

Ordinance 23-1213

Town of Carolina Beach
Town Council



AN ORDINANCE TO REGULATE HOLES DUG ON THE BEACH

~~Sec. 28-61. Filling holes and trenches created on beach strand.~~

~~It shall be unlawful for any person to dig holes, trenches or other depressions on the beach strand, Freeman Park or adjacent to the waters of the Atlantic Ocean and depart without having first completely filled such hole, trench, or other depression. Any person so convicted under this section shall be fined.~~

~~(Code 1986, § 11-74; Ord. No. 14-960, § 11-74, 1-9-2015)~~

Sec. 28-61. Holes on beach strand.

- (a) Larger holes that are dug and unattended holes on the beach present hazards for all beach goers (i.e. patrons and first responders, vendors, etc.). These regulations are designed for the safety of all.
- (b) For the purposes of this section, "beach strand" shall include the municipal beach strand, Freeman Park and all land between the low watermark of the Atlantic Ocean and the first line of stable vegetation as defined in the regulations of the North Carolina Coastal Resources Commission
- (c) It shall be unlawful for any person to dig holes, trenches or other depressions on the beach strand which exceed twelve (12) inches in depth or five feet in width. This prohibition shall not apply to activities sanctioned or approved by the town such as children's sand castle contests.
- (d) Use of shovels, other than those manufactured and intended for use by children for outdoor recreational activities are prohibited on beach strand. For the purposes of this section "shovels" shall be defined as a tool with a broad flat blade and typically upturned sides, used for moving earth or other material.
- (e) All holes, trenches or depressions dug in the beach strand shall be attended at all times (responsible person must be within 20 feet of the hole, trench or depression) and the hole, trench or depression must be filled in prior to leaving the beach and no later than 5:00 p.m.
- (f) Violation of this section shall not constitute an infraction or misdemeanor. Violation of this section shall subject the offender to a civil penalty to be recovered by the town in a civil action in the nature of debt if said civil penalty is not paid within 24 hours after being cited for the violation. The civil penalty shall be in accordance with the annually adopted rates and fee schedule.

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RATES AND FEE SCHEDULE

<u>Violation</u>	<u>Ordinance Code Reference</u>	<u>Fine</u>
<u>Holes on the Beach</u>	<u>28-61</u>	<u>\$50.00</u>

Adopted this 12th day of September, 2023.

TOWN OF CAROLINA BEACH

Albert L. Barbee, Mayor

ATTEST:

Kimberlee Ward, Town Clerk