRMs produced by the State of North Carolina Floodplain Mapping Program and the Federal Emergency Management Agency have been recently adopted throughout Beaufort, Carteret, Craven, Hyde, and Pamlico Counties.

B. North Carolina State Building Code

The North Carolina State Building Codes regulate for fire resistance, in addition to seismic, flooding, and high wind resilience. These codes are reviewed annually and amended as new requirements and materials are introduced. Building codes apply primarily to new construction or buildings undergoing substantial alteration. Enforcement at the local level is provided as indicated in Section III.

An applicant for a building permit must submit plans to the appropriate inspections department for approval. The inspections department reviews the plans and elects to approve or reject them or to require revisions. Construction cannot begin until local officials confirm that the plans are in accordance with the code.

A building inspector must then visually monitor the construction of the building. The inspector's duty is to make sure that the project follows the plans as approved. Inspectors are empowered to stop work on projects that fail to conform to the plans. Any observed errors must be fixed before work can continue. The inspector must perform a final review before an occupancy permit is issued.

C. Zoning Ordinance

Zoning is the traditional and nearly ubiquitous tool available to local governments to control the use of land. Broad enabling authority for municipalities in North Carolina to engage in zoning is granted in N.C.G.S. 160A-381. The statutory purpose for the grant of power is to promote health, safety, morals, or the general welfare of the community. Land "uses" controlled by zoning include the type of use (e.g., residential, commercial, industrial) as well as minimum specifications for use such as lot size, building height and set backs, density of population, and the like. The local government is authorized to divide its territorial

jurisdiction into districts, and to regulate and restrict the erection, construction, reconstruction, alteration, repair, or use of buildings, structures, or land within those districts. Districts may include general use districts, overlay districts, and special use districts or conditional use districts. Zoning ordinances consist of maps and written text. Communities maintaining zoning regulations are indicated in Section III.

D. Subdivision Ordinance

Subdivision regulations control the division of land into parcels for the purpose of building development or sale. Flood-related subdivision controls typically require that subdividers install adequate drainage facilities, and design water and sewer systems to minimize flood damage and contamination. They prohibit the subdivision of land subject to flooding, unless flood hazards are overcome through filling or other measures and prohibit filling of floodway areas. They require that subdivision plans be approved prior to the sale of land. Subdivision regulations are a more limited tool than zoning and only indirectly affect the type of use made of land or minimum specifications for structures.

Broad subdivision control enabling authority for municipalities is granted in N.C.G.S. 160-371. Subdivision is defined as all divisions of a tract or parcel of land into two or more lots and all divisions involving a new street (N.C.G.S. 160A-376). The definition of subdivision does not include the division of land into parcels greater than 10 acres where no street right-of-way dedication is involved.

The community thus possesses great power (in theory, anyway) to prevent unsuitable development in hazard-prone areas. Communities maintaining subdivision regulations are indicated in Section III.

E. Capital Improvements Plan

A capital improvements program is a planned schedule of capital expenditures for physical improvements within a local government's jurisdiction, usually over a five-year period, listed according to priority. Not all local governments maintain a CIP; however, establishing one is a strategy defined within this plan.

F. Coastal Area Management Act (CAMA) Plans

In 1972, Congress enacted the Coastal Zone Management Act (CZMA) to protect the coastal environment from growing demands associated with residential, recreational, commercial, and industrial uses (e.g., State and Federal offshore oil and gas development). Through the CZMA, states are encouraged to develop coastal zone management programs (CZMPs) to allow economic growth that is compatible with the protection of natural resources, the reduction of coastal hazards, the improvement of water quality, and sensible coastal development. The CZMA provides financial and technical incentives for coastal states to manage their coastal zones in a manner consistent with CZMA standards and goals.

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The nation’s coastal and ocean resources are under increasing pressure from population growth and development. Coastal areas host over 50% of the total U.S. population within only 17% of the nation’s land area. Between 1994 and 2015, coastal population is projected to increase by 28 million people. This movement to the coast has presented difficult challenges for coastal resource managers.

