



**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 46, *Vehicles for Hire* of the Code of Ordinances shall be amended as follows:

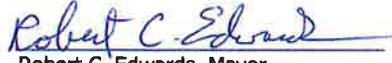
PART I. That the following section in Article III. *Drivers* of Chapter 46, *Vehicles for Hire* be amended as follows:

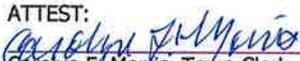
Sec. 46-86. - Issuance of permit.

The chief of police shall issue a permit to the applicant if the chief of police finds that:

- (a) The applicant is a citizen of the United States;
- (b) The applicant has a current and valid drivers license; and
- (c) None of the following situations apply to the applicant:
 - (1) Conviction of more than one DWI/DUI when the actual date of the most recent offense/arrest was within seven years of the application;
 - (2) Conviction of only one DWI/DUI when the actual date of offense/arrest was within three years of the application;
 - (3) Conviction of more than one careless and reckless driving offense;
 - (4) Conviction of more than one felony or misdemeanor drug related offence within ten years of the application;
 - (5) Conviction of any drug related offense involving possession/intent to manufacture, sell or distribute;
 - (6) Conviction of any non-violent felony within ten years if non-violent;
 - (7) Conviction of any violent felony offense within 20 years if violent;
 - (8) Conviction of any sex offense or prostitution related offense;
 - (9a) Conviction of any alcohol related offense involving the sale or distribution of alcohol within one year of the application;
 - (9b) Conviction of any alcohol related offense involving the aiding or abetting of the possession of alcohol by a minor;
 - (10) Conviction of any similar criminal offense(s) involving moral turpitude;
 - (11) Habitual conviction of traffic laws or town ordinances. An applicant's convictions shall be habitual if the applicant has more than five convictions over any relevant period of time;
 - (12) Subject to a domestic violence protective order.
- (d) If any of the above do apply, the chief of police will be authorized to utilize any additional resources including a probationary report to determine the applicant's suitability for permit issuance.

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 5th day of October 2016.


Robert C. Edwards, Mayor
Town of Nags Head

ATTEST:

Carolyn F. Morris, Town Clerk

APPROVED AS TO FORM:

John Leidy, Town Attorney

Date adopted: October 5, 2016

Motion to adopt by Commissioner _____
Motion seconded by Commissioner _____
Vote: _____ AYES _____ NAYS

