



**Fraternity Lends Some Hands**

Thirty members of Alpha Phi Omega national service fraternity at N.C. State University in Raleigh boosted the Big Sweep turnout at Sunset Beach last Saturday. Here they join other volunteers for lunch. The APOs' most unusual find was a paring knife.

STAFF PHOTO BY SUSAN USHER

# Sunset Beach Asks Court To Shut Down Watercraft Rental Business

BY SUSAN USHER

The Town of Sunset Beach wants Brunswick County Superior Civil Court to stop a personal watercraft rental business from doing business in town because it allegedly violates three town ordinances, and to dismiss the company's suit against the town.

Without having received either a business permit or peddler's license from the town, the SeaQuest Company Inc. leased space at a Main Street business, purchased equipment and began operating a watercraft rental business on Memorial Day weekend.

Sunset Beach, in its response and countersuit, claims company officers Kevin Smith and Alex Kinlaw were advised before and after starting up their business on Memorial Day weekend that:

1) watercraft rental was not a permitted use in the beach business zoning district;

2) that no peddling was allowed on the Sunset Beach strand; and

3) that the town's "Jet Ski" or personal watercraft ordinance applied. The ordinance bans operation of Jet Skis, power sleds or similar devices within 300 yards of the shoreline between 7 a.m. and 5 p.m. from April 1 through Sept. 30.

Town Administrator Linda Fluegel, it states, also advised the two that their recourse would be to apply in writing to the town planning and zoning board, seeking amendment of the zoning ordinance. While the partners discussed their business plan with Fluegel and contacted her and town commissioners on several occasions, no application was received.

On Memorial Day weekend the town ordered the business to close because it was operating in violation of several town ordinances. Smith and Kinlaw refused, saying their business was legal and that the town had not responded in a timely fashion to their request to do business in town. Later in the weekend either the U.S. Coast Guard or a state agency ordered the business to stop

operation from a new location on the Intracoastal Waterway.

On June 1 the court issued a restraining order to keep Sunset Beach from shutting down SeaQuest's operation in town. The order resulted from a suit filed by Smith and Kinlaw claiming the town had violated their rights in not issuing a permit for the business and then allegedly threatening their arrest and confiscation of equipment if the business didn't shut down its operations on Main Street and on the beach strand.

The order was extended through Sept. 12, effectively allowing the two to rent through the summer season family-size, jet-powered watercraft from the beach business district on the island, to load and unload boats from the beach strand, and to operate the boats off the beach.

The town also states it has requested that SeaQuest cease operation in violation of town ordinances, but that Smith and Kinlaw have refused to do so.

Sunset Beach and its taxpayers have, as a result, suffered "irreparable and immediate damage for which they have no adequate remedy at law."

SeaQuest's principals contend their constitutional rights were denied and their business harmed financially by the town's refusal to al-

low the company to operate and its allegedly not responding in a timely fashion to their request to do business; that they have not violated any town regulations; and that their business is "conceptually similar" to others in the beach business district that rent items for use on the beach strand and should be allowed even if not specifically allowed by ordinance.

Sunset Beach contends that since the partners were told the business was not allowed or permitted in town, the two "could not have reasonably relied on their right to conduct said business in incurring any expenditures or other obligations."

## CHADD Group Meets Monday

The Brunswick County CHADD Chapter, an organization for people who want to learn more about children and adults with attention deficit disorder, will meet Monday, Sept. 26, at 7:30 p.m. at Ocean View United Methodist Church, Yaupon Beach.

The meeting was rescheduled from Sept. 19. The group's regular meeting day is the third Monday of each month.

Meetings are free and open to the public.

## Forum Chance To Speak Up On Future Of N.C. Tourism

In what direction should North Carolina move with tourism development?

That's the question local residents will get to address at a regional forum on travel and tourism.

One of eight across the state, the local forum will be held at Brunswick Industrial Business Center in Leland Wednesday, Oct. 5, from 6 p.m. to 9 p.m.

Tourism is currently North Carolina's second largest economic sector, and projected to become the largest by the end of the decade, according to the N.C. Travel and Tourism Division, and the travel industry is expected to continue experiencing rapid growth.

The \$8.3 billion industry is driven in part by the natural beauty and resources of the state. According to Gov. Jim Hunt, "In order to preserve this natural beauty, and to continue to be a leader in the travel and tourism industry, we must plant now for the future."

Information gathered at the regional forums will be developed into action recommendations by issue-oriented working groups. Then, at the Governor's Summit on Travel

and Tourism Feb. 6-7 in Raleigh, business, government and community leaders will analyze and refine the proposals. Their final recommendations will be presented to the governor, secretary of commerce and state Economic Development Board for possible legislative action. They will also be forwarded for consideration at the White House Conference on Travel and Tourism in Washington, D.C., in November 1995.

At each forum, the time allocated to each speaker will be determined by the number of persons wishing to speak. Speakers are requested to provide a written outline of their comments at the time of presentation, if possible.

Also, the N.C. Travel and Tourism Division will accept written comments that are received by Oct. 19 at N.C. Travel and Tourism Division, 430 N. Salisbury St., Raleigh, N.C. 27611.

The forum site is accessible to the physically handicapped. Anyone wishing to attend the session, but needing special assistance can contact forum coordinator Gayle Harvey, 910-251-5699.

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