The Coastal Zone Management Program (CZMP) is authorized by the Coastal Zone Management Act of 1972 and administered at the federal level by the Coastal Programs Division (CPD) within the National Oceanic and Atmospheric Administration's (NOAA’s) Office of Ocean and Coastal Resource Management (OCRM). The CZMP's leaves day-to-day management decisions at the state level in the 34 states and territories with federally approved coastal management programs. Currently, 95,376 national shoreline miles (99.9%) are managed by the Program.

In 1974, the state of North Carolina adopted the Coastal Area Management Act (CAMA) in compliance with the CZMA. CAMA established a cooperative program of coastal area management between local and State governments. Communities with adopted CAMA Land Use Plans are indicated in Section III.

III. COMMUNITY CAPABILITY ASSESSMENT

The following tables provide a capability assessment and assessment of existing programs and policies for each participating jurisdiction. A summary table is outlined for each participating county and their respective municipal jurisdictions.

Table 46. Beaufort County Jurisdictional Functions/Capabilities

	Beaufort County	Aurora	Bath	Belhaven	Chocowinity	Pantego	Washington	Washington Park
Comprehensive Land Use Plan (LUP)	X	X	X	X	X	X	X	X
Parks and Recreation/ Open Space Plan				X			X	
Zoning Ordinance		X	X	X	X	X	X	X
Subdivision Ordinance	X	X	X	X	X	X	X	X
Stormwater Ordinance	X							
Floodplain Ordinance		X	X	X	X	X	X	X
NFIP Participant	X	X	X	X	X	X	X	X
CRS Participant				X			X	X
Capital Improvements Plan				X			X	
Building Inspections/ Permitting	X			X			X	
Engineering								

Source: Holland Consulting Planners, Inc.

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Table 47. Carteret County Jurisdictional Functions/Capabilities

	Carteret County	Atlantic Beach	Beaufort	Bogue	Cape Carteret	Cedar Point	Emerald Isle	Indian Beach	More-head City	Newport	Peletier	Pine Knoll Shores
Comprehensive Land Use Plan (LUP)	X	X	X	X	X	X	X	X	X	X	X	X
Parks and Recreation/ Open Space Plan		X	X						X	X		X
Zoning Ordinance	X	X	X			X		X	X	X		X
Subdivision Ordinance	X	X	X	X	X	X	X	X	X	X	X	X
Stormwater Ordinance		X	X						X	X		X
Floodplain Ordinance		X	X	X	X	X	X	X	X	X	X	X
NFIP Participant	X	X	X	X	X	X	X	X	X	X	X	X
CRS Participant	X	X	X		X	X	X		X	X		X
Capital Improvements Plan			X						X			
Building Inspections/ Permitting	X	X	X		X	X			X	X		X
Engineering												

Source: Holland Consulting Planners, Inc.

Table 48. Craven County Jurisdictional Functions/Capabilities

	Craven County	Bridgeton	Cove City	Dover	Havelock	New Bern	River Bend	Trent Woods	Vanceboro
Comprehensive Land Use Plan (LUP)	X	X	X	X	X	X	X	X	X
Parks and Recreation/ Open Space Plan					X	X			
Zoning Ordinance		X	X	X	X	X	X	X	X
Subdivision Ordinance		X			X	X	X	X	
Stormwater Ordinance					X	X	X	X	
Floodplain Ordinance		X	X		X	X	X	X	X
NFIP Participant	X	X	X		X	X	X	X	X
CRS Participant	X				X	X	X		
Capital Improvements Plan					X		X		
Building Inspections/ Permitting	X	X	X	X	X	X	X	X	X
Engineering									

Source: Holland Consulting Planners, Inc.

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Table 49. Hyde County Jurisdictional Functions/Capabilities

	Hyde County
Comprehensive Land Use Plan	X
Parks and Recreation/ Open Space Plan	X
Zoning Ordinance	
Subdivision Ordinance	X
Stormwater Ordinance	
Floodplain Ordinance	X
NFIP Participant	X
CRS Participant	X
Capital Improvements Plan	
Building Inspections/ Permitting	X
Engineering	

Source: Holland Consulting Planners, Inc.

