



**AN ORDINANCE AMENDING THE CODE OF ORDINANCES  
OF THE TOWN OF NAGS HEAD, NORTH CAROLINA**

**BE IT ORDAINED** by the Board of Commissioners of the Town of Nags Head, North Carolina, that the Code of Ordinances shall be amended as follows:

PART I. That **Section 8-7, Beach Bulldozing Prohibited**, be added as follows:

- (a) On the ocean beaches, bulldozing sand, pushing sand by mechanical means or other mechanical change to the topography is prohibited except in the following situations:
- (1) When such work is performed as a part of a hurricane or erosion protection project or beach nourishment project sponsored by the Town of Nags Head or any local, state or federal government agency;
- (2) When such work is performed at the direction of the Town of Nags Head for the purpose of beach maintenance;
- (3) When such work is authorized by issuance of a general waiver of this section by the Board of Commissioners following a natural disaster.
- (b) When work is performed upon the ocean beaches in compliance with subsection (a) above the equipment operator must have a copy of the CAMA Permit/Exemption Letter from the Town on his/her person when conducting this activity and be familiar with all of the conditions associated with the permit.
- (c) Each day that the property is not restored to its pre-bulldozed condition shall be a separate violation. Collection and enforcement of this civil penalty shall be in accordance with section 1-6(b) and (d) of the Town's Code of Ordinances.

PART II. That **Section 1-6, General Penalty; Enforcement of Ordinances; Continuing Violations**, be amended as follows:

(d) Violations of the following provisions of this Code shall subject the offender to either a civil penalty or a criminal penalty, or both, in accordance with the penalty provisions of subsections (b) and (c) of this section or in accordance with the specific penalty provisions contained within the respective chapter and article, where applicable:

- (1) Chapter 8, sections 8-1, 8-2, 8-4, 8-7, 8-62, 8-82, and 8-83

PART III. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

PART IV. This ordinance shall be in full force and effect from and after the third day of August, 2011.

A handwritten signature in black ink, appearing to read "Robert O. Oakes, Jr.", is written over a horizontal line.

Robert O. Oakes, Jr., Mayor  
Town of Nags Head

ATTEST:

A handwritten signature in black ink, appearing to read "Carolyn F. Morris", is written over a horizontal line.  
Carolyn F. Morris, Town Clerk



APPROVED AS TO FORM:

\_\_\_\_\_  
John Leidy, Town Attorney

Date adopted: August 3, 2011

Motion to adopt by Commissioner \_\_\_\_\_

Motion seconded by Commissioner \_\_\_\_\_

Vote: 4 AYES 1 NAYS

AYES      Mayor Bob Oakes  
            Mayor Pro Tem Wayne Gray  
            Comr. Doug Remaley  
            Comr. Renée Cahoon

NAYS      Comr. Anna Sadler