

**TOWN OF HOLDEN BEACH
ORDINANCE 10-08**

AN ORDINANCE AMENDING CHAPTER 94: BEACH REGULATIONS

BE IT ORDAINED BY the Mayor and the Board of Commissioners of the Town of Holden Beach, North Carolina, that Chapter 94: Beach Regulations of the Holden Beach Code of Ordinances be amended as follows.

Section 1. Add the following to §94.04 Definitions

Beach. The area between the mean low water mark of the Atlantic Ocean and the seaward toe of the frontal dune.

Beach Equipment. Any personal items that are designed or manufactured for use, or actually used, on the beach or in the adjacent tidal waters. Examples include, without limitations: chairs, lounges, umbrellas, cabanas, tents, horseshoes and stakes, kayaks, paddle vessels, sailboards, surfboards, fishing gear, sporting equipment, rafts, floatation devices, beach toys, baskets, bags, towels, coolers and any other personal property items. Beach equipment shall not include municipal trash containers, signage or structures or any items placed or permitted by a governmental agency (for example signs or protection devices for turtle nests).

Section 2. Add §94.06 Placing Obstructions on the Beach.

1. All beach equipment must be removed from the beach by its owner or permitted user on a daily basis. All personal items and beach equipment unattended and remaining on the beach between the hours of 6:00 p.m. and 7:00 a.m. will be classified as abandoned property and shall be removed and disposed of by the Town.
2. All beach equipment shall be set at least 10 feet from any sea turtle nest or dune vegetation.

Section 3. The Town Clerk is directed to forward this ordinance to the American Legal Publishing Company for inclusion in the next published supplement to the Holden Beach Code of Ordinances.

Section 4. This ordinance shall be effective the 23rd day of April, 2011.

This the 14th day of September, 2010.