TOWN OF NAGS HEAD
REGULATIONS GOVERNING OFF-ROAD VEHICLES

The general rules of operation on Beach Driving are listed below for quick reference along with a summary of the Town of Nags Head ordinance (the complete Town ordinance can be found on our web site at www.nagsheadnc.gov). Please familiarize yourself with these rules. Please understand that driving an off-road vehicle on the beaches of Nags Head is a privilege. The Town Manager shall have the authority to close any portion of the beach at any time. The Town has made every effort to accommodate four-wheel drive vehicles on the beach. At the same time, in order to ensure your safety, the safety of pedestrians, and the protection of the beaches, the Town must enforce certain regulations with respect to beach driving privileges. These rules are as follows:

- **Per the 2015 Town Ordinance, issued Beach Driving Permits are now authorized to be used on the designated ocean beach areas within both the Town of NagsHead and the Town of Kill Devil Hills jurisdictions.**
- Stay off of the dunes and private property. The Nags Head dune system is very fragile and can be destroyed by vehicles running over the vegetation. As a guideline, drive as close to the water's edge as possible. Under no circumstances does a beach driving permit allow you to drive your vehicle on private property without the express permission of the owner.
- Enter and exit the beach at designated and marked access points only.
- **Display your permit on the left front bumper of the vehicle.**

Should you have any additional questions concerning beach driving, you should contact a Nags Head Police Officer or make a direct inquiry to the Police Department.

APPLICATION PROCEDURE

Applications for permits will be taken from 8:30 a.m. until 5:00 p.m. daily, Monday through Friday in the Municipal Complex at 5401 S. Croatan Highway. Additionally, Town-designated tackle shops will also distribute applications and permits during their normal business hours. These tackle shops are: Fishing Unlimited, Whalebone Tackle, and T.W.'s Bait and Tackle. Permits will also be distributed at Jennette's Pier. When applying for the permit, please have a valid motor vehicle operator's license, current registration, current inspection sticker, and license plate number. The fee is currently $25.00 per year, subject to change by the Board of Commissioners, and only cash or check made payable to the Town of Nags Head will be accepted. Beach drivers must comply with all local regulations having to do with licensing, registration, inspection and insurance before a permit will be issued.

SUMMARY OF REGULATIONS PERTAINING TO BEACH DRIVING

1. A beach driving sticker is required for each vehicle and must be renewed annually. The sticker should be placed on the left front bumper of the vehicle.
2. A permit shall be valid on the first day of October until the thirtieth day of April of each year.
3. A fee in accordance with the Nags Head fee schedule will be charged for each permit. The annual permit fee is currently set at $25.00, subject to change by the Board of Commissioners. Duplicates may be obtained for a fee of $2.00 each with return of old sticker. Commercial fisherman holding a valid state commercial fisherman's license, operating one or more vehicles in the business of commercial fishing shall obtain a permit free of charge for use only while commercial fishing.
4. Permits shall be issued only for four-wheel drive vehicles which have passed an inspection by the Department of Motor Vehicles of the state or by the equivalent department or agency of the state in which such vehicle is licensed; provided that land vehicles registered in states having no state inspection program must be examined by the permit issuing employee and found to have operating headlights, taillights, brakes, horn and windshield wipers.
5. Maximum speed shall not exceed 25 mph.
6. Beach driving is permitted only from one-half hour before sunrise to one-half hour following sunset.
7. Permitted vehicles going to and from the beach shall use the designated VEHICULAR BEACH ACCESS POINTS, which are designated and posted as such by the Town of Nags Head.
8. Pedestrians, swimmers, and bathers have the right-of-way over vehicles being operated on the beach.
9. A permit does not authorize a vehicle, its owner or operator to operate a vehicle over private property without the permission of the owner.
10. No vehicle shall be operated west of the toe of the slope of the dune except in going to and from the beach area at authorized VEHICULAR BEACH ACCESS POINTS.
11. Any person driving on the beach in a careless or heedless manner, or who drives on the beach without due caution or at an unsafe speed, or who drives while under the influence of intoxicating liquor or other drug, or who has a blood alcohol level of **0.08** percent or more by weight (in accordance with N.C. State Statutes), shall be punished as provided for in Section 1-6 of the Code of Ordinances of the Town of Nags Head.
12. Any person operating a vehicle on the beach, or going to and from the beach, must have a current and valid motor vehicle operator's license issued by the state of his/her residence.
13. It shall be unlawful for any person to cause or allow unsightly litter, foul or offensive odors or potentially dangerous materials to remain on or emanate from any property under his control, or to discard, abandon or cause the same on any public or private property within the corporate limits of the town.
14. Commercial fishermen are governed by Chapter 472 of the 1967 Session Laws of North Carolina and NCGS # 113.
15. By proclamation of the Director of Marine Fisheries, it is unlawful to use seines from Wednesday through Saturday of the week of the Nags Head Surf Fishing Tournament held during October of each year the week prior to Columbus Day and November 1 through December 15 of each year, from Gulfstream Street northward to Eighth Street at the north town limit of Nags Head. It is also unlawful to use commercial fishing gear within 750 feet of fishing piers open to the public. According to 15A NCAC 31.0001, a seine is defined as "a net set vertically in the water and pulled by hand or power to capture fish by encirclement and confining fish within itself or against another net, the shore or bank as a result of net design, construction, mesh size, webbing diameter, or method in which it is used." . Each year Marine Fisheries issues a chart entitled North Carolina Recreational Guide for Fishermen. This guide lists the most current lengths and creel limits for various species of fish.

Suggested equipment to carry while driving on the beach includes: shovel, jack, tow rope or chain, board or similar jack support, low pressure tire gauge, approved tires, and a spare tire. EMERGENCY TELEPHONE NUMBERS - For all emergencies (police, fire, ambulance, and ocean rescue) **DIAL 911**

OTHER IMPORTANT TOWN REGULATIONS

DRIVING ON SAND DUNES PROHIBITED - It shall be unlawful to operate a vehicle on ANY sand dune in the Town.

PIT FIRES - A permit must be obtained from the Nags Head Fire Department (252-441-5909) prior to setting or lighting a pit fire. Permits for any type of fire can only be issued by the Nags Head office of the Fire Marshal.

CAMPING REGULATIONS - No person shall engage in the act of open air camping in the Town of Nags Head unless that person owns or leases improved real property or is the owner's (or lessee's) immediate family and company. Such persons may camp on the property provided that sanitary facilities including a bathroom with running water are available. The total number of persons authorized shall not exceed five.

DOGS MUST BE ON A LEASH –See chapter 4, Article I, Animal Control of the Nags Head town Code of Ordinances. Any animal off the premises of the owner or custodian shall be restrained by a leash, cord, or chain not exceeding ten (10) feet in length, held by a person who is physically able to control the animal. A collar or harness with attached current vaccination and identification tags must be worn at all times except when the dog is contained to the owner's premises. Each and every person, keeper or custodian of any dog in any public place, street, sidewalk, parking lot, on the private property of a person other than the owner, keeper or custodian and on the beach shall immediately remove all feces deposited by their dog. Such removal shall be accomplished by depositing such feces in a sanitary container. Burying feces in the sand or depositing in the ocean is prohibited and constitutes a violation of this chapter.