



**AN ORDINANCE AMENDING THE TOWN CODE OF THE  
TOWN OF NAGS HEAD, NORTH CAROLINA AS IT PERTAINS  
TO CHAPTER 44 UTILITIES, SEC 44-108**

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Nags Head, North Carolina, that the Town Code of Ordinances, Chapter 44 UTILITIES shall be amended.

**PART I.** That Chapter 44 UTILITIES, Sec. 44-108. *Alternative procedures and requirements for extensions to proposed or certain existing subdivisions* be amended as follows:

When an application is received requesting the extension of water service to a proposed subdivision, one for which a final plat has not been recorded, or an existing subdivision which is located in excess of ~~500~~ 250 feet from an existing water main or for a commercial development or if an extension is required by the board of commissioners of the town as a condition of site plan approval for a commercial development, the following procedure may be followed as an alternative to the provisions of sections 44-105 and 44-106 in the discretion of the board of commissioners:

(1) The applicant shall be required to install the water system extension at his own expense, such installation to be in accordance with the standards and specifications of the town and under supervision of the water superintendent. Such installation shall be approved by the water superintendent before the same is covered. If the applicant shall request, or, in the case of commercial development, the town shall require the town to install the water system extension, such extension may be undertaken by the town upon payment to the town of the costs of the extension including labor and materials.

(2) The costs of all fire hydrants and hydrant connections, and the cost of installation over and above the cost of installation of an eight-inch water main where the town deems such a larger water main desirable, shall be borne by the town.

(3) For ten years subsequent to the date of completion of construction the town shall collect from all persons from whom a tap is made to such extensions, a water line reimbursement fee in accordance with the fee schedule of the town. On or before June 30 annually, commencing on June 30 next following the date on which construction is completed, the town shall pay over to the applicant an amount equal to the proportionate part of the applicant's cost to the total cost of the fees collected. After such ten-year period, all fees shall be retained by the town.

**PART II.** Effective Date. This ordinance amendment shall be in full force and effect upon the date of adoption by the Board of Commissioners.

Benjamin Cahoon, Mayor  
Town of Nags Head

ATTEST:

  
Carolyn F. Morris, Town Clerk

APPROVED AS TO FORM:

  
John Leidy, Town Attorney

Date adopted: **November 6, 2024**

Motion to adopt by Commissioner \_\_\_\_\_

Motion seconded by Commissioner \_\_\_\_\_

Vote: \_\_\_\_ Ayes \_\_\_\_ Nays

