

AN ORDINANCE AMENDING CHAPTER 130. GENERAL OFFENSES.  
OF THE KILL DEVIL HILLS TOWN CODE

BE IT HEREBY ORDAINED by the Kill Devil Hills Board of Commissioners that Chapter 130. General Offenses., of the Kill Devil Hills Town Code, shall be amended by removing the ~~stricken language~~ and adding the following underlined language:

**§ 130.11 CONSUMPTION AND STORAGE OF ALCOHOLIC BEVERAGES ON TOWN PROPERTY.**

(A) *Definitions.* For purposes of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning.

***ALCOHOLIC BEVERAGE.*** Any beverage containing at least 0.5% alcohol by volume, including malt beverages, unfortified wine, fortified wine, spirituous liquor, and mixed beverages.

***OPEN CONTAINER.*** A container whose seal has been broken, or a container other than the manufacturer's unopened original container.

***TOWN PROPERTY.*** The Ocean Bay Boulevard Regional Bathhouse and adjacent and designated parking areas; Meekins Field and adjacent parking area, Hayman Park, Aviation Park

and Centennial Paths and adjacent parking area; Copley Drive Park; the Casey R. Logan Disc Golf Course; and all town-owned buildings.

(B) It shall be unlawful for any person to possess any alcoholic beverage in an open container on town property. It shall be unlawful to store alcoholic beverages in any town-owned buildings.

(C) It shall not be unlawful for unopened alcoholic beverages in vehicles, coolers, or other storage devices at the following locations: the Ocean Bay Boulevard Regional Bathhouse and adjacent and designated parking areas; Meekins Field and adjacent parking area, Hayman Park, Aviation Park and Centennial Paths and adjacent parking area; ~~and~~ Copley Drive Park; and the Casey R. Logan Disc Golf Course.

(D) The provisions of this section shall not apply to law enforcement agencies of the Town of Kill Devil Hills, Dare County, State of North Carolina, or federal government engaged in the conduct of their official duties.

This amendment to Chapter 130. General Offenses, shall be in full force and effect from and after the \_\_\_\_ day of \_\_\_\_\_, 2019. Adopted and approved by the Board of Commissioners of the Town of Kill Devil Hills at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2019, by a vote of \_\_\_\_ in favor and \_\_\_\_ opposed.

SEAL

\_\_\_\_\_  
Sheila F. Davies, Ph.D.  
Mayor

DRAFT Amendment  
Chapter 130. General Offenses.  
No Alcoholic Beverages at the  
Casey R. Logan Disc Golf Course  
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ATTEST:

\_\_\_\_\_  
James Michael O'Dell  
Deputy Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Casey C. Varnell  
Town Attorney

The undersigned hereby certifies that the foregoing official amendment, designated AN ORDINANCE AMENDING CHAPTER 130, General Offenses, was placed in the Kill Devil Hills Town Code Book on the \_\_\_\_\_ day of \_\_\_\_\_, 2019 at \_\_\_\_\_.m.

\_\_\_\_\_  
James Michael O'Dell  
Deputy Town Clerk