

AN ORDINANCE AMENDING THE KITTY HAWK TOWN CODE

BE IT ORDAINED by the Town Council of Kitty Hawk that the Kitty Hawk Town Code shall be amended as follows:

Sec. 6-28. – Beach Equipment.

(A) Prohibited. The following activities shall be unlawful on the ocean beach;

(1) Beach equipment placed or erected that:

- (a) Prevents or disrupts that passage of emergency or rescue vehicles or other town or government service vehicles; or
- (b) Placement of apparatus, equipment or personal belongings including but not limited to umbrellas, tents or canopies in such a manner as to obstruct the line of sight to the water from lifeguard stands or other Ocean Rescue Division surveillance areas.

(2) Overnight placement of beach equipment. Any manner of overnight placement or storage of privately-owned beach equipment, left unattended, in the open air or, inside any type of containers, box or chest; or bundled, baled or gathered or uncovered, on the ocean beach between the hours of sunset and sunrise.

(B) Remedies. Violations of this section shall result in the classification of unattended beach equipment, personal property, or debris of any kind as litter or unsafe property and said property may be removed by the town and shall be disposed of as litter, trash, garbage or rubbish.

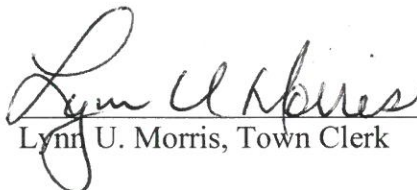
Sec 6-29 – Excessive and unsafe digging or piling of sand on the ocean beach prohibited.

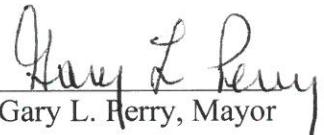
(A) It shall be prohibited for any person to alter the ocean beach by digging or mounding of sand that:

- (1) Substantially or permanently alters the contour or shape of the ocean beach or any sand dune;
- (2) Unreasonably restricts, prevents or disrupts the passage of emergency or rescue vehicles or government service vehicles;

- (3) Creates a hazard for those traveling the ocean beach during times of reduced visibility or otherwise cannot reasonably be seen and recognized as a hazard by users of the ocean beach;
- (4) Creates hazards for endangered or protected species such as sea turtles which use the beach at night
- (5) Creates the possibility of the collapse of the sand upon users of the ocean beach, particularly children; or
- (6) Otherwise creates an unreasonably dangerous condition for the users of the ocean beach.

This ordinance amending the Kitty Hawk Town Code shall take effect the 4th day of November, 2019. Passed and adopted at a regular meeting held by the Town Council of Kitty Hawk the 4th day of November, 2019 by a vote of 5 in favor and 0 opposed.

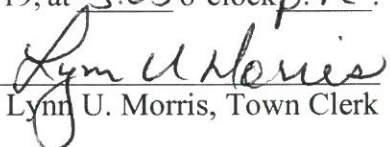

Lynn U. Morris, Town Clerk


Gary L. Herry, Mayor

APPROVED AS TO FORM:

Casey Varnell, Town Attorney

The undersigned certifies that the forgoing official ordinance designated ORDINANCE AMENDMENT OF THE TOWN OF KITTY HAWK, NORTH CAROLINA was filed in the Kitty Hawk Ordinance Book on the 5th day of November, 2019, at 3:05 o'clock p.m.


Lynn U. Morris, Town Clerk