



**Town of Ocean Isle Beach**

**Resolution No. 2025 - 5**  
**Date Adopted: February 11, 2025**

**ORDINANCE TO AMEND ARTICLE III, SEC. 54 (71-77) OF THE  
TOWN OF OCEAN ISLE BEACH CODE OF ORDINANCES  
PARKING, STOPPING, STANDING**

**BE IT ORDAINED** by the Board of Commissioners of the Town of Ocean Isle Beach that Article III, Sec 54 (71-77), is hereby amended to read as follows:

~~Sec. 54-71. Vehicular parking.~~

~~(a) — Parking in the street right-of-way.~~

~~(1) — It shall be unlawful to park or leave standing any vehicle, whether attended or unattended, upon the paved or maintained surface of the road.~~

~~(2) — No person shall block any sidewalk by obstructing the same so that it is impossible for a pedestrian to travel along the sidewalk.~~

~~(3) — Parking within the right-of-way (ROW) is prohibited along E. First Street (SR 1144), W. First Street (SR 1144), and E. Second Street (SR 1888).~~

~~(4) — Parking within the right-of-way (ROW) shall also be prohibited in areas so marked with town installed "No Parking" signs where approved by the Board of Commissioners.~~

~~(b) — Vehicles shall not be permitted to park in any beach access or any municipal designated parking areas, between the hours of midnight and 6:00 a.m.~~

~~(c) — Any vehicle in violation of subsections (a) and (b) of this section may be, at the discretion of the officer on duty, removed to an area designated by the board of commissioners for storage. If such vehicle is removed, any cost incurred in removing it shall be charged to and collected from the owner or person in whose possession the vehicle was invested at such time; and the charge shall be collected prior to the release by the town. The cost incurred by the town in having the vehicle removed shall be charged and held against the vehicle. In addition, the current daily charge for storage of such vehicle while in possession of the town shall be collected at such time as the vehicle is released.~~

~~(d) — The term "vehicle" means every device in, upon or by which any person or item of property may be transported or drawn upon a highway by mechanical means.~~

~~(e) — Any person violating any provision of this section shall be fined the sum of \$25.00 for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues.~~

~~(Code 1983, § 5-1-3; Ord. of 10-9-2001, § 1; Ord. of 2-12-2002(2), § 1; Ord. of 8-13-2002(2); Ord. of 3-9-2004(2), § 1; Ord. of 4-13-2004(2), § 1; Res. No. 2024-14, 4-9-2024)~~



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### ARTICLE III. – PARKING, STOPPING AND STANDING

#### Sec. 54-71. - Definitions.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**Central Business District** means the C-2 Zoning District as shown on the Town’s Official Zoning Map.

**Construction or maintenance vehicle** means any vehicle, as defined herein, that is being used for any legitimate service to a private or public facility or residence. Private contractors’ vehicles, delivery vehicles, animal assistance organization vehicles (excluding spectators) and any other vehicle with pre-authorization from the town or police, on a case-by-case basis, shall be considered CONSTRUCTION OR MAINTENANCE VEHICLES.

**Dawn** means a time one-half hour before sunrise.

**Driveway** means an area of the public right-of-way intended for ingress and egress to private residences and the parking thereof, or an area of the public right-of-way allowing ingress and egress to businesses and commercial properties open to public vehicular traffic.

**Dusk** means a time one-half hour after sunset.

**Fire lane and/or emergency vehicle access** means any area marked with signage and/or other markings indicating the area is restricted to emergency vehicle parking and/or access only.

**Full-size vehicle** means any registered vehicle as defined in this chapter excluding those vehicles defined as low-speed vehicles herein.

**Handicapped** means individuals with disabilities as determined by a medical practitioner in accordance with the Americans with Disabilities Act and all current federal guidelines and state laws.

