



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

Alice Derian, ICMA-CM  
Town Manager

Aldermen:  
Fred Fontana  
Richard Grant  
Tom Leonard  
Connie Pletl

Nancy Avery  
Interim Town Clerk

ORDINANCE 2023-02 REPEALING ARTICLE XI UNDER CHAPTER 6 OF THE TOWN OF NORTH TOPSAIL BEACH CODE OF ORDINANCES REGARDING REGULATION OF GOLF CARTS

**WHEREAS**, Article XI (Regulation of Golf Carts) under Chapter 6 (Public Safety) of the Town's Code of Ordinances regulates the operation of golf carts on any public street or road within the Town; and

**WHEREAS**, the Parking Committee and Police Chief in a review of Article XI on May 16, 2023, noted that it is dependent on golf cart owners registering golf carts with the Town as a tracking mechanism for violations and citations. Currently the Town has only ten registered golf carts on file which all expire June 30, 2023; and

**WHEREAS**, the State of North Carolina law regulating golf carts requires owners to register and place tags on the carts thus providing a way to trace the owner when violations occur; and

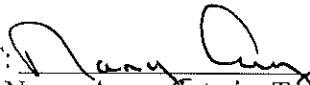
**WHEREAS**, utilizing state law rather than the local ordinance provides direct and current access to owner information for violations and issuance of citations. It also allows for the identification of a rental cart provided by a vendor so that the rental company is issued the parking citation to settle the matter with the renter when the cart is turned in.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN THAT:**  
**Section 1.** Article XI (Regulations of Golf Carts) under Chapter 6 (Public Safety) of the Code of Ordinances for the Town of North Topsail Beach to include Sections 6-166 through 6-176 is hereby repealed in its entirety.

**Section 2. Severability.** It is the intention of the Board of Aldermen that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since they would have been enacted by the Board of Aldermen without the incorporation in this ordinance of any such unconstitutional or invalid phrase, clause, sentence, paragraph or section.

Effective this 5<sup>th</sup> day of July 2023.

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Joann M. McDermon, Mayor

ATTEST:   
Nancy Avery, Interim Town Clerk