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Town Manager

Aldermen:
Fred Fontana
Richard Grant
Tom Leonard
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Nancy Avery
Interim Town Clerk

Adopted September 7, 2022, by Town of North Topsail Beach Board of Aldermen

UDO Amendment to Article 10 (Enforcement), Section 7 (Special Remedies and penalties), subsection 2 (Rebuilding of damaged dunes) by deleting language in red strikethrough and adding language in blue.

Submitted by Nancy Avery, Interim Town Clerk

10.07.02 REBUILDING OF DAMAGED DUNES.

(A) ~~Any~~ **All** dunes in the ~~required natural area~~ **Ocean Hazard Area** that ~~is~~ **are** damaged during construction, or damage occurring as a result of such construction, or excavated in violation of this ordinance shall be restored to its original state using similar materials and stabilizing vegetation. It shall be the responsibility of the property owner to guarantee the protection of all identified dune systems and not allow the natural topography of the lot altered beyond that which has been authorized in the permit. The rebuilding of a dune shall be the ultimate responsibility of the property owner. Any dune in the ~~required natural area~~ **Ocean Hazard Area** that has been damaged or excavated in violation of this ordinance shall be **subject to a fine of \$10,000** and restored within ~~60~~ **seven (7)** days of notice.

(B) **Failure to repair damage to dunes and vegetation after seven(7) days, shall constitute a separate violation for each day that such failure continues after written notification by the Planning Director.**

(C) **Any development proposed within the Ocean Hazard Area shall indicate on a plat submitted with the application, the dune contour/topography and dune profile by elevation, the landward toe of the dune by bearing and distance.**

(D) **No disturbance, no development, no structure shall be permitted within 5.0 feet of the landward toe of the dune, "dune buffer," except beach access crossovers as permitted.**

(E) **Any additions or improvements to existing structures must comply with the standards for new construction and be relocated outside of the "dune buffer."**

(F) **If any provision of this article is in conflict with a rule or regulation adopted by the State Coastal Resources Commission dealing with oceanfront erosion control, then the most stringent rule or regulation shall control and apply.**