



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

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Nags Head, North Carolina, that Chapter 8, *Beaches and Waterways* of the Code of Ordinances shall be amended as follows:

PART I. That Town Code Sec. 8-2. *Swimming; prohibited during dangerous conditions.* be amended as follows:

(a) It is recognized that during certain periods of time, as a result of a combination of environmental conditions, dangerous riptides and undercurrents occur in the ocean surf making ocean conditions unsafe for swimming and other water-related activities. The town manager or their designee is authorized to make a determination that conditions are unsafe for swimming in the Atlantic Ocean, to prohibit all swimming in the Atlantic Ocean until such time that the unsafe conditions have abated. During such periods in which swimming is prohibited and after reasonable notice is given to the public, to include the posting of signs on lifeguard stands and "Double Red Flags" at the public accesses to the Atlantic Ocean, swimming in the Atlantic Ocean shall be unlawful. The town manager or their designee shall make the determination of whether or not ocean conditions are safe based upon observations of the effects of winds, tides, storm conditions and other environmental conditions affecting the surf in the Atlantic Ocean. The town manager or their designee shall also take into consideration weather reports of existing storms in the Atlantic Ocean and the proximity of those storms to the beaches of the town, and the effect thereof.

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 All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.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 **6th** day of **March 2024**.

Benjamin Cahoon, Mayor
Town of Nags Head

ATTEST:

Carolyn F. Morris, Town Clerk

APPROVED AS TO FORM:

John Leidy, Town Attorney

Date adopted: **March 6, 2024**

Motion to adopt by Commissioner _____

Motion seconded by Commissioner _____

Vote: _____ AYES _____ NAYS

