



TOWN OF KILL DEVIL HILLS
Land Where Flight Began

MEMORANDUM

April 24, 2024

TO: KDH Board of Commissioners

FROM: Debora P. Díaz, Town Manager

REF: New Business

1. Town Code Amendment – Overnight parking at beach accesses (Attached NB-1)

Since Kill Devil Hills' incorporation, the Town has strived to equally balance opportunities for all stakeholders, including residents, businesses, and the general public. With the additional growth and development of the oceanfront, it has been a priority for the Town to maintain entry for the public to access the pristine, public trust beaches.

The proposed amendment to the Town Code creates a new section under Chapter 72, Stopping, Standing and Parking, §72.05 Parking in Certain Places and General Regulations, Chapter 96 Seaside Regulations, §96.15 (A) Beach Access Parking, which would prohibit overnight parking at the Town's beach accesses from midnight to 3:00 a.m.

The attached memorandum highlights the Town's need to address the issue of providing access for all to the Town's beaches, while providing the least impact on our beachgoers and citizens.

Staff recommends approval of the amendment as presented, and requests Board consideration.



THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

ADMINISTRATION

Post Office Box 1719, 102 Town Hall Drive
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Assistant Town Manager
CHARLENE ALLEN

Town Clerk
JAMES MICHAEL O'DELL

Deputy Town Clerk/
Administrative Assistant
JENNIFER STECHER

Public Information Officer
RACHEL TACKETT

Deputy Town Clerk/
Administrative Specialist
PARKER MIDGETT

April 24, 2024

Memorandum

To: Debora P. Diáz, Town Manager

From: James Michael O'Dell, Town Clerk *jmo*

Subject: Proposed Town Code Amendment – Chapter 72, Stopping, Standing, and Parking, §72.05, Parking in Certain Places, and Chapter 96, Seaside Regulations, §96.15 Beach Accesses – prohibition of overnight parking at the Town's beach accesses

At the request of Administration and following requests from public, the Office of the Town Clerk, working in conjunction with the Police Department, has developed a proposed amendment to the Town Code to address overnight parking at the Town's beach accesses.

This was the result of concerns expressed by the public about beach access parking, which is available and free to the Town's citizens, residents, and visitors, regularly being utilized by nearby properties, including large single-family dwellings, along the oceanfront as supplemental parking.

The proposed amendment would prohibit overnight parking all of the Town's beach accesses from 12 midnight to 3:00 a.m. Any violators would be subject fines and other remedies from our Police Department. However, Staff's main goal would be to educate and inform the public of the parking requirement, which was developed to provide as minimal an impact on the public as possible.

**AN ORDINANCE AMENDING THE KILL DEVIL HILLS TOWN CODE,
CHAPTERS 72, STOPPING, STANDING AND PARKING
AND CHAPTER 96, SEASIDE REGULATIONS**

BE IT HEREBY ORDAINED BY THE Kill Devil Hills Board of Commissioners that Chapter 72, Stopping, Standing and Parking, and Chapter 96, Seaside Regulations, of the Kill Devil Hills Town Code, shall be amended by adding the underlined language and deleting the following ~~stricken~~ language to the sections identified below, as follows:

72.05 PARKING IN CERTAIN PLACES.

When signs have been erected indicating that parking is restricted or permitted on certain streets, ~~or~~ portions of street, or beach accesses as described on the official traffic-control maps of the town, no person shall park a vehicle on such street, ~~or~~ portion of street, or beach accesses except in compliance with the directions and/or restrictions contained on such signs.

CHAPTER 96: SEASIDE REGULATIONS

§ 96.15 BEACH ACCESSES.

(A) Parking.

- (1) Parking prohibited between 12:00 a.m. midnight and 3:00 a.m. at beach access parking lots and areas. No vehicle or trailer shall be parked and left unattended at any beach access parking lot or area within the Town of Kill Devil Hills after 12:00 a.m. midnight and before 3:00 a.m.**

This amendment to Chapter 72, Parking, Standing and Stopping, and Chapter 96, Seaside Regulations, shall be in full force and effect from and after the ____ day of _____, 2024. Adopted and approved by the Board of Commissioners of the Town of Kill Devil Hills at a regular meeting held on the ____ day of _____, 2024, by a vote of ____ in favor and ____ opposed.

SEAL

John Windley
Mayor

ATTEST:

James Michael O'Dell
Town Clerk

APPROVED AS TO FORM:

Casey C. Varnell
Town Attorney

The undersigned hereby certifies that the foregoing official amendment, designated AN ORDINANCE AMENDING THE KILL DEVIL HILLS TOWN CODE, CHAPTER 72, STOPPING, STANDING AND PARKING and 96, SEASIDE REGULATIONS, was placed in the Kill Devil Hills Town Code Book on the ____ day of _____, 2024, at _____.m.

James Michael O'Dell
Town Clerk