Table 50. Pamlico County Jurisdictional Functions/Capabilities

	Pamlico County	Alliance	Arapahoe	Bayboro	Grantsboro	Mesic	Minnesott Beach	Oriental	Stonewall	Vandemere
Comprehensive Land Use Plan (LUP)	X	X	X	X	X	X	X	X	X	X
Parks and Recreation/ Open Space Plan								X		X
Zoning Ordinance				X		X	X	X		X
Subdivision Ordinance	X	X	X	X	X	X	X	X	X	X
Stormwater Ordinance										
Floodplain Ordinance	X	X	X	X	X	X	X	X	X	X
NFIP Participant	X	X	X	X	X	X	X	X	X	X
CRS Participant	X	X		X			X	X	X	X
Capital Improvements Plan										
Building Inspections/ Permitting	X									
Engineering										

Source: Holland Consulting Planners, Inc.

IV. LEGAL CAPABILITY REVIEW

The following overview provides an account of the legal mechanisms available to Beaufort, Carteret, Craven, Hyde, and Pamlico Counties, as well as their respective municipal jurisdictions to implement policies and practices aimed at furthering mitigation objectives outlined within this plan. These tools are equally available to each community; however, some communities do not have the administrative capacity to effectively make use of all land use management tools available to them through the State's enabling legislation.

As a general rule, local governments have only that legal authority which is granted to them by their home state. This principle, that all power is vested in the State and can only be exercised to the extent it is delegated, is known as "Dillon's Rule," and applies to all North Carolina's political subdivisions. Enabling legislation in North Carolina grants a wide array of powers to its cities, towns, and counties.

Local regulations which are enacted within the bounds of the state's enabling authority do not automatically meet with judicial acceptance. Any restrictions which local governments impose on land use or building practices must follow the procedural requirements of the Fourteenth Amendment, or risk invalidation.

These and other constitutional mandates apply to federal and state governments, and all their political subdivisions. Any mitigation measures that are undertaken by the local government in its regulatory capacity must be worded and enforced carefully within the parameters established by the state and federal Constitutions, even when such measures are authorized by the General Statutes of North Carolina, and even when such measures are enacted in order to protect public health and safety by protecting the community from the impacts of natural hazards.

Within the limits of Dillon's Rule and the federal and state Constitutions, local governments in North Carolina have a wide latitude within which to institute mitigation programs, policies, and actions. All local government powers fall into one of four basic groups (although some governmental activities may be classified as more than one type of power): regulation, acquisition, taxation, and spending. Hazard mitigation measures can be carried out under each of the four types of power. Following are a list of these powers and how they may be useful tools for hazard mitigation:

A. Regulations

1. General Police Power

Local governments in North Carolina have been granted broad regulatory powers in their jurisdictions. North Carolina General Statutes bestow the general police power on local governments, allowing them to enact and enforce ordinances which define, prohibit, regulate, or abate acts, omissions,

or conditions detrimental to the health, safety, and welfare of the people, and to define and abate nuisances (including public health nuisances). Since hazard mitigation can be included under the police power (as protection of public health, safety, and welfare), towns, cities, and counties may include requirements for hazard mitigation in local ordinances. Local governments may also use their ordinance-making power to abate "nuisances," which could include, by local definition, any activity or condition making people or property more vulnerable to any hazard.

2. Building Codes and Building Inspections

Many structural mitigation measures involve constructing and retrofitting homes, businesses, and other structures according to standards designed to make the buildings more resilient to the impacts of natural hazards. Many of these standards are imposed through the building code. North Carolina has a state compulsory building code which applies throughout the state (N.C.G.S. 143-138). However, municipalities and counties may adopt codes for the respective areas if approved by the state as providing "adequate minimum standards." Local regulations cannot be less restrictive than the state code.

Local governments in North Carolina are also empowered to carry out building inspection. N.C.G.S. Ch. 160A, Art. 19, Part 5; and Ch. 153A, Art. 18, Part 4 empower cities and counties to create an inspection department, and enumerates its duties and responsibilities, which include enforcing state and local laws relating to the construction of buildings; installation of plumbing, electrical, heating systems, etc.; building maintenance; and other matters.

