



**AN ORDINANCE ADDING SEC. 8-10 TO CHAPTER 8  
BEACHES AND WATERWAYS  
REGULATION OF FISHING PRACTICES DESIGNED TO ATTRACT SHARKS**

**WHEREAS**, pursuant to North Carolina General Statutes §160A-174 a town may by ordinance define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the town; AND

**WHEREAS**, in furtherance of the public's health, safety and welfare it is necessary to regulate certain activities upon the lands, waterways, beaches, and dune areas of the Town.

**NOW THEREFORE BE IT ORDAINED** by the Board of Commissioners of the Town of Nags Head, North Carolina:

**PART I.** The Code of Ordinances, Town of Nags Head, North Carolina, Chapter 8, Article I, is hereby amended by adding a section, to be numbered 8-10, Baiting or Attracting Sharks Prohibited, which section shall read as follows:

Sec. 8-10. Baiting or Attracting Sharks Prohibited.

- A. No person fishing from a pier or the shore within the town limits shall bait or cause to be used any bait which attracts sharks of any type to the shores or piers. This section shall not prevent regular and normal fishing now done on piers and shores of the town, except to the extent it affects the baiting and luring of sharks to the waters of the town.
- B. This prohibition shall be in effect beginning 9:00 am to 5:00 pm from May 1 through October 31.
- C. Penalty for violations of this Section:  
Any person violating the provisions of this section shall be subject to a civil penalty or a criminal penalty, or both in accordance with Section 1-6 subsection (d) of this code.

**PART II.** That Section 1-6, General Penalty; enforcement of ordinances; continuing violations, be amended as follows:

(b) Violations of any provision of the following chapters and sections of this Code or the Unified Development Ordinance shall be a misdemeanor and punishable as provided by G.S. 14-4:

(2) Chapter 8, all sections with the exception of sections 8-1, 8-2, 8-4, 8-10, and 8-62. As to any violation of sections 8-82, 8-83, or 8-84, such violation shall be a class III misdemeanor punishable by a fine of up to \$200.00;

(d) Violations of the following provisions of this Code or the Unified Development Ordinance 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:

- (2) Chapter 8, sections 8-1, 8-2, 8-4, 8-7, 8-10, and 8-62;

This ordinance shall be effective upon its adoption.

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Benjamin Cahoon, Mayor  
Town of Nags Head

ATTEST:

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Carolyn F. Morris, Town Clerk

APPROVED AS TO FORM:

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John Leidy, Town Attorney

Date adopted: August 7, 2024

Motion to adopt by: \_\_\_\_\_

Motion seconded by: \_\_\_\_\_

Vote: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS