



**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 Chapter 48, Zoning, of the Code of Ordinances shall be amended as follows:

PART I. That **Section 12-1 – Definitions**, be amended as follows:

Internet Café, or Internet Sweepstakes means a businesses or enterprises that have as a part of their operation the running of one or more games or processes with any of the following characteristics: (1) payment, directly or as an intended addition to the purchase of a product, whereby the customer receives one or more electronic sweepstakes tickets, cards, tokens or similar items entitling or empowering the customer to enter a sweepstakes, and without which item the customer would be unable to enter the sweepstakes; or (2) payment, directly or as an intended addition to the purchase of a product, whereby the customer can request a no purchase necessary free entry of one or more sweepstakes tickets or other item entitling the customer to enter a sweepstakes.

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 All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

PART III. This ordinance shall be in full force and effect from and after the 2nd day of May 2012.

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

ATTEST:

Carolyn F. Morris, Town Clerk



APPROVED AS TO FORM:

John Leidy, Town Attorney

Date adopted: May 2, 2012

Motion to adopt by Commissioner _____

Motion seconded by Commissioner _____

Vote: 4 AYES 0 NAYS (Comr. Walters was not present.)



**TOWN OF NAGS HEAD
STATEMENT OF CONSISTENCY
WITH THE LAND USE PLAN FOR A ZONING TEXT AMENDMENT**

BE IT HEREBY RESOLVED by the Board of Commissioners for the Town of Nags Head, that in accordance with provisions of North Carolina General Statute 160A-383, the Board of Commissioners hereby finds and determines that the adoption of the requested text amendment to: Motion to recommend adoption of Text Amendment, to amend Town Code Section 12-1, Definitions, Internet Café or Internet Sweepstakes

Is consistent with the goals, objectives and policies of the Town's adopted Land Use Plan, and that this action is reasonable and in the public interest, specifically, it:

- Supports the Land Use Plan Policy of maintaining the Town's self-sufficiency by providing adequate services and amenities for residents and visitors (p.97)

READ, APPROVED AND ADOPTED by a vote of 4 to 0 (Comr. Walters was not present.) this the 2nd day of May 2012.

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

Robert O. Oakes Jr., Mayor

ATTEST:

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

Carolyn Morris, Town Clerk

A handwritten signature in black ink, appearing to read "Cliff Ogburn", written over a horizontal line.

Cliff Ogburn, Town Manager