**Handicapped parking space** means a parking space designated by signage for the exclusive use of individuals with disabilities as defined above. G.S. § 20-36(e)(1) authorized vehicles displaying disabled veteran registration plates to utilize these spaces without a handicapped placard.

**Loading zone** means a specific area designated by signage for temporary parking to load or unload passengers and/or equipment.

**Low-speed vehicle (LSV)** means a four-wheeled electric vehicle whose top speed is greater than 20 miles per hour but less than 25 miles per hour.

**Park and/or parking** means the act of leaving any vehicles standing, whether attended or unattended, in a stationary position for any amount of time, except when in obedience to traffic control devices when in the normal flow of vehicular traffic.

**Parking permit** means an instrument, either physical or digital, authorizing the holder to park and/or occupy a designated parking area.

**Pedestrian crosswalk** means any area marked with signage and/or other markings designed to safely allow pedestrian foot traffic to cross the roadway.



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**Public right-of-way** means a strip of land acquired for or dedicated to public transportation purposes over which is constructed a street or highway, and which includes areas adjacent thereto which may be used for, without limitations, sidewalks, planting strips, traffic circles, utilities, and/or medians.

**Street or Highway** means G.S. § 20-4.01(13) and (46) define a STREET and/or HIGHWAY as the entire width between property or right-of-way lines of every way or place of whatever nature, when any part thereof is open to the use of the public as a matter of right for the purposes of vehicular traffic. The terms HIGHWAY and STREET, and their cognates, are synonymous.

**Street intersection** means the physical location in which two streets connect. A measurement from this location shall be from the right-of-way connection point of the streets closest to the adjacent private property line.

**Trailer** means any trailer required to be registered in accordance with North Carolina General Statutes shall be considered a vehicle as defined herein. Whether attached or not to a towing vehicle, for the purposes of parking, trailers shall be considered a separate vehicle.

**Vehicle** means any registered motor conveyance as defined in G.S. § 20-4.01, including but not limited to: passenger motor vehicles, commercial motor vehicles, recreational vehicles, electric vehicles, low speed vehicles, motorcycles, and utility vehicles.

### **Sec. 54-72. - Parking Prohibited on Public Streets and Rights-of-Ways.**

(A) Parking shall be prohibited at all times within the corporate limits of the town on all public streets, rights-of-way, and on town-owned property unless specifically authorized in this chapter.

(B) Parking shall not be authorized in any of the following locations:

- (1) Street intersections or adjacent right-of-way, within 40 feet.
- (2) Any portion of the roadway, pavement, bike lane, or travel lane.
- (3) Pedestrian crosswalks, sidewalks, or pedestrian access ways.
- (4) Blocking access to driveways or mailboxes.
- (5) Facing opposing traffic.
- (6) Blocking or adjacent to fire hydrants and emergency beach accessways, within 15 feet, and blocking or within fire lanes.
- (7) Designated handicapped space without placard or registration plate.
- (8) From midnight to 6:00 a.m. in all public authorized parking areas.

(C) When an authorized or permitted parking area's access is conspicuously and obviously restricted or blocked by signs, barricades, barrier tape or any other traffic control device(s), parking shall be prohibited for the duration of the time that area remains blocked.





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### (D) Exceptions.

(1) The prohibitions in divisions (A), (B) or (C) above shall not apply to the temporary parking of any of the following:

- a. Emergency or government vehicles.
- b. Public and private utility vehicles.
- c. Private vehicles, when being used during the provision of an emergency.
- d. Private vehicles, when being used for any other bona fide governmental purpose.

(2) The prohibitions in division (A) above shall not apply to the temporary parking of any of the following:

- a. Private contractor or maintenance service vehicles while performing legitimate services at a specific location receiving services, except:
  - 1. No vehicle may be left parked overnight (from dusk to dawn); and
  - 2. All vehicles must be as far off the public street rights-of-way as possible; and
  - 3. No vehicle may be left parked on any portion of any roadway; and
  - 4. No vehicle may be parked on any portion of the sidewalk.
  - 5. All vehicles must have appropriate signs located on the vehicle or dashboard indicating contract or maintenance work is being performed.

