



TOWN OF KILL DEVIL HILLS  
Land Where Flight Began

MEMORANDUM

May 12, 2025

TO: Mayor and Board of Commissioners

FROM: Debora P. Díaz, Town Manager

REF: New Business

**2. Requested Town Code Amendment – Chapter 96, Seaside Regulations, §96.15 Beach Accesses – extension of overnight parking prohibition at the Town’s beach accesses from 12:00 midnight to 6:00 a.m. (Attached NB-2)**

In Spring 2024, following concerns by the public, the Board of Commissioners adopted an ordinance to prohibit overnight parking at the Town’s public beach accesses from 2:00 a.m. to 4:00 a.m., unless the vehicle displayed a Town-issued permit. The Administration Department’s meeting memorandum details the history of the amendment, and the permitting process.

Members of the Board have recently expressed concern that the overnight hours for the beach access parking prohibition should be expanded, and requested that Staff submit an amendment to change the hours to 12:00 midnight to 6:00 a.m., unless the vehicle has a Town-issued parking pass. In addition, Staff has included amendment language to codify the Town’s permit procedure to ensure the Board’s request that residents and property owners have access to park at beach accesses and areas, as desired.

Board guidance is requested.



**THE TOWN OF KILL DEVIL HILLS**  
NORTH CAROLINA  
**ADMINISTRATION**

Post Office Box 1719, 102 Town Hall Drive  
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Town Manager  
**DEBORA P. DIÁZ**

Assistant Town Manager  
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Administrative Specialist  
**PARKER JOHNSON**

May 12, 2025

Memorandum

To: Debora P. Díaz, Town Manager

From: James Michael O'Dell, Town Clerk

Subject: Proposed Town Code Amendment – Chapter 96, Seaside Regulations, §96.15 Beach Accesses – extension of overnight parking prohibition at the Town’s beach accesses from 12:00 midnight to 6:00 a.m.

Following requests from the public, Staff developed and submitted a proposed amendment to the Town Code to address overnight parking at the Town’s beach accesses for Board consideration in Spring 2024. The amendment was the result of public concerns expressed 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.

Although not required, the Board, at its April 24, 2024, meeting, directed Staff to schedule a public hearing for June 26, 2024, for further input from the community before making a determination.

At its June 26, 2025, meeting and following the public hearing, the Board adopted an ordinance that prohibits parking between 2:00 a.m. and 4:00 a.m. at Town beach access parking lots and areas unless a permit was issued. Staff then developed a procedure for residents and property owners to receive the free permit that can allow them to park during the regularly prohibited hours.

Since that time, individuals have contacted Board members, who then requested Staff prepare an amendment to extend the overnight parking prohibition for beach accesses to 12:00 midnight to 6:00 a.m. Staff has also included language to codify the procedures used to process the permits for the town’s property owners and residents.

**AN ORDINANCE AMENDING THE KILL DEVIL HILLS TOWN CODE,  
CHAPTER 96, SEASIDE REGULATIONS**

BE IT HEREBY ORDAINED BY THE Kill Devil Hills Board of Commissioners that 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:

**CHAPTER 96: SEASIDE REGULATIONS**

**§ 96.15 BEACH ACCESSES.**

(A) Parking.

(1) Parking prohibited between 12:00 a.m. and 6:00 4:00 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 between 12:00 a.m. and 6:00 4:00 a.m., unless vehicle or trailer displays valid Town-issued permit.

(2) Parking Permit required. A parking permit may be obtained during normal business hours from a designated Town department. Permits are issued free of charge to property owners and/or residents in the town upon verification of two forms of identification:

(a) Valid government-issued photo identification (such as a driver's license, passport, or military identification), AND

(b) Proof establishing residency or property ownership within the town (including current tax record, long-term lease [12 months or more], utility bill, or voter registration card).

- (c) Number of permits issued. A maximum of two (2) parking permits will be issued for the owner of each property or one (1) permit will be issued for each resident.
- (d) Placement of parking permit. Once issued, the parking permit must be affixed to the lower left, driver's side rear window.

This amendment to Chapter 96, Seaside Regulations, shall be in full force and effect from and after the \_\_\_\_ day of \_\_\_\_\_, 2025. Adopted and approved by the Board of Commissioners of the Town of Kill Devil Hills at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2025, 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 96, SEASIDE REGULATIONS, was placed in the Kill Devil Hills Town Code Book on the \_\_\_\_\_ day of \_\_\_\_\_, 2025, at \_\_\_\_\_ .m.

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