3. Land Use

Regulatory powers granted by the state to local governments are the most basic manner in which a local government can control the use of land within its jurisdiction. Through various land use regulatory powers, a local government can control the amount, timing, density, quality, and location of new development; all these characteristics of growth can determine the level of vulnerability of the community in the event of a natural hazard. Land use regulatory powers include the power to engage in planning, enact and enforce zoning ordinances, floodplain ordinances, and subdivision controls. Land use controls available to each participating jurisdiction are provided in Section III.

Zoning: See Section II.C above.

Floodway Regulation: The North Carolina General Statutes declare that the channel and a portion of the floodplain of all the state's streams will be designated as a floodway, either by the local government or by the state. The legislatively declared purpose of designating these areas as a floodway is to help control and minimize the extent of floods by preventing obstructions which inhibit water flow and increase flood height and damage and other losses (both public and private) in flood hazard areas, and to promote the public health, safety, and welfare of citizens of North Carolina in flood hazard areas.

To carry out this purpose, local governments are empowered to grant permits for the use of the floodways, including the placement of any artificial obstruction in the floodway. No permit is required for certain uses, including agricultural, wildlife and related uses; ground level uses such as parking areas, rotary aircraft ports; lawns, gardens, golf courses, tennis courts, parks, open space, and similar private and public recreational uses. Existing artificial obstructions in the floodway may not be enlarged or replaced without a permit; local governments are empowered to acquire existing obstructions by purchase, exchange, or condemnation if necessary to avoid flood damages.

The procedures that are laid out for issuing permits for floodway use require the local government to consider the dangerous effects a proposed artificial obstruction may create by causing water to be backed up or diverted; or the danger that the obstruction will be swept downstream to the injury of others; and by the injury or damage that may occur at the site of the obstruction itself. Local governments are to take into account anticipated development in the foreseeable future which may be adversely affected by the obstruction, as well as existing development.

Planning: In order to exercise the regulatory powers conferred by the General Statutes, local governments in North Carolina are required to create or designate a planning agency. The planning agency may perform a number of duties, including: make studies of the area; determine objectives; prepare and adopt plans for achieving those objectives; develop and recommend policies, ordinances, and administrative means to implement plans; and perform other related duties. The importance of the planning powers of local governments is emphasized in N.C.G.S. 160A-383, which requires that zoning regulations be made in accordance with a comprehensive plan. While the ordinance itself may provide evidence that zoning is being conducted "in accordance with a plan," the existence of a separate planning document ensures that the government is developing regulations and ordinances that are consistent with the overall goals of the community.

Subdivision Regulation: See Section II.D above.

B. Acquisition

The power of acquisition can be a useful tool for pursuing mitigation goals. Local governments may find the most effective method for completely "hazard-proofing" a particular piece of property or area is to acquire the property (either in fee or a lesser interest, such as an easement), thus removing the property from the private market and eliminating or reducing the possibility of inappropriate development occurring. North Carolina legislation empowers cities, towns, and counties to acquire property for public purpose by gift, grant, devise, bequest, exchange, purchase, lease, or eminent domain.

C. Taxation

Taxation is yet another power granted to local governments by North Carolina law which can be used as a hazard mitigation tool. The power of taxation extends beyond merely the collection of revenue. Many communities set preferential tax rates for areas which are unsuitable for development (e.g., agricultural land, wetlands) and can be used to discourage development in hazardous areas.

Local units of government also have the authority to levy special assessments on property owners for all or part of the costs of acquiring, constructing, reconstructing, extending, or otherwise building or improving beach erosion control or flood and hurricane protection works within a designated area. This can serve to increase the cost of building in such areas, thereby discouraging development.

Because the usual methods of apportionment seem mechanical and arbitrary, and because the tax burden on a particular piece of property is often quite large, the major constraint in using special assessments is political. Special assessments seem to offer little in terms of control over land use in developing areas. They can, however, be used to finance the provision of services a city deems necessary within its boundaries. In addition, they are useful in distributing to the new property owners the costs of the infrastructure required by new development.