(3) The prohibitions in division (A) above shall not apply to the temporary parking of any of the following:

- a. Parking shall be permitted in the rights-of-way for customers and employees of businesses located in the Central Business District, except:
  - 1. Shall not be within 25 feet of any intersection in any direction; and
  - 2. Shall not be on any portion of the sidewalk; and
  - 3. Shall not impede the flow of traffic.
  - 4. Right-of-way parking is strictly prohibited along East First Street, East Second Street, and West First Street.

(4) Parking is authorized without a permit in Town Center Park for direct use of the park and its facilities only. This applies to the parking area(s) immediately adjacent to and on the same side of the street as the park on Gatha Lane and the Low-Speed Vehicle spaces adjacent to the Museum of Coastal Carolina.

(5) Parking is authorized without a permit at the Ocean Isle Beach Town Hall when conducting official business in the Town Hall.



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(6) Parking is authorized without a permit at Ferry Landing Park for direct use of the park and its facilities only. This applies to the parking areas north of E. Seventh Street only.

(7) Parking is authorized without a permit in the rights-of-ways on Sunday mornings from 8:00 am to 11:00 am from Memorial Day to Labor Day and including Easter Sunday and Thanksgiving to attend the church service at the Driftwood beach access and the Ocean Isle Beach Chapel.

(8) Parking is authorized without a permit in any designated handicap space in accordance with the definition(s) in Sec. 54-71, when said vehicle displays a valid placard or registration plate.

(9) Parking is authorized without a permit in any space designated for Electric Vehicle (EV) charging while the vehicle is actively charging. Parking in EV spaces at any time without charging is subject to a parking violation of \$50 regardless of parking permits.

### Sec. 54-73. - Parking Authorized by Permit Only.

(A) No person shall park a vehicle in any designated parking area or location without first obtaining a valid parking permit in accordance with the following, unless a specific exemption exists in Sec. 54-72:

(1) Parking permits will be required from April 1 through October 31 between the hours of 9:00 a.m. and 5:00 p.m. each day.

(2) Separate rates will be available for hourly, daily, weekly, and annual permits.

a. Hourly permits: per hour rate, up to four hours.

b. Daily permits: per day rate, valid for the date of purchase only.

c. Weekly permits: per week rate, valid for seven consecutive days including the date of purchase.

d. Season permits: annual rate covers one vehicle and is valid for the calendar year of purchase only from April 1<sup>st</sup> through October 31<sup>st</sup>. Season permits are not prorated for partial year.

(3) All rates associated with parking permits are listed in the Fee Schedule adopted by the Board of Commissioners, which shall be available at the office of the Town Clerk and on the Town's website.

(4) Permits are valid only for the specific vehicle assigned during initial purchase and are non-refundable.

(5) Hourly, daily and weekly permits are non-transferable.

(6) Transferring of an annual permit is authorized only under the following circumstances:

a. When the assigned vehicle is sold; and

b. Only once every ninety days; and

c. Only for the original purchaser with common named registration; and

d. Proof of sale documentation shall be required.



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(7) The Town has created Employee Only Parking located at 3 W. Third Street for employees of Town businesses. For businesses to use the lot, the following conditions apply:

- a. Business owners must register their employees' vehicles with the parking vendor.
- b. Businesses must pay an annual user fee of \$250.00.
- c. Violations will be assessed as per Section 54-75.

(B) Signage.

(1) Proper signage may be installed and maintained by the town or its authorized agent to:

- a. Designate authorized parking areas.
- b. Designate parking for low-speed vehicles.
- c. Designate handicap parking spaces.
- d. Provide the manner of obtaining a parking permit:
  - 1. At each designated parking area; and
  - 2. Including the required hours.

(2) Signage will only be placed in accordance with the provisions of this chapter.

(C) No person may park or cause to be parked, any full-size vehicle in any space designated for low-speed vehicle parking.

(D) Parking is authorized without a permit outside the specified hours in division (A) above, but only in designated authorized parking areas pursuant to this chapter unless otherwise exempted in Sec. 54-72(D).

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**Sec. 54-74. - Tow-Away Zones.**

Vehicles may be towed at the discretion of any law enforcement officer in accordance with all current North Carolina General Statutes.

**Sec. 54-75. - Penalty.**

(A) Criminal. In accordance with G.S. § 14-4(b), SL 2021-138 (effective December 1, 2021), violation of a parking ordinance is an infraction and may carry a maximum fine of \$50.

(B) Civil. Any person who violates any provision of this traffic code shall be subject to a civil fine of \$50 per offense, unless a different amount is specifically stated herein.

(C) When a civil fine is assessed in accordance with division (B) above, and the violation is for parking in a lawful parking area, and the fine is paid by midnight of the same date it was assessed, it shall be \$25 per offense for the first three offenses per vehicle and then \$50 if paid the following day. All subsequent





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violations shall be \$50 per offense unless a higher amount is required in this chapter. This division (C) shall not apply to violations of Sec. 54-72(B)(6) or (7).

(D) Civil. Any person who violates Sec. 54-72(B)(6) or (7) of this traffic code shall be subject to a civil fine of \$250 per offense.

(E) A late fee in the amount of \$25 shall be assessed when all fines levied by divisions (B) or (C) above are not paid in full within 30 days of the issuance of a citation for a violation.

### Sec. 54-726. Beach vehicular traffic.

- (a) It shall be unlawful to operate any automobile, off-road vehicle, motorcycle, wind-powered, battery-powered, or motor-powered vehicle, or other vehicle (including, but not limited to, bicycles, tricycles, golf carts, dune buggies) on the beaches and the dune areas of the town; however, individuals may operate bicycles on the beach strand from a period between Labor Day and Memorial Day of each calendar year.
- (b) The provisions of this section shall not apply to:
  - (1) Municipal employees, municipal vehicles or their drivers who may be required to enter upon the beach in the performance of their duties;
  - (2) A governmental agency, its employees, agents, contractors and subcontractors, and their vehicles when engaged in beach restoration or protection work; or
  - (3) Battery powered wheelchairs or other mobility devices in compliance with ADA requirements for persons with mobility, circulatory, respiratory or neurological disabilities.

(Code 1983, § 5-1-4; Res. No. 2018-23, § 1, 9-11-2018; Res. No. 2019-21, 9-10-2019)

### Sec. 54-737. Motor homes, travel trailers and campers.

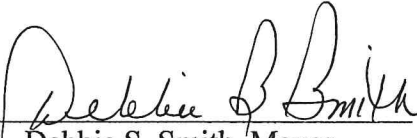
- (a) No motor home, travel trailer or camper (hereinafter referred to as "vehicle") shall be parked on the island except to accommodate loading and unloading not to exceed a period of seven days. No motor home, travel trailer or camper vehicles shall be connected by electrical cord or jump cord into the power source of any existing permanent structure or structure under construction except in the event of a state of emergency as is declared by public officials.
- (b) Any vehicle in violation of this section, at the discretion of the officer on duty, may be removed to any area designated by the board of commissioners for storage. If such vehicle is removed any cost incurred in removing it shall be charged to and collected from the owner or person in whose possession the vehicle was invested at such time; and the charge shall be collected prior to the release by the town. The cost incurred by the town in having the vehicle removed shall be charged and held against the vehicle. In addition, the current daily charge for storage of such vehicle while in possession of the town shall be collected at such time as the vehicle is released.




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This ordinance adopted this the 11<sup>th</sup> day of February 2025.

  
Debbie S. Smith, Mayor

ATTEST:

  
Casey R. Hayes, Town Clerk

