



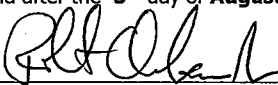
**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
OF THE TOWN OF NAGS HEAD, NORTH CAROLINA**

PART I That Chapter Vehicle For Hire - ARTICLE III. DRIVERS; Sec. 46-86 Issuance of permit be modified as follows:

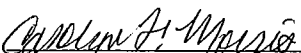
Sec. 46-86. Issuance of permit. The chief of police shall issue a permit to the applicant if the chief of police finds that an applicant for a permit:

- (a) The applicant is a citizen of the United States;
- (b) The applicant has a current and valid drivers license; and
- (c) None of the following situations apply to the applicant:
 - (1) Conviction of more than one (1) DWI/DUI;
 - (2) Conviction of only one (1) DWI/DUI within three (3) years of the application;
 - (3) Conviction of more than one (1) careless and reckless driving offense;
 - (4) Conviction of more than one (1) felony or misdemeanor drug related offence within ten (10) years of the application;
 - (5) Conviction of any drug related offense involving possession/intent to manufacture, sell or distribute;
 - (6) Conviction of any non-violent felony within ten (10) years if non-violent;
 - (7) Conviction of any violent felony offense within twenty (20) years if violent;
 - (8) Conviction of any sex offense or prostitution related offense;
 - (9a) Conviction of any alcohol related offense involving the sale or distribution of alcohol within one (1) year of the application;
 - (9b) Conviction of any alcohol related offense involving the aiding or abetting of the possession of alcohol by a minor;
 - (10) Conviction of any similar criminal offense(s) involving moral turpitude;
 - (11) Habitual conviction of traffic laws or town ordinances. An applicant's convictions shall be habitual if the applicant has more than five (5) convictions over any relevant period of time ~~or more than three (3) convictions within ten (10) years of the application;~~
 - (12) Subject to a domestic violence protective order;

PART II. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. This ordinance shall be in full force and effect from and after the 3rd day of **August 2011**.


Robert O. Oakes, Jr., Mayor

ATTEST:


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: _____ AYES _____ NAYS