D. Spending

The fourth major power that has been delegated from the North Carolina State General Assembly to local governments is the power to make expenditures in the public interest. Hazard mitigation principles should be made a routine part of all spending decisions made by the local government, including annual budgets and Capital Improvement Plans.

A capital program is usually a timetable by which a city indicates the timing and level of municipal services it intends to provide over a specified duration. Capital programming, by itself, can be used as a growth management technique, with a view to hazard mitigation. By tentatively committing itself to a timetable for the provision of capital to extend municipal services, a community can control its growth to some extent especially where the surrounding area is such that the provision of on-site sewage disposal and water supply are unusually expensive.

In addition to formulating a timetable for the provision of services, a local community can regulate the extension of and access to municipal services.

A capital improvement program (CIP), where applicable, that is coordinated with extension and access policies can provide a significant degree of control over the location and timing of growth. These tools can also influence the cost of growth. If the CIP is effective in directing growth away from environmentally sensitive or high hazard areas, for example, it can reduce environmental costs.

V. FISCAL CAPABILITY REVIEW

There are many diverse sources of funding available to communities to implement local hazard mitigation plans, including both government and private programs. Often an organization with a particular focus will fund only part of a project. However, with coordination, the community can combine the funding efforts of one program with those of another, thereby serving multiple missions. The grant and loan programs described in this section of the plan are a significant, although certainly not a sole source of funding options available to each of the local government entities participating in this plan.

While federal and national programs carry out the bulk of disaster relief programs that provide funds for mitigation, local governments are encouraged to open the search field as widely as possible, and include alternative funding sources to supplement the local hazard mitigation budget. For instance, local businesses and organizations will frequently support projects that benefit their customers or employees, or which constitute good "PR." Other groups or individuals may be willing to donate "in-kind" services, eliminating the need for cash. Often the in-kind and volunteer services of local community members can be counted toward the local share that is typically needed to match an outside source of funds.

Local governments may also engage in their own "fund-raising" efforts to pay for mitigation programs that benefit the community at-large. In North Carolina, local governments are granted limited powers to raise revenue for public purpose. The General Assembly has conferred upon cities, towns, and counties the power to levy property taxes for various purposes, including: "ambulance services, rescue squads, and other emergency medical services; beach erosion and natural disasters (including shoreline protection, beach erosion control, and flood and hurricane protection); civil defense; drainage projects or programs; fire protection; hospitals; joint undertakings with other county, city, or political subdivisions; planning; sewage; solid waste; water; water resources; watershed improvement projects" N.C.G.S. §16A-209. These statutorily enumerated purposes make it clear that local governments are empowered to finance certain emergency management activities, including mitigation activities, with property taxes.

Appendix F provides a list and description of several programs which offer funding for hazard mitigation, redevelopment, and post disaster recovery.

VI. POLITICAL ACCEPTABILITY REVIEW

This subsection of the plan is intended to address the participating communities' "political willpower" to address hazards threats in a proactive manner. This "political willpower" is a significant component of a community's capability to implement hazard mitigation. It is, however, a very difficult factor to assess and evaluate as it is constantly changing based on the turnover in elected officials and the (perceived and actual) frequency and severity of natural hazard events.

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The following principals of political acceptability are applicable for all of the local governments participating in this plan:

1. Independent of existing regulations that directly address hazard mitigation (e.g., floodplain management ordinance), hazard mitigation is not a goal that should be addressed *independent of* other goals and objectives of the local government, due to limited local government resources; and
2. Hazard mitigation should be considered and incorporated into policies, procedures, and programs which affect land use and development, such as siting of roadways, siting and building of public facilities, zoning and subdivision ordinances, and extension of infrastructure necessary for growth; and
3. Local revenues are insufficient to support hazard mitigation projects for mitigation of existing hazards at the local level, however, Federal and State grant funds for priority hazard mitigation projects should be pursued when available.
4. One of local government's primary roles in implementing hazard mitigation is educating the public about the risks of natural hazards and how to reduce these risks and/or the costs of these risks.