ORDINANCE 26-06
AN ORDINANCE AMENDING THE HOLDEN BEACH CODE OF ORDINANCES, TITLE VII: TRAFFIC CODE

BE IT ORDAINED BY the Mayor and Board of Commissioners of the Town of Holden Beach, North Carolina, that Title VII: Traffic Code be amended as follows.

Section One: Add the following to **§** 72.01 Definitions.

§ 72.01 DEFINITIONS.

LOW SPEED VEHICLE. A Low-Speed Vehicle shall meet the current requirements set forth in the North Carolina General Statutes definition.

Section Two: Update **§** 72.03 Parking Authorized by Permit Only as follows.

§ 72.03 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 72.02:

(1) Parking permits will be required between the hours of 9 a.m. and 5 p.m. each day.

(2) Parking permits will be required in accordance with the annual calendar included in the Fee Schedule.

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

(a) Hourly Permits. Per hour rate, up to four (4) 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) Annual Permits. annual rate covers one or two vehicles. Valid for the calendar year of purchase only.

(4) All rates associated with parking permits are listed in the Fee Schedule.

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

(6) Hourly, Daily and Weekly permits are non-transferable.

(7) Transferring of an annual permit is authorized only under the following circumstances:
(a) When the assigned vehicle is sold; and

(b) Only once per calendar year; and
(c) Only to the original purchaser; and
(d) Proof of sale documentation shall be required.

(B) Signage.

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

(a) Designate authorized parking areas in accordance with the Parking Zone and Area Table ~~table in division (E) below~~.

(b) Designate parking for low-speed vehicles in accordance with the Parking Zone and Area Table ~~table in division (E) below~~.

(c) Designate loading/unloading zones and stop locations for mass transit vehicles.

(d) Designated handicap parking spaces.

(e) Indicate no parking areas.

(f) Provide the manner of obtaining a parking permit:

(1) At each designated parking area; and

(2) Including the required hours.

(g) Designate Short-Term Parking Areas.

(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 other than a low-speed vehicle as defined herein in any space designated for low-speed vehicle parking.

(D) Parking is authorized without a permit outside the specified hours in division (A)(1) above, but only in designated authorized parking areas pursuant to this chapter unless otherwise exempted in § 72.02(D).

(E) The Parking Zone and Area Table ~~following table~~ includes the specific locations in which parking is authorized. The table shall be officially on file in the office of the town clerk and maintained by the town manager or his designee. Parking in these areas shall be in accordance with all the provisions of this Chapter.

~~{ Insert Completed Table Here – No Change }~~

Section Three: Amend § 72.99 Penalty as follows.

§ 72.99 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*. In accordance with § 10.99(B), 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 ~~accessed~~ assessed in accordance with division (B) above, and the fine is for a violation of 72.03(A) ~~is for~~ parking in a designated lawful parking area, and the fine is paid by midnight of the same date it was ~~accessed~~ assessed, it shall be $25 per offense, for the first three offenses per vehicle, per calendar year. All subsequent violations shall be $50 per offense unless a higher amount is required in this chapter. This division (C) shall not apply to violations of § 72.02(B)(6) or (7).

(D) *Civil.* In accordance with § 10.99(B), any person who violates § 72.02 (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.

Section Four: The Town Clerk is directed to forward this ordinance to American Legal Publishing for inclusion in the next published supplement to the Holden Beach Code of Ordinances.

This ordinance shall be effective the 28th day of October, 2026.

This the 27th day of October, 2026.

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J. Alan Holden, Mayor

ATTEST:

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Heather Finnell, Town Clerk