

**§ 77-89.9. Fees.**

(a) Except as limited by any other provisions of State or federal law, the Commission may assess fees related only to the following:

- (1) Participation in education, training, or certification services provided by the Commission.
- (2) Use of facilities owned or operated by the Commission.
- (3) Application for a permit administered by the Commission to regulate privileged or special uses of Lake Norman and its shoreline area.

(b) In setting fee amounts to be charged for activities provided in subsection (a) of this section, the Commission shall not do any of the following:

- (1) Set a fee in an excessive amount that is neither reasonable nor customary for the services and privileges provided by the Commission.
- (2) Set a fee in an amount that exceeds the Commission's actual costs for the service provided.
- (3) Charge fees for general access to or use of Lake Norman or its shoreline area.
- (4) Discriminate on the basis of race, color, sex, religious creed, or national origin.

(c) Each year by January 31, the Commission shall produce a publicly available and auditable report that includes an accounting of all of its fee collections and funding from other sources compared to its program-specific expenses during the prior calendar year. This annual financial report shall include adequate detail to determine that the Commission has met each of the requirements of this section, accompanied by a formal written certification of the same by the chair of the Commission. If there is a surplus of fee collections or funding in a given calendar year, it shall be applied to program-specific expenses for the next calendar year. (2025-67, s. 5.1(d).)