

Joann M. McDermon, Mayor  
Mike Benson, Mayor Pro Tem



Alice Derian, ICMA-CM  
Town Manager

Aldermen:  
Richard Grant  
Tom Leonard  
Connie Pletl  
Laura Olszewski

ORDINANCE NO. 2024-02

**AN ORDINANCE AMENDING CHAPTER 10, ARTICLE IV, OF THE CODE OF ORDINANCES OF THE TOWN OF NORTH TOPSAIL BEACH, NORTH CAROLINA, BY ADDING SECTION 10-54 BEACH VITEX PROHIBITED**

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF NORTH TOPSAIL BEACH, NORTH CAROLINA, THAT:

Chapter 10, Article IV, of the Code of Ordinances is hereby amended to add Section 10-54, to read as follows:

§ 10-54 BEACH VITEX PROHIBITED.

(a) Because the invasive non-native plant known as beach vitex (*Vitex rotundifolia*) has been found to exist on the beach, and because beach vitex grows prolifically which kills native plants such as sea oats and bitter panicum which protects the integrity of the beach berm, and because beach vitex is unfriendly to nesting sea turtles and birds dependent upon this habitat, it shall be unlawful for any person to plant or maintain beach vitex. Property owners shall be responsible for re-establishing vegetation on the dune.

(b) Any person violating this provision shall be subject to a civil citation in the amount of twenty-five dollars (\$25.00) for the first offense; second offense shall subject the offender to a civil citation in the amount of fifty dollars (\$50.00). After the second offense, each day shall constitute a separate offense until compliance is met.

SECTION II. SEVERABILITY CLAUSE. If any section, part of this Ordinance is declared unconstitutional or invalid by a court of competent jurisdiction, then it is expressly provided and it is in the intention of the Board of Aldermen in passing this Ordinance that its parts shall be severable in all-other parts of this Ordinance shall not be affected thereby and they shall remain in full force and effect.

SECTION III. PUBLICATION AND EFFECTIVE DATE, This Ordinance shall take effect immediately upon its passage and publication according to law.

READ, CONSIDERED, PASSED AND APPROVED at a regular meeting of the Board of Aldermen of North Topsail Beach, North Carolina, at which a quorum was present, and which was held on the 7<sup>th</sup> day of February 2024.

Adopted this 7<sup>th</sup> day of February 2024.

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Joann McDermon, Mayor

ATTEST: 

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Nancy Avery, Interim Town Clerk

