

March 5, 2009

S 430. WILMINGTON CIVIL SERVICE REWRITE. Filed 3/4/09. *TO REWRITE THE WILMINGTON CIVIL SERVICE ACT.*

Rewrites Article XI of the Wilmington City Charter, SL 1981-342, to place the director of human resources on the Civil Service Commission (Commission) as an ex officio member; to remove the Wilmington Ministerial Association's power to appoint one regular member, substituting one regular appointment by the sitting members of the Commission; to require four regular members to be present to consider appeals of dismissals or demotions; to clarify the police and fire employees subject to the Commission and to civil service requirements; to make employee privacy provisions of GS 160A-168 apply to Commission appeal hearings; to clarify that the Commission may set its own rules of procedure; to make judicial review of Commission decisions in the nature of the common-law writ of certiorari, rather than the state administrative procedures act; to remove provision for police and fire chiefs to suspend employees with or without pay prior to approval by the city manager; to clarify deadlines for appeals; and to make other technical changes.

Intro. by Boseman.

NEW HANOVER

May 12, 2009

S 430. WILMINGTON CIVIL SERVICE/AMENDMENTS. Filed 3/4/09. Senate committee substitute makes the following changes to 1st edition. Deletes proposed amendments to Sections 11.3 through 11.8 of Article XI of the City of Wilmington Charter. Makes technical amendments to proposed changes to Section 11. 1 and 11.2 of Article XI.

June 30, 2010

S 430. WILMINGTON CIVIL SERVICE/AMENDMENTS. Filed 3/4/09. House committee substitute makes the following changes to 2nd edition.

Deletes the provisions of the 2nd edition that amended Sections 11.1 and 11.2 of Article XI of the City of Wilmington (Wilmington) Charter (SL 1977-495, as amended) and instead amends Section 11.1 as follows.

Requires that the applicants to the Civil Service Commission (Commission) complete the Wilmington Boards and Commissions application process. Specifies that the respective employees of the Wilmington Fire Department and Wilmington Police Department, *who are subject to Article XI of the Charter*, are to each name one member to the Commission by a majority vote. Also provides that the sitting members of the Commission (was, the Wilmington Ministerial Association governing body) are to name one member by a majority vote. Specifies that the member previously selected by the Wilmington Ministerial Association governing body is to be replaced with another member chosen by a majority vote of the sitting members of the Commission. Designates that this member must complete the application process and provides that this member will fill an at-large seat for a one-year term to run from August 1, 2010, through August 1, 2011.

Makes conforming changes to the title.

July 6, 2010

S 430. WILMINGTON CIVIL SERVICE/AMENDMENTS. Filed 3/4/09. House amendment makes the following changes to 3rd edition.

Adds new section, authorizing the Town of Carolina Beach to adopt ordinances pursuant to GS 160A-174 and to extend applicable Carolina Beach ordinances to their full force and effect in the shoreline area, provided that any conflicting county, State, or federal rule, regulation, or statute will prevail. Also prohibits a Carolina Beach ordinance from interfering or limiting public trust rights or the legal rights of access thereto. Defines *shoreline area* as the land and water areas extending from the corporate boundaries of Carolina Beach to a distance of 200 yards in parallel lines from the boundaries; includes Carolina Beach Harbor, the Municipal Marina, and Yacht Basin, but does not include (i) the shoreline areas along the Atlantic Ocean, (ii) the Intercoastal Waterway and all areas within its right-of-way, and (iii) any area within the corporate

boundaries of another city or town. Further authorizes Carolina Beach law enforcement officers to enforce ordinances adopted or extended under the section, subject to certain limitations, and allows Carolina Beach to enter into enforcement and mutual aid agreements with other entities.

Authorizes Carolina Beach to hire one or more special officers to serve as harbormaster, who will exercise powers as detailed. Authorizes Carolina Beach to own and operate listed facilities in the shoreline area, subject to the limitations in GS 75A-15 (pertaining to water safety rules) and applicable county, state, and federal laws.

Makes a conforming change to the title.

July 8, 2010

SL 2010-73 (S 430). WILMINGTON CIVIL SERVICE/AMENDMENTS. *AN ACT TO: (1) AMEND THE WILMINGTON CIVIL SERVICE ACT TO PROVIDE THAT THE SITTING MEMBERS OF THE CIVIL SERVICE COMMISSION, BY MAJORITY VOTE, SHALL NAME ONE MEMBER OF THE COMMISSION AND PROVIDE FOR THE REPLACEMENT OF THE MEMBER PREVIOUSLY NAMED BY THE WILMINGTON MINISTERIAL ASSOCIATION; AND (2) CLARIFY AND EXPAND THE AUTHORITY OF THE TOWN OF CAROLINA BEACH TO REGULATE AND ENFORCE LAWS IN CAROLINA BEACH HARBOR AND THE SHORELINE AREA ADJOINING THE TOWN.* Summarized in *Daily Bulletin* 3/5/09, 5/12/09, 6/30/10, and 7/6/10. Enacted July 8, 2010. Effective July 8, 2010.