



Ordinance Number 2015-_____

AN ORDINANCE REGULATING FISHING AND SURFING IN DESIGNATED SWIMMING AREAS

WHEREAS, The Town of Pine Knoll Shores is located on a barrier island with approximately 4.5 miles of public trust beach area adjacent to the Atlantic Ocean; and

WHEREAS, particular portions of the public trust beach in Pine Knoll Shores encounter higher traffic of recreational swimming and water use; and

WHEREAS, fishing and surfing uses can threaten the public health, safety, and welfare of swimmers in these higher traffic areas; and

WHEREAS, the Town of Pine Knoll Shores wishes to limit the threat to public health, safety, and welfare; and

WHEREAS, NCGS 160A-205 authorizes the enforcement of Town ordinances on the ocean beaches within the public trust areas; and

WHEREAS, NCGS 160A-176.1 authorizes the enactment of ordinances that regulate surfing in the Atlantic Ocean within municipal boundaries;

NOW, THEREFORE, BE IT ORDAINED by the Pine Knoll Shores Board of Commissioners that Sections 46-21 and 46-23 of the Pine Knoll Shores Code of Ordinances are hereby amended as set forth herein:

46-21 is hereby amended to add a new definition:

Designated swimming area means a demarked portion of the public trust beach and adjoining portion of the Atlantic Ocean that extends from the shoreline seaward for 100 yards and up to 100 yards to the east and to the west of the following locations: Iron Steamer public beach access, the Memorial Park public beach access, the Ocean Park private beach access, the Hammer Park private beach access, the Knollwood public beach access, the Beacon's Reach West public beach access, the Beacon's Reach East public beach access, the Atlantis Lodge, the Seahawk Inn and Villas, and the Windjammer Inn.

46-23 is hereby amended to add a new subsection (h) *Activity in designated swimming area:*

(h) Activity in designated swimming area. Within designated swimming areas, it shall be illegal to fish between the hours of 9 am and 5 pm, and surfers must yield the right of way to swimmers.

This ordinance shall be effective upon adoption, this the 13th day of July, 2015. Enacted on a motion by Commissioner Edwards with a second by Commissioner Brodman that passed with 4 in favor, 0 opposed, and 1 absent.

Ken Jones, Mayor

Scott Sherrill, Town